

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 16 1993
Department of Water Resources

A. GENERAL INFORMATION

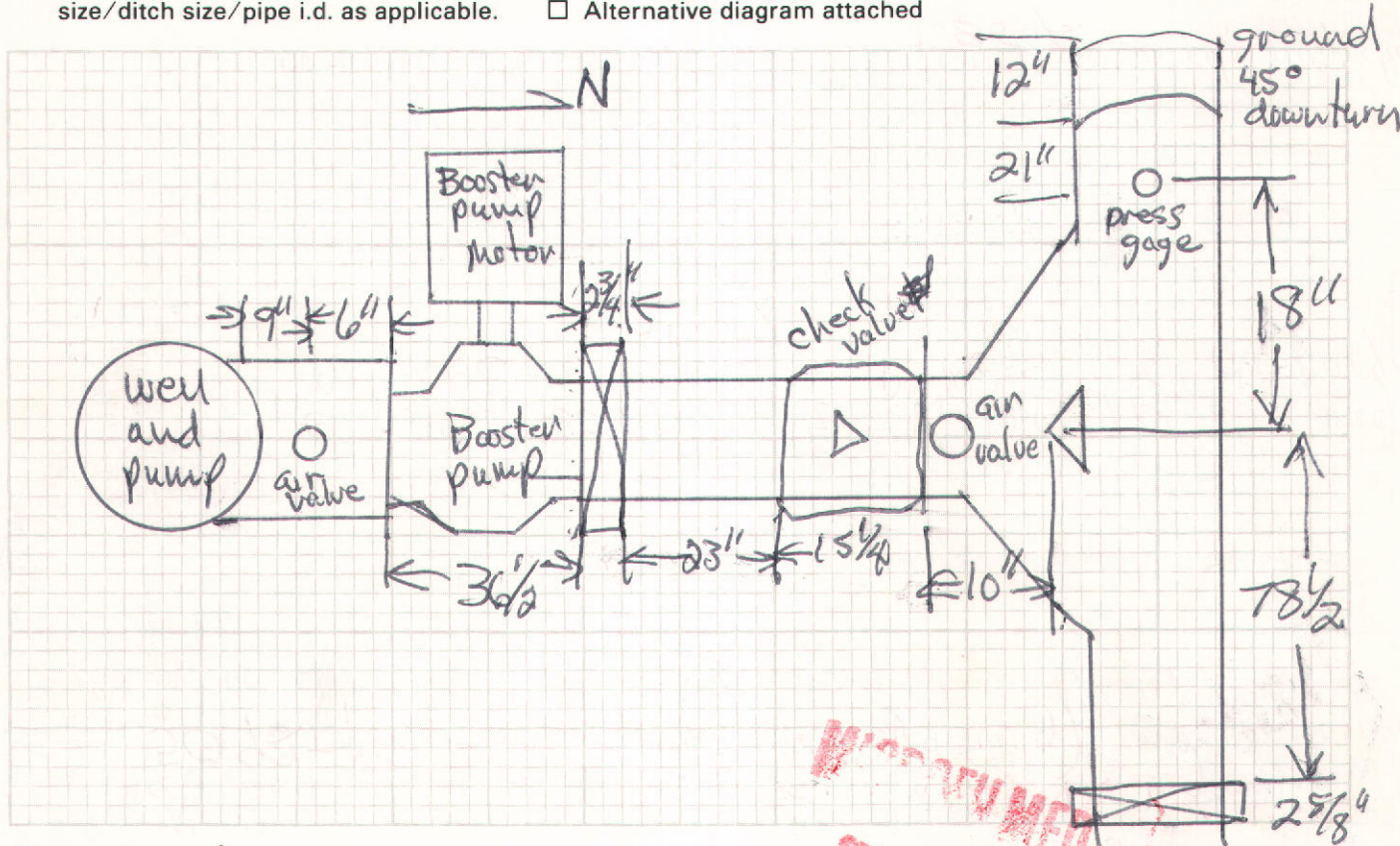
1. Owner: James R. Bauer Permit No. 35-8580
Current Address: 726 N 1900W Phone No. 684-4258
2. Accompanied by: James Bauer EXAM. DATE: 07/08/91
Address: Same Phone No. Same
Relationship to Permit Holder: holder
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: 35-07237 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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

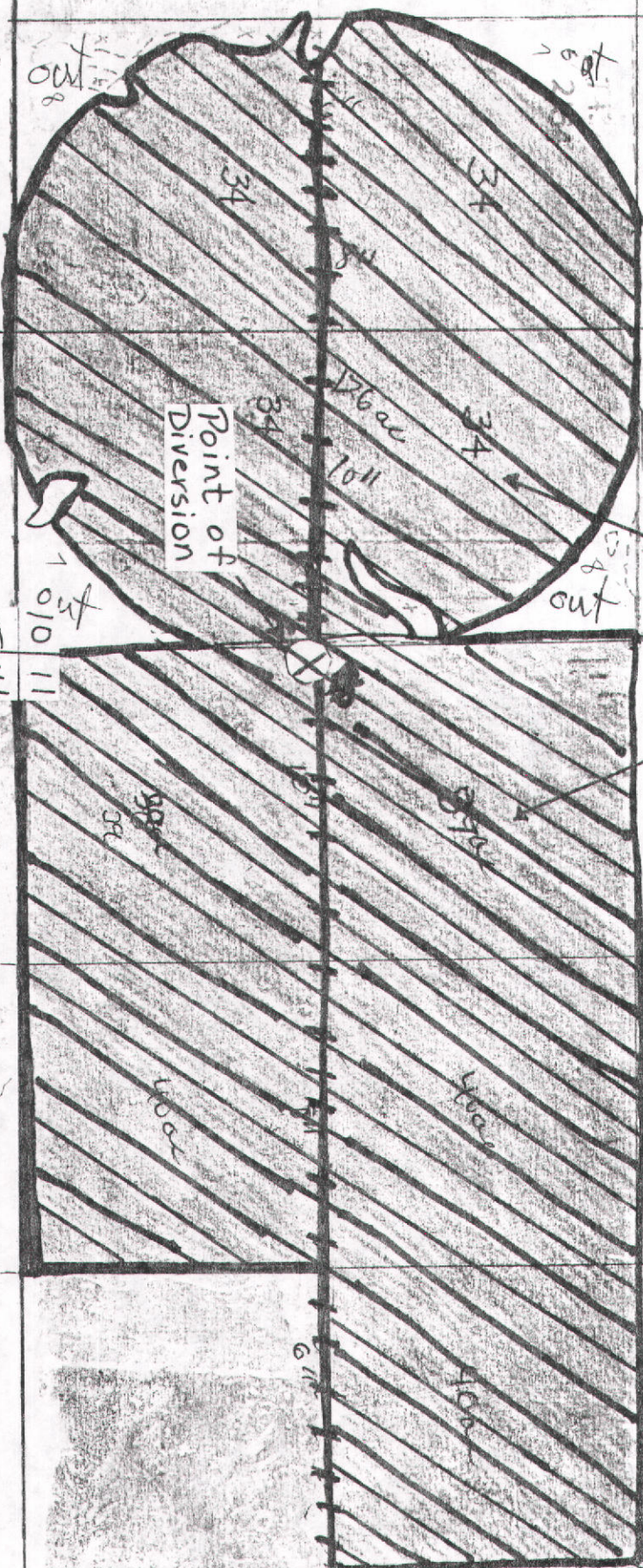


Scale: 1" = N/A

2. ☒ 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).

