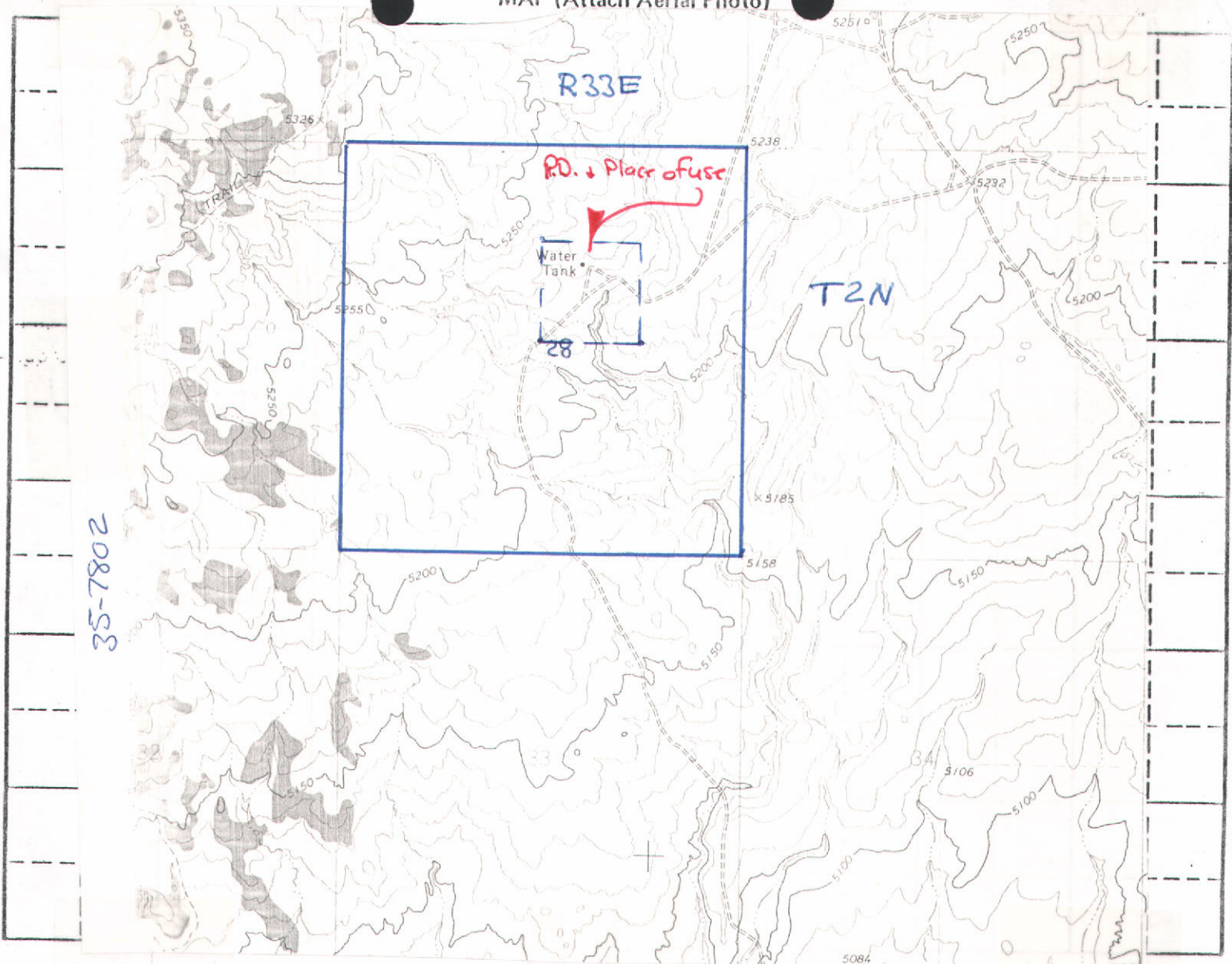


MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SW 1/4 NE 1/4 Sect. 28 T2N R33E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	33E	28			S														

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

RECEIVED
FEB 08 1989

Examiner's Signature

Checked by

Approved by

H. W. Jones

R. Hoverton

Date

Date

Date

4-28-86

6-17-86

9-15-86

RECEIVED
FEB 08 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07802

Priority: May 18, 1978 Amount: 0.20 CFS 12.0 AFA

This is to certify, that STATE OF IDAHO
DEPT. OF LANDS
STATEHOUSE
BOISE, ID 83720

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated May 18, 1978, and
has submitted proof to the Department of Water Resources on March 2, 1982, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .200 cfs of water from a GROUNDWATER
source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
STOCKWATER	01/01 to 12/31	0.20 CFS	12.0 AFA

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 28, Township 02N, Range 33E
BINGHAM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

02N 33E 28 SWNE

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

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 JANUARY, 1989.

