

MICROFILMED

30Ac 35-7175

20Ac 35-7175

40Ac 35-7175

22Ac

20Ac 35-7175

MORELAND
CEMETERY
NA

C-261

NOT TO SCALE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 35-7806 Priority July 18, 1978 Amount 0.46 cfs

THIS IS TO CERTIFY, that Bryce G. Ellis
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7806 issued pursuant to Application for Permit dated June 19, 1978,
and has submitted proof to the Department of Water Resources on August 30, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.21 cfs of water from A groundwater Source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.46</u> cfs and	<u>80.5 Acre Feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.46 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
80.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22,
Twp. 2S, Rge. 34E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2S	34E	22				22													23

Total number of acres irrigated 23

This right when combined with Right No. 35-7175 shall not exceed 2.21 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20TH day of September, 19 83.

Acting for the Director

Norman C Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CORRECTING THE PRIORITY
DATE OF PERMIT NO. 35-7806 IN THE NAME OF
BRYCE ELLIS

O R D E R

WHEREAS, on July 27, 1978, the Department approved said application and issued Permit No. 35-7806 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1979; and,

WHEREAS, on May 31, 1979, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on August 16, 1979, the Department notified the permit holder that Permit No. 35-7806 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, on December 13, 1979, the Department reinstated the permit with an error in the advancement of the priority to July 18, 1979;

IT IS, THEREFORE, HEREBY ORDERED that the priority date is corrected to be July 18, 1978.

Dated this 12th day of May, 1983.


L. GLEN SAXTON
Chief, Operations Bureau



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-7806

IN THE NAME OF BRYCE ELLIS

ORDER

WHEREAS, on June 19, 1978, Bryce Ellis applied to the Department of Water Resources for a permit to appropriate 0.46 cubic feet per second of water from a groundwater source to be used for irrigation purposes; and,

WHEREAS, on July 27, 1978, the Department approved said application and issued Permit No. 35-7806 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1979; and,

WHEREAS, on May 31, 1979, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to submit said proof; and,

WHEREAS, on August 16, 1979, the Department notified the permit holder that Permit No. 35-7806 had lapsed for failure to submit proof of beneficial use of water; 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 holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on August 30, 1979;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-7806 be REINSTATED and the priority advanced to July 18, 1979.

Dated this 13th day of December, 1979.


L. GLEN SAXTON

Chief, Operations Bureau



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. 35-7806 }

ORDER

WHEREAS, it has been determined by the Department of Water Resources that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

Identification No. _____
Application No. 35 7806

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Bryce G. Ellis Phone: 684-3181
post office address Rt. 4, Box 127A, Blackfoot, Idaho 83221
2. Source of water supply G. W. which is a tributary of _____
3. a. Location of point of diversion is N.E. 1/4 of N.E. 1/4 of Section 22 Township 2S
Range 34 E.B.M. Bingham County; additional points of diversion if any: _____

