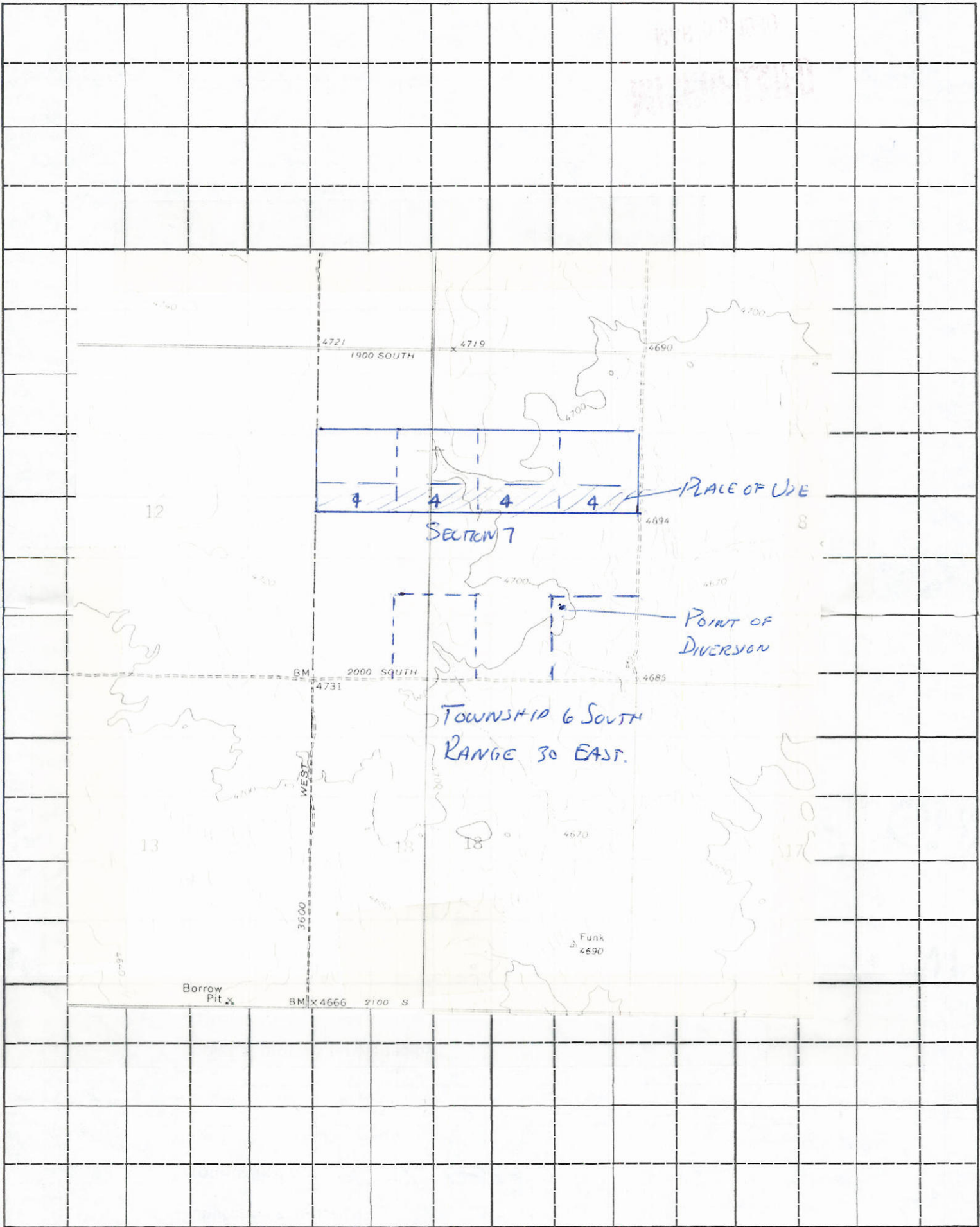


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

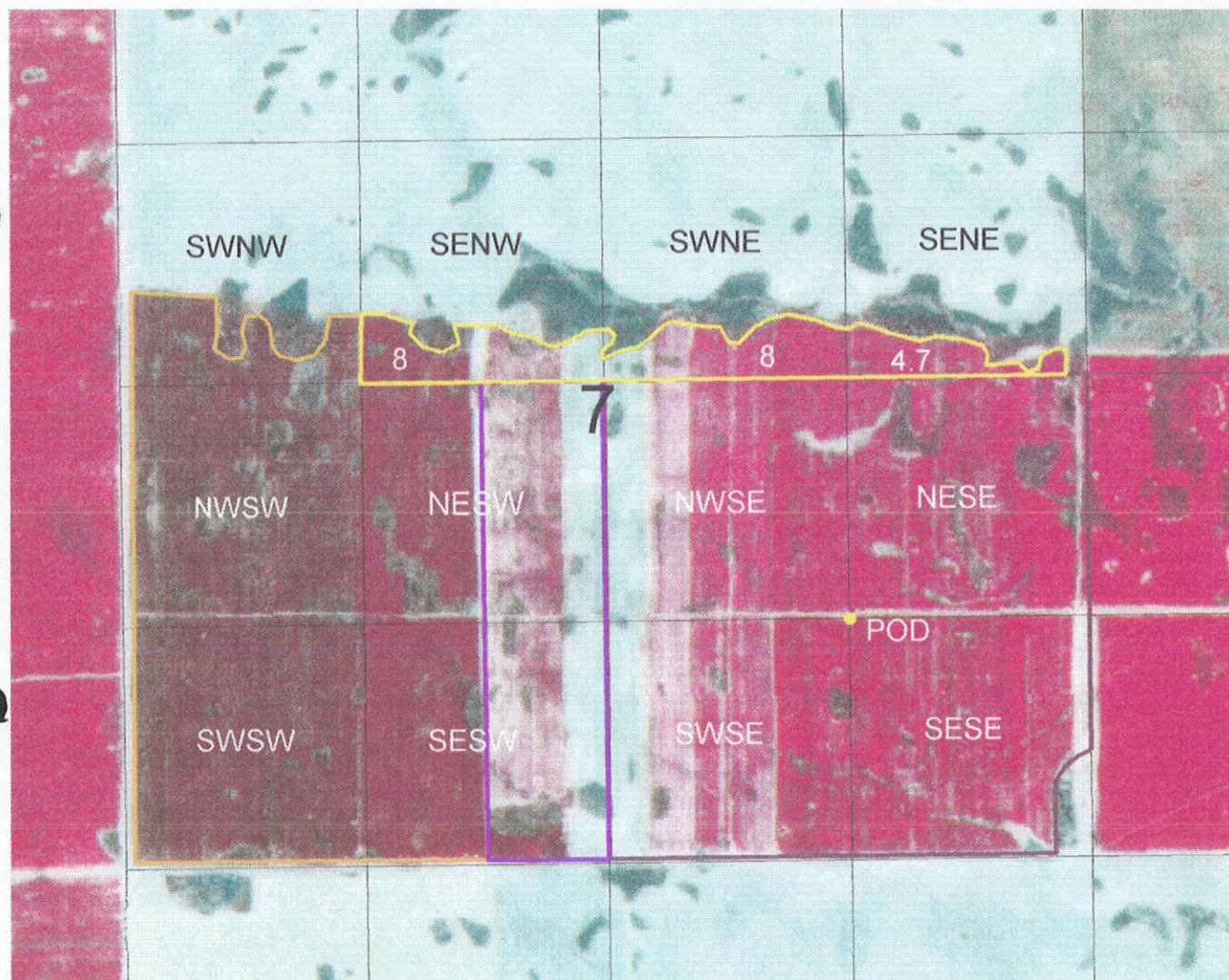
MAR 05 1990

La Mar Johnson
(Applicant)

35-08143

MICROFILMED
FEB 04 1999

T06S R30E S07



- Point of Diversion
- 35-08143 POU
- 35-07759 POU
- 35-07505 POU
- 35-07953 POU

Map prepared by: Carter Fritschle
Date prepared: 05/14/98
1987-1988 NAPP photography