Acting for the Director

Norm Young

MICROFILMED

FEB 08 1989

Identification No. 35 7802

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPROVED

APPLICATION FOR PERMIT

MAY 18 1978

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

Department of Water Resources

1. Name of applicant Idaho State Dept. of Lands Phone: 523-5398
post office address Rt. #1, Box 400, Beeches Corner, Idaho Falls, Idaho 83401
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 28 Township 2N
Range 33E 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 _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.20 for Stockwater purpose from Jan. 1 to Dec. 31 (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. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, submersed pump and
pipeline to storage tank

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 8 inches; proposed depth of well is 800 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ existing.
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 NE $\frac{1}{4}$ of Section 28 Township 2N
Range 33E 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 900 head of range cattle

(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: _____

RECEIVED

1

applicant to make this filing—

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

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

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

Applicant

- c. Describe any other water rights used for the same purposes as described above.

None

Total number of acres to be irrigated

[illegible]

R. 33E

•

Sec.
28

(Applicant)

Proposed Priority 5/18/78

Received by BK Date 5-18-78 Time 11:20 AM
Preliminary check by TK Fee \$ 10.00
Received by DL Date 5-25-78 # 4999
Publication prepared by DL Date 5-26-78
Published in Blackfoot Journal
Publication dates June 1 & 8-19-78
Publication approved DL Date 6/14/78
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by jc

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. 35-7802, and said application is hereby APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 83.

c. Other: _____

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

Witness my hand this 21ST day of June, 19 78.

Administrator

Thomas J. Jones

RECEIVED

JUN 14 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho, David Mark Brown

I, do
solemnly

Publisher

swear that I am the Publisher 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 134 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: 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 1st day of June, 1978

and the last publication having been made on the 8th day of June, 1978

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.

Subscribed and sworn to before me this 13th

day of June, 1978

Patricia 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 State of Idaho, Department of Lands, Idaho Falls, Idaho, has on 5-25-78, submitted Application No. 35-7802, for a permit to appropriate 0.20 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 2N, R. 33E, B.M., Bingham County; to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 900 head of range cattle within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 2N, R. 33E, 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 June 19, 1978.

C. STEPHEN ALLRED
Director

(5622)

Pub.: 6-1, 8

31

MICROFILMED

January 31, 1989

STATE OF IDAHO
DEPT. OF LANDS
STATEHOUSE
BOISE, ID 83720

RE: PERMIT NO. 35-07802

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

FEB 08 1989

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

35-7802

Permit No. _____

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

REMARKS

- ☐ Appointment letter mailed:
- ☐ Telephone call made
(List Telephone No. used)
- ☐ Appointment scheduled for:
(Date, time, location)

RECEIVED
AUG 15 1988

~~Department of Water Resources~~

EXAMINATION

Date 2-11-1986 Accompanied by Tracy Behrens Total Q measured _____
Source Groundwater Tributary to _____ Supp. annubar measurement sheet used? _____
If source is surface water, estimate total flow of source _____
Methods of measurement _____ Meets permit requirements? _____

Measurement calculations:

Development confirmed through research of ID. Dept. of Lands records.

[illegible]

System Description well + pump to storage tank

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

USE
Stackwater

Irrigation requirement = AFA/Acre

Q (cfs)	V (afa)	FROM	TO
0.20	12.0	1-1	12-31

Total

Remarks Stackwater for 900 head of cattle

MICROFILMED

FEB 08 1989

35-7802

R33E

RD. + Place of use

Water Tank

28

T2N

5326

5238

5232

5200

5185

5158

5150

5106

5100

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

Point(s) of diversion: SW 1/4 NE 1/4 Sect. 28 T2N R33E

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None
☐ Other

Microfilm
FEB 08 1989

Examiner's Signature

Checked by

Approved by _____

Date _____

Date _____

Date _____

MEMORANDUM

TO: Chief