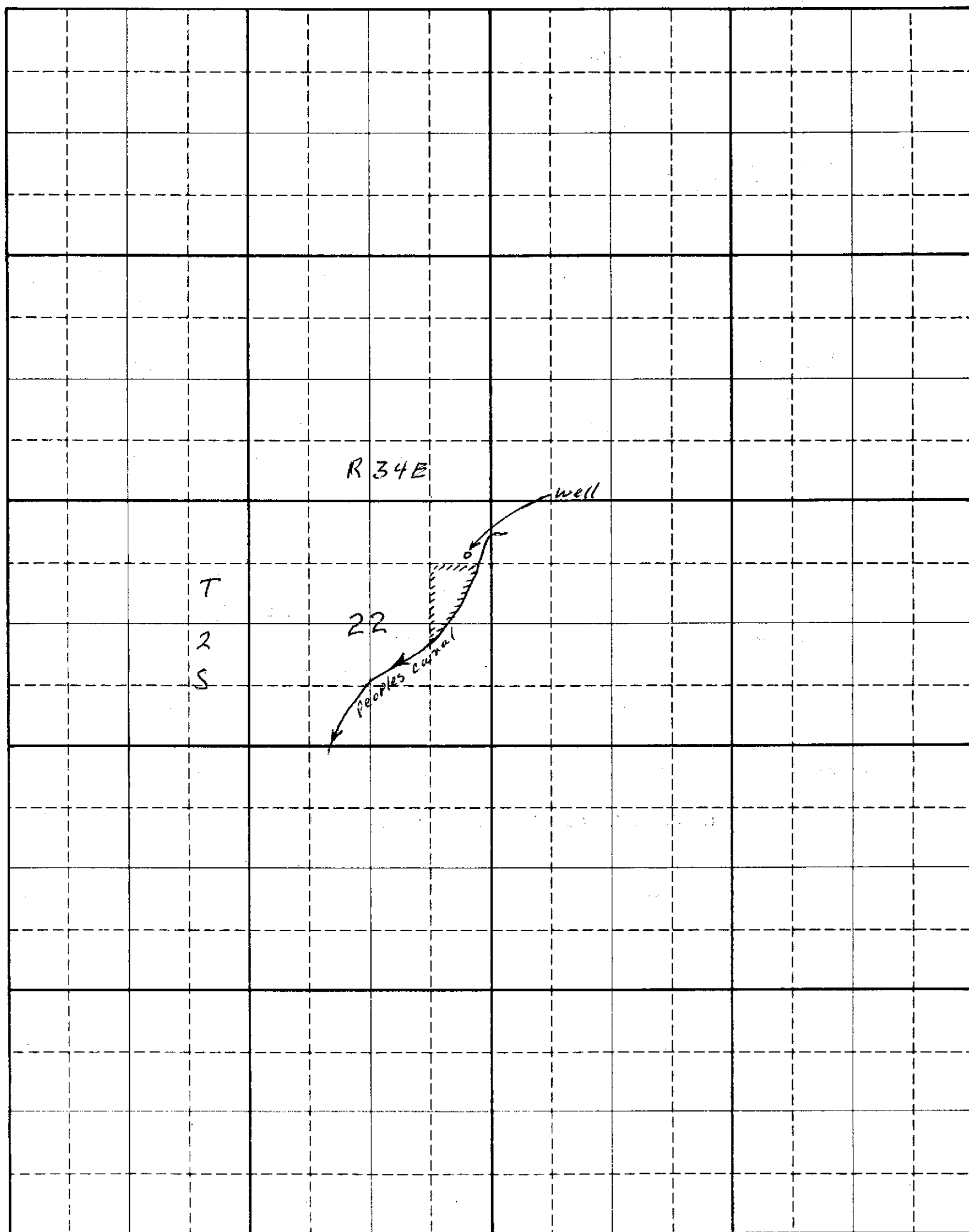
b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.46 for irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.46 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and sprinklers

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 120 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ Existing System
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

UNRECORDED

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.

Raymond S. Ellis
(Applicant)

Proposed Priority 6/19/78

Received by BP Date 6-19-78 Time 11:15 A.
Preliminary check by BP Fee \$25.00
Received by BP Date 6-19-78 # 11416
Publication prepared by BP Date 6-23-78
Published in Blackfoot Journal
Publication dates June 29 - July 6, 1978
Publication approved NO Date 7-11-78
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval/denial by BP

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. 35-7806, 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 August 1, 19 79.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 27th day of July, 19 78.

Chief, Operations Bureau

J. Allen Saylor

RECEIVED

JUL 11 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

David Mark Brown

I, _____
solemnly

Publisher

swear that I am the _____ of
The Blackfoot 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 withing the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
29th day of June, 19 78

and the last publication having been made on the
6th day of July, 19 78;

that said notice was published in the regular and en-
tire 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.

Subscribed and sworn to before me this 7th

day of July, 19 78

Petunia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Bryce G. Ellis, Blackfoot,
Idaho, has on 6-19-78, submitted
Application No. 35-7806, for a
permit to appropriate 0.46 cubic
feet per second of water from a
ground-water source by means
of well and pump within the
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 2S, R.
34E, B.M., Bingham County; to
be used from Apr. 1 to Nov. 1 for
the irrigation of 23 acres within
the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
22, T. 2S, R. 34E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with

the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or
before July 17, 1978.