500 0 500 1000 1500 2000 2500 3000 Feet



35-08143



• Point of Diversion

35-08143 POU

35-07953 POU A/R

35-07759 POU A/R

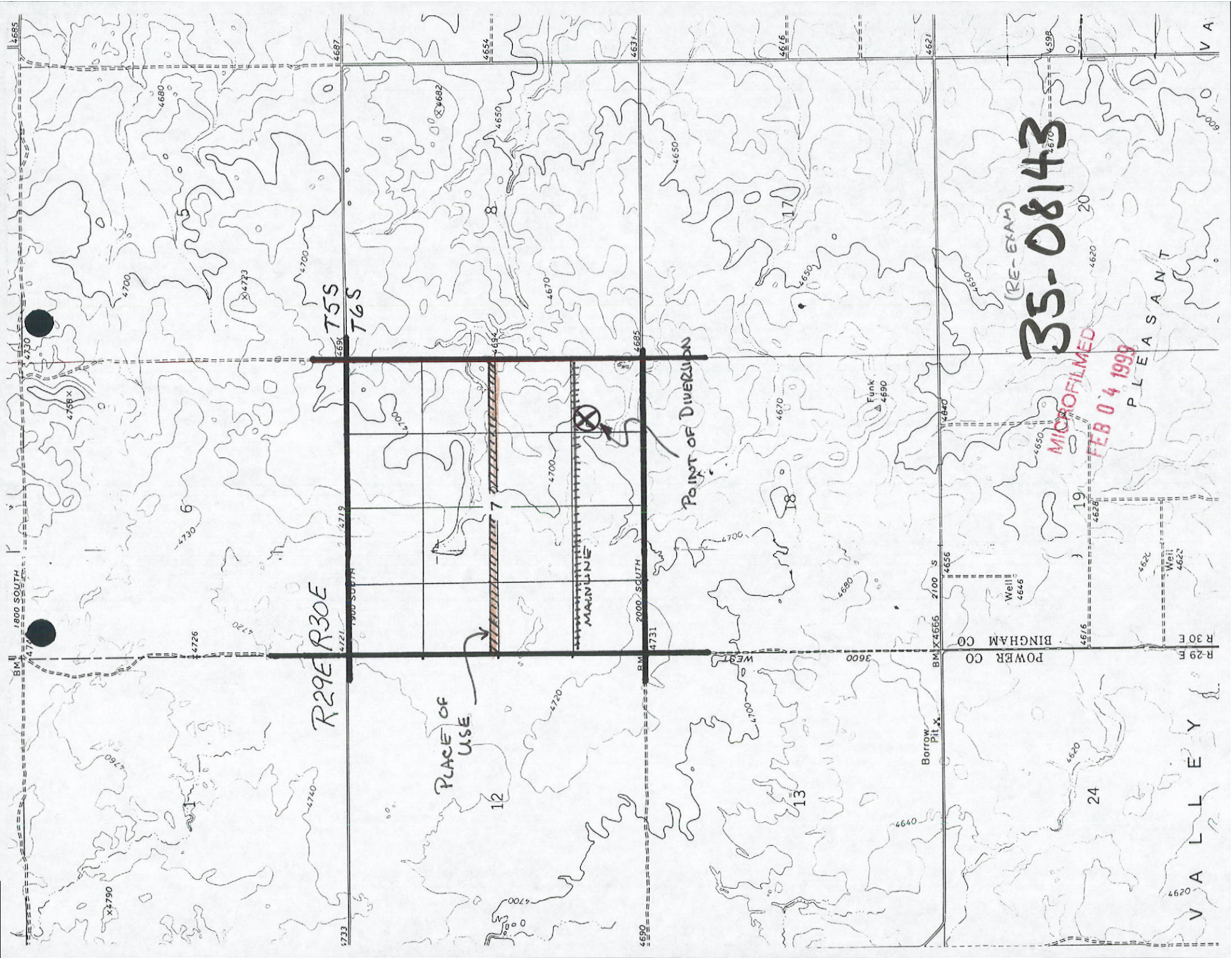
35-07505 POU A/R

MICROFILMED
FEB 04 1999



700 0 700 1400 2100 2800 Feet

Map prepared by: Carter Fritschle
Date Prepared: 05/14/98
1987-1988 NAPP photography



R29E R30E

T5S

T6S

PLACE OF USE

POINT OF DIVERSION

MAINLINE

35-08143
(RE-EXAM)

MICROFILMED
FEB 04 1999

PLEASANT

VALLLEY

V A

35-08143

T24793 X
3962

Taken out of CRP in
1996

Lot-1

CRP
87-20

Lot-2

254.4

R30E T6 S

Sec 7

PLACE OF USE

Lot-3

Lot-4

POINT OF DIVERSION

35-08143

MICROFILM EDITION

FEB 4 1999



35-8143



Measurement Port



MICROFILMED
FEB 04 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5304
WATER RIGHT NO(S). 35-07883/35-07953B/35-08143/35-08747B

This is to certify that: RUFF TIMES FARMS
C/O DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 35-07883 :			
IRRIGATION	04/01 to 10/31	3.74 CFS	1004.0 AF
Priority: 01/31/1980			
Right No. 35-07953B :			
IRRIGATION	04/01 to 10/31	0.09 CFS	32.0 AF
Priority: 02/23/1981			
Right No. 35-08143 :			
IRRIGATION	04/01 to 10/31	0.32 CFS	64.0 AF
Priority: 05/18/1983			
Right No. 35-08747B :			
IRRIGATION	04/01 to 10/31	0.50 CFS	100.0 AF
Priority: 04/07/1989			
	TOTAL:	4.65 CFS	1200.0 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 7, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S 30E 7	NENE 38	NWNE 37	SWNE 37	
	SENE 38	NENW 38	NWNW 37	
	SWNW 37	SENW 38		300
				* 300

Total number of acres irrigated:

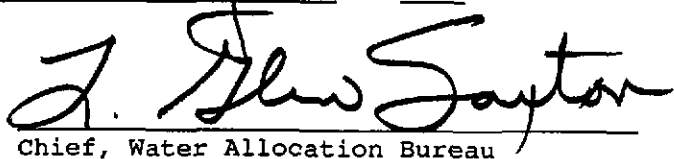
MICROFILMED
FEB 04 1999

TRANSFER NO. 5304
WATER RIGHT NO(S). 35-07883/35-07953B/35-08143/35-08747B

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. Right 35-07883 is limited to the irrigation of 251.0 acres in the place of use described above in a single irrigation season.
- * 7. Right 35-07953B is limited to the irrigation of 8.0 acres in the place of use described above in a single irrigation season.
- * 8. Right 35-08143 is limited to the irrigation of 16.0 acres in the place of use described above in a single irrigation season.
- * 9. Right 35-08747B is limited to the irrigation of 25.0 acres in the place of use described above in a single irrigation season.
10. Rights 35-08143 and 35-08747B are for the use of trust water and are subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
11. Diversion and use of water under Rights 35-08143 and 35-08747B is is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

Dated this 11th day of January, 1999.


Chief, Water Allocation Bureau

MICROFILMED
FEB 04 1999

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 35-08143

Priority: May 18, 1983

Maximum Diversion Rate: 0.32 CFS
Maximum Diversion Volume: 64.0 AF

This is to certify, that RUFF TIMES FARMS
3005 W 2100 S

ABERDEEN ID 83210 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 18, 1983; and
has submitted Proof of Beneficial Use on May 4, 1990. An examination indicates
that the works have a diversion capacity of 5.660 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	0.32 CFS	64.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 7, Township 06S, Range 30E
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>ACRES</u>	<u>TOTAL</u>
06S	30E	7	SWNE 6	SENE 4	SENW 6		16

Total number of acres irrigated: 16

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

MICHAEL L. LEE

FEB 9 1993

State of Idaho
Department of Water Resources

Water Right License

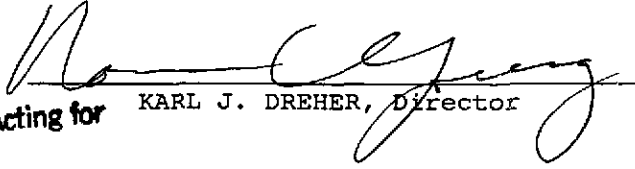
WATER RIGHT NO. 35-08143

CONDITIONS OF APPROVAL AND REMARKS

8. Rights 35-07505, 35-07759 and 35-07953 are also diverted through the point of diversion described 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 29TH day of JUNE, 1998.

Acting for


KARL J. DREHER, Director

MICROFILMED

FEB 04 1999

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	35-08143	Johns, Lamar	0.32
Full Assignment	35-08143	Ruff Times Farms	0.32

MICROFILMED
DEC 08 1995

For Office Use Only
 \$25.00 Filing Fee
 Receipt # E021668
 Date 3 Oct 1995

State of Idaho
 DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 06 1995

ASSIGNMENT OF PERMIT
 To change the ownership of a permit

Department of Water Resources

I, LAMAR JOHNS, hereby assign to RUFF TIMES FARMS
(Permit Holder)
 of 3005 W 2100 S ABERDEEN, ID 83210
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 35-08143
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
 Permit No. 35-08143 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.

6S 30E SEC. 7 SW NE 4A, 6S 30E SEC. 7 SE NE 4A,
6S 30E SEC. 7 SW NW 4A, 6S 30E SEC. 7 SE NW 4A
TOTAL 16.0 ACRES, POINT OF DIVERSION 6S 30E SEC. 7 SE SE -
- DIVERSION RATE OF 0.320 CFS

Made this 17 day of Oct, 19 96.

Lamar Johns
 Permit Holder(s)

State of Idaho,)
 County of Lewiston) ss

On this 17th day of October, 1995, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Kevin Carter
 Notary Public

SEAL

My commission expires: Feb 9, 1997

Signature

MICHAEL S. S. S.

DEC 08 1995

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. 35-08143 Telephone No. 226-5703

Name(s) of Permit Holder(s): La Mar Johns

Post Office Address: 180 Tyhee American Falls, ID 83211

Source of Water: Groundwater

If ground water, well driller's name: NA Date drilled: 1975

Extent of Use:
Domestic _____ (No. of households) Irrigation 16 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.32 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1983

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? ☒ Yes No Installed? ☒ Yes No

Fee Enclosed: \$ 100 ~~25~~ (See License Examination Fee Schedule)

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

Name Paul Klassen Telephone No. 397-4061
2937 W. 1700 S. Aberdeen, ID
Address

MICROFILMED

JUL 23 1990

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.

