

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 31 1994

Department of Water Resources

A. GENERAL INFORMATION

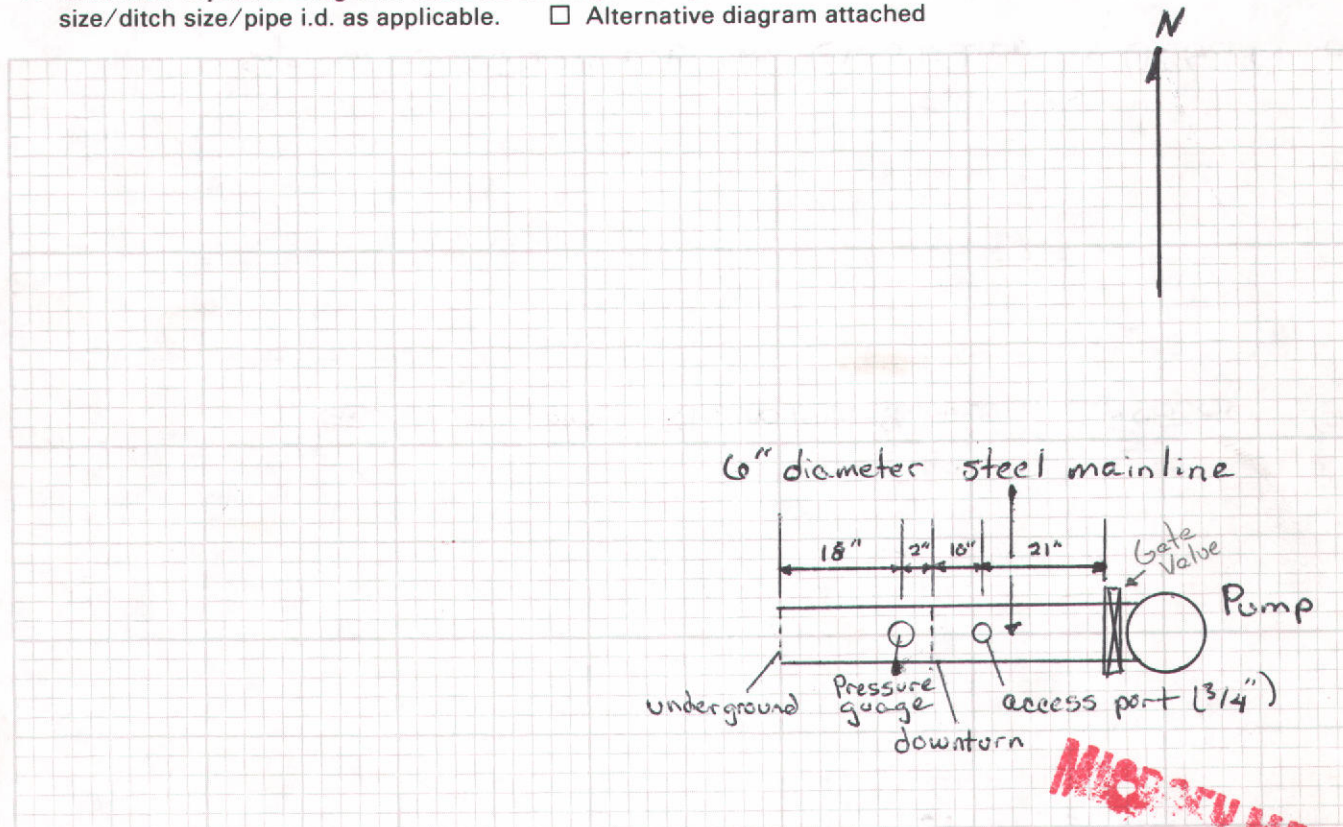
1. Owner: Paul Clayson Permit No. 35-7985
Current Address: 2503 W 1000 S Sterling, ID 83210 Phone No. (208) 328-2474
2. Accompanied by: Paul Clayson EXAM. DATE: 9-18-1990
Address: Same Phone No. -
Relationship to Permit Holder: Same
3. Source: groundwater tributary to -

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ 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). ☒ 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).