C. STEPHEN ALLRED
Director

(5663)
Pub.: 6-29; 7-6

WATER RIGHT NUMBER 35-7806

OWNER LAST NAME - FILLIS FIRST NAME - RRYCE G. ORIG OWNER -
ADDRESS LINE 1 - RT. 4 BOX 127A ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BLACKFOOT STATE - ID ZIP CODE - 83221
SOURCE - GROUNDWATER TRIBUTARY OF -
STAGE - LICENSE STATUS -
TOTAL DIV. VOLUME - 80.50 AFA TRFR/AMEND - PRIORITY - 07-18-1978 COUNTY - BINGHAM TOTAL DIV. RATE - .4600 -CFS
DIVERSION POINT - NENE 22 02S 34E LOT RFDIV - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
FROM - 04-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - .4600 CFS USE DIV. VOLUME - 80.50 AFA
USE - IRRIGATION PLACE OF USE - TWN 02S RANG 34E SEC 22 TRACT SENE LOT AC 22 TRACT NENE LOT AC 01
DEGREE NAME - DATE - TOTAL ACRES 23
REMARKS - THIS RT. WHEN COMBINED WITH RT 35-7175 SHALL NOT EXCEED 2.21 CFS.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 08-01-1979 PERMIT/DENIED - 07-27-1978 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL - 16
DIVERSION MEANS - WELL, PUMP & SPRINKLERS.

00000000

WATER RIGHT NUMBER 35-7806

OWNER LAST NAME - ELLIS FIRST NAME - BRYCE G. ORIG OWNER -
ADDRESS LINE 1 - RT. 4 BOX 127A ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BLACKFOOT STATE - ID ZIP CODE - 83221
SOURCE - GROUNDWATER STATUS -
STAGE - LICENSE TRIBUTARY OF -
TOTAL DIV. VOLUME - 80.50 AFA TRFR/AMEND - PRIORITY - 07-18-1978 COUNTY - BINGHAM TOTAL DIV. RATE - .4600 -CFS
DIVERSION POINT - NENE 22 02S 34E LOT REDITV - WATER DIST. - DUE/CAREY ACT - RIGHT BASIS -
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REMARKS - THIS RT. WHEN COMBINED WITH RT 35-7175 SHALL NOT EXCEED 2.21 CFS.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE - HEARING - OLD NO. -
PROOF DUE - 08-01-1979 PERMIT/DENIED - 07-27-1978 PROTESTED -
PROOF MADE - F FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - WELL, PUMP & SPRINKLERS.

IDENT. NO.

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

Initials	Date	Item
		Original form entered
		Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Signed
		Transfer Approved
		Keypunched by State Office
<i>D.W.</i>	<i>10/26/83</i>	<i>License update</i>
		G G MAY 14 1984 VERIFIED

RECEIVED
October 7, 1983

RE: Permit No. 35-7806

Bryce Ellis
Rt. 4, Box 127A
Blackfoot, ID 83221

Dear Mr. Ellis:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure



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

August 4, 1983

Bryce Ellis
Rt. 4 Box 127A
Blackfoot, ID 83221

Dear Mr. Ellis,

A representative of this ³⁵⁻⁷⁸⁰⁶ Department has made an examination of the works covered by your Permit No. , and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: ^{0.46 cfs} ^{groundwater} Source: ^{80.5}

The maximum quantity diverted shall not exceed _____ acre feet
per year. ^{NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, Twp 2S, Rge 34E}

Point(s) of diversion:

<sup>Irrigation of 22 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1 acre in the
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Twp 2S, Rge 34E</sup>

Beneficial use:

July 18, 1978

Priority date established ^{this right when combined with Right No. 35-7175 shall}
not exceed 2.21 cfs.
Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

Also enclosed is an Order which corrects
the priority date on the Reinstatement
order of December 13, 1979.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

MICROFILMED

Signature _____
 J. H. Cannon
 K. H. Cannon

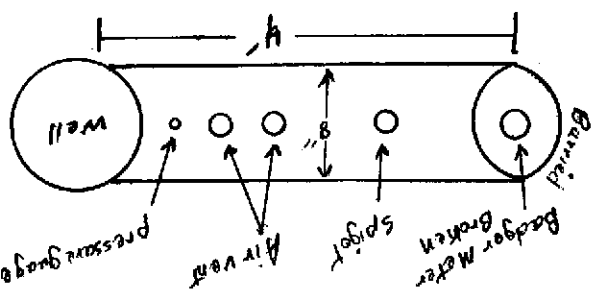
11/9/82
3/12/82
5/11/83

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

[illegible]

Point(s) of diversion:

NE NE 1/4 22 T4S R34E 10M. Bingham



(Include distance from pump to measuring device, if applicable.)