5-4-90
Date

La Mar Johns
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08143

Proposed Priority: May 18, 1983

Maximum Diversion Rate:

0.32 CFS

This is to certify, that **LA MAR JOHNS**
180 TYHEE

AMERICAN FALLS, ID 83211

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.32 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE Sec. 7, Township 06S, Range 30E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S 30E 7	SWNE 4	SENE 4	SWNW 4	16
	SENE 4			

Total number of acres irrigated: 16

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 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. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
5. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. 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.

MICROFILMED

MAR 05 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08143

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

12th day of February, 1990.

J. Glen Saxton
R. Keith Higginson, Director

for

MICROFILMED

MAR 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant LaMar Johns Phone 226-5703

Post office address 180 Tyhee, American Falls, Idaho 83211

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 6S

Range 30E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .32 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. 0.32 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 with mainlines to
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 22 inches; proposed depth of well is 365 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: _____

MICROFILMED

MAR 05 1990

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	30E	7			4	4			4	4									16

Total number of acres to be irrigated 16

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 Applicant

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

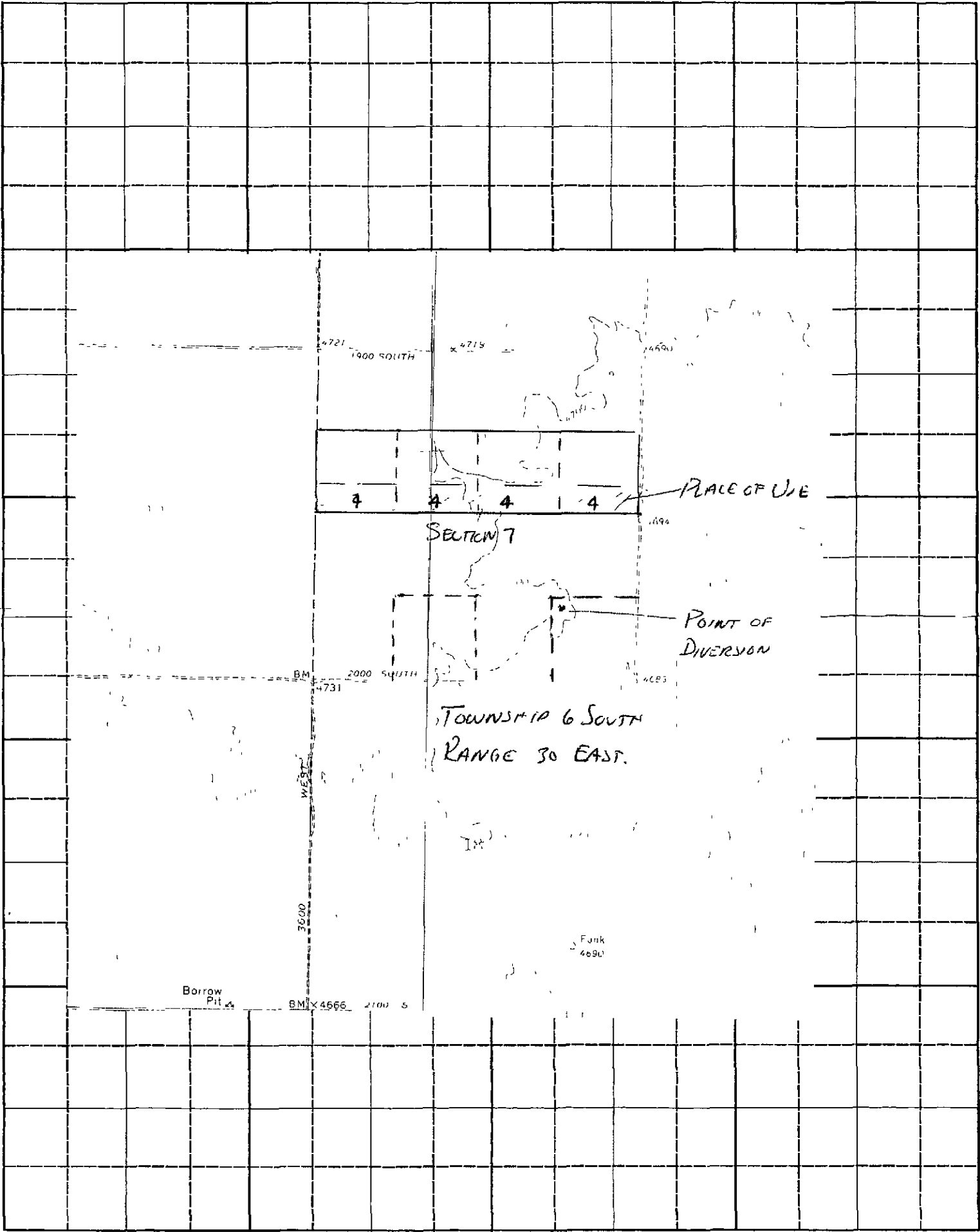
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

RECORDED

MAR 05 1990

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.

MICROFILMED

MAR 05 1990

La Mar Johns
(Applicant)

Received by kw Date 5-18-83 Time 3:20p
Preliminary check by KCW Fee \$ 45.00
Receipted by BP Date 5/23/83 # 26280
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: none

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

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MAR 05 1990

DEPT OF WATER RESOURCES
State Office
1301 North Orchard St.
Boise, Idaho 83720
(208) 327-7900

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

35-08143

JOHNS, LaMar
180 Tyhee
American Falls, Id 83211
Source GROUNDWATER
Diversion Pt: SESE, Sec 7, T. 06S, R. 30E
Use IRRIGATION (320 CFS), Total Diver-
sion (.320 CFS)
Date Filed: 5/18/1983.
In T06S, R30E, S07, SWNE, SENE,
/SWNW, SENW.
16.0 ACRES TOTAL

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, Statehouse Mail, Boise, Idaho,
83720, on or before JANUARY 22, 1990.

R KEITH HIGGINSON
Director

(629)
Pub 1/4, 11

MICROFILMED

MAR 05 1990

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Ted Townsend do
solemnly

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

newspaper two consecutive weeks,

the first publication having been made on the

4th day of January, 1990;

and the last publication having been made on the
11th day of January, 1990
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 16th day of January, in
the year 1990 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.

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

Affidavit Processing Fee..... \$5.00

MEMORANDUM

TO: Files 35-07883, 35-07953, 35-08143 & 35-08747

FROM: Pam Skaggs^{OS}/State Office

SUBJECT: Transfer 5304

DATE: January 4, 1999

Transfer 5304 changes the point of diversion and place of use under all of Rights 35-07883 and 35-08143, and a portion of Rights 35-07953 and 35-08747 splitting each right into Parts A and B.

The applicant is reconfiguring these rights to reflect the use of center pivots, corner catchers and current point of diversion. The combined rights irrigate a 300 acre permissible place of use.

Season of use and diversion volume were adjusted to reflect current standards. Recommended conditions include permissible place of use, trust water (35-08143 & 35-08747B), measuring & annual reporting, irrigation overlap and standard transfer conditions.

MICROFILMED
FEB 04 1999

MEMORANDUM

TO: FILE 35-8143

FROM: PAM SKAGGS

RE: TRANSFER # 5304

DATE: 7/23/98

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 35-7883.

MICROFILMED
FEB 04 1999



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

June 30, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RUFF TIMES FARMS
3005 W 2100 S
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-08143

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

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

MICROFILMED

FEB 04 1999

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

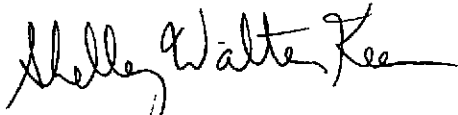
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

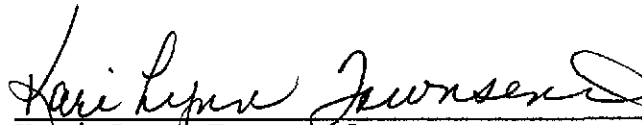
FEB 04 1999

CERTIFICATE OF MAILING

I hereby certify that on the **30th** day of **June, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 35-08143

RUFF TIMES FARMS
3005 W 2100 S
ABERDEEN ID 83210


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 04 1999

Keen, Shelley

From: dwr01::dwr03::dwr70::kwilson
To: Keen, Shelley
Cc: KWILSON
Subject: PERMIT 35-08143 LICENSING AMENDMENT
Date: Monday, June 29, 1998 12:27PM

Since I did the re-exam on 35-08143 one tower was removed from the linear system that irrigates the place of use North of the mainline (N1/2 SW1/ & N1/2 SE1/4, Sec 7, T06S, R30E). The acres that were irrigated by this linear section are now irrigated from a well in the NENW Sec 7, T06S R30E, that operates two center pivots with corner catchers. To reflect these changes I have been working with Doug Ruff (Ruff Times Farms) on a transfer that will reflect the permissible place of use as currently irrigated. Therefore, there is no need for a licensing amendment to include the permissible place of use on 35-08143