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T5S

R30E

35-7985

3 1978



Place
of
Use

35-7985

JUL 21 1994

Point
of
Division

county road

4 9/10

8 57

10 174.2

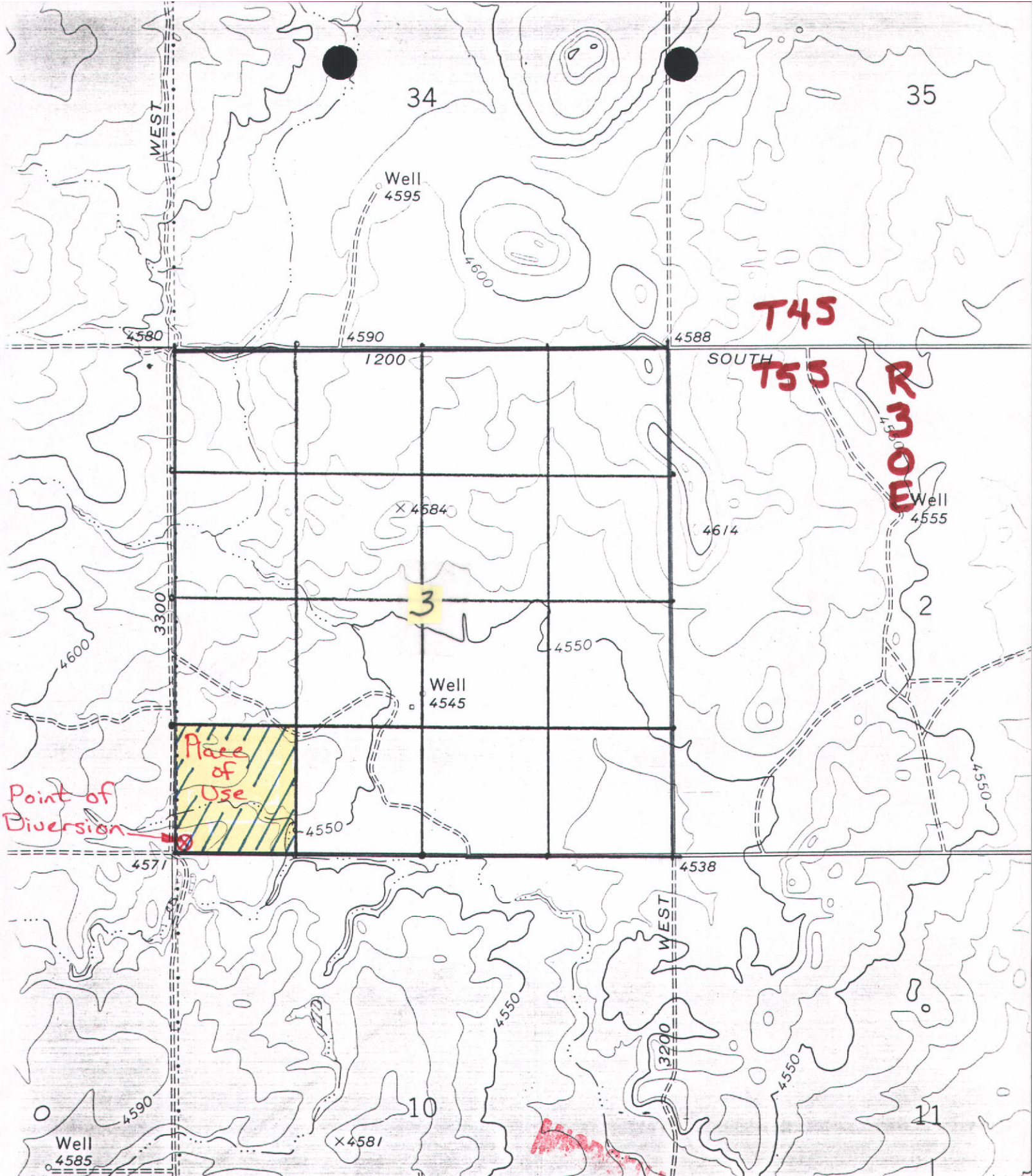
11 13.9

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32

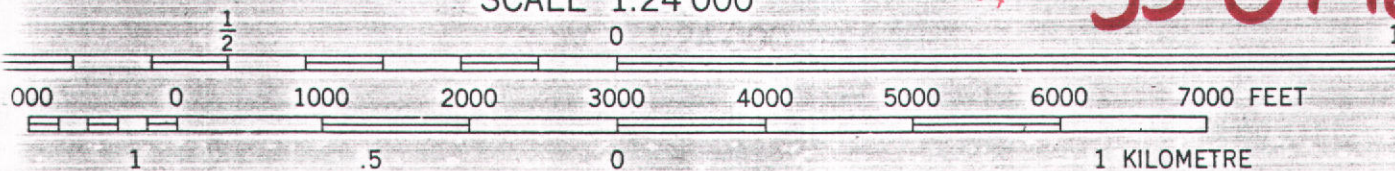
10 11

103



(AMERICAN FALLS NW)
3469 IV NW

SCALE 1:24 000



35-07985

35-7985
CLAYSON



35-7985



MAINTENANCE
JUL 21 1994

NAME OF APPLICANT NHAP Review - # 35-7985

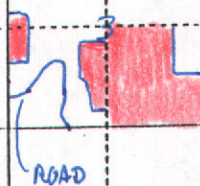
Form No. 0

FROM PERMIT: 5S-30E

3

40

FROM NHAP: 127-25 (7/26/80)



NHAP SHOWS NO
IRRIGATION OF
PERMITTED LANDS
(UNCLEARED IN 1980)

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FEB 14 1990

RECEIVED
JUN 18 1981

Department of Water Resources
Eastern District Office

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

35-7985

CLAYSON, J. PAUL &/or I. SUE
P.O. Box 61
Springfield, Id. 83277
Source: GROUNDWATER
Date Filed: 05/21/1981
Amount: 0.84 CFS
Diversion Point: SWSW, Sec. 03,
T. 05S, R. 30E, Bingham Co.
Use: IRRIGATION (0.80 CFS) from
04/01 to 11/01
DOMESTIC: (0.04 CFS) from
01/01 to 12/31
Place of Use: SWSW, Sec. 03, T.
05S, R. 30E, for 40 ACRES
Diversion Means: WELL, PUMP &
SPRINKLERS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before JUNE 22, 1981.

A. KENNETH DUNN
Director

(6943)
Pub.: 6-4, 11

42

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho David Mark Brown

I, _____ 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 hav-
ing been so published at Blackfoot, aforesaid for more
than one year past; that said newspaper heretofore com-
plied with all the provisions of Chapter 154 of the Ses-
sions 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: Thurs
of each week; that the notice attached hereto and which
is a part of this affidavit 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 June, 19 81,

and the last publication having been made on the
11th day of June, 19 81;

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.

David Mark Brown

Subscribed and sworn to before me this 17th
day of June, 19 81.

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07985

Priority: September 7, 1981

Maximum Diversion Rate: 0.78 CFS

Maximum Diversion Volume: 156.0 AF

This is to certify, that J PAUL CLAYSON
I SUE CLAYSON

2503 W 1000 S

STERLING ID 83210

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 21, 1981; and has submitted Proof of Beneficial Use on December 22, 1989. An examination indicates that the works have a diversion capacity of .870 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	0.78 CFS	156.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 3, Township 05S, 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>TOTAL</u>
05S	30E	3	SWSW	39		39

Total number of acres irrigated: 39

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30th day of May, 1994.

Acting for R. Keith Higginson, Director

JUL 21 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-7985 IN THE
NAME OF J. PAUL & I. SUE CLAYSON

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before November 1, 1989; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on December 22, 1989;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-7985 be REINSTATED and the priority advanced to September 7, 1981.

Dated this 23rd day of January, 1990.

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

FEB 14 1990

RECEIVED

DEC 22 1989

 For Office Use Only
 Amt. of Fee \$ 100.00
 Date 12-18-89
 Receipt No. 6011337
 Received by jo

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. 35-7985 Telephone No. 208-328-2474

 Name(s) of Permit Holder(s): J. Paul & I. Sue Clayton

 Post Office Address: 2503 West 1000 South Sterling Idaho

 Source of Water: Ground water

 If ground water, well driller's name: Brent Henderson Date drilled: April 85

Extent of Use:

Domestic _____ (No. of households)

 Irrigation 84 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

 Total rate and/or volume for which proof is submitted 84 cfs _____ acre/feet

 Show date water was first diverted and beneficially used under this permit: May 25 1985

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 (See License Examination Fee Schedule)

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

J. Paul Clayton 328-2474
 Name Telephone No.

2503 West 1000 South Sterling Idaho
 Address

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

RECORDED

FEB 14 1990

12-18 89
 Date

J. Paul Clayton
 Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only

\$15 FEE Received 29

Date 8-28-86

Receipt # 38957

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use on a water right permit

J. Paul Clayton of 2503 West Grandview RD.
(Name) (Address)

State of Idaho STERLING Idaho 83007,
deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the
State of Idaho No. 35-7985

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AUG 28 1986

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
July, 19 86.
Department of Water Resources

That he has heretofore performed the following work described under said permit: Dilled well
(This must be filled out! If no work has been completed put none.)
for IRRIGATION & WATERED field.
Domestic well has not been completed
yet.