SCHEMATIC DIAGRAM OF SYSTEM

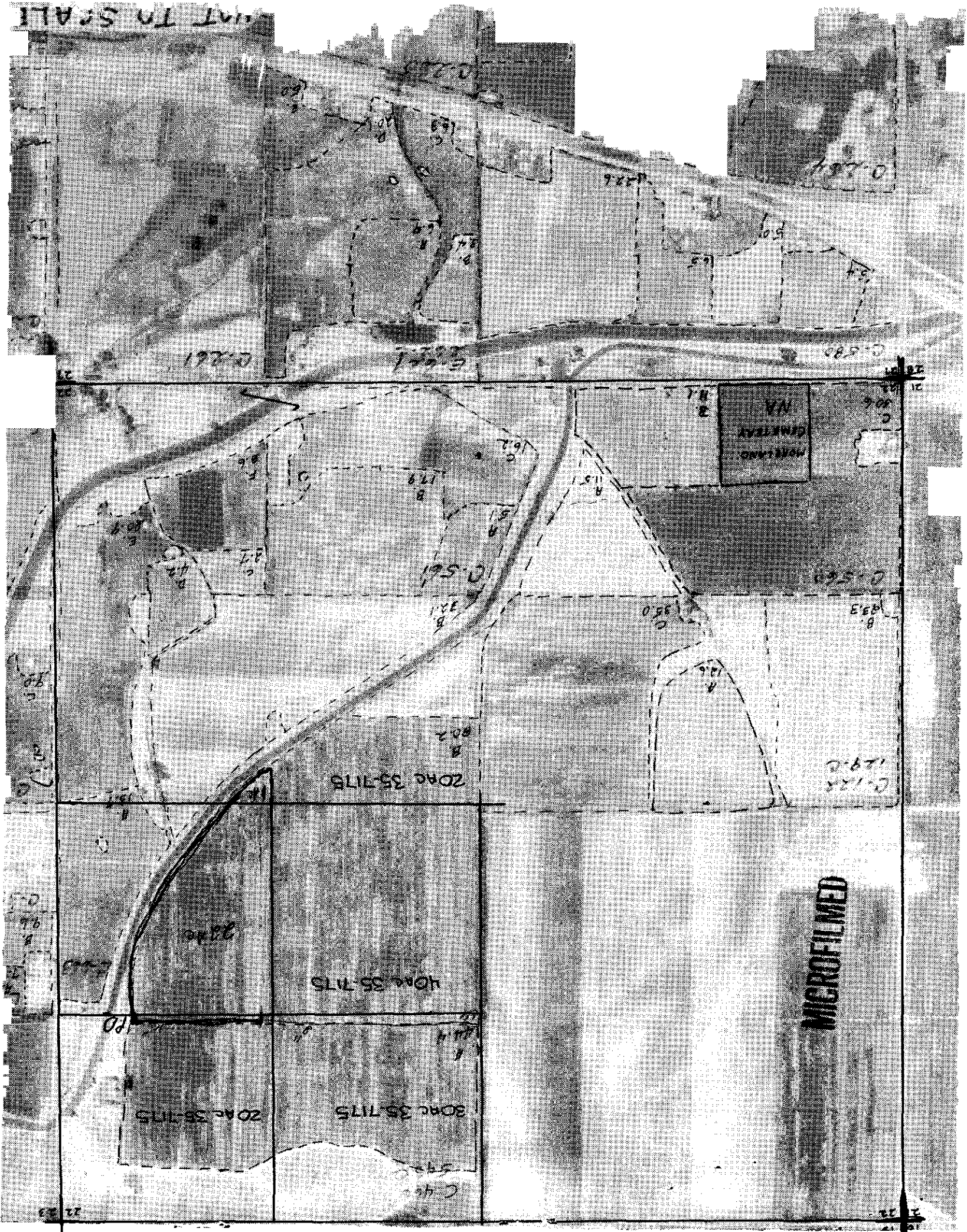
$AV = 4.35 \text{ mi.}$
 $4.35 \text{ mi.} \times 4.82 \times 47 = 920.2 \text{ gpm}$
 (Include distance from pump)

DECLASSIFIED

527

MAP (Attach Aerial Photo)

BYE



MICROFILMED

Overlap Review for 35-7806

License 35-7175

gw

P/D NENE Sec 22 T2S R34E
(same well)

$$\frac{2.12 \text{ cfs}}{110 \text{ Ac}} = .019 \text{ cfs/Ac}$$

P/U see attached license copy
(different land)

