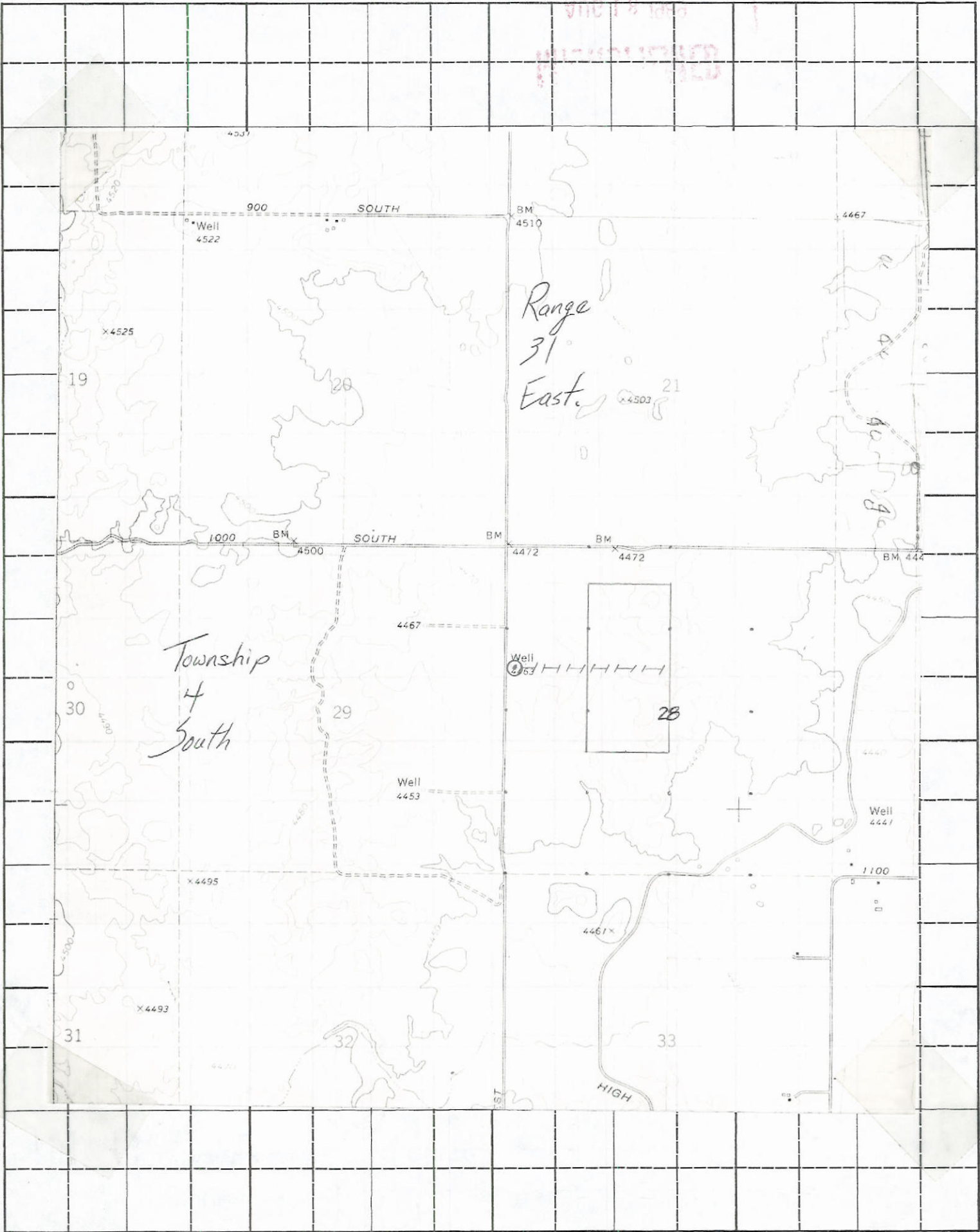


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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
AUG 18 1989

Paul A. Newland
(Applicant)

NOTICE OF APPLICATION
FOR WATER RIGHT

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

35-08073

MUIRBROOK, Paul
Box 23
Sterling, Idaho 83210
Source: GROUNDWATER
Diversion Pt.: SWNW, Sec. 28, T. 04S, R.
31E.
Use: IRRIGATION (1.600 CFS).
Date Filed: 12/23/1982
In: T04S, R31E, S28, NENW, SENW,
NESW, 80.0 ACRES TOTAL.

35-08074

MUIRBROOK, Paul
Box 23
Sterling, Idaho 83210
Source: GROUNDWATER
Diversion Pt: SWSW, Sec. 28, T. 04S, R.
31E.
Use: IRRIGATION (2.820 CFS)
Date Filed: 12/23/1982
In: T04S, R31E, S28, NWSW SWSW; S32,
NENE; S33, NWNW, 142.0 ACRES TOTAL.

46-08087

KNUDSEN, BOB, JR.
Rt. 1, Box 84A
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: NWSW, Sec. 13, T. 06S, R.
30E.
Use: IRRIGATION (.880 CFS)
Date Filed: 1/17/1983
In: T06S, R30E, S13, NESW, NWSW,
SWSW, SESW, 158.0 ACRES TOTAL.

35-08112

HEANEY, EDWARD P.
Rt. 1, Box 32
Sterling, Idaho 83279
Source: GROUNDWATER
Diversion Pt: SWSE, Sec. 15, T. 04S, R.
31E.
Use: IRRIGATION (4.400 CFS).
Date Filed: 3/09/1983.
In: T04S, R31E, S15, NESW, SESW, NESE,
NWSE; SWSE, SESE; S22, NENE, 220.0
ACRES TOTAL.