Costing \$ 9000 approx

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Lack of money, (and delays because
of Idaho power inability to hook up
Electricity in-line 19-81, 82-83-84-

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to July 1, 19 91
(1 yr. minimum,
5 yrs. maximum) J. Paul Clayton
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

FEE: \$15.00

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

WIPDOCH MEN

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to November 1, 1989.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to
July 18, 1981, pursuant to Sec. 42-218a, Idaho Code.

Signed this 16th day of September, 19 86.

A. Glen Saylor
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant J. Paul Clayson + J. Sue Clayson Phone 328-2227

Post office address Box 61 Springfield Idaho 83277

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3 Township 5S

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

4. Water will be used for the following purposes:

Amount 0.8 cfs for Irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (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. 0.84 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 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 10" inches; proposed depth of well is 300 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: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3 Township 5S

Range 30E B.M.

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

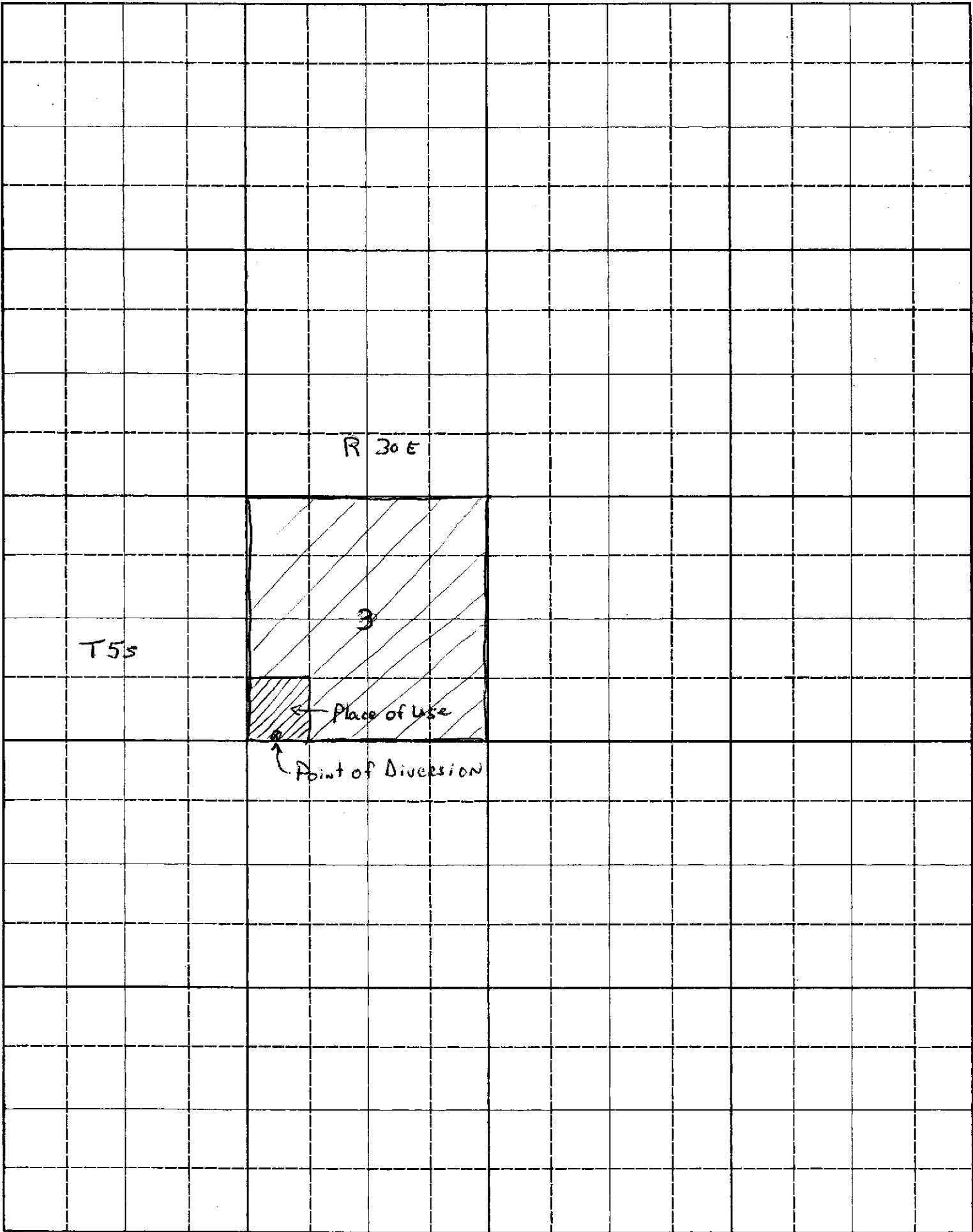
(3) List number of each kind of livestock to be watered _____

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

(5) If water is to be used for other purposes describe: single home Domestic

RECORDED

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

J. Paul Clayson *
(Applicant)
J. Sue Clayson

MICROFILMED

David R. Tuck
Acting Chief, Operations Bureau

Witness my hand this 11 day of July, 1981.

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

d. Other:

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.

for July 1, 19 86.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or be-

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7985, and said application is hereby approved.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Proposed Priority 5/21/81
Received by kw Date 5/21/81 Time 10:20
Preliminary check by kw Fee \$ 45.00
Received by kw Date 5/22/81 # 17070
Publication prepared by kw Date 5/28/81
Published in Boise Post Record
Publication dates 6/4 & 6/11/81
Publication approved kw Date 6/2/81
Protests filed by: None
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by BMC

legals1-jack.dnt

Legals for Pat and Dewayne — Please
make two copies and give back to Pat
— thanks, Jackie Legal to run
Thursday, June 4 — jackie

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that the
following application(s) have been
submitted for permit to appropriate
the public waters of the State of
Idaho:

35-7985

CLAYSON, J. PAUL &/or I. SUE
P.O. Box 61
Springfield, Id. 83277

Source: GROUNDWATER
Date Filed: 05/21/1981

Amount: 0.84 CFS

Diversion Point: SWSW, Sec. 03,
T. 05S, R. 30E, Bingham Co.