L 35-7175	2.12 cfs
This right 35-7806	<u>.46 cfs</u>
	2.58 cfs

Greater than capacity (2.12 cfs)
Recommend R17

RC 5/11/83

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 35-7175 Priority June 1, 1971 Amount 2.12 cfs

THIS IS TO CERTIFY, that Lillian E. Oler &/or Bryce G. Ellis
of Blackfoot, Idaho, have, ~~xxx~~ complied with the terms and conditions of Permit
No. 35-7175 issued pursuant to Application for Permit dated June 1, 1971,
and has submitted proof to the Department of Water Administration on June 7, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.12 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 2.12 cfs for Irrigation from April 1 to Oct. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.12 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE¹/₄NE¹/₄ Sec. 22, Twp. 2 S, Rge. 34 E, B.M.

in the county of Bingham; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 385 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

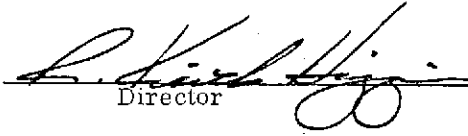
TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
2 S	34 E	22	20	30	40											20			110

Total number of acres irrigated 110

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9 day of
August, 19 73.


Director

35-7175



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

December 26, 1979

RE: Permit No. 35-7806

Bryce Ellis
Rt. #4, Box 127A
Blacfoot, Idaho 83221

Dear Mr. Ellis:

Enclosed is a copy of an order reinstating your permit and advancing the priority date to July 18, 1979.

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

JACKIE S. DENNING
Senior Clerk

cc: DWR - State Office

RECEIVED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 83221

Name(s) of Permit Holder: Dryel Ellis

Post Office Address: Rt 4 Box 152d
Blackfoot Idaho

Source of Water: _____

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☐ Irrigation

120

(acres)

☐ Other _____

Measuring Device: Required?

☐ Yes

☒ No

Installed?

☐ Yes

☐ No

Access Port:

Required?

☐ Yes

☒ No

Installed?

☒ Yes

☐ No

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

Date

7-79

Signature of Permit Holder

Dryel Ellis

RECEIVED



Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 35-7806

Name(s) of Permit Holder:

Post Office Address:

Source of Water:

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☐ Irrigation

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes ☒ No

Installed?

☒ Yes ☐ No

Access Port:

Required?

☐ Yes ☒ No

Installed?

☒ Yes ☐ No

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

Date

Signature of Permit Holder



RECEIVED

NOV 15 1979

Department of Water Resources



**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

~~MICROFILMED~~



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83721
(208) 384-2215

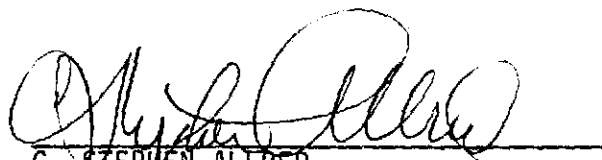
August 13, 1979

Bryce G. Ellis
Route 4, Box 127A
Blackfoot, ID 83221

Dear Mr. Ellis:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 35-7806 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated May 31, 1979.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.


C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

CERTIFICATION OF MAILING

I hereby certify that on 8/16/79
a true and correct original of this document was
deposited in the United States mail,
postage prepaid, addressed to the
individual(s) named above.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

RECEIVED
JUL 16 1979
DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO
BOISE, IDAHO 83720
NO STATE FUNDING FOR THIS PROJECT
NO STATE FUNDING FOR THIS PROJECT

RECEIVED

JUL 16 1979

Department of Water Resources

Bryce G. Ellis
Route 4, Box 127A
Blackfoot, ID 83221

JUL 17 1979

FINAL NOTICE

Not 6-1-79

NOTIFIED

100365



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

100365

May 31, 1979

Bryce G. Ellis
Route 4, Box 127A
Blackfoot, ID 83221

Dear Mr. Ellis:

One of the conditions of approval of your water Permit No. 35-7806 was that evidence of the extent of development must be submitted to this office on or before August 1, 1979. (See last page of your approved permit). Enclosed is a post card which may be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use post card or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect within 60 days.