35-08115

THOMPSON, J.R.
798 S. 2600 W.
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: NWSW, Sec. 11, T. 04S, R.
31E.
Use: IRRIGATION (3.300 CFS).
Date Filed: 3/14/1983.
In: T04S, R31E, S11, NWNW, SWNW,
NESW, NWSW, SWSW, SESW, SWSE, 280.0
ACRES TOTAL.

35-08195

KLEMPER, HOWARD
RR Box 183
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 23, T. 05S, R.
30E.
Use: IRRIGATION (.940 CFS).
Date Filed: 6/30/1983.
In: T05S, R30E, S23, NESE, SESE, 47.0
ACRES TOTAL.

35-08207

FUNK, MARLENE
955 Senora Dr.
Pocatello, Idaho 83201
Source: GROUNDWATER
Diversion Pt: SESW, Sec. 17, T. 06S, R.
30E.
Use: IRRIGATION (3.200 CFS).
Date Filed: 7/01/1983.
In: T06S, R30E, S17, NESW, NWSW,
SWSW, SESW, 160.0 ACRES TOTAL.

35-08212

LARSEN, AILAN F.
Rt. 7, Box 262
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: NWNE, Sec. 6, T. 02S, R.
33E.
Use: IRRIGATION (1.880 CFS).
Date Filed: 6/23/1983.
In: T02S, R33E, S06, NENE, NWNE,
SWNE, SENE, NENW, NWNW, SWNW,
SENW, 294.0 ACRES TOTAL.

35-08367

SAPP, RANDY E.
SAPP, JEANETTE
607 North 1200 West
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SWSW, Sec. 31, T. 01S, R.
34E.
Use: IRRIGATION (.220 CFS); DOMESTIC
(.040 CFS).
Date Filed: 12/28/1984.
In: T01S, R34E, S31, SWSW, 11.0 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, 150 Shoup Ave., Suite 15, Idaho
Falls, Idaho, 83402, on or before MARCH 20,
1989.

R. KEITH HIGGINSON
Director

(300)
Pub.: 3/2, 9

RECEIVED

MAR 20 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, _____
solemnly

Michael Bell

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

2nd day of March, 1989;

and the last publication having been made on the

9th 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.

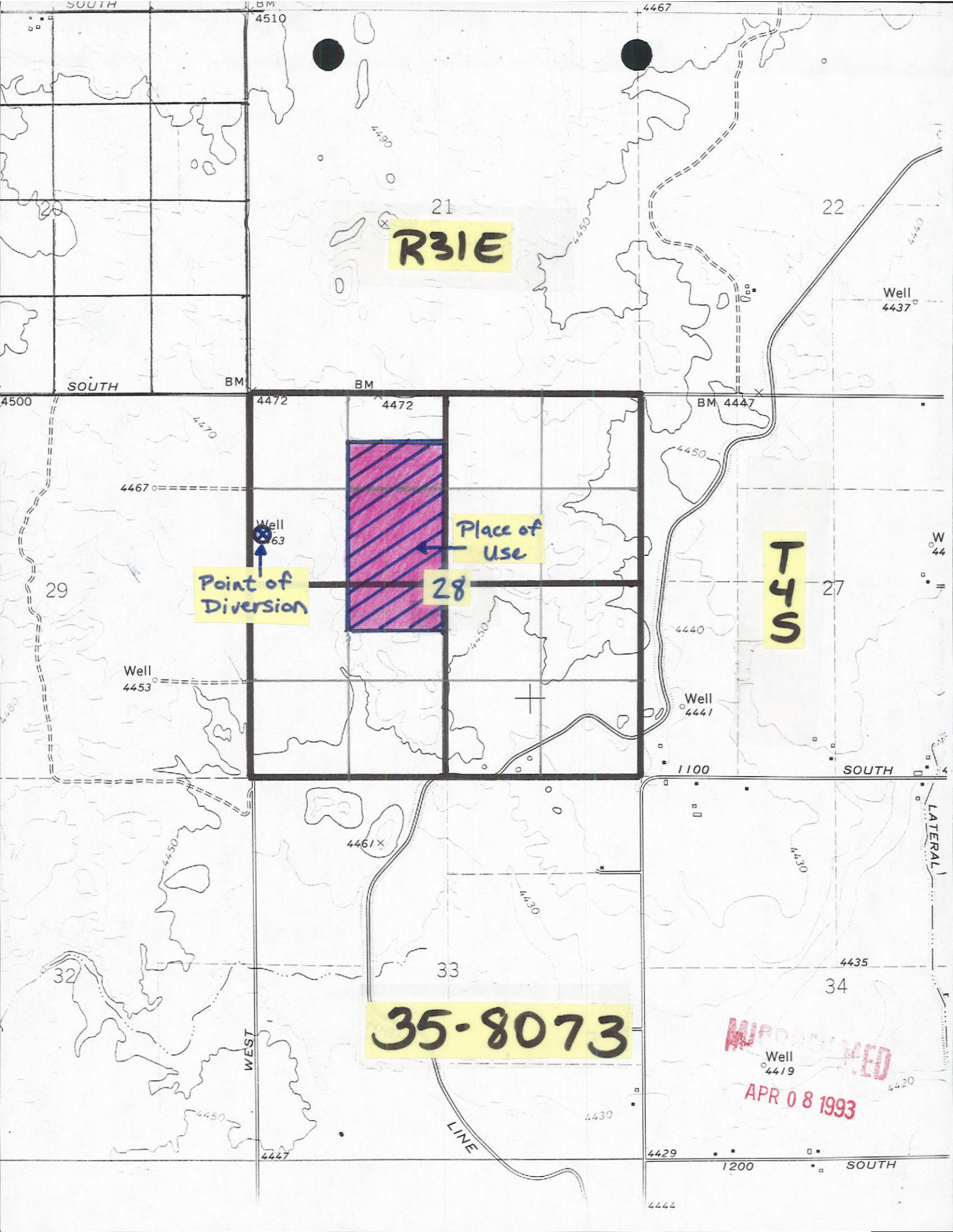
On this 16th day of March, in
the year 1989 before me a Notary Public of said State,
personally appeared

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.