35-08580

15 14
10 11



2695

180

Place of
use

T
R32E

land is in
So-92 program
not being irrigated
in 1991

SEP 14 1995

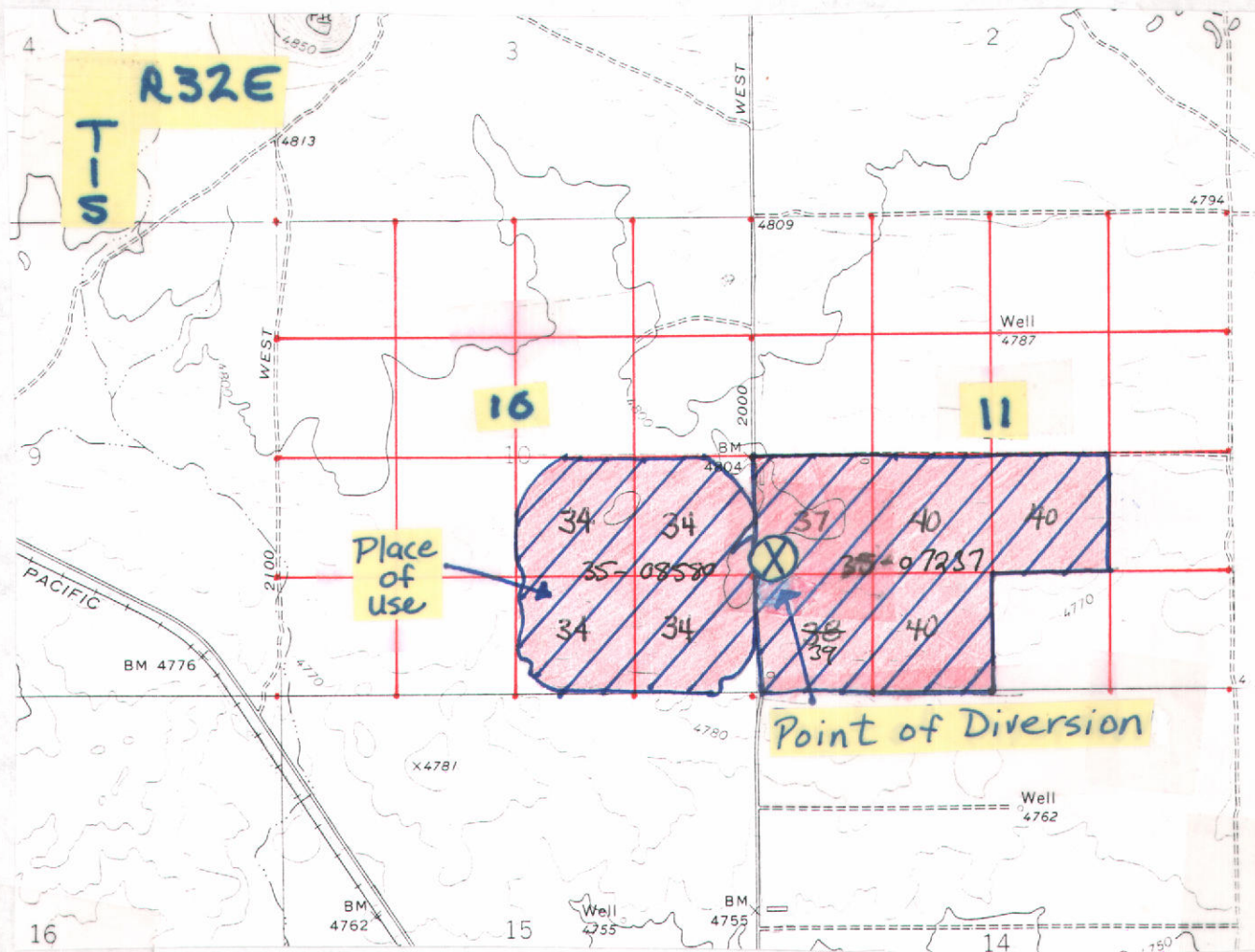
35-8580

R32E

T
S

3 2
10 11

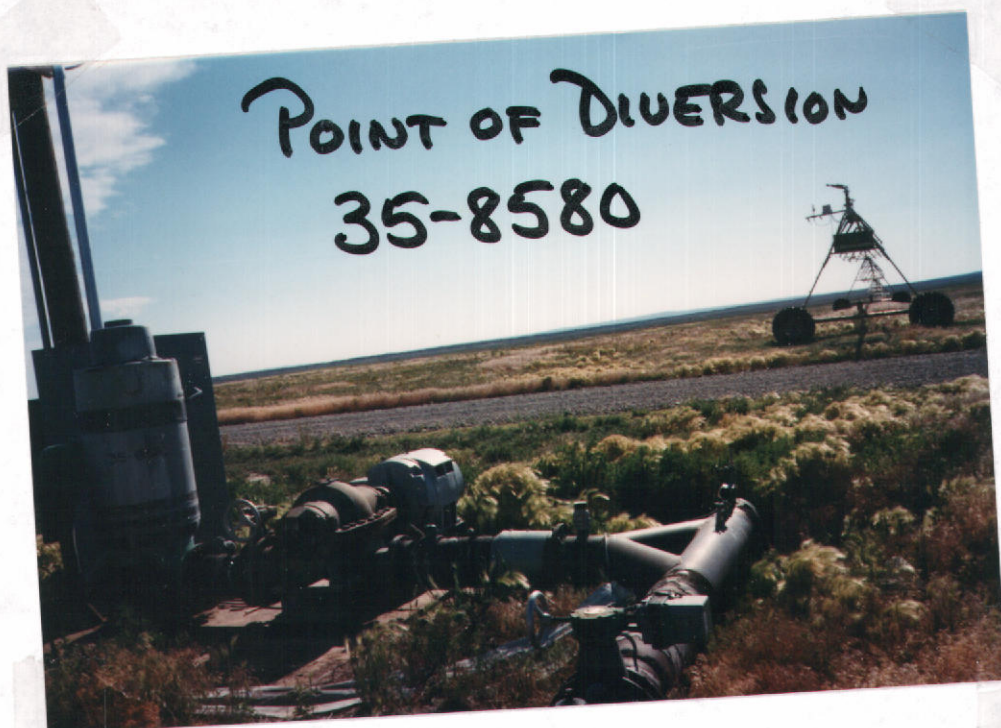
CRP
87-10



Microfilm

SEP 14 1995

35-8580



SEP 14 1995

35-8580

8-8

T. 15
R 32E

75-7021

A. 744
A 744

B. 776
B 776

C. 770
C 770

D. 731
D 731

E. 111.4
E 111.4

F. 1247
F 1247

75-7237

Application
will send
to
S.W. 5-20-88

MICROFILMED

OCT 18 1988

11 12
14 13

10.7

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08580

Priority: May 30, 1985

Maximum Diversion Rate:

2.72 CFS

This is to certify, that DELOY WARD
VIOLA WARD

1432 S 1000 W
REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 30, 1985; and has submitted Proof of Beneficial Use on September 7, 1989. An examination indicates that the works have a diversion capacity of 4.820 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	2.72 CFS	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

NWSWSW , Sec. 11, Township 01S, Range 32E
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>
01S	32E	10	NESE 34	NWSE 34	SWSE 34	136
		11	SESE 34	NWSW 37	SWSW 39	196
			NESW 40	NWSE 40		
			SESW 40			

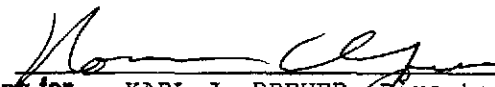
Total number of acres irrigated: 332

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right uses the same well as Right 35-07237 and when combined with Right 35-07237 is limited to a total combined annual diversion volume of 1328 af and to the irrigation of a combined total of 332 acres in a single irrigation season.
5. This right is limited to the irrigation of 136 acres within the place of use described above in a single irrigation season.

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 25TH day of August, 1995.

WATER

Acting for  KARL J. DREHER, Director

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08580

Date of Priority: May 30, 1985 **Maximum Diversion Rate:** 2.72 CFS
Comes now TWO RIVERS LAND & LIVESTOCK
726 N 1900 W
BLACKFOOT ID 83221 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. 35-08580, 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	2.72 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWSWSW , Sec. 11, Township 01S, Range 32E
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>
01S	32E	10	NESE 34	NWSE 34	SWSE 34	
			SESE 34			136
		11	NESW 40	NWSW 37	SWSW 39	
			SESW 40	NWSE 40		196

Total number of acres irrigated: 332

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 Idaho Falls, this 9th day of Dec., 1994.

RECORDED

DeSoy Ward
(Signature)

SEP 14 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08580

FOR DEPARTMENT USE ONLY

Preliminary check by SC Fee = 50~~xx~~ Received by HWT # E020570 Date 12-9-94

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. 35-08580 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right uses the same well as Right 35-07237 and when combined with Right 35-07237 is limited to a total combined annual diversion volume of 1328 af and to the irrigation of a combined total of 332 acres in a single irrigation season.
5. This right is limited to the irrigation of 136 acres within the place of use described above in a single irrigation season.

Witness my hand this 25th day of AUGUST, 1995.


Acting for KARL J. DREHER, Director

SEP 14 1995

E 0.20570 /p

25.00

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State of Idaho
DEPARTMENT OF WATER RESOURCES

NOV 02 1994

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources
Eastern District Office

James R. Bauer, former partner, and sole owner of
I, Two Rivers Land and Livestock, hereby assign to DeLoy and Viola Ward
(Permit Holder)
of 1432 S 1000 W, Rexburg, ID 83440
(Full Address)

All my right, title, and interest in and to Permit No. 35-8580
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

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

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

Made this 31st day of October, 1994.

James R. Bauer
Permit Holder(s)

State of Idaho)
County of Bingham) ss

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DEC 16 1994

On this 27th day of September, 1994, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Department of Water Resources

Regina J. Balen
Notary Public

SEAL

Signature

My commission expires: 12-10-99

SEP 14 1995

Form 2
03/86

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SEP 07 1989

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JUN 12 1989

For Office Use Only
Fee Received 175.00
Date _____
Receipt # _____
Receipt by _____
Reviewed by DA 11/6/89
Sent to region _____

STATE OF IDAHO

no \$ enclosed key

Department

Resources

DEPARTMENT OF WATER RESOURCES, State 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. 35-8580

Name(s) of Permit Holder: Two Rivers Land and livestock (James R Bauer) ✓

Post Office Address: 726 N 1900 W Blackfoot 83221 ✓

Telephone No. 684-4390 4258

Source of Water: Groundwater ✓

Extent of Use:

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

Irrigation 160 ✓ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 3.20 ✓ cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 5-30-1985 ✓

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Fee enclosed \$ 175.00 ✓
(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:

James R Bauer
(Name)

684-439-4258
(Telephone Number)

726 N 1900 W 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.

Minic. Lined

7 June 1989
Date

Two Rivers Land & Livestock
James R Bauer
Signature of Permit Holder (and title, if appropriate)

OCT 18 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

*2/13/1989 ASSIGNED TO:

1. Name of applicant TWO RIVERS LAND & LIVESTOCK Phone 684-4390
JIRO YAMADA *
726 N. 1900 West
Post office address Route 4 - Box 328 * Blackfoot, ID 83221

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

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11 Township 1S
Range 32E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.20 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)

5. Total quantity to be appropriated:

a. 3.20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

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

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

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

c. Proposed well diameter is 20 inches; proposed depth of well is 370 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

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

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

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

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

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date.

10. Remarks The application is for development already in place as of April 1, 1972. The application is being made to insure that the benefits of subordination per the Swan Falls Agreement are obtained. The applicant intends to claim the priority of April 1, 1972 if a basin wide adjudication occurs at a later date.

applicant to make this filing

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

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

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

c. Describe any other water rights used for the same purposes as described above. None.