Keith C. Wilson
Senior Resource Agent

----- Message Header Follows -----

Received: from adm-smtp.state.id.us by admmsmgw.state.id.us
(PostalUnion/SMTP(tm) v2.1.9h for Windows NT(tm))
id AA-1998Jun29.122450.1128.440332; Mon, 29 Jun 1998 12:24:51 -0600
Received: from dwr06.idwr.state.id.us ([164.165.17.6])
by adm-smtp.state.id.us (Post.Office MTA v3.1.2
release (PO205-101c) ID# 0-0U10L2S100) with SMTP id AAA290
for <skeen%idwr@adm-smtp.state.id.us>;
Mon, 29 Jun 1998 12:24:39 -0600
Received: by dwr06 idwr.state.id.us (5.65/DEC-Ultrix/4.3)
id AA09595, Mon, 29 Jun 1998 12:14:50 -0600
Date: Mon, 29 Jun 1998 12:14:50 -0600
Message-Id: <9806291814.AA09595@dwr06.idwr.state.id.us>
From: dwr01::dwr03::dwr70::kwilson
To: skeen@idwr.state.id.us
Cc: KWILSON@dwr06.idwr.state.id.us
Subject: PERMIT 35-08143 LICENSING AMENDMENT

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Page 1
FEB 04 1999



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

June 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RUFF TIMES FARMS
3005 W 2100 S
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-08143

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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FEB 04 1999



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

May 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RUFF TIMES FARMS
3005 W 2100 S
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-08143

Dear Permit Holder(s):

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

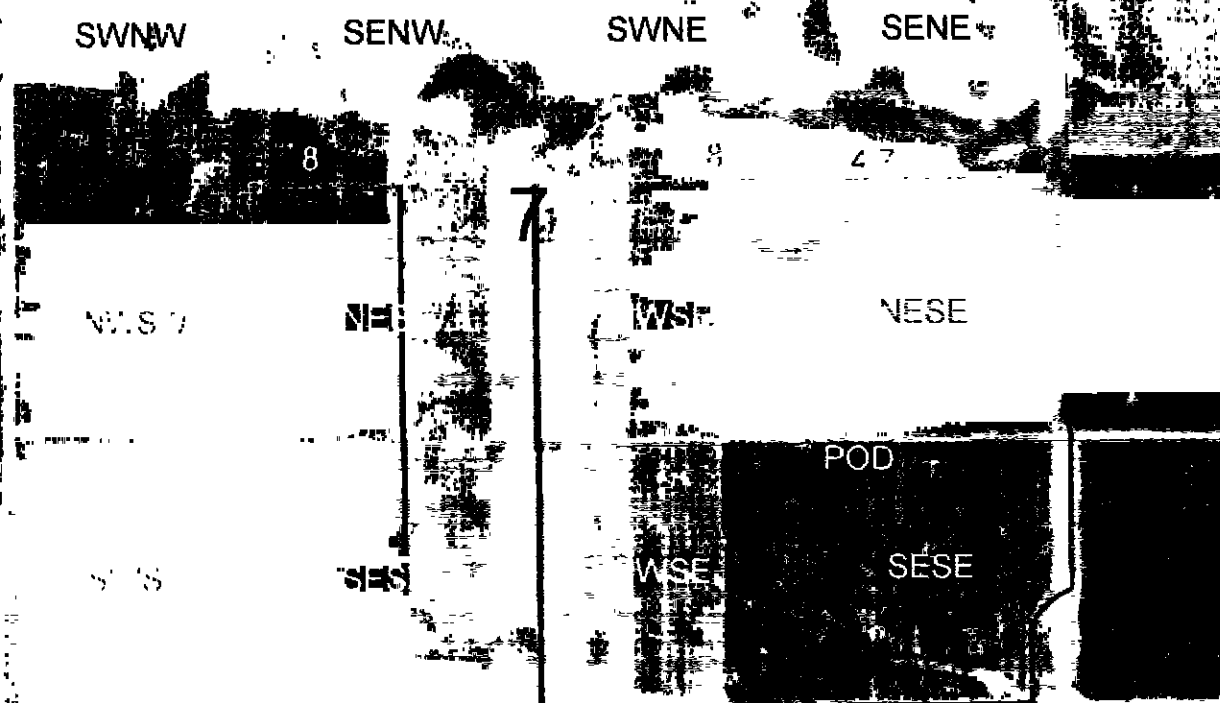
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FEB 04 1999

35-08143

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FEB 04 1999

T06S R30E S07

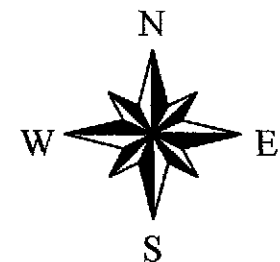


Point of Diversion
35-08143 POU

- ☐ 35-07759 POU
- ☐ 35-07505 POU
- ☐ 35-07953 POU

Map prepared by: Carter Fritschle
Date prepared: 05/14/98
1987-1988 NAPP photography

500 0 500 1000 1500 2000 2500 3000 Feet

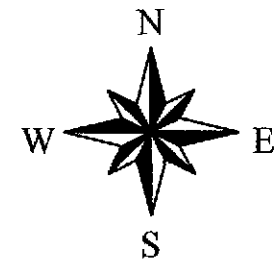


35-08143

Point of Diversion

-  35-08143 POU
-  35-07953 POU *A/E*
-  35-07759 POU *11/P*
-  35-07505 POU *11/P*

MICROFILMED
FEB 04 1998



700 0 700 1400 2100 2800 Feet



Map prepared by: Carter Fritschle
Date Prepared: 05/14/98
1987-1988 NAPP photography

MEMORANDUM

TO: File 35-08143

FROM: Sharla

DATE: May 4, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 35-08143 are as follows:

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	0.32 cfs	64.0 afa
------------	-------------	----------	----------

Although the examiner did not complete all items on the field report form, sufficient information exists to construct a license.

PPU used

Examiner: Keith Wilson
Exam Date: August 27, 1997

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FEB 04 1999

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08143 DATE 4/28/98 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK ☐ Change (Para P39 - gov P40/P47) ☐ Add (P45/P42)

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): 35-07505/07953/07759
 File reviewed ☐ Profile reports printed ☐

PLACE OF USE OK chg ☐ Change (P41 - gov P43/P47) ☐ Add (P41/P42)

W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): 35-07883
 File reviewed ☐ Profile reports printed ☐

RATE OF DIV

Permitted Rate .32 cfs

Fee limit 1.00 cfs \$100⁰⁰

Measured 5.66 cfs

Theoretical 6.33 cfs (40 psi, 321' hgt)

Recommended Total Div Rate ☐ cfs

WATER USES

<u>OK</u>	<u>32</u> cfs	<u>16x4 =</u> af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)
	cfs	af		supp gw (WB7/065/079)
	cfs	af		overlap spec. combined rts (W35)
	cfs	af		<1acre (W31)
	cfs	af	Domestic	(W01/WB5/070/071/075)
	cfs	af	Power	(W42 or W43/025/027/R22 or R23)
	cfs	af	Fish (042)	Fire (077) Wtr Quality (081/R07)
TOTALS	<u>32</u> cfs	<u>64.0</u> af		

Flow rate .32 cfs X 214 days X 1.98 = 135.6 af

REMARKS W36

ADD'L CONDITIONS

☐ Watermaster Control WD# ☐

☐ GW Measurement/Measuring Device

☐ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo blank

Amend letters P41, P38
P42

Received from Doug Kniff on 11/17/95.

S.W. Kim

RECEIVED

NOV 17 1995

Department of Water Resources

LAHAR JOHNS FIELD - LEGEND

AUGUST 3, 1975

20" DIAMETER HOLE DRILLED 375 FEET DOWN
STATIC WATER LEVEL AT 345 FEET

1975

SYSTEM - 250 HP PUMP, 6 1/4 MILE WHEELINES

1977

SYSTEM UPDATED TO: 250 HP PUMP, 8 1/4 MILE WHEELING

MAY 21ST, 1979

(11/64 NOZZLES)
WATER MEASUREMENT DONE - 8 1/4 MILE WHEELINES RUNNING

FOUND 1463.4 GPM = 3.26 CFS

1463.4 GPM ÷ 8 LINES = 183 GPM/WHEELINE

1981

SYSTEM UPDATED TO: 350 HP MOTOR,

1/4 T.L. 7 STAKE BOWL ASSEMBLY, 800 1/4 MILE

WHEELINES - TOTAL OF 12 WHEELINES - PUMPS

TRIMMED FOR 2200 GPM @ 553 T.O.H

7-14-81

WATER MEASUREMENT DONE - DOES NOT SAY

HOW MANY WHEELINES WERE RUNNING

FOUND 1419 GPM = 3.41 CFS

1419 GPM ÷ 12 LINES = 135 GPM/WHEELINE

1983

NORTH LINES EXTENDED - PERMIT FILED

FOR AN ADDITIONAL 16 H.

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FEB 04 1999

DEC 08 1995

1997 300 HP + 125 HP BOOSTERS - MEAS. = 5.66 cfs



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 6, 1995

DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Application for Permit No. 35-09050

Dear Doug:

I am writing in response to your phone call to me last week. I have reviewed the information you sent me to support the application for permit you submitted in May, but I do not see anything to change the position outlined in my June 21, 1995, letter to you.