Kaye Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1988
November 10, 1989
Affidavit Processing Fee \$5.00

MICROFILMED

AUG 18 1989



R31E

28

Place of Use

Point of Diversion

T4S

35-8073

APR 08 1993

see F17

T25279
3145

T25278
3146

F-17

25189
2990

R31E

T25198
3145

APR 08 1993

Point of
Diversion

Place of
Use

25183
2991

9.7

25183
2991

3
20.0

T4S

T224
2443

3
71.5

CRP 86-95

2444

HEL

4 42.8

HEL

11.6

35-8073

28
33/33

R
55.5

28
33/34

2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08073

Priority: December 23, 1982

Maximum Diversion Rate:

0.96 CFS

Maximum Diversion Volume:

320.0 AF

This is to certify, that PAUL MUIRBROOK
2751 W 1000 S

STERLING ID 83210

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 23, 1982; and has submitted Proof of Beneficial Use on June 1, 1990. An examination indicates that the works have a diversion capacity of 2.540 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	0.96 CFS	320.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 28, Township 04S, Range 31E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	31E	28	NENW 22	SENEW 40	NESW 18	80

Total number of acres irrigated: 80

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

RECORDED

APR 08 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08073

CONDITIONS/REMARKS:

7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. The total combined rate of diversion under this right and Right 35-02544 shall not exceed 2.54 cfs.

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 20TH day of FEBRUARY, 1993.

Acting for R. Keith Higginson, Director

RECORDED

APR 08 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Paul Muirbrook Phone 397-4241

Post office address Box 23, Sterling, Idaho 83210

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

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 4S

Range 31E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.60 cfs 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. 1.60 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, 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 14 inches; proposed depth of well is 100 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — 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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AUG 18 1989

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	
4S	31E	28					22			40	18								80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. License No. 35-2544 is appurtenant to different lands irrigated from same point of diversion

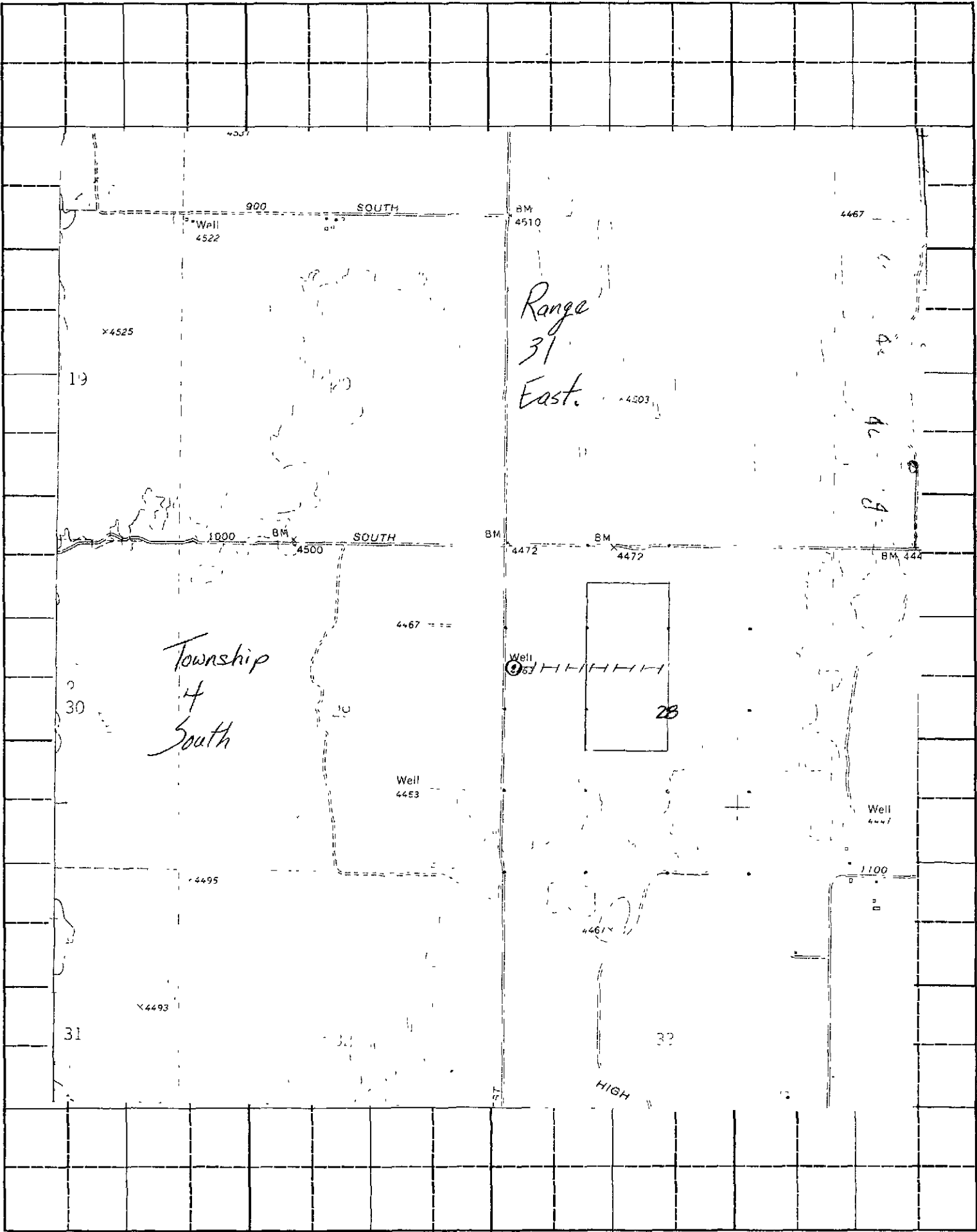
9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

MICROFILMED

AUG 18 1969

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.