Sincerely,


RITA FLECK
Sr. Secretary

Enc: 1

RECORDED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Dear Wateruser:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have installed the measuring device, the field examination can be more expediently conducted by the Department's field examiner as well as you will derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

August 2, 1978

Re: Permit No. 35-7806

Bryce G. Ellis
Route #4, Box 127A
Blackfoot, ID 83221

Dear Mr. Ellis:

Your approved copy of Application for Permit No. 35-7806 is enclosed and we direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

MICROFILMED

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

1. ☒ Name vs. Signature
2. ☒ Source
3. ☒ Point of Diversion
4. ☒ Amnt. & Period of Use
5. ☒ Descrip. of Diverting Wrks.
6. ☒ Time req. for Proof of B/U
7. ☐ Place of Use for other than irrig.
8. ☒ Place of Use for irrigation (add acres)
9. ☒ Property Owner at Pt. of Div. & Pl. of Use
10. ☒ Map
11. ☒ Fee & Rec't. No.

Copies Sent To:

☒ Idaho Health Department
☒ Idaho Fish & Game Dept.
☒ Bureau of Land Management

☒ U.S.F.S.
☒ Dept. of Lands
☒ Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area ☐ yes ☒ no

Other rights on same land None platted

Withdrawals of all protests received ☐ yes ☐ no

Conditions:

ID Power Co. Letter - Snake R. ☐

Meas. Dev. or Sc. Meas. no

ID Power Co. Letter - G.W. & Tribs. ☒

Totalizing meter ☐

Snake River Condition ☐

Supplemental ☐

Payette River Letter ☐

Right-of-Way Cond. ☐

Priority Date 6/19/78

Watermaster Cond. ☐
Wtr. Dist No. ☐

Water Quality #16 ☐

Meas. Dev. Cond. for apps within
a Water Dist. ☐

Water Quality #10 ☐
intrastate ☐ interstate ☐

Jan Grover
Reviewer
7/26/78
Date

June 23, 1978

RE: APPLICATION FOR TRANSFER	35-2503	GNEITING
CLAIM TO WATER RIGHT	35-4070	CITY OF ABERDEEN
" " " "	35-4071	CITY OF ABERDEEN
APPLICATION FOR PERMIT	35-7806	ELLIS
" " WATER PERMIT	35-7807	SMITH
" " WATER PERMIT	35-7808	CITY OF ABERDEEN

Blackfoot News
P. O. Box 70
Blackfoot, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

Bill submitted 7-12-78 by Ced

RDC:bp

Enclosure: Legal Notices (6)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Bryce G. Ellis, Blackfoot, Idaho, has on 6-19-78, submitted Application No. 35-7806, for a permit to appropriate 0.46 cubic feet per second of water from a ground-water source by means of well and pump within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 2S, R. 34E, B.M., Bingham County; to be used from Apr. 1 to Nov. 1 for the irrigation of 23 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 2S, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before July 17, 1978.

C. STEPHEN ALLRED
Director

(5663)

Pub.: 6-29; 7-6

02

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bryce G. Ellis,
Blackfoot, Idaho

has on 6-19-78 submitted Application No. 35-7806
for a permit to appropriate 0.46 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~ acre feet per annum
of water from a ground-water source
by means of well and pump
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, T. 2S, R. 34E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 23 acres

within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 2S, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 17, 1978.

C. STEPHEN ALLRED

Director
Blackfoot News, Blackfoot, Idaho

Published in the _____
on June 29 and July 6, 1978

CW-H
CW-J
CW-L

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Bryce G. Ellis

- ☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water 1 year
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) Jay 6/19/78

In form to receipt yes

(2) " "

Send Copies to:

NA Idaho State Health Department
NA Idaho Fish and Game Department
NA Bureau of Land Management

(3) " "

NA Request Special Use Permit from U.S.F.S.
NA Request Easement from B.L.M.
NA Request Information from Applicant

(4) " "

In form for advertising yes

(5) " "

Platted on Map No. Plot #2 25-34E.

(6) " "

Located within Water District No. Basin 35

(7) " "

Critical groundwater area: yes no ☒

(8) " "

Groundwater levels:

Declining, Stable, ☒ Increasing

(comment) Battle #27 Obsolete 33 hrs!

(9) " "

Other rights on the same place of use None.

(10) " "

Comments: No known conflicting water rights

(11) BP 7-11-78

Affidavit of Publication received (date) July 11-78

(12) P "

Final date for protests July 17-1978

Protests received: yes no

(13) EMC 7/17/78

All requested information received from agencies or applicant: yes no

(14) EMC 7/17/78

Action recommended:

☒ Approve Deny

6/19/78 Proposed Priority

Reason for Reduction

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District Eastern

By Ernest Carlson Date 7/19/78

RECEIVED
JUL 20 1978

Department of Water Resources