You have collected a great deal of information suggesting that Lamar Johns developed a diversion rate of 5.0 cfs from his well prior to November 19, 1987. Convincing evidence of that development would allow the department to process your application to recognize the existing water use. However, department records indicate a direct measurement of the diversion rate was made in 1981. The water right license limiting Mr. Johns to a total diversion rate of 3.61 cfs was based on that measurement. When the license was issued, Mr. Johns did not dispute the department's findings. Now that the diversion system has been substantially altered, there is no way to check the 1981 measurement. The information you have provided so far does not appear to outweigh the evidence of a direct measurement.

I must also remind you that the application for permit you submitted in May, no. 35-09050, is being held in our Idaho Falls office. It cannot be processed because of the moratorium in effect in your area and because the you have not conclusively demonstrated that the 5.0 cfs diversion capacity was achieved prior to November 19, 1987. Moreover, the application is incomplete because you listed Lamar Johns as the property owner without describing the arrangement which enables you to file the application for a water right on his property. If the information is not submitted within 30 days, the application could be viewed as speculative and may be rejected and returned to you.

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DEC 08 1995

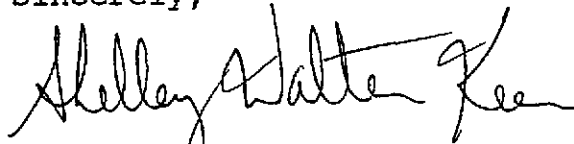
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FEB 04 1999

Mr. Doug Ruff
Re: Application No. 35-09050
October 6, 1995
Page 2

If you have any questions, please contact me at 208-327-7946 in Boise.

Sincerely,

A handwritten signature in cursive script, reading "Shelley Walter Keen".

Shelley Walter Keen
Water Rights Supervisor

SWK

cc: Skip Jones, Eastern Region

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FEB 04 1999

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DEC 08 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 1995

DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Application for Permit

Dear Mr. Ruff:

I have reviewed the information you submitted to support your request for immediate approval of your application for permit to divert 5.00 cfs of groundwater on Lamar Johns's land near American Falls. Your effort in collecting the data is appreciated. 35-09050

As you are aware, our previous director indicated he would approve applications in the Eastern Snake River Plain moratorium area if they are supported by incontrovertible evidence that the diversion and use of water began prior to November 19, 1987, the commencement date of the Snake River Basin Adjudication. The information you sent me in April indicated that you might be able to find strong evidence to contradict information in the department's files. In fact, some of the new information you submitted does give the impression that Lamar Johns's irrigation system was designed to pump about 2200 gpm (4.90 cfs) during the 1980s. But, the department has record of a direct measurement of the system's diversion capacity made in 1981 by department personnel. The measured rate of diversion was 3.61 cfs, which is the diversion rate allowed under licensed rights 35-07505, 35-07759, and 35-07953. Because the irrigation system has changed since the measurement was made, there is no way to test the accuracy of the measurement. Had Mr. Johns questioned the measurement, he could have indicated so in the 1980s before the system was changed.

It is my conclusion that the new information does not support the diversion of an additional 5.00 cfs prior to November 19, 1987. Moreover, it is insufficient to outweigh the direct measurement of 3.61 cfs in 1981. Therefore, the application you submitted will be held without being advertised until the moratorium on new development in the Eastern Snake River Plain is lifted. You will be notified when the application can be processed.

Meanwhile, it appears that you did not address item 12.c. on the application form. Item 11.c. says, "If the property is owned by

FEB 04 1999



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

Mr. Doug Ruff
Re: Application for Permit
June 21, 1995
Page 2

a person other than the applicant, describe the arrangement enabling the applicant to make this filing." Because you listed Lamar Johns as the property owner, you are required to submit information to answer item 11.c. If this information is not submitted within 30 days, the application could be viewed as speculative and may be rejected and returned to you.

If you have any questions, please contact me at 208-327-7946 in Boise.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK

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FEB 04 1999

JUN 27 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 08 1997
Department of Water Resources

RE-EXAM

A. GENERAL INFORMATION

Permit No. 35-08143

1. Owner: RUFF TIMES FARMS

Phone No. 397-4660

Current Address: 3005 W 2100S Abundant 83210

2. Accompanied by: DOUG RUFF

EXAM DATE: 8-27-97

Address: —

Phone No. —

Relationship to Permit Holder: OWNER / PARTNER

3. Source: GROUNDWATER

tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-7505/7953/7759

2. Other water rights with the same point of diversion: 35-7505/7953/7759

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
			SE	SE	7	6S	30E	BINGHAM	ON SITE

2. Place(s) of Use:

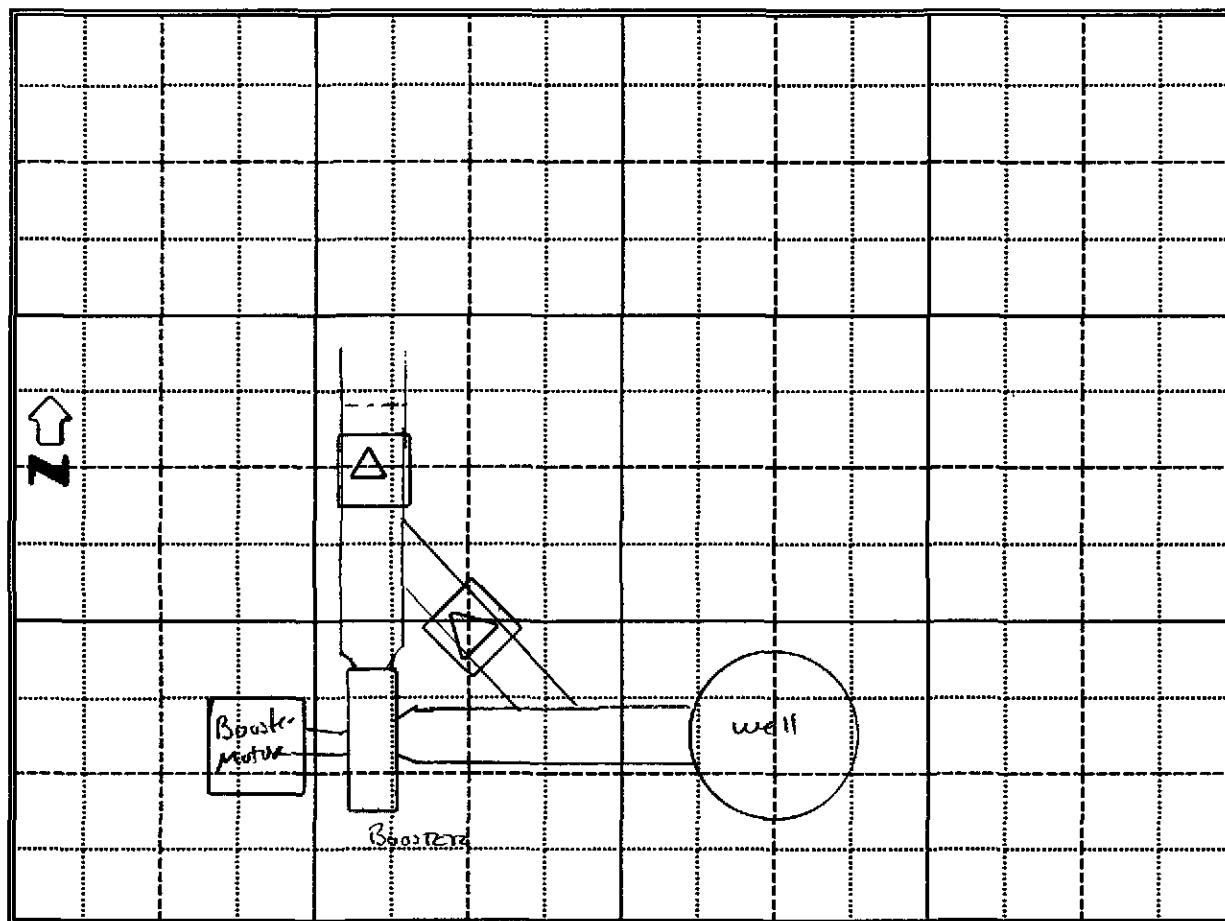
Indicate Method of Determination FSA AERIAL

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	30E	7			4	4			4	4									16

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
well	YASKAWA	300	0075414101	SINGER WELL-LINE	# 45615
Booster	MARATHON	125	96636-9/10-5	CORNELL	# 18738

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Ultrasonic Meter		PEEK	ISTT-P	26863		

2. Measurements: Mainly @ well 0.120" Thick 10.25" od $Q = 2540.8 \text{ gpm} = 5.66 \text{ cfs}$
 40 psi between Motor & Booster Dynamic Pump depth $\approx 321 \text{ ft}$

E. NARRATIVE/REMARKS/COMMENTS

Well pump boost mainline to one 8 tower linear & one 9 tower linear
and 22 sprinkler wheel line (5 gpm nozzles)

8 tower linear rated @ 1100 gpm

9 tower linear rated @ 1200 gpm

Meter reading started fluctuating Recommend using $Q = 2540 \text{ gpm} = 5.66 \text{ ft}$
as TOTAL SYSTEM CAPACITY

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

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FEB 04 1999

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:** $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____**2. Volume Calculations for Other Uses:****H. RECOMMENDATIONS****1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name KEITH C. WILSON Date 27 Aug 1997