MONITORING

AUG 18 1989

Paul A. Newland
(Applicant)

Received by EMC Date 12-23-82 Time 1530
Preliminary check by KW Fee \$ 65.00
Receipted by CW Date 12-23-82 # 23259
Publication prepared by RB Date 2-24-89
Published in Morning News
Publication dates 3-2 ; 3-9-89
Publication approved CW Date 3-23-89
Protests filed by: none

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-8073 , and said application is hereby APPROVED .

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1 , 19 90 .
- c. 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. Glen Saxton

MICROFILMED

AUG 18 1989

NOTICE OF APPLICATION
FOR WATER RIGHT

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

35-08073

MUIRBROOK, Paul
Box 23
Sterling, Idaho 83210
Source GROUNDWATER
Diversion Pt SWNW, Sec 28, T 04S, R
31E
Use IRRIGATION (1 600 CFS)
Date Filed 12/23/1982
In T04S, R31E S28, NENW, SENW,
NESW 80 0 ACRES TOTAL

35-08074

MUIRBROOK, Paul
Box 23
Sterling, Idaho 83210
Source GROUNDWATER
Diversion Pt SWSW, Sec 28, T 04S, R
31E
Use IRRIGATION (2 820 CFS)
Date Filed 12/23/1982
In T04S, R31E, S28, NWSW SWSW, S32,
NENE, S33, NWNW 142 0 ACRES TOTAL

46-08087

KNUDSEN, BOB, JR
Rt 1 Box 84A
Aberdeen, Idaho 83210
Source GROUNDWATER
Diversion Pt NWSW, Sec 13, T 06S, R
30E
Use IRRIGATION (880 CFS)
Date Filed 1/17/1983
In T06S, R30E, S13, NESW, NWSW,
SWSW, SESW, 158 0 ACRES TOTAL

35-08112

HEANEY, EDWARD P
Rt 1, Box 32
Sterling, Idaho 83279
Source GROUNDWATER
Diversion Pt SWSE Sec 15, T 04S, R
31E
Use IRRIGATION (4 400 CFS)
Date Filed 3/03/1983
In T04S, R31E, S15, NESW, SESW, NESE,
NWSE, SWSE, SESE, S22, NENE, 220 0
ACRES TOTAL

35-08115

THOMPSON, J R
798 S 2600 W
Aberdeen, Idaho 83210
Source GROUNDWATER
Diversion Pt NWSW, Sec 11, T 04S, R
31E
Use IRRIGATION (3 300 CFS)
Date Filed 3/14/1983
In T04S, R31E, S11, NWNW, SWNW,
NESW, NWSW, SWSW, SESW, SWSE, 280 0
ACRES TOTAL

35-08195

KLEMPER, HOWARD
RR Box 183
Aberdeen, Idaho 83210
Source GROUNDWATER
Diversion Pt SESE, Sec 23, T 05S, R
30E
Use IRRIGATION (940 CFS)
Date Filed 6/30/1983
In T05S, R30E, S23, NESE, SESE, 47 0
ACRES TOTAL

35-08207

FUNK, MARLENE
955 Senora Dr
Pocatello, Idaho 83201
Source GROUNDWATER
Diversion Pt SESW, Sec 17, T 06S, R
30E
Use IRRIGATION (3 200 CFS)
Date Filed 7/01/1983
In T06S, R30E, S17, NESW, NWSW,
SWSW, SESW, 160 0 ACRES TOTAL

35-08212

LARSEN, AILAN F
Rt 7, Box 262
Blackfoot, Idaho 83221
Source GROUNDWATER
Diversion Pt NWNE, Sec 6, T 02S, R
33E
Use IRRIGATION (1 880 CFS)
Date Filed 6/23/1983
In T02S, R33E, S06, NENE, NWNE,
SWNE, SENE, NENW, NWNW, SWNW,
SENW, 294 0 ACRES TOTAL

35-08367

SAPP, RANDY E
SAPP, JEANETTE
607 North 1200 West
Blackfoot, Idaho 83221
Source GROUNDWATER
Diversion Pt SWSW, Sec 31, T 01S, R
34E
Use IRRIGATION (220 CFS), DOMESTIC
(040 CFS)
Date Filed 12/28/1984
In T01S, R34E, S31, SWSW, 11 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, 150 Shoup Ave., Suite 15 Idaho
Falls, Idaho, 83402, on or before MARCH 20,
1989

R KEITH HIGGINSON
Director

Department of Water Resources
Lester G. Galtner, Director

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, _____
do
solemnly

Michael Bell

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

2nd day of March, 1989;

and the last publication having been made on the
9th 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 16th day of March in
the year 1989 before me a Notary Public of said State,
personally appeared

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

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

November 10, 1988
November 10, 1994

Affidavit Processing Fee \$5 00

MICROFILMED

AUG 18 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 22, 1993

PAUL MUIRBROOK
2751 W 1000 S
STERLING ID 83210

RE: WATER RIGHT NO. 35-08073

Dear Water Right Holder(s):