Use: IRRIGATION (0.80 CFS) from
04/01 to 11/01
DOMESTIC: (0.04 CFS) from
01/01 to 12/31

Place of Use: SWSW, Sec. 03, T.
05S, R. 30E, for 40 ACRES
Diversion Means: WELL, PUMP &
SPRINKLERS.

If issued, the permit(s) will be sub-
ject to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water
Resources, 150 Shoup Ave., Idaho
Falls, Idaho, 83401, on or before
JUNE 22, 1981.

A. KENNETH DUNN
Director

(6943)
Pub.: 6-4, 11

RECEIVED

JUN 9 1981
Department of Water Resources
Eastern District Office



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

June 15, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

REX LEWIS
PO BOX 328
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-07985

Dear Water Right Holder(s):

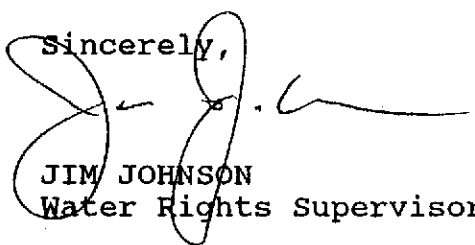
Enclosed is a copy of the license issued on the above referenced water right. After an unsuccessful attempt to contact our owner of record, we learned from the Bingham County Assessor's Office that you are the present owner of the property.

When a water right is in the permit stage it is classified as personal property; therefore, when a change of ownership occurs, it must be assigned to the new owner. Since we have no record of an assignment having been submitted, the license was issued in the original owner's name.

In Idaho, a licensed water right is appurtenant to the land and is therefore considered real property. Proof of owning the land is proof of owning the water right, unless it was specifically excluded in the sale.

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

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED
JUL 21 1994

MEMORANDUM

DATE: June 15, 1994
TO: File No. 35-07985
FROM: Donna Corless
SUBJECT: RETURNED MAIL

=====

The Water Right License mailed to J. Paul and I. Sue Clayson at 2503 W 1000 S, Sterling, ID 83210 was returned by the U.S. Post Office with the following notation:

Undeliverable as Addressed - Forwarding Order Expired.

A call to the Bingham County Assessor's Office revealed that Mr. and Mrs. Clayson have sold the land described under this permit to Mr. Rex Lewis of PO Box 328, Aberdeen, ID 83210.

The Water Right License was mailed to Mr. Lewis.



JUL 21 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 31, 1994

J PAUL CLAYSON
I SUE CLAYSON
2503 W 1000 S
STERLING ID 83210

RE: WATER RIGHT NO. 35-07985

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a long horizontal stroke extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

JUL 21 1994

WR0749NP
No. L35-07985

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/16/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J PAUL CLAYSON	09/07/1981	IRRIGATION	04-01 10-31	0.78 CFS	156.00 AFA
C	I SUE CLAYSON					
	2503 W 1000 S					
	STERLING ID 83210					
	(208) 328-2474					
				TOTAL DIVERSION:	0.78 CFS	156.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.87 CFS

Point(s) of Diversion: T05S R30E S03 SWSW

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM			
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	
05S	30E	3	:					:					:					:							:		
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(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM		
		NE		NW		SW		SE		NE		NW		SW		SE				
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
L3507985	T05S R30E S 3 GROUNDWATER																			
	:													39					39	
3502103	GROUNDWATE :												15		20	10	30	40	30	145
A3502103	GROUNDWATE :												15		12	10	30	40	30	137
R3502103	GROUNDWATE :												14		10	40	40	40	40	184
3502350	GROUNDWATE :							20	20	08	02									50
A3502350	GROUNDWATE :							20	20	08	02									50
3507985	GROUNDWATE :														40					40
3508950	GROUNDWATE :												40	40		40				120
A3512158	GROUNDWATE :															30	10		10	50
R3512158	GROUNDWATE :												14		10	40	40	40	40	184

No Overlaps

POU COMPARISON

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-07985 DATE 5-16-94



NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☒	Advance? ☒ Advanced to: <u>SEP 7, 1991</u> Order to reinstate needed? <u>DONE</u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☐	☒ Changes or just clarification of originally intended source? Notice of Intent to Void necessary? ☐
POINT OF DIV	☐	☒ Amendment needed? ☒ Overlaps?
PLACE OF USE	☐	☒ Amendment needed? ☒ Overlaps?
DIV RATE	☒	Measurement done? <u>YES</u> Theoretical only? ☐ $Q = 39 \times .02 = .78$ Capacity: <u>.87</u> Combined rates exceed capacity ☐ Allowable amount: <u>At .78 CFS</u>
ANNUAL VOLUME	☐	Season of use: <u>C/4.0 (4-1 to 10-31)</u> Calculations: <u>$39 \times 4 = 156$</u> Flow limit: ☐ cfs x ☐ x 1.9835 = ☐ Combined volumes exceed capacity/allowable ☐
USES	☐	☒ Change(s) in Nature of Use? Amendment necessary? ☐
REMARKS	☐	☒ Multiple p/d(s) in 1/4 1/4? ☒ Other
CONDITIONS	☐	☒ Measuring/Locking Devices ☒ Watermaster control - District <u>R31</u> ☐ Irrigation Overlap ☒ Water Quality ☒ Other

COMMENTS: Reduce rates acres by 1.