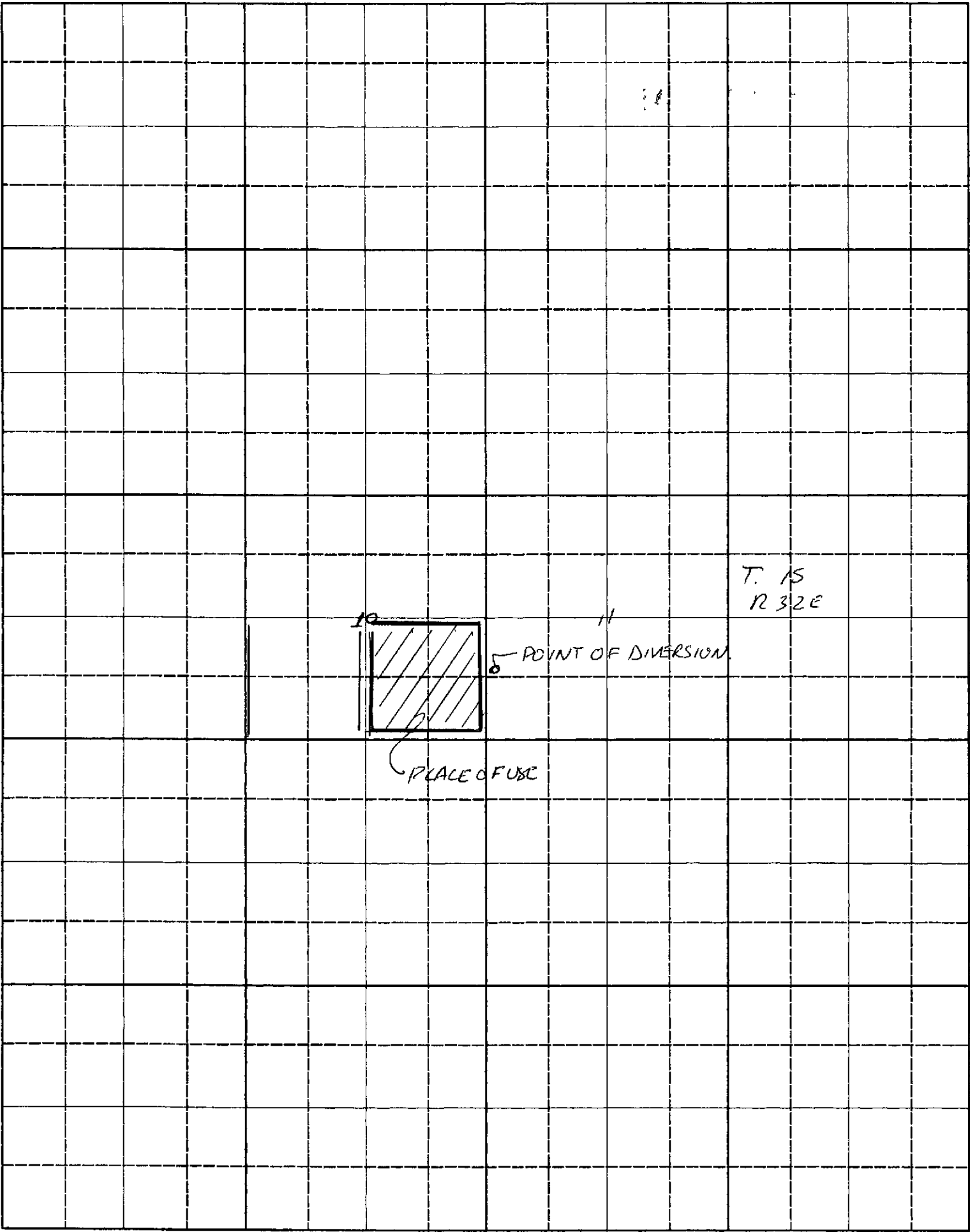
Total number of acres to be irrigated

160

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Total			
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4
1S	32E	10													40	40	40	40	160			
TOTALS																						

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

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.

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OCT 18 1989

Juro Yarnall
(Applicant)

Received by 11 Date 5-30-85 Time 11:30 a.m.
Preliminary check by Kaw Fee \$ #105.00 #33300
Received by OT Date 5-30-85
Publication prepared by OT Date 3-7-84
Published in Morning News
Publication dates 3/16, 23, 84
Publication approved OT Date 4-14-84
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Bus

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. 35-8580, 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, 1990.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other:

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.

J. Allen Saylor

MICROFILMED
OCT 18 1989

STATE OF IDAHO
Department of Water Resources
ASSIGNMENT OF APPLICATION FOR PERMIT

I, Jiro Yamada, hereby assign to Two Rivers Land & Livestock
of 726 N. 1900 W. Blackfoot, Idaho 83221
Address

all my right, title, and interest in and to Application for Permit No.
35-08580 to appropriate the public waters of the State of
Idaho.

✓ Made this 13 day of February, 1989.

Jiro Yamada
Applicant

Frances S. Yamada
Spouse of Applicant

✓ State of Idaho)
County of Lingham) ss.

On this 13 day of February, 1989, personally
appeared before me the signer(s) of the above instrument, who duly
acknowledged to me that he (she) (they) executed the same.

Landra L. Rowe

s e a l

Notary Public residing at

14 S. 635 W. Blackfoot, Id.

My commission expires:

8-93

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OCT 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 28, 1995

DELOY WARD
VIOLA WARD
1432 S 1000 W
REXBURG ID 83440

RE: WATER RIGHT NO. 35-08580

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

SEP 14 1995

Law Offices of
McGRATH, BAKER & MAROTZ

199 West Bridge
P.O. Box 577
Blackfoot, Idaho 83221

Telephone (208) 785-2310
Fax (208) 785-6749

IDAHO FALLS OFFICE

Stephen J. McGrath
Scott W. Marotz
Bryan D. Smith**
**Also admitted in California

BLACKFOOT OFFICE

Dwight E. Baker
Jared M. Harris*
*Also admitted in Colorado and Utah

October 31, 1994

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Department of Water Resources
Eastern District Office

Dave Carlson
Department of Water Resources
900 N Skyline Drive
Idaho Falls, ID 83402

Re: Water Right No. 8580/Corporation of the Presiding Bishop assigned to DeLoy Ward
and Viola Ward

Dear Dave:

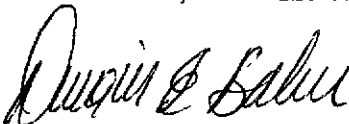
You will find enclosed the Assignment of Permit which we discussed Thursday morning,
October 27th.

Thank you for your assistance in this matter.

Should you have further question regarding the matter, please let me know.

Very truly yours,

McGRATH, BAKER & MAROTZ


Dwight E. Baker

DEB/ljs
Enclosure
cc: Jim Bauer

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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 22, 1994

TWO RIVERS LAND & LIVESTOCK
726 N 1900 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08580

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact me. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Johnson'.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECORDED

SEP 14 1995



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

May 24, 1994

DELOY Z WARD
VIOLA J WARD
1432 S 1000 W
REXBURG ID 83440

RE: LICENSING AMENDMENT FOR PERMIT NO. 35-08580
In the name of Two Rivers Land & Livestock

Dear Mr. and Mrs. Ward:

The above referenced permit is being reviewed for licensing; however, before a license can be issued, the permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. We have amended the permit to reflect the correct point of diversion and place(s) of use. It is more accurate to reflect the acres as being part of a larger system. The license will list all of the acres irrigated from the well, but will be limited to the number of acres the examiner found pertinent to this right within the place of use.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

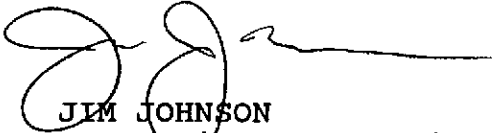
Records indicate that the ownership change occurred after the 1991 field exam. A permit is classified as personal property; therefore, when a change of ownership occurs, it must be assigned to the new owner. After a permit is licensed, it is then considered real property and is pertinent to the land.

If you wish to have the license issued in your names, Two Rivers Land and Livestock will need to assign the permit to you. An assignment form is enclosed for your convenience. You may, however, sign the amendment without the permit having been assigned to you, but the license will still be issued in the name of the permit holder of record.