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECORDED

APR 08 1993

LICENSE REVIEW CHECKLIST

Permit # 35-08073

Date 01-67-93
38

	<u>Yes</u>	<u>No</u>	
NAME	<u> </u>	<u>✓</u>	Address Change?
PRIORITY DATE	<u> </u>	<u>✓</u>	Advance? <u> </u>
	<u> </u>	<u>✓</u>	Memo to Advance
	<u> </u>	<u>✓</u>	Order to Reinstate Needed?
TOTAL CFS	<u> </u>	<u>✓</u>	Incorrect Fee for rate recommended?
	<u>NA</u>	<u> </u>	Disagree with Actual Measurement?
			$80 \times .02 = 1.6$ / $80 \times .012 = .96 \text{ cfs (IRR)}$
	<u>NA</u>	<u> </u>	Disagree with Theoretical?
	<u>✓</u>	<u> </u>	Limited by Capacity? <u>2.54 cfs</u>
TOTAL VOLUME			Rate/ac <u>4.0</u> AFA Irr. Season <u>C</u>
			<u>4-1 to 10-31</u> Standard Irr. Season
			<u>Same/Reduced 1 Day</u> Season Recommended
	<u> </u>	<u>✓</u>	Disagree with Examiner's Calculations?
			$80 \times 4.0 = 320 \text{ cfs (IRR)}$
	<u> </u>	<u>✓</u>	Limited by Flow? <u>.96 x 214 x 1.9835 = 407.5 > 320</u>
SOURCE	<u> </u>	<u>✓</u>	Changes? Clarification of <u>Originally</u>
			<u>Intended</u> source
	<u> </u>	<u>✓</u>	Notice of Intent to Void.
P/D			Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
P/U			Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
USES	<u> </u>	<u>✓</u>	Change(s) in Nature of Use? <u> </u>
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u>✓</u>	Multiple P/Ds in 1/4 1/4? <u> </u>
	<u> </u>	<u>✓</u>	Non-Irr. Uses <u> </u>
	<u>WBI</u>	<u> </u>	Special Overlap Condition <u>P/D 35-2544</u>
	<u> </u>	<u>✓</u>	Other <u> 2.54 cfs</u>
CONDITIONS	<u> </u>	<u>✓</u>	Measuring Device
	<u> </u>	<u>✓</u>	W/Master Control
	<u>R31</u>	<u> </u>	Overlap
	<u> </u>	<u>✓</u>	Water Quality
			DATES/MISC
			<u> </u> <u>✓</u> Water Dist.
			<u> </u> <u> </u> App Rec'd
			<u> </u> <u> </u> Exam Made

COMMENTS/MEMOS NEEDED: Reduced rate
Disregard Measurement per FE
Total Acres 207 - Capacity 2.54 cfs = .012 cfs/Acre

License ✓ 10-Day 15-Day Special Correspondence

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL MUIRBROOK 2751 W 1000 S STERLING ID 83210 (208) 328-2331	12/23/1982	IRRIGATION	04-01 10-31	0.96 CFS	320.0 AFA
TOTAL DIVERSION:					0.96 CFS	320.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 2.54 CFS

Point(s) of Diversion: T04S R31E S28 SW NW

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04S	31E	28	:																	
			:					22				40				18				80.0
TOTAL ACRES																				80.0

Pou County: BINGHAM

Other Rights: 35-2544

Other Water Rights with Same Point(s) of Diversion and Source:
35-02544 35-08073

Other Water Rights Listing Overlapping Place(s) of use:
35-08073

Conditions of Approval:

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

Remarks: The total combined rate of diversion under this right and Right 35-02544 shall not exceed 2.54 cfs.

Dates: App. Received: 12/23/1982 Priority Date: 12/23/1982
Proof Due Date: 06/01/1990 Proof Made Date: 06/01/1990
Exam Made Date: 05/14/1992 Exam Sent to S.O.: 12/22/1992
Licensed Date:

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

Audit: 01/08/93 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 31 1992

Department of Water Resources

A. GENERAL INFORMATION

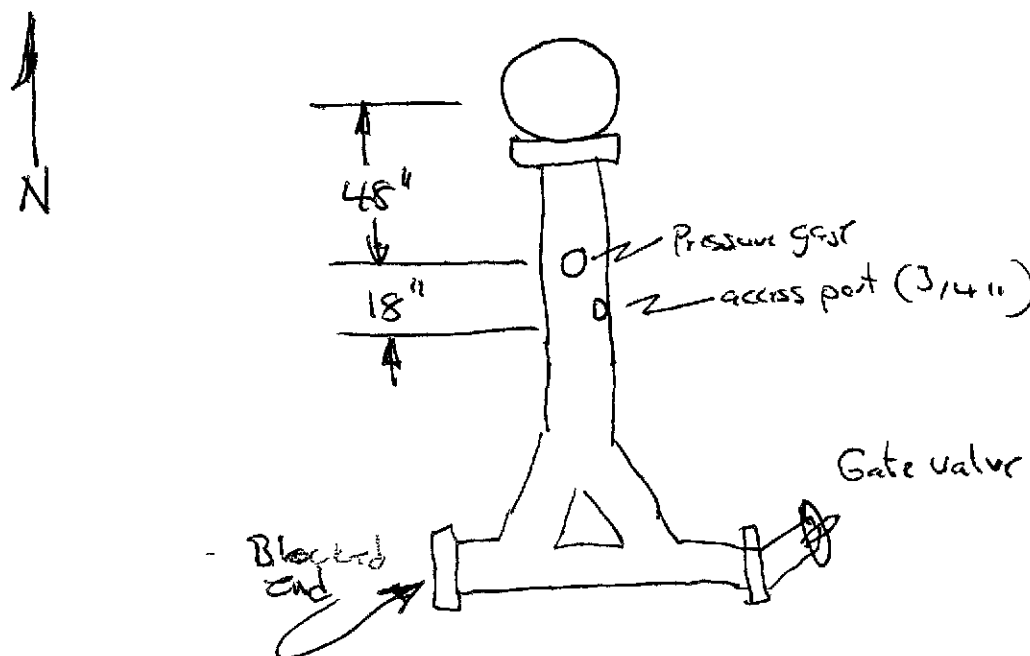
Permit No. 35-8073
1 Owner Paul Muirbrook Phone No. 328-2331
Current Address: 2751 West 1000 S. Starling, ID
2 Accompanied by: Applicant EXAM. DATE 5-14-92
Address: _____ Phone No. _____
Relationship to Permit Holder. _____
3 Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use Possible Aberdeen-Springfield Canal shares ☐ Copies Attached
2. Other water rights with same point of diversion Yes - check ~~at~~ W_{1/2} of Pivot (35-2544) ☐ 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