RECOMMENDED	CFS	VOLUME	LICENSE ☒
<u>Irrigation</u>	<u>.78</u>	<u>156</u>	
			1ST AMENDMENT LETTER
			FINAL AMENDMENT LETTER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

35-7985
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index ME 9-17-90 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index ME 9-17-90 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed David Henry 11-6-90 ME (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent 2/1/93 12-29-93 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Data Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 31 1994
Department of Water Resources

A. GENERAL INFORMATION

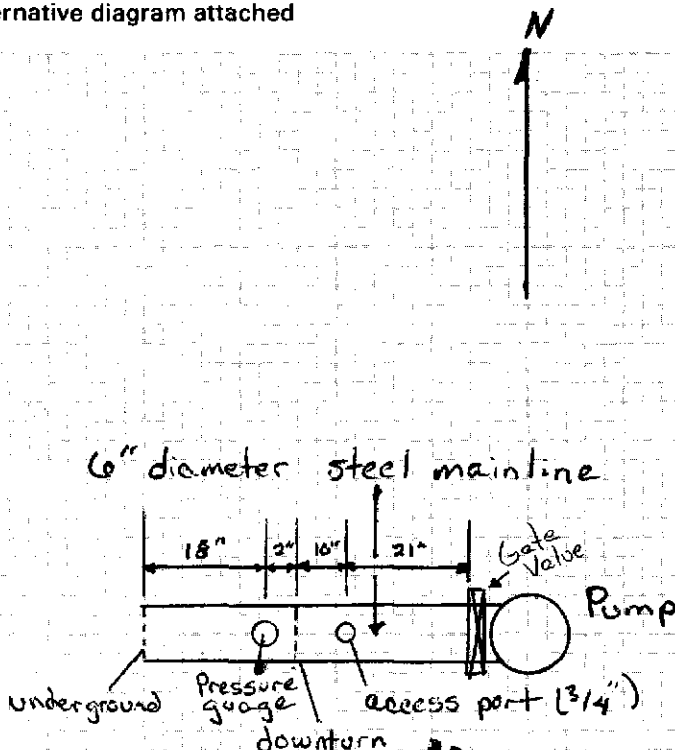
1. Owner: Paul Clayson Permit No. 35-7985
Current Address: 2503 W 1000 S Sterling, ID 83210 Phone No. (208) 328-2474
2. Accompanied by: Paul Clayson EXAM. DATE: 9-18-1990
Address: Same Phone No. -
Relationship to Permit Holder: Same
3. Source: groundwater tributary to -

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ 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).

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JUL 21 1994

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

Well, pump, 6" D. mainline to 2 - 1/4 mile
wheel lines. Operators pressure gauge shows depth
well 220' deep, about 180' to water
(Note: well logs in area confirm an approximate 180' gwl)

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Cameron/Bluff	40	KET100 1497	Recless	208380 (2)

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

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

ASCS photo

[illegible]

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure Gauge		Funk			0-160 psi	
Flow Meter Station non-cent		Polysonics	TF-P	149743	Small	

2. Measurements:

Operating pressure $\Rightarrow$ 60 psi
 Sonic Meter $\Rightarrow$ 390 gpm = 0.870 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Sonic meter $\Rightarrow$ 0.87 cfs

2. Alternate Method for Checking Purposes:

Theoretic Flow $\Rightarrow$ 0.741 cfs

39 acrs $\times$ 0.02 cfs = 0.78 cfs
 allow 0.78 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi $\times$ 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) $\times$ (4) $\div$ 8.8 = _____ (5)

Meter Input KW: 3.6 $\times$ _____ KH $\times$ _____ CTR or _____ MULT $\times$ _____ PTR $\times$ _____ N/ _____ T = _____ (6)

Meter Input HP: (6) $\times$ 1.34 = _____ (7)

Panel Input KW: _____ Ave PF $\times$ _____ Ave Volts $\times$ _____ Ave Amps $\times$.001732 = _____ (6)

Panel Input HP: (6) $\times$ 1.34 = _____ (7) Efficiency: (5)/(7) $\times$ 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (39) (3.5 \text{ acre ft/acre/season}) = 136.5 \text{ acre ft/season}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.87) (213) (1.9835) = 367.6 \text{ acre ft/season}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 136.5 \text{ acre feet/season}$

2. Volume Calculations for Other Uses:

$V_{D.R.} = (0.8) (214) (1.9835) = 339.6 \text{ acre ft/season}$
 (0.78)
 331 JUL 21 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

No overlap

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Incigation	From 4-1 To 11-1	0.78 cfs	156 ac-ft

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Scott A. King
 Signature Scott A. King
 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.

JUL 21 1994

PRINTER USE
?

MODE SELECT
INPUT

OUTER DIAMETER
19.0000 IN

OUTER DIAMETER
6.0476 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
.107000 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
4.116 IN U

ZERO MODE
CLEAR

ZERO MODE
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ZERO MODE
ZERO OPR

MODE SELECT
TO CHECK

0221.7 MMSEC
101.73 % T0

09-18 08:5800 *R
+003.00 % A12

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

DAMPING SET
25 SEC

09:00+390.710E 06PM 00R

09-18 09:0000 *R
+390.710E 06PM

09:01+388.861E 06PM 00R

09:02+386.483E 06PM 00R

09:03+387.804E 06PM 00R

09:04+384.898E 06PM 00R

09:05+381.991E 06PM 00R

35-7985
clayson

RECEIVED
JUL 21 1994

35-7985

MEASUREMENT
TAPE

35-7985



JUL 21 1994

PRINTER USE
? YES

MODE SELECT
INPUT

OUTER DIAMETER
19.0000 IN

OUTER DIAMETER
6.0476 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
.107000 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
4.116 IN U

ZERO MODE
CLEAR

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ZERO MODE
ZERO OPR

MODE SELECT
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101.73 % T0

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+003.00 % AI2

MODE SELECT
DATA SET

DATA SET MODE
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25 SEC

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+390.710E 0GPM

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09:03+387.804E 0GPM 00R

09:04+384.898E 0GPM 00R

09:05+381.992E 0GPM 00R

09:06+382.257E 0GPM 00R

09:07+382.521E 0GPM 00R

09:08+380.936E 0GPM 00R

35-7985
Clayson

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

35-7985
Permit No.

Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Theoretical Flow

$$\text{Equation: } Q = \frac{8.8(\text{efficiency})(\text{Horsepower})}{\text{Depth} + 2.31(\text{pressure})} = [\text{cfs}]$$

efficiency $\Rightarrow$ 70% maximum

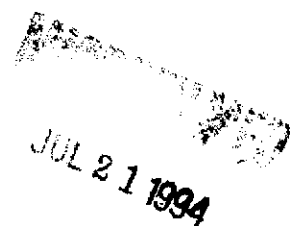
HP $\Rightarrow$ 40

Depth $\Rightarrow$ 180'