SLP 4 1995

Please review carefully and if you concur with the information, sign the amendment and return with the \$20.00 amendment filing fee. If you have any questions, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in dark ink, appearing to be "Jim Johnson", with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

Enclosures

SEP 14



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

January 24, 1994

TWO RIVERS LAND & LIVESTOCK
726 N 1900 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08580

YOUR IMMEDIATE RESPONSE IS REQUESTED

Dear Water Right Holder(s):

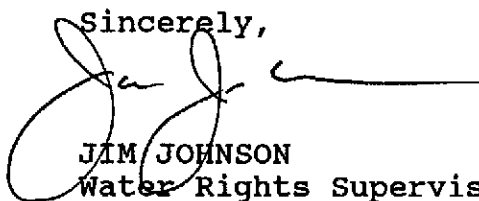
The department is trying to license all outstanding permits located in your area by the first week of February.

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the point of diversion and place of use. You can assist us in meeting our time goal by reviewing the amendment carefully and if you concur, signing the amendment and returning it with the \$20.00 filing fee immediately. Enclosed, for your convenience, is a self addressed pre-paid return envelope.

If you do not concur with this information, please contact me as soon as possible.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

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LICENSE REVIEW CHECKLIST

Permit # 35-8580 Date 1-21-94 5-18-94 Brenda Chapman

NAME Yes No Or Address Change? NO ASSIGNMENT adj file shows change in ownership

PRIORITY DATE Yes No Advance? Advanced to:
Order to Reinstate Needed?
Incorrect Fee for rate recommended?

SOURCE Yes No Changes? Clarification of Originally Intended source
Notice of Intent to Void - Source change.

P/D Yes No Amendment Needed? Change to NW SWSW
Overlap(s) 35-7237

P/U Yes No Amendment Needed? PPU SCENARIO USED
Overlap(s) 35-7237

TOTAL CFS Yes No Measurement Theoretical only EXAMINER USED STATIC NOT PUMPING LEVEL

CAPACITY = 4.82 CFS
 35-7237 = 2.06

AVAILABLE 2.76

Allowable Amount: 136 acres x .02 = 2.72

Capacity of System: 4.82

Season of Use: 2/4.0 (4-1 to 10-31)

Calculations:
136 acres x 4.0 = 544
332 x 4 = 1328 af
 Flow limit: 2.72 x 214 x 1.9835 = 1155

* (Combined do NOT EXCEED TOTAL VOLUME CAPACITY)

* COMBINED volumes DO NOT EXCEED allowable or capacity amounts.

USES Yes No Change(s) in Nature of Use? Amendment Needed?

REMARKS Yes No Multiple P/Ds in 1/4 1/4? Special Overlap W36 W27

CONDITIONS Yes No Measuring/Locking Devices Water Dist
W/Master Control App Rec'd
Irrigation Overlap 5-30-85 Exam Made
Water Quality 7-8-91
Other

COMMENTS: NOTE: ACCORDING TO ADJ STAFF THIS IS NOT A PERMISSIBLE PLACE REND P.D. & P.U.
(Per Jim) -> OF USE SITUATION & WE ARE PROCEEDING AS IT IS. REDUCE ACRES

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Irrigation</u>	<u>2.72</u>	<u>544</u>	<u>5/19/94</u>
			<u>1ST AMEND LETTER</u>
			<u>2ND AMEND LETTER</u>

5-18-94

* Note: Because is a multiple right system, I am not listing the volume, but using combined conditions instead.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 16 1991

Department of Water Resources

A. GENERAL INFORMATION

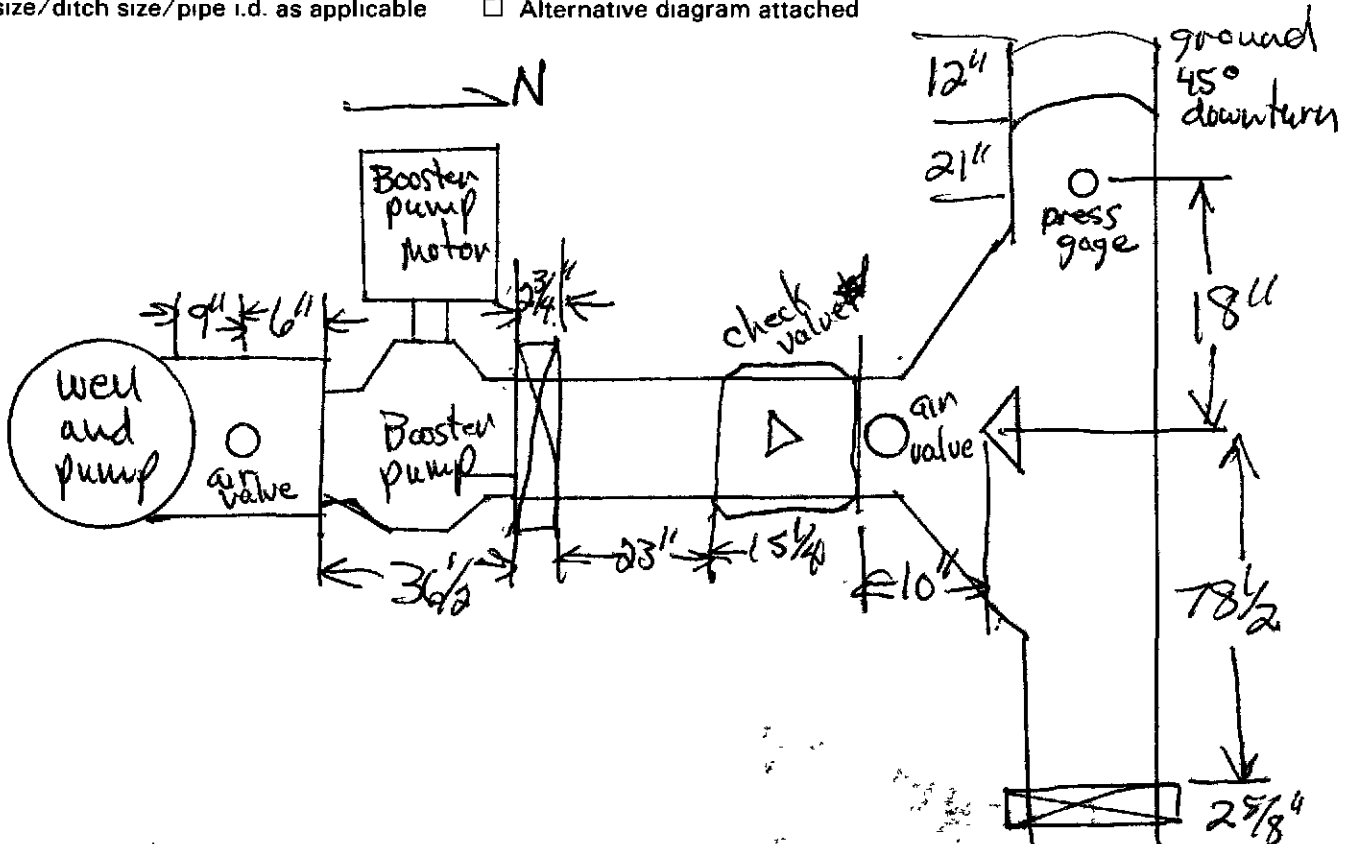
1 Owner James R. Bauer Permit No. 35-8580
Current Address: 726 N 1900W Phone No. 684-4258
2 Accompanied by James Bauer EXAM DATE: 07/08/91
Address: Same Phone No. Same
Relationship to Permit Holder holder
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1 Other water rights with same place of use _____ ☐ Copies Attached
2 Other water rights with same point of diversion: 35-07237 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = N/A