MINOR REVISION

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). ☒ 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)

APR 08 1993

System Description (continued)

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

Wells pump to pivot (10" ID mainline), 10' tower, usually runs
2 hand lines on cam (shut at time of test)

☐ See Remarks on page 4 for continuation

- 4.**

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	75	JKJ911488	Washington	VTP 5940

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

- 5. Point(s) of Diversion:**

[illegible]

- 6. Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
45	31E	28					22				40	18							80
																	Total:		80

Do not use this space

APR 08 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Cox-Hall					10"	
Pressure gage		Achcraft			160 psi	

2. Measurements:

Mainline pressure - 92 psi, 10" ID mainline, pumping from 100' (approx)

Cox-Hall = High - 29.4
Low - 23.4

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

acts (from Cox/Hall sheet)

2. Alternate Method for Checking Purposes:

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:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (80)(4.0) = 320$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.98)(214)(1.9835) = 415.9$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 320 \text{ afa.}$

2. Volume Calculations for Other Uses:

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APR 08 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

* P.D. overlap review sheet reflects 2.54 cfs on line 16.

This was the original licensed amt from this same well under rt 35-02544. Since the test was taken for 35-08073 when only a portion of the system was connected I chose to use the previous measurement as a system capacity value. ZLF

R17 (35-2544)(2.54 cfs)

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	0.98 cfs	320
Totals:			0.98 cfs	320 afa

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name HAROLD JONES

Signature ZLF Jones

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.

UNREVIEWED

APR 08 1993

DATE: 5-14-92

PERMIT # 35-8073

COX/HALL
METER #

	0	1	2	3	4	5	6	7	8	9
0	0	1	2	3	4	5	6	7	8	9
1	10	11	12	13	14	15	16	17	18	19
2	20	21	22	23	24	25	26	27	28	29
3	30	31	32	33	34	35	36	37	38	39
4	40	41	42	43	44	45	46	47	48	49
5	50	51	52	53	54	55	56	57	58	59
6	60	61	62	63	64	65	66	67	68	69
7	70	71	72	73	74	75	76	77	78	79
8	80	81	82	83	84	85	86	87	88	89
9	90	91	92	93	94	95	96	97	98	99

SYSTEM NAME/NUMBER

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

Circumference in Inches = CIR

Thickness in Inches = T

$$ID = (0.3183 \times CIR) - (2 T) = 10 \quad ID$$

DIFFERENTIAL PRESSURE READING IN INCHES OF H2O

$$(\quad) - (\quad) = \quad \text{H}$$
$$(\quad) - (\quad) = \quad \text{H}$$
$$(\quad) - (\quad) = \quad \text{H}$$
$$(29.4) - (23.4) = 6 \text{ H}$$

High reading - Low Reading

DETERMINE V_h FROM CHART USING (H): 11.5 V_h

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

CALCULATION OF FLOW IN CFS:

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

(id) (vh)

$$Q_{cfs} = [0.78539 (10)^2 (11.5)] / 448.8$$

Q cfs = 2.01 cfs

Q cfs = _____ cfs

ONLY A PORTION OF SYSTEM WAS
ON. USE CAPACITY FROM LIC EXAM
FOR 35-2544.

APR 08 1993

Narold Love

MEASURED BY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
POINT OF DIVERSION OVERLAP REVIEW

35-08073
Permit Number

1. Analysis of Entire System:

A. Total Number of Acres irrigated = 207 acres

B. Total Diversion Rate = 2.54 cfs (taken from license 35-02544 as original licensed amt) See Remarks on B.G. Field Report

2. Current Application Rate per Acre (Qc):

Limit to 0.02 cfs/ac, Permitted Amount, or System Capacity, Whichever is Less.

Qc = Total Diversion rate [1.B]/Total irrigated acres [1.A]

$$= \frac{2.54 \text{ cfs}}{\text{cfs}} / \frac{207}{\text{acres}} = \underline{0.012} \text{ cfs/ac}$$

3. Old Application Rate per Acre (Qo) from Licensed Flow Rates:

License # 35-02544 @ 2.54 cfs / 127 ac

License # _____ @ _____ cfs / _____ ac

License # _____ @ _____ cfs / _____ ac

Total Licensed Rate = 2.54 cfs / 127 ac

Old Diversion Rate(Qo) = Licensed Flow Rate/# acres

$$Qo = \underline{2.54} \text{ cfs} / \underline{127} \text{ acres} = \underline{0.02} \text{ cfs/ac}$$

4. Comparison of Diversion Rates if:

A. Old Diversion Rate(Qo) > New Diversion Rate(Qc) : EXCLUDE Licensed Lands.

$$Qo(\#3) = \underline{0.02 \text{ cfs/ac}} > Qc(\#2) = \underline{0.012 \text{ cfs/ac}} \quad \text{GO TO ITEM \#5A.}$$

B. New Diversion Rate(Qc) > Old Diversion Rate(Qo) : INCLUDE Licensed Lands.

$$Qc(\#2) = \underline{\hspace{2cm}} > Qo(\#3) = \underline{\hspace{2cm}} \quad \text{CONTINUE TO ITEM \#4.B.1}$$