Pressure $\Rightarrow$ 66psi

$$Q = \frac{8.8(0.70)(40)}{180 + 2.31(66)}$$

$$= 0.741 \text{ cfs}$$


JUL 21 1994

755

RMOE

35-7985

1978

3

DB

10
174.2

AME
12
12.9

AME
11
13.9

47

8
57

County Road

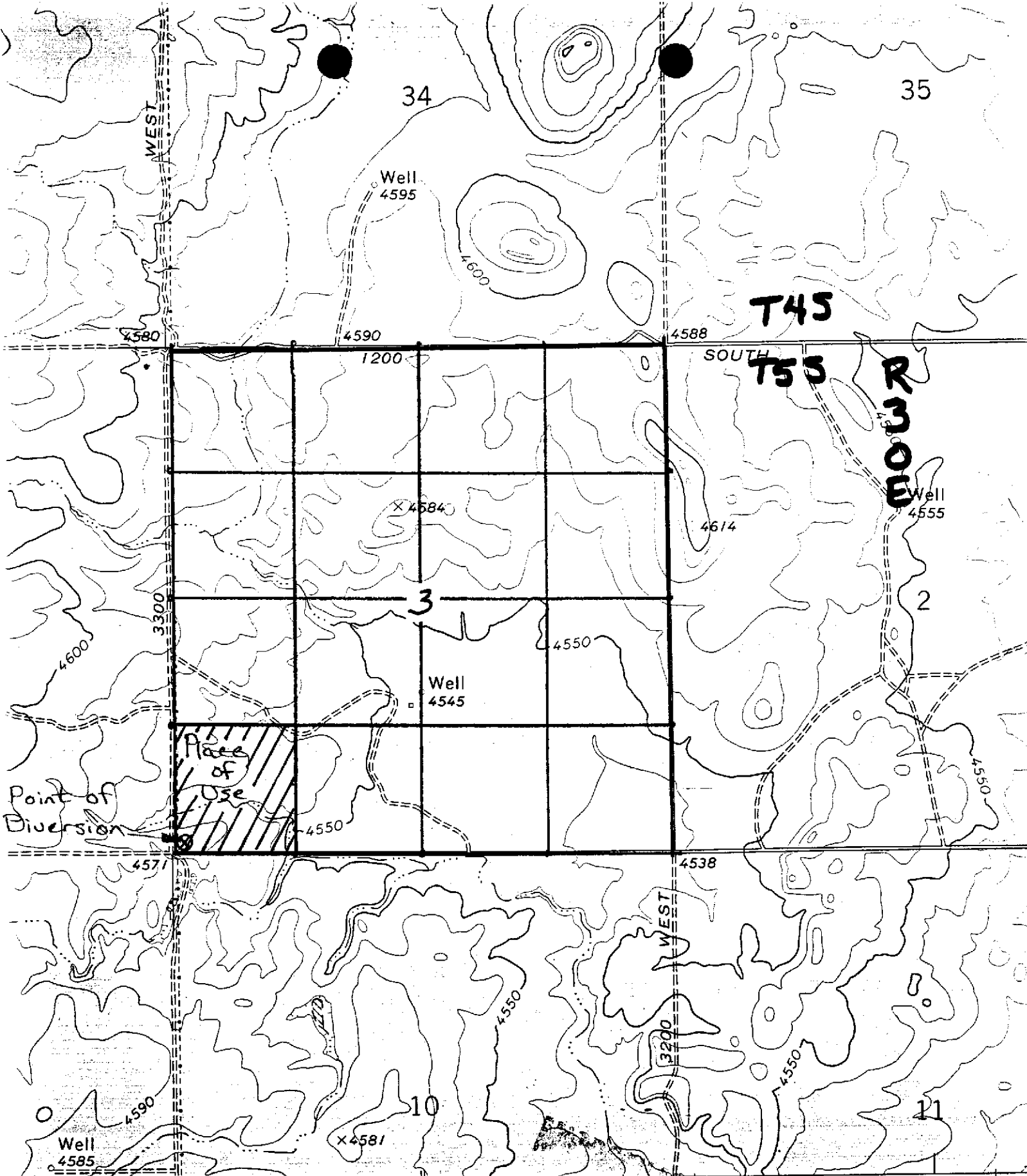
Point of Diversion



Place of Use

35-7985

JUL 21 1994

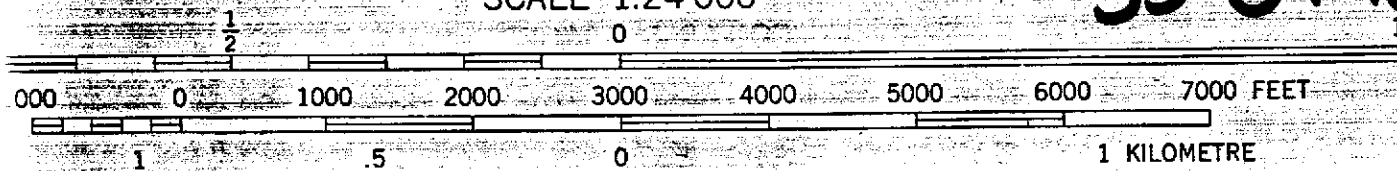


(AMERICAN FALLS NW)
3469 IV NW

SCALE 1:24 000

JUL 21 1994

35-07985



Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 35-7985

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

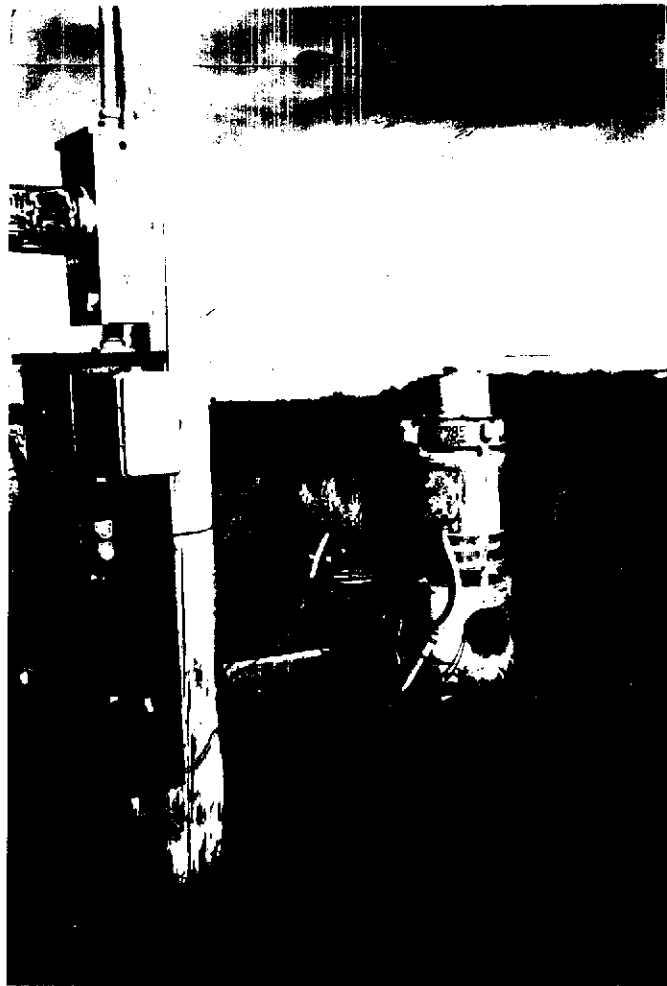
1. Legal Description: TWP 55, Rge 30E, Sec. 3, SW 1/4 SW 1/4 or Lot .
2. Owner: Paul Clayson
Address 2503 W 1000 S, City Sterling, St ID
3. Casing $\geq$ 12 inches above ground: Yes No X
4. Access Port: Yes No X Static Water Level: ~180'
Pressure Gauge: Yes X No Casing Diameter:
Flowing: Yes No X Temperature:
5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes No X