Reviewer _____ Date _____

SEAL

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FEB 04 1999

TRANSDUCER TYPE
STANDARD
TRANSDUCER MOUNTING
U

TRANSDUCER SPACING
8.030 IN

SETUP NO. 1

PIPE O.D 10.250 IN

PIPE WALL THICKNESS
0.120 IN

PIPE I.D 10.010 IN

PIPE MATERIAL
CARBON STEEL

PIPE SOUND VELOCITY
10597.129 F/S

LINER MATERIAL
NONE

LINER SOUND VELOCITY
0.000 F/S

LINER THICKNESS
0.000 IN

INSIDE ABS ROUGHNESS
0.00015000

FLUID MATERIAL
WATER

FLUID SOUND VELOCITY
4863.330 F/S

FLUID VISCOSITY
1.132 Cst

TRANSDUCER TYPE
STANDARD

TRANSDUCER MOUNTING
U

TRANSDUCER SPACING
8.030 IN

FLOW 2617.936 GPM
10.673 F/S

FLOW 2397.762 GPM
9.775 F/S

11:35:50 08-27-97

SCALE FACTOR = 0.990
OFFSET(GPM) = 0.000
nsec OFFSET = 11.64
usec OFFSET = -0.29
XMT_DET_DLY = 19.24
AERATION FAC. = 1.00
XDUCE: STANDARD/U

WIN_DLY = 369.80 367.88
SE>R = 1.73 1.78
BIAS = 1.67 1.59
AGC = 0.49 0.55
SIG_STG = 9.06 8.98
MISSED = 0 0
TIME(us) = 376.2 375.6
DEL TIME(ns) = 682.0
DIFF COUNT = 850
P2X = 30
SPS = 42.74
AERATION = 0.000

FLUID (F/S) = 4837.39
REYNOLDS NO. = 708269
PROFILE FACTOR = 0.9470

FLOW: = 2540.858 GPM
10.359 F/S

FLOW 2617.936 GPM
10.673 F/S

FLOW 2397.762 GPM
9.775 F/S

11:35:50 08-27-97

SCALE FACTOR = 0.990
OFFSET(GPM) = 0.000
nsec OFFSET = 11.64
usec OFFSET = -0.29
XMT_DET_DLY = 19.24
AERATION FAC. = 1.00
XDUCE: STANDARD/U

WIN_DLY = 369.80 367.88
SE>R = 1.73 1.78
BIAS = 1.67 1.59
AGC = 0.49 0.55
SIG_STG = 9.06 8.98
MISSED = 0 0
TIME(us) = 376.2 375.6
DEL TIME(ns) = 682.0
DIFF COUNT = 850
P2X = 30
SPS = 42.74
AERATION = 0.000

FLUID (F/S) = 4837.39
REYNOLDS NO. = 708269
PROFILE FACTOR = 0.9470

FLOW: = 2540.858 GPM
10.359 F/S

FLOW 2022.072 GPM
8.244 F/S

11:44:53 08-27-97

SCALE FACTOR = 0.990
OFFSET(GPM) = 0.000
nsec OFFSET = 11.64
usec OFFSET = -0.29
XMT_DET_DLY = 19.24
AERATION FAC. = 1.00
XDUCE: STANDARD/U

WIN_DLY = 368.51 367.88
SE>R = 1.29 1.25
BIAS = 1.45 1.35
AGC = 0.45 0.51
SIG_STG = 8.98 9.02
MISSED = 0 0
TIME(us) = 375.1 374.3
DEL TIME(ns) = 545.6
DIFF COUNT = 1042
P2X = 37
SPS = 34.65
AERATION = 0.000

FLUID (F/S) = 4854.18
REYNOLDS NO. = 570120
PROFILE FACTOR = 0.9470

FLOW: = 2045.394 GPM
8.339 F/S

DIFF CNT = 1059
DELTA T = 547.72

FLOW 2031.448 GPM
8.282 F/S

Q = 5.66

Meter reading started
fluctuating

MICROFILM
FEB 04 1999

(RE-EXAM)

35-08143

Flow Measurement
TARE

35-08143

35-08143

SETUP NO. 1

PIPE O.D. 10.250 IN
PIPE WALL THICKNESS 0.120 IN
PIPE I.D. 10.010 IN

PIPE MATERIAL CARBON STEEL

PIPE SOUND VELOCITY 10597.129 F/S

LINER MATERIAL NONE

LINER SOUND VELOCITY 0.000 F/S

LINER THICKNESS 0.000 IN

INSIDE ABS ROUGHNESS 0.00015000

FLUID MATERIAL WATER

FLUID SOUND VELOCITY 4863.320 F/S

FLUID VISCOSITY 1.132 Cst

TRANSDUCER TYPE STANDARD

TRANSDUCER MOUNTING 11

TRANSDUCER SPACING 8.030 IN

FLOW 2617.936 GPM
10.673 F/S

FLOW 2397.762 GPM
9.175 F/S

11:35:50 08-27-97

SCALE FACTOR = 0.990
OFFSET (GPM) = 0.000
nsec OFFSET = 11.64
usec OFFSET = -0.29
XMT DET DLY = 19.24
AERATION FAC = 1.00
XDUCEP: STANDARD/U

	UP	DOWN
WIN DLY	369.80	367.88
SE/R	1.72	1.78
BIAS	1.52	1.59
AGC	0.49	0.55
STG STG	9.06	8.98
MISSED	0	0
TIME(us)	376.2	375.6
DEL TIME(ns)		682.0
DIFF COUNT		850
P2X		30
SPS		42.74
AERATION		0.000

FLUID (F/S) = 4837.39
REYNOLDS NO. = 708269
PROFILE FACTOR = 0.9470

FLOW: = 2540.858 GPM
10.339 F/S

FLOW 2022.072 GPM
8.244 F/S

11:44:53 08-27-97

SCALE FACTOR = 0.990
OFFSET (GPM) = 0.000
nsec OFFSET = 11.64
usec OFFSET = -0.29
XMT DET DLY = 19.24
AERATION FAC = 1.00
XDUCEP: STANDARD/U

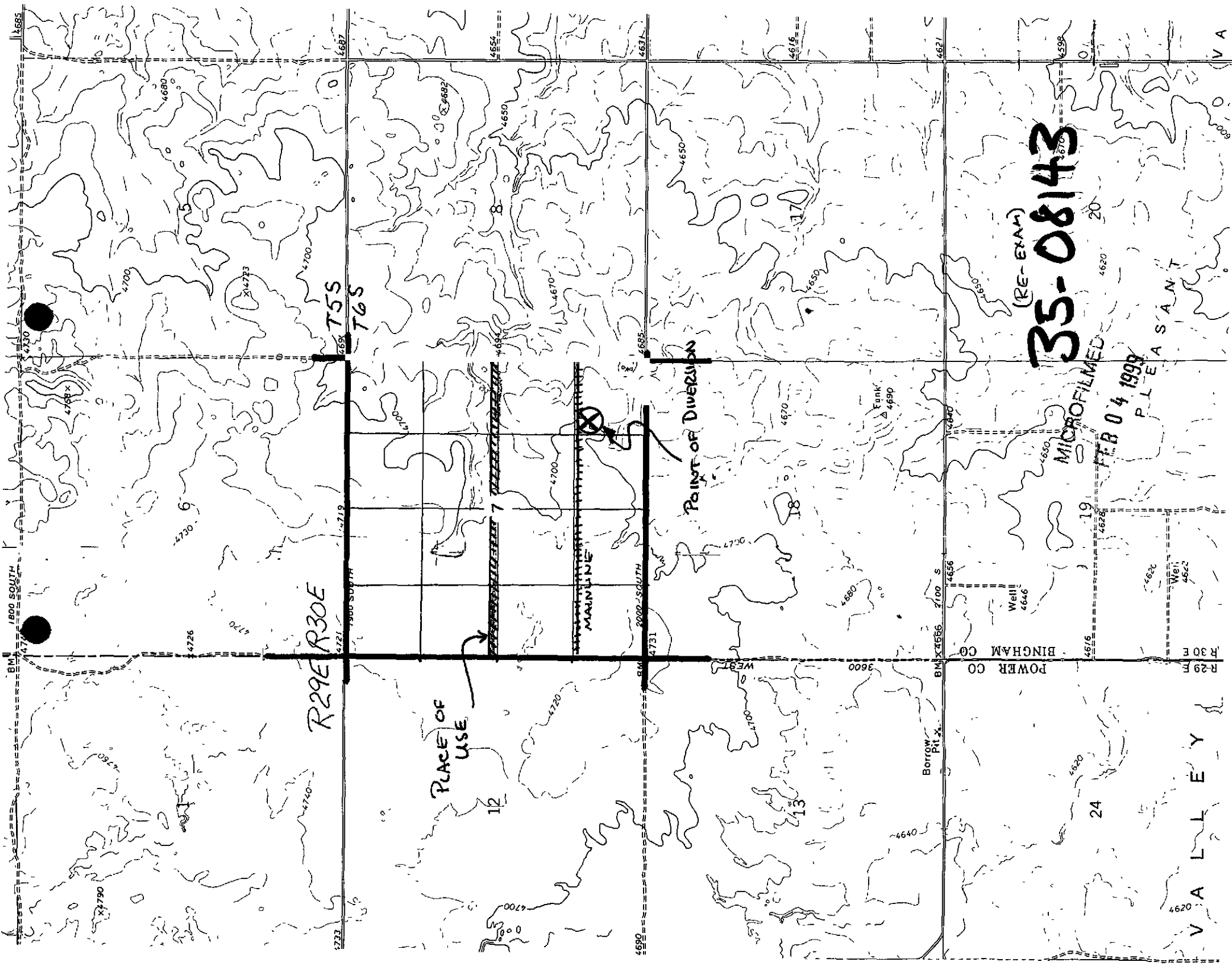
	UP	DOWN
WIN DLY	368.51	367.88
SE/R	1.39	1.25
BIAS	1.35	1.25
AGC	0.45	0.51
STG STG	8.98	9.02
MISSED	0	0
TIME(us)	375.1	374.5
DEL TIME(ns)		545.6
DIFF COUNT		1042
P2X		37
SPS		34.65
AERATION		0.000