1. Additional Flow Rate for Licensed Lands.

$$Qa = (Qc - Qo) \times (\# \text{ Lic. Ac.}) = \left[\left(\frac{\hspace{1cm}}{\text{cfs/ac}} \right) - \left(\frac{\hspace{1cm}}{\text{cfs/ac}} \right) \right] \times (\hspace{1cm} \text{acres}) = \underline{\hspace{2cm}} \text{ cfs}$$

2. Flow Rate for New Acreage. Total acres(#1.A) - Licensed acres(#3) = New Acres
(207) - (127) = 80 acres

$$Qn = (Qc) \times (\# \text{ New Ac.}) = (\underline{\hspace{1cm}} \text{ cfs/ac}) \times (\underline{\hspace{1cm}} \text{ ac}) = \underline{\hspace{2cm}} \text{ cfs}$$

GO TO ITEM \#5B.

5. Calculate Total Flow Rate to be licensed:

A. Flow Rate excluding licensed land. Total Acres(#1.A) - Lic. Acres(#3) = New Acres
(207) - (127) = 80 ac

$$Qt = Qc(\#2) \times (\# \text{ New Acres}) = \underline{0.012} \text{ cfs/ac} \times \underline{80} \text{ ac} =$$

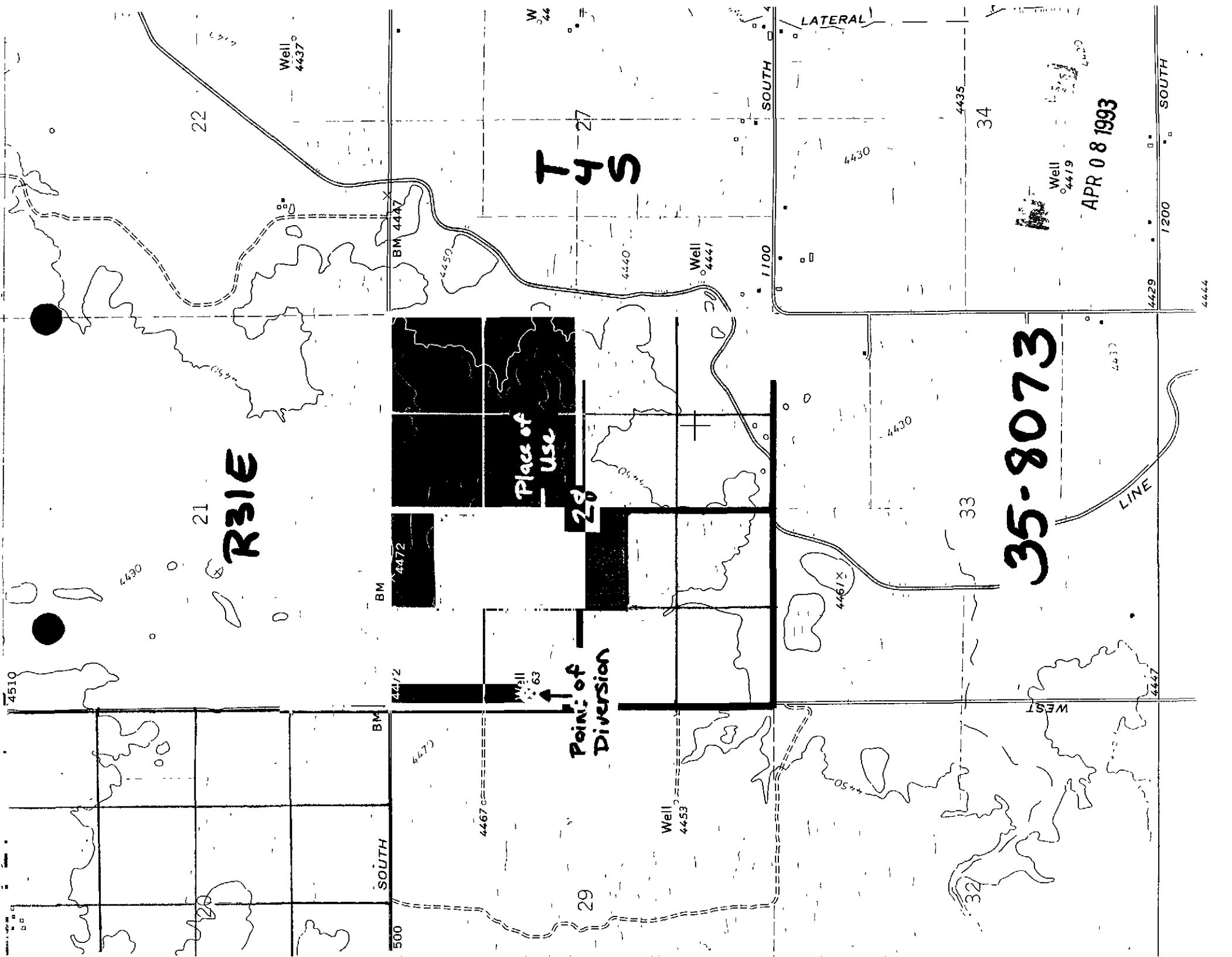
$$Qt = \underline{0.96} \text{ cfs}$$

B. Flow Rate including licensed land.

$$Qt = Qa(\#4.B.1) + Qn(\#4.B.2) = \underline{\hspace{2cm}} \text{ cfs} + \underline{\hspace{2cm}} \text{ cfs} =$$

$$Qt = \underline{\hspace{2cm}} \text{ cfs}$$

APR 08 1993



June 26, 1990

PAUL MUIRBROOK
P.O. BOX 23
STERLING, ID 83210

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08073

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

JUL 26 1990

RECEIVED

JUN 1 1990

For Office Use Only

Amt of Fee \$ 125.00Date 6/1/90Receipt No. 6017085Received by J. L. Davis6-21-90

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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. 35-08073Telephone No. 208-328-2331Name(s) of Permit Holder(s): Paul A. MuirbrookPost Office Address: 2751 West 1000 South Sterling, Idaho 83210Source of Water: GROUND WATERIf ground water, well driller's name: Vollmer well drilling Date drilled: 5-58