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

Remarks:

RECEIVED
JUL 21 1994

35-7985
CLAYSON



JUL 21 1994

January 24, 1990

J. PAUL CLAYSON
I. SUE CLAYSON
2503 W. GRANDVIEW RD.
STERLING, ID 832790000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-07985

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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.

I note that the permit issued to you by the department requires the installation of a measuring device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the measuring device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

Enclosure

RECEIVED

FEB 14 1990

MEMORANDUM

TO: FILE/PERMIT NO. 35-7985

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 12-29-89

=====

I recommend that the department exempt this filing from the review and processing requirements of Section 42-203D, Idaho Code based on the fact that there is some evidence of irrigation development prior to July, 1985.

A review of 1984 NHAP photography shows that the land was not irrigated in 1984. However, the department's remote sensing division did classify the land as irrigated in 1986 (see IDWR remote sensing report for Bingham County). The proof of beneficial use statement filed in 1989 claims that use commenced in May, 1985. A review of the extension of time request filed in August, 1986 reveals that the permit holder claimed the irrigation had been developed by that time and further indicates that power was most likely provided in 1985. The extension was filed because the domestic use had not yet been developed at that time.

MICROFILMED

FEB 14 1990

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Twenty days following the date of official action this file will be DESTROYED.

November 22, 1989

J. Paul and I. Sue Clayson
2503 W. Grandview Rd.
Sterling, ID 83279

Dear Mr. and Mrs. Clayson:

Re: Permit No. 35-7985

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time to our letter of August 31, 1989 or Rita Fleck's letter dated November 9, 1989. In addition, Tim Luke has not received a response to his requests regarding trust water reprocessing.

Your permit cannot be reinstated unless you submit the proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal including the examination fee or a completed field examination report or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which brings title to the water in question.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

NOT FILMED

FEB 14 1990

CERTIFICATION OF MAILING

I hereby certify that on 11-22-89
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

November 9, 1989

Mr. Clayson
2503 W. Grandview Rd.
Sterling, ID 83279

Dear Mr. Clayson:

Re: Permit No. 35-⁷⁹⁸⁵~~8053~~

Pursuant to our telephone conversation today, enclosed is the form needed, which when filed will complete the proof of beneficial use requirement. Note that for the department to conduct the field inspection, a license exam fee is required.

Also, I showed your file to Tim in regards to the trust water reprocessing. He stated that he may be able to discuss the matter over the phone and hand it accordingly. You may not need to submit the trust water questionnaire or fee. If Tim call you, I suggest you contact Tim.

If I can be of further assistance to you, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

FEB 14 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

October 13, 1989

RE: Permit No. 35-7985

J. Paul Clayson
2503 W. Grandview Rd.
Sterling, ID 83279

Dear Mr. Clayson:

On July 7, 1989, I sent you notice that the department would cancel the above referenced permit unless you provided within 30 days, either a \$20.00 re-advertisement fee or evidence that the proposed project was fully completed prior to July of 1985. A copy of the July 7, 1989 notice is enclosed.

On July 21, 1989, you phoned me directly and informed me that you would respond to the July 7th notice. I have not yet received either the \$20.00 re-advertisement fee or evidence showing that the project was completed prior to July of 1985. A 1984 aerial photo of the land described under your permit has been reviewed by staff at this office. This photo indicates that most of the land in question was not irrigated in that year.

This letter provides you final notice to submit either the fee or the requested information. Failure to respond to this final notice within fifteen (15) days of the date of this letter will result in cancellation of the permit.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosure

RECEIVED

FEB 14 1990

138544
August 31, 1989

J. PAUL CLAYSON
I. SUE CLAYSON
2503 W. GRANDVIEW RD.
STERLING, ID 832790000

PROOF DUE NOTICE

RE: PERMIT NO. 35-07985

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 November 1, 1989. (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

MICROFILMED

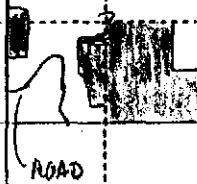
FEB 14 1990

FROM PERMIT: 5S-30E

3

40

FROM UHAP: 127-25 (7/26/80)



UHAP SHOWS NO
IRRIGATION OF
PERMITTED LANDS
(UNCLEARED IN 1980)

RECEIVED

FEB 14 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

July 7, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

J. Paul Clayson
2503 W. Grandview Rd.
Sterling, ID 83279

Re: Permit No. 35-7985

Dear Mr. Clayson:

NOTICE OF PENDING ORDER CANCELLING PERMIT

On July 11, 1981, the Department of Water Resources (department) issued Permit No. 35-7985 which authorized the diversion of 0.84 cfs of water from a groundwater source for the irrigation of 40 acres.

The department mailed a letter and questionnaire to you on May 24, 1989 in connection with the permit. The letter provided notice that the department was reviewing the permit in connection with development which was not complete prior to July 1, 1985.

This letter also requested that you return the department's questionnaire concerning any prior development under the permit and/or your plans for pursuing completion of the proposed project. The correspondence further requested that you submit with the questionnaire either a readvertisement fee in the amount of twenty (\$20) dollars and/or evidence showing that development under the permit was complete prior to July 1, 1985. Finally, the letter notified you that failure to submit the required fee or information within 30 days of the date of the letter was cause for the department to cancel the permit.