FLUID (F/S) = 4854.18
REYNOLDS NO. = 570120
PROFILE FACTOR = 0.9470

FLOW: = 2045.394 GPM
8.339 F/S

DIF CNT= 1059
DELTA T= 547.72

FLOW 2031.448 GPM
8.282 F/S



(RE-EXAM)
35-08143

MICROFILMED
FEB 04 1999

PLEASE SANIT

PLACE OF
USE

POINT OF DIVERSION

R29E R30E

T5S
T6S

Borrow Pit

Well

V A L L E Y

PLEASE SANIT

35-08143

7- T24793 X
3962

• Taken out of CRP in
1996

Lot 1

CRP
87-20

Lot 2

R30E T6 S

254.4

4

4

4

4

Sec 7

PLACE OF USE

Lot-3

Lot-4

POINT OF DIVERSION

18

(RE-EXAM)

MICROFILM

35-08143

18

FEB 4 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 08 1997
Department of Water Resources

A. GENERAL INFORMATION

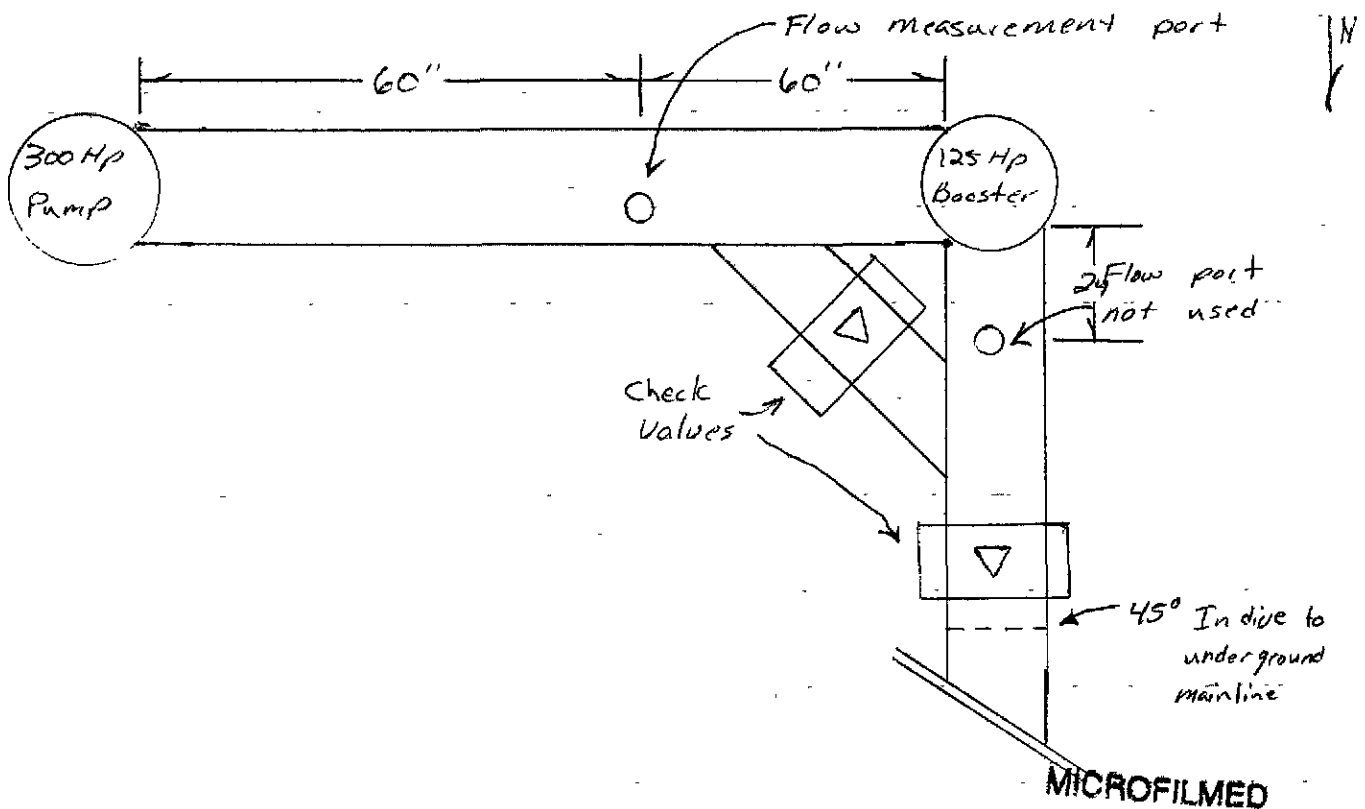
Permit No. 35-8143
1. Owner: La Mar Johns Phone No. _____
Current Address: 180 TYhee American Falls, Id 83211
2. Accompanied by: Paul Klassen EXAM. DATE: 7-16-91
Address: 2937w. 1700s Aberdeen, Id Phone No. 397-4061
Relationship to Permit Holder: center
3 Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 35-7505, 35-7953, 35-7759
_____ ☒ Copies Attached
2. Other water rights with same point of diversion: 35-7505, 35-7953, 35-7759
_____ ☒ 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" = _____

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).

FEB 04 1999

System Description (continued)

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

300 Hp pump to 10" pipe to 125 Hp Booster to under ground 10" mainline to One 8 tower leiner system and one 9 tower leiner system to 18 bird wheel line with 5 gpm Flow control nozzels operating at 65psi.

8 tower machine rated at 1100 gpm and 9 tower machine Rated at 1200 gpm.

* (Booster was not operating and only one 8 tower machine was in operation. also having problems with pump and plan to pull and do work on it this Fall) IF nessary will call when work is complete See Remarks on page 4 for continuation

4. for re-exam.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Kawasaki 300	300	0075414101	Well-Line Singer	# 45615
Booster	Marathon	125	96636-7/105	Cornell	#18938

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	7	6S	30E	Bingham	Quad + onsite inspection

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

MICROFILMED
FEB 04 1999

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Halls meter	Pitot	Cox	—	120387	18"	—
Flow Indicator	Manometer	IDWR	—	—	6.0"	—
Pressure Gauge	Fluid	Ranbird		RBG-L160PB	0-160	

2. Measurements:

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$18 \times 59 \text{ gpm} = 90 \text{ gpm} + 1100 \text{ gpm} = \boxed{1190 \text{ gpm}}$$

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:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

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FEB 04 1999

[illegible]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	
	From	To	Q (cfs)	Annual Volume V (afa)
			Totals:	

☐ 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

Field Examiner's Name GARY Buss

Signature _____

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.

MICROFILMED

FEB 04 1999

DATE:

DATE:

PERMIT #

35-8143

COX/HALL
METER #

120387

SYSTEM NAME/NUMBER

Circumference in Inches = 31.4 CIR

Thickness in Inches = .105 T

$$ID = (0.3183 \times CIR) - (2 T) = (9.79) ID$$

$$(\quad) - (\quad) = \quad \quad \quad \text{H}$$
$$(\quad) - (\quad) = \quad \text{H}$$
$$(\quad) - (\quad) = \quad \text{H}$$

$$(29.3) - (18.1) = 11.2 \quad \text{H}$$

High reading - Low Reading

DETERMINE V_h FROM CHART USING (H): 16.1 V_h

(Example $H = 12.3$, $V_h = 16.9$)

$$Q_{cfs} = [(\pi/4) \times (id)^2 \times Vh] / 448.8$$

(id) (Vh)

$$Q \text{ cfs} = [0.78539 \left(\frac{7.14}{12} \right)^2 (16.1)] / 448.8$$

310'
5 psi operating

Q cfs = 2.10 cfs

Q cfs = ~~_____~~ 260

1212 g

MICROFILMED

FEB 04 1999

MEASURED BY

35-8143

ement Port

UNRECORDED
0 4 1999



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

DECEMBER 5, 1995

RUFF TIMES FARMS
3005 W 2100 S
ABERDEEN ID 83210

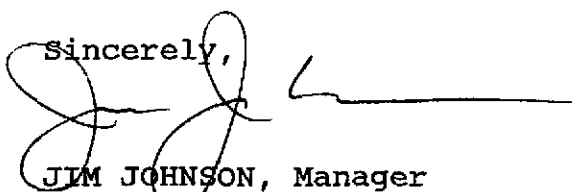
RE: Permit No. 35-08143

Dear Permit Holder(s):

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

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

MICROFILMED

DEC 08 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

November 8, 1994

Paul Laggis
376 Roosevelt
P.O. Box 70
American Falls, ID 83211

RE: Lamar Johns - Request for Re-Examination

Dear Paul:

I am responding to your request to Harold Jones for a re-evaluation of the diversion rates on the licenses issued to Mr. Lamar Johns for irrigation from groundwater. The three licensed rights; numbers 35-07759, 35-07505, and 35-07953; allow a maximum combined diversion rate of 3.61 cfs for 319 acres.