Extent of Use:

Domestic _____ (No. of households)

Irrigation 80 (No. of acres)

Stockwater _____ (No. and type of stock)

Other LICENSE # 35-2541IS APPURTENANT TO DIFFERENT LANDS IRRIGATED FROM SAME POINT OF DIVERSIONTotal rate and/or volume for which proof is submitted 1.60 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 5-20-82

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

Measuring device: Required? Yes No Installed? Yes No

OR

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

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

Paul A. Muirbrook 208-328-2331
 Name Telephone No

2751 West 1000 South Sterling, Idaho 83210
 Address
MICROFILMED

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.

JUL 23 1990

5-28-90
 Date

Paul A. Muirbrook
 Signature (and title if on behalf of a company or organization)

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8073

Date: 6-21-90

General Considerations:

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

Source of Water:

_____ Surface water
☒ Groundwater
_____ 1. well log in file 1958
yes 2. drilling permit
yes 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:

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

Remarks:

Flow acceptable

Priority Calculation:

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

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address Change?

138434
March 31, 1990

PAUL MUIRBROOK
P.O. BOX 23
STERLING, ID 83210

PROOF DUE NOTICE

RE: PERMIT NO. 35-08073

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1990.

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

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

PAUL MUIRBROOK
BOX 23
STERLING, ID 83210

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08073

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.

RECORDED

AUG 18 1989

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

AUG 18 1984

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KCW APPLICATION NUMBER: 35 8073

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.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 3-20-89
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3-20-89
☐ 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? 01-705
12-23-1982 Date of priority recommended.
Special conditions of approval or cover letter. <0167

App. in TRUST area - see development statements below.

allow 1 yr. for BIL development

By: ACJ Date: 3-23-89

STATE OFFICE REVIEW: P05, P23, P03, P16 46 OIG

- ☐ See attached sheet for more information.

By: KW Date: 5/10/89

RECEIVED

MAR 29 1989

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

February 27, 1989

Paul Muirbrook
Box 23
Sterling, ID 83210

Application for Permit No. 35-08073

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 35-08073. 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

AUG 18 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 24, 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 MARCH 20, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 18 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

AUG 18 1989

35-08073

MUIRBROOK, PAUL
BOX 23
STERLING, ID 83210

Source: GROUNDWATER

Diversion Pt: SWNW Sec 28 T 04S R 31E

Use: IRRIGATION (1.600 CFS)

Date Filed: 12/23/1982

In: T04S R31E S28 NENW SENW NESW

80.0 ACRES TOTAL

MICROFILMED
AUG 18 1983

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.

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 MARCH 20, 1989.

R. Keith Higginson, Director

Published 3/02/1989 & 3/09/1989

MICROFILMED

AUG 18 1989

January 23, 1989

PAUL MUIRBROOK
2626 W. 1100 S.
ABERDEEN, ID 83210

RE: APPLICATION FOR PERMIT NO. 35-8073 & 35-8074

Dear Applicant:

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

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

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

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

Sincerely,

Ronald D. Carlson
EASTERN REGIONAL MANAGER

RDC/rb

Microfilm

AUG 18 1989

FORM A

STATE OF IDAHO

RECEIVED

JUL 8 1985

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8093
Name(s) of Permit Holder: PAUL Muirbrook

2626 West 1100 South
Post Office Address: ABERDEEN, IDAHO 83210

Telephone No. 391-4241

Source of Water: GROUND WATER

Extent of Use: Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 80 (acres)

Other/Remarks SUPPLEMENTAL WATER TO
EXISTING permit (GAYLEN Muirbrook)

Indicate the date water was first diverted and beneficially used under this permit: MAY 1, 1992 - when converted to sprinkler

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

Flow Measurement Port: Required? X Yes No
Required? X Yes No

Person to contact to accompany the Department representative during field examination: APPLICANT (Name)

(Address)

(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-24-85
Date

Microfilm

Paul Muirbrook
Signature of Permit
Title, if appropriate)

AUG 18 1989

Statement of development for exemption from Swan Falls processing. Not acceptable as proof of beneficial use.

RECEIVED

JUL 1 1985

FORM A

STATE OF IDAHO

Department of Water Resources
Southern District Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8073
Name(s) of Permit Holder: PAUL Muirbrook

2626 West 1100 South
Post Office Address: Aberdeen, IDAHO 83210

Telephone No. 399-4241

Source of Water: GROUND WATER

Extent of Use: Domestic (number of households)

Stockwater (number and type of stock)

Irrigation 80 (acres)

Other/Remarks Supp LAMONTAL WATER TO
EXISTING permit (GAYLEN Muirbrook)

Indicate the date water was first diverted and beneficially used under this permit: MAY 1, 1992 - when converted TO sprinkler

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

Flow Measurement Port: Required? X Yes No
Required? X Yes No

Person to contact to accompany the Department representative during field examination: Applicant (Name)

(Address)

(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-25-85
Date

MICROFILMED

Paul Muirbrook
Signature of Permit
(and Title, if appropriate)

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35-8073

MUIRBROOK, PAUL

BOX 23, STERLING, ID 83210

Source: GROUNDWATER

Date Filed: 12/23/1982

Diversion Pt: SWNW Sec 28 T 04S R 31E

Use: IRRIGATION (1.60 CFS)

In: NENW SENW NESW Sec 28 T 04S R 31E FOR 80 ACRES

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