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 cancelling the permit pursuant to Water Appropriation Rule 4,2,3,4.

If no development has been completed as authorized by the permit, and you are no longer interested in pursuing the development, please complete and return the enclosed relinquishment form.

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

Sincerely,

TIM LUKE

Sr. Water Resource Agent

NOT RECORDED

FEB 14 1990

Enclosure
c: 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

May 24, 1989

RE: PERMIT NO. 35-7985

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

MICROFILMED

FEB 14 1990

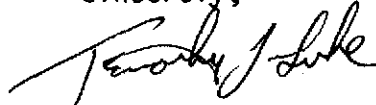
Page 2

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 must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

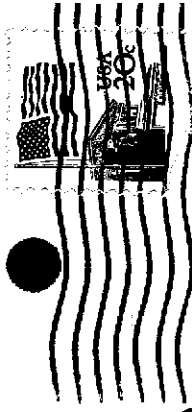
MICROFILMED

FEB 14 1980

J. David Layton

Rt3 BeDO

Rigby Idaho 83442



NOT FILMED



FEB 14 1990

RECEIVED

AUG 17 1983

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 35-7985Name(s) of Permit Holder(s): J. Paul Clayson & Sue ClaysonPost Office Address: Rt 3 RR 120 Pocatello Idaho
83400

☐ I hereby certify that construction of diversion works for the above referenced permit began on Feb 21 1990 I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

Idaho Power Monitors

*Note: A financing difficulty is

6-15-83

Date

Signature of Permit Holder

not an acceptable reason.

September 16, 1986

J. Paul Clayton
2503 W. Grandview Rd.
Sterling, ID 83277

Dear Mr. Clayton:

Re: Permit No. 35-7985

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1989. Note that the permit has been reinstated with an advance in priority.

The department also would like to call to your attention that the permit may be subject to the review requirements of Sec. 42-203D, Idaho Code.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

RECEIVED

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 35-7985Reviewed by *[Signature]*Date 9-11-1986

BASIC INFORMATION

- y Date stamp received
y Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
y Fee received and receipted
y Name and signature same as permit
y Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- y Has adequate work been completed to demonstrate due diligence?
y Has the cost incurred been adequate to demonstrate an intent to complete the project?
y Has the permit been involved in litigation?
a. Swan Falls Yes Dismissed from Swan Falls No
Other _____ Identify _____
b. Is supporting documentation needed to complete the file? _____
Requested _____
c. Calculate the period of delay

Date litigation completed 7-1-1986Date litigation began -3-1-1983Total period of delay = 4 mo 3 yrs.Present proof due date + 7-1-1986NEW PROOF DUE DATE = 11-1-1989

Is delay by a government agency?

Is supporting documentation needed to complete the file? _____
Requested? _____ACTION TAKEN - Recommend approval based on litigation.

Special conditions or remarks:

y ReinstatementDate extension received Aug 28, 86 = 240Proof due date July 1, 1986 = -182No. of days late _____ = 58Priority date May 21, 1981 = +141ADJUSTED PRIORITY DATE July 18, 1981 = 199

Prepare coding sheet

Change rolodex card

RECEIVED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

September 3, 1986

J. Paul Clayson
2503 West Grandview Rd.
Sterling, ID 83210

PERMIT NO. 35-7985

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 38957.

Roberta Garrett
Records Supervisor

Enclosure

ORIGINAL FILED

FROM *Glen*DATE *8-27-86*TO *File 35-7985*

SUBJECT — *The permit holder called today and advised that the ~~irrig~~ use was complete but that the domestic use is not.*

— He will file either the proof or an ext request.

MICROFILMED

WJ

SIGNATURE

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
JULY 13, 1986

CLAYSON, J. PAUL & I. SUE
P.O. BOX 61
SPRINGFIELD, ID 83277

LAPSE NOTICE

RE: PERMIT NO. 35-7985

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED APRIL 30, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE \$15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 7-17-1986
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

WIDDOEN MED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
APRIL 30, 1986

CLAYSON, J. PAUL & I. SUE
P.O. BOX 61
SPRINGFIELD, ID 83277

138335

PROOF DUE NOTICE

RE: PERMIT NO. 35-7985

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 JULY 1, 1986. (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 COMPLETED 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

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECEIVED
SEP 11 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

CLAYSON, J. PAUL & I. SUE
P.O. BOX 61
SPRINGFIELD, ID 83277

JULY 21, 1981

RE: PERMIT NO. 35-7985

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS 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 ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

MAY 29, 1981

The Blackfoot News
P. O. Box 70
Blackfoot, Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before JUNE 22, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

RECEIVED
JUN 18 1981

Department of Water Resources
Eastern District Office

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

35-7985

CLAYSON, J. PAUL &/or I. SUE
P.O. Box 61

Springfield, Id. 83277

Source: GROUNDWATER

Date Filed: 05/21/1981

Amount: 0.84 CFS

Diversion Point: SWSW, Sec. 03,

T. 05S, R. 30E, Bingham Co.

Use: IRRIGATION (0.80 CFS) from

04/01 to 11/01

DOMESTIC: (0.04 CFS) from

01/01 to 12/31

Place of Use: SWSW, Sec. 03, T.

05S, R. 30E, for 40 ACRES

Diversion Means: WELL, PUMP &
SPRINKLERS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before JUNE 22, 1981.

A. KENNETH DUNN
Director

(6943)
Pub.: 6-4, 11

42

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho David Mark Brown) ss

I, 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: Thurs of each week; that the notice attached hereto and which is a part of this affidavit 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 June, 19 81,

and the last publication having been made on the 11th day of June, 19 81,

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.

David Mark Brown

Subscribed and sworn to before me this 17th

day of June, 19 81.

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho

My commission expires
Oct. 20, 1984

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before JUNE 22, 1981.

A. KENNETH DUNN

Director

MICROFILMED

Issued 6/04 & 6/11/81.

35-2985-

CLAYSON, J. PAUL &/or I. SUE

P.O. BOX 61, SPRINGFIELD, ID 83277

Source: GROUNDWATER

Date Filed: 05/21/1981

Amount: 0.84 CFS

Diversion Point: SWSW Sec 03 T 05S R 30E, BINGHAM Co.

Use: IRRIGATION	(0.80 CFS)	from 04/01 to 11/01
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: SWSW Sec 03 T 05S R 30E FOR 40 ACRES

Diversion Means: WELL, PUMP & SPRINKLERS.

MICROFILMED