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

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

well pump booster pump, 1/4 mile pivot, 10-1/2 mile hard lines (5/32 nozzles)

not being run due to (and being in 509a-program (not saving))

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	General Elec 350		A551100012	Johnston	10" discharge
	Reliance 100		PH088017A -	Peerless	8" discharge
			61 - AY		

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

5. Point(s) of Diversion:

[illegible]

6 Place(s) of Use:

[illegible]

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

Measurement Equipment	Type	Make	Model No.	Serial No	Size	Calib. Date
well probe	olympic	Acfat	500		500'	

2 Measurements:

Static water level 380ft. 5in.
operating pressure - 80psi (according to permit holder)

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: - Theoretical calculation = 49/cfs.

Q for 2.5-7237 = 2.06 = 2.85d

2. Alternate Method for Checking Purposes:

1 - 10 0.075 x 1200 = 2.72d
2.72d

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

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.3 \times 244 \text{ gfa}$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .7 \times 157$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 1.3 \times 244$

2. Volume Calculations for Other Uses

NA

SEP 14 1975

H. REMARKS AND OVERLAP REVIEW ANALYSIS

James R Bauer now owns the land, the place of use covers approximately 332 acres instead of the 160 acres applied for by Two Rivers Land and livestock

The land is not now being farmed or irrigated the well is not operating this year (1991)

REMARK: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 136 AC IN A SINGLE IRRIGATION SEASON.

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	2.72 cfs	54.4
Totals:			2.72 cfs	54.4

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

J. AUTHENTICATION

Field Examiner's Name ALAN W PARIS
Signature alanw Paris
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.

* See attached Memo. BC

MEMORANDUM

TO: File 35-08580 / Two Rivers Land & Livestock
FROM: Brenda Chapman
DATE: May 15, 1994
RE: Adjustments Made

=====

* An adjustment or notes were made on the field exam in the following portion(s) based on the information below.

E. FLOW CALCULATIONS

Theoretical capacity adjusted based on an estimated pumping level rather than the static water level.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-01 to 10-31	2.72	Not listed

The volume limiter addressed in the conditions.

2. Recommended Amendments

☒ Change P.D.	☐ Add P.D.	
☐ Change P.U.	☐ Add P.U.	☐ Other

The exam and map confirmed a change in the point of diversion.

SEP 14 1995

$$Q = \frac{(350 \text{ HP} + 100 \text{ HP})(8.814)(.7)}{[(380.5 \text{ ft}) + (80 \text{ psi})(2.308)]} = \frac{2776.4}{565.14} =$$

$$= 4.912783 \text{ cfs}$$

$$= 4.91 \text{ cfs}$$

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SEP 14 1995

35-8580

TR32E

land to be
So-92 program
not being irrigated
in 1991

SEP 14 1995

35-8580

R32E

T 15

Point of
Diversion

Place of
USA

CRP
87-10

2695

180

3 2
10 11

35-08580

15 14

out

out

out

out

Department of Water Resources

WELL INSPECTION FORM

7-8-1991

If well is associated with water right, provide WR# 35-8580

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 15, Rge 32E Sec. 11, SW $\frac{1}{4}$ SW $\frac{1}{4}$ or Lot _____.

2. Owner: James R. Bauer

Address 726 N 1900 W, City BLKFT., St Id.

3. Casing $\geq$ 12 inches above ground: Yes ☒ No _____

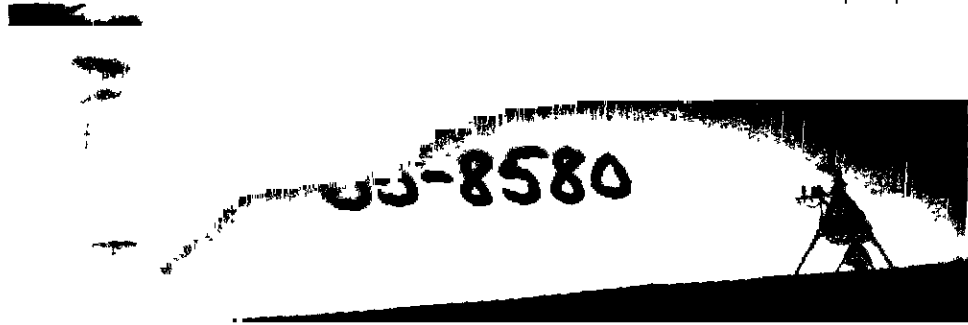
4. Access Port: Yes ☒ No _____ Static Water Level: 380'S"
Pressure Gauge: Yes ☒ No _____ Casing Diameter: 20"
Flowing: Yes _____ No ☒ Temperature: N/A

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

SEP 14 1995



SEP 14 1995

35-8580

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

=====

This application was among those applications reviewed in the regional offices last year and recommended for out of sequence processing. This application includes a statement and sufficient supporting evidence concerning development of the project prior to October 1, 1984.

The department's Policy and Implementation Plan for Processing Water Rights in the Swan Falls Area provides for applications to be processed out of sequence if the development was completed prior to October 1, 1984 and the application filed prior to July 1, 1985. These filings are not required to be processed in sequence with other trust water filings because the effect of these filings have already occurred and because, due to subordination, the filings are not taking water held in trust. These filings are not subject to the staged development policy and public interest criteria of Section 42-203C, Idaho Code.