The field report completed for 35-07505 lists a measured diversion capacity for Mr. Johns's well at 3.26 cfs on May 21, 1979. The field examiner for 35-07759 and 35-07953 indicated a diversion capacity of 3.61 cfs measured on July 14, 1981. I reviewed the calculations in the field reports and found nothing obviously amiss.

Because water rights cannot exceed a water user's ability to divert and use water, the three licenses were limited to a combined maximum rate of 3.61 cfs. A rate of 3.61 cfs on 319 acres constitutes a diversion rate of 0.011 cfs per acre. My experience is that this rate per acre is within reason for sprinkler irrigation systems in Mr. Johns's area. In addition, 3.61 cfs is sufficient to produce a diversion volume of 4.0 acre-feet per acre for 319 acres over the course of the irrigation season. An analysis by department personnel indicates that 4.0 acre-feet per acre per year is a reasonable application volume for irrigation in Mr. Johns's area.

My conclusion is that there is nothing in the department's files to indicate that our analysis of Mr. Johns's water use in 1981 was incorrect. Moreover, Mr. Jones has told me that he has information that Mr. Johns has substantially altered his irrigation system since 1981. If that is the case, a re-evaluation of the irrigation system developed prior to 1981 is not possible. Therefore, without additional information I am unwilling to recommend a re-evaluation of licensed water rights 35-07505, 35-07759, and 35-07953.

However, three alternatives remain for Mr. Johns to consider. First, if he can provide evidence that clearly demonstrates that

DEC 08 1995

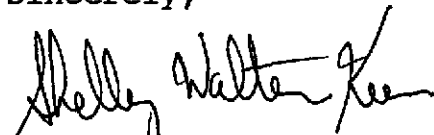
Paul Laggis
November 7, 1994
Page 2 - Bingham County

the field reports are incorrect and that the licenses were issued in error, I will accept and review such evidence. Second, if Mr. Johns changed his system to increase his diversion capacity prior to Nov. 19, 1987, and he can clearly demonstrate such, the director has indicated that he will review any application for a new water right that meets those criteria, despite the current moratorium. Third, the moratorium does not prohibit the transfer of existing water rights. Mr. Johns could, therefore, purchase an existing right and apply to transfer it to his land.

In your letter you also asked about permit 35-08143. It was issued to Mr. Johns in 1990. It authorized development of an additional 0.32 cfs of trust water for 16 acres. Mr. Johns submitted proof of beneficial use for this permit in May of 1990. I have enclosed copies of the permit and the proof form for your reference.

If you have any questions, please contact me at (208)327-7946 in Boise.

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

SWK

Enclosures:

- Copy of permit 35-08143
- Copy of proof submitted for 35-08143

RECEIVED

DEC 08 1995

Boomer & Laggis

HENRY R. (Hank) BOOMER
PAUL S. LAGGIS

ATTORNEYS-AT-LAW
376 Roosevelt - P.O. Box 70
American Falls, Idaho 83211

Telephone
(208) 226-2562
Fax (208) 226-2578

October 24, 1994

RECEIVED

OCT 26 1994

Department of Water Resources
Eastern District Office

Harold Jones
Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline Dr.
Idaho Falls, ID 83402

Re: LAMAR JOHNS - PERMIT NO. 35-08143

Dear Harold:

I am writing for a couple of reasons; I wanted to make a written request for the Department to re-evaluate Mr. Johns' well and the licenses therefor. Mr. Johns assures me that the well is now and always has provided more than 3.61 c.f.s. of water for his system. We understand that Mr. Johns has made significant improvements to his pump in recent years, which would lead to a difficult re-test by the Department.

Nevertheless, at this time Mr. Johns formally requests consideration be given to a re-test by the Department. In the event that this is not granted, Mr. Johns would like to know of any alternatives which may be available to him through the Department.

The other reason I am writing is to verify the existence of permit #35-08143, registered in the name of Lamar Johns. Mr. Johns would like to know the status of this permit and whether it is "additive" to his existing licenses or if it is under the same restriction that, when used in conjunction with the other licenses, the total amount of water shall not exceed 3.61 c.f.s.

We appreciate your prompt response in this matter and thank you in advance.

Sincerely,

Paul S. Laggis
Paul S. Laggis
Attorney at Law

PSL:sab

cc: Lamar Johns

Post-It™ brand fax transmittal memo 7871		# of pages > 1	
To	Shelley Kern	From	H.G. Jones
Co.	Boise	Co.	Eastern
Dept.	IDWR	Phone #	
Fax #		Fax #	

DEC 08 1994

June 26, 1990

LA MAR JOHNS
180 TYHEE
AMERICAN FALLS, ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08143

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

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JUL 26 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8143

Date: 6-25-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

☐ Surface water
☒ Groundwater
1. well log in file 1975
NA 2. drilling permit
NA 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:

☒ NO 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

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

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

LA MAR JOHNS
180 TYHEE
AMERICAN FALLS, ID 83211

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

RE: PERMIT NO. P35-08143

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.

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

MicroFILMED

MAR 05 1990

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

MAR 05 1990

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

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

LA MAR JOHNS
180 TYHEE
AMERICAN FALLS, ID 83211

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

RE: PERMIT NO. P35-08143

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RECEIVED
FILMED

MAR 05 1990

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Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 05 1990

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KCWilson

APPLICATION NUMBER: 35 8143

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

☒ Fee.

☐ Yes ☒ No

Field check required.

☐ Yes ☒ No

Critical groundwater area.

☐ Yes ☒ No

Request dam safety information. Sent by: _____

Date: _____

☒ Yes ☐ No*

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____

Date: _____

PROCESSING:

☐ Yes ☒ No

Platted by: _____ Map No. _____

☐ Yes ☒ No

Other rights on same place of use. _____

☒ Yes ☐ No*

In form for advertising.

Final date for protests: _____

☐ Yes ☐ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: _____

☐ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☐ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No

Measuring device required.

☐ Yes ☒ No

Access port required.

☒ Yes ☐ No

Will water be delivered by watermaster? If yes, what district? 01-P05

5-18-83 Date of priority recommended.

Special conditions of approval or cover letter. _____

App. in TRUST area - TRUST H₂O
Read AWA 10/10/83

By: _____

Date: _____

STATE OFFICE REVIEW:

P05, P23

P16

46 51 52 53

☐ See attached sheet for more information.

By: KW

Date: 1/30/90

00720 1839

Department of Water Resources

CW

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

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

DECEMBER 26, 1989

The Morning News
Box 70
Blackfoot, ID 83221

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before JANUARY 22, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

MAR 05 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

35-08143 ✓

JOHNS, LA MAR ✓
180 TYHEE ✓
AMERICAN FALLS, ID 83211 ✓

Source: GROUNDWATER ✓

Diversion Pt: SESE ✓ Sec 7 ✓ T 06S ✓ R 30E ✓

Use: IRRIGATION (.320 CFS) ✓
Total Diversion: (.320 CFS) ✓

Date Filed: 5/18/1983 ✓

In: T06S ✓ R30E ✓ S07 ✓ SWNE ✓ SENE ✓ SWNW ✓ SENW ✓

16.0 ACRES TOTAL ✓

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before JANUARY 22, 1990. ✓

Published 1/04/1990 & 1/11/1990 R. Keith Higginson, Director

RECORDED

MAR 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 35-8143

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

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

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

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

3. Please state the number of acres you have irrigated under this application since October 1, 1984.

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 16

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

N.A.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

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

Applicant L. M. Johns

Date 12-14-89

RECEIVED
DEC 19 1989 MAR 05 1990

Department of Water Resources

page 2

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

MEMORIALIZED

MAR 05 1990



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

December 5, 1989

CERTIFICATION OF MAILING

I hereby certify that on 12-6-89
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

S. Curtis

LeMar Johns
180 Tyhee
American Falls, ID 83211

Re: Application for Permit No. 35-8143

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION

On May 18, 1983, you filed with the Department of Water Resources (Department) Application for Permit No. 35-8143 which proposed the diversion of 0.32 cubic feet per second from groundwater for the irrigation of 16 acres.

The Department mailed a letter and questionnaire to you on October 23, 1989 in connection with the application. The letter provided notice that the Department was reviewing the application in connection with development which was not complete prior to October 1, 1984.

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

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Water Appropriation Rule 4,5,1.

If no development has been completed as proposed by the application, and you are no longer interested in pursuing the development, please complete and return the enclosed withdrawal form. Please note, if you are using water under this right, 35-8143, the Department may issue an order requiring you to cease diverting the water.

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

Sincerely,

TIM LUKE

Sr. Water Resource Agent

MICROFILMED

MAR 05 1990

Enclosure
cc: Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 23, 1989

RE: APPLICATION FOR PERMIT NO. 35-8143

DEAR APPLICANT:

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

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under your application.

Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

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

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

Approved trust water applications may be subject to additional conditions.

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

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Page 2

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

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

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

TL:sc

cc: Region

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MAR 05 1990