RECORDED

SEP 14 1995

October 17, 1989

TWO RIVERS LAND & LIVESTOCK
726 N. 1900 W.
BLACKFOOT, ID 83221

RE: PERMIT NO. 35-08580

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

OCT 18 1989

USE ADDITIONAL SHEETS IF NECESSARY

State of Idaho
Department of Water Administration

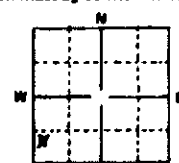
RECEIVED

MAY 12 1972

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

Department of Water Administration
Eastern District Office

1 WELL OWNER Name <u>Bauer</u> <u>Jin Bauer</u> (Trin Rivers) 1405 West Bridge St. Alluvial <u>Blackfoot, Idaho 83221</u> Owner's Permit No. _____		7 WATER LEVEL Static water level <u>379</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ F. Quality _____ Artesian closed in pressure _____ P.S.I. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																					
2 NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8 WELL TEST DATA ☐ Pump ☒ Bailor ☐ Other Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____ <table border="1"><tr><td>20</td><td>120</td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></table>		20	120																																																																																																		
20	120																																																																																																						
3 PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock		9 LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Depth</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>0</td><td>5</td><td></td><td>Clay</td><td></td><td>X</td></tr><tr><td>5</td><td>98</td><td></td><td>Red lava</td><td></td><td>X</td></tr><tr><td>23</td><td>100</td><td></td><td>Cinders</td><td></td><td>X</td></tr><tr><td>105</td><td>110</td><td></td><td>Gray lava</td><td></td><td>X</td></tr><tr><td>125</td><td>140</td><td></td><td>Clay</td><td></td><td>X</td></tr><tr><td>140</td><td>155</td><td></td><td>Gray lava</td><td></td><td>X</td></tr><tr><td>155</td><td>162</td><td></td><td>Clay</td><td></td><td>X</td></tr><tr><td>162</td><td>184</td><td></td><td>Gray lava</td><td></td><td>X</td></tr><tr><td>184</td><td>195</td><td></td><td>Red lava</td><td></td><td>X</td></tr><tr><td>198</td><td>220</td><td></td><td>Gray lava</td><td></td><td>X</td></tr><tr><td>220</td><td>245</td><td></td><td>Red lava</td><td></td><td>X</td></tr><tr><td>245</td><td>305</td><td></td><td>Gray lava</td><td></td><td>X</td></tr><tr><td>305</td><td>389</td><td></td><td>Red & gray lava</td><td>X</td><td></td></tr><tr><td>389</td><td>400</td><td></td><td>Red & gray lava</td><td>X</td><td></td></tr><tr><td>400</td><td>454</td><td></td><td>Cinders</td><td>X</td><td>X</td></tr></tbody></table>		Hole Depth	Depth		Material	Water		From	To	Yes	No	0	5		Clay		X	5	98		Red lava		X	23	100		Cinders		X	105	110		Gray lava		X	125	140		Clay		X	140	155		Gray lava		X	155	162		Clay		X	162	184		Gray lava		X	184	195		Red lava		X	198	220		Gray lava		X	220	245		Red lava		X	245	305		Gray lava		X	305	389		Red & gray lava	X		389	400		Red & gray lava	X		400	454		Cinders	X	X
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400	454		Cinders	X	X																																																																																																		
4 METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other																																																																																																							
5 WELL CONSTRUCTION Diameter of hole <u>20</u> inches Total depth <u>454</u> feet Casing schedule ☒ Steel ☐ Concrete Thickness _____ Diameter _____ From _____ To _____ +250 _____ inches <u>20</u> inches <u>1</u> feet <u>19</u> feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal? ☒ Yes ☐ No To what depth <u>18</u> feet Material used in seal ☐ Cement grout ☒ Pudding clay																																																																																																							
6 LOCATION OF WELL Sketch map location must agree with written location  County <u>Bingham</u> S. <u>1</u> W. <u>8</u> Sec. <u>11</u> T. <u>1</u> S. R. <u>32</u> E/W		10 Work started <u>3/16/72</u> finished <u>4/17/72</u>																																																																																																					
		11 DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>DOUG CUSHMAN DRILLING CO.</u> <u>72</u> Driller's or Firm's Name Number <u>945 South Broadway Blackfoot, Idaho 83221</u> Address <u>Doug Cushman Drilling</u> <u>5/4/72</u> Signature Date																																																																																																					

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

NOT RECORDED

OCT 18 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED
AUG 08 1989

Department of Water Resources

June 21, 1989

James R. Baurer
Two Rivers Land and Livestock
726 N. 1900 W.
Blackfoot, ID 83221

Dear Mr. Baurer:

Re: Permit No. 35-8580

Returned is the proof of beneficial use form submitted to this office on June 12, 1989. The licensing exam fee did not accompany the form.

Note the enclosed instruction sheet/fee schedule. The licensing exam fee is \$175. Please remit this fee in order for the department to conduct the field inspection.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Rita I. Fleck
RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
OCT 18 1989

Aug 3-1989

DEAR RITA

Here is a copy of my check canceled
by DEPT OF WATER RESOURCES also a copy of
Receipt dated 6-7-89 for same money, Please
straighten this matter out

Sincerely *James R. Baurer*

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: E008956

Date: 06/07/89
Time: 11:20:33

Received

From: BAUER, JAMES

Type of Payment	Program Acct Class	Amount
EXAM FEE	0630121 1238 6490	\$175.00
Total		\$175.00

CHECK 2332

Idaho Department of Water Resources

Region: EASTERN

Signature: Dennis M. Dunn

MICROFILMED

OCT 18 1989

Roddy Mountain Bank Note

Copy Check 2

BAUER FARM ACCOUNT		2332	
JAMES R. OR EVADEAN BAUER			
ROUTE 5 BOX 129 684-4258			
BLACKFOOT, ID 83221		92-155/1241	
Pay to the order of	5 9 0 0 0 0 0 0 0 0 <i>State of Idaho</i>	\$	175 ⁰⁰ / ₁₀₀
	<i>One Hundred Seventy Five and 00/100</i>		Dollars
IBST IDAHO BANK & TRUST CO.		00 050669 *140005330	
BOX 780 BLACKFOOT, IDAHO 83221			
For	<i>Proffor 160th Sec 10</i>	<i>James R. Bauer</i>	
⑆ 12 ⑆ 01555⑆ 03 175039 7⑈ 2332 ⑆0000017500⑆			

MICROFILMED

OCT 18 1989

MICROFILMED

65 L-108

▶ ZI900176L ◀

3333 86567

FOR DEPOSIT ONLY
TO THE IDAHO STATE
TREASURER'S ACCOUNT
BY Department of Water Resources

June 21, 1989

James R. Baurer
Two Rivers Land and Livestock
726 N. 1900 W.
Blackfoot, ID 83221

Dear Mr. Baurer:

Re: Permit No. 35-8580

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Note the enclosed instruction sheet/fee schedule. The licensing exam fee is \$175. Please remit this fee in order for the department to conduct the field inspection.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

OCT 18 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 23, 1989

TWO RIVERS LAND & LIVESTOCK
726 N. 1900 W.
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08580

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

OCT 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

MICROFILMED

OCT 18 1989

March 15, 1989

Jiro Yamada
Rt. 4, Box 328
Blackfoot, ID 83211

Application for Permit No. 35-8580

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned identification No. 35-8580. 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

MICROFILMED

OCT 18 1989

DEPT. OF WATER RESOURCES
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed
to appropriate the public waters of the State of
Idaho

35-08362

FUNK, H. ALAN
2065 South 2800 West
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt.: NWNW, Sec. 6 T. 04S, R.
31E.
Use: IRRIGATION (5 600 CFS).
Date Filed: 10/23/1984
In: T04S, R31E, S06. NWNE, SWNE,
NENW, NWNW, SWNW, SENW, NESW,
NWSW, SWSW, SESW, NWSE, SWSE —
480.0 ACRES TOTAL

35-08580

TWO RIVERS LAND & LIVESTOCK
726 N. 1900 W.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt.: NWSW, Sec. 11, T. 01S, R.
32E.
Use: IRRIGATION (3 200 CFS).
Date Filed: 5/30/1985.
In: T01S, R32E, S10, NESE, NWSE, SWSE,
SESE — 160.0 ACRES TOTAL

35-08598

TAYLOR FARMS
998 North 1400 West
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt.: SWNW, Sec. 15, T. 01S, R.
33E.
Use: IRRIGATION (2 250 CFS)
Date Filed: 6/19/1985.
In: T01S, R33E, S15, NENE, NWNE,
SWNE, SENE, NENW, SWNW, SENW
— 306.0 ACRES TOTAL

35-08600

Diversion Pt.: NWNWNE, Sec. T, R 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.: NWNWNW, Sec. 1, T. 03S, R.
32E.
Use: COMMERCIAL (040 CFS)
Date Filed: 2/27/1989.
In: T03S, R32E, S01, NWNW.

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 APRIL 3,
1989.

R. KEITH HIGGINSON
Director

(315) +
Pub.: 3/16, 23

RECEIVED

APR 3 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell)

solemnly do

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

newspaper two consecutive week

the first publication having been made on the

16th day of March, 1989;

and the last publication having been made on the
23rd day of March, 1989

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

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

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

Raye R. Dutton
Notary Public for the State of Idaho,
Blackfoot, Idaho
My commission expires
November 10, 1994

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OCT 18 1989

Affidavit Processing Fee.....\$5.00

STATE OF IDAHO
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.

Microfilm

OCT 18 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

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OCT 18

35-08580

TWO RIVERS LAND & LIVESTOCK
726 N. 1900 W.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NWSW Sec 11 T 01S R 32E

Use: IRRIGATION (3.200 CFS)

Date Filed: 5/30/1985

In: T01S R32E S10 NESE NWSE SWSE SESE

160.0 ACRES TOTAL

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OCT 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

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OCT 18 1989

FROM Ron

DATE JAN 30, 1989

TO FILE 35-8580

SUBJECT LETTER OF JAN 19.

Mr. Yamada called & said land has gone
back to two river land and livestock.
He said he would contact the current
owner.

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OCT 18 1989

A large, stylized handwritten signature in black ink, starting with a long horizontal stroke and ending with a large loop.

SIGNATURE

January 19, 1989

JIRO YAMADA
RT. 4, BOX 328
BLACKFOOT, ID 83221

RE: APPLICATION FOR PERMIT NO. 35-8580

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 questions.

Sincerely,

Ronald D. Carlson
Eastern Regional Manager

RDC/rb

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OCT 18 1989

RECEIVED

JUL 10 1985

Department of Water Resources
Eastern District Office

A F F I D A V I T

STATE OF IDAHO)
 : ss.
COUNTY OF BINGHAM)

JAMES R. BAUER, being first duly sworn, deposes and says:

1. That in 1971 he was the owner of the following described real property, to-wit:

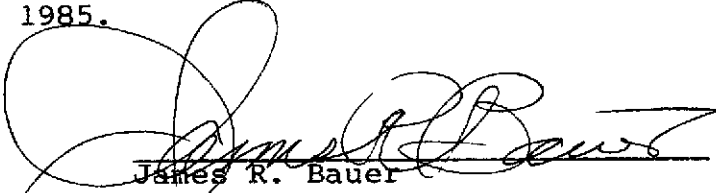
Township 1 S., R. 32 E., B.M., Bingham County, Idaho
Section 10: SE $\frac{1}{4}$
Section 11: SW $\frac{1}{4}$

2. That in 1971 he did install a pump and well on his land in said Section 11;

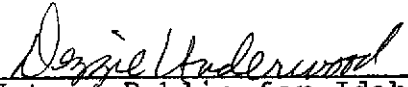
3. That in 1971 he did apply the water from said well to the land in said Section 11 and in 1972 he did apply the water from said well to the land in said Section 10;

4. That water from said well has been applied to said lands continuously from the date of first application.

DATED this 3rd day of July, 1985.


James R. Bauer

SUBSCRIBED AND SWORN TO before me a notary public for the State of Idaho on this 3rd day of July, 1985.


Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission Expires 10-15-1987

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OCT 18 1989

8-8

T. 15
R. 32E

75-7221

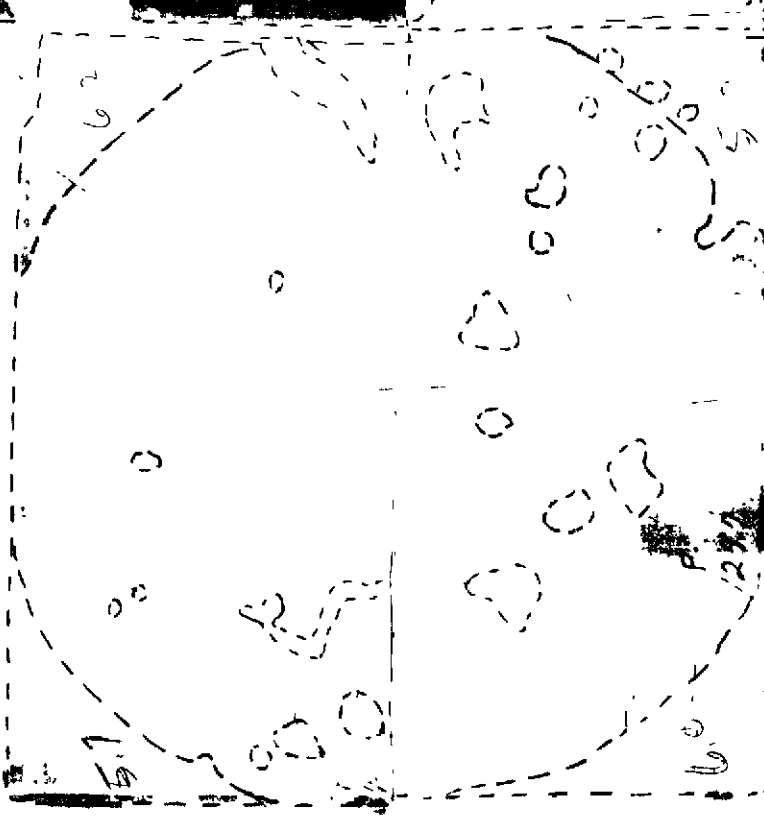
B. 77.6

A. 74.4

C. 72.0

D. 73.1

E. 73.4



75-7237

4.0
34.8

6.7
10.7

OCT 18 1989
6861 8 1 130

Application of
will send to
S-28-5
C.N

35-8580_

YAMADA, JIRO

ROUTE 4 BOX 328, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 05/30/1985

Diversion Pt: NSW Sec 11 T 015 R 32E

Use: IRRIGATION (3.20 CFS)

In: NESE NWSE SWSE SESE Sec 10 T 015 R 32E FOR 160 ACRES

MICROFILMED

OCT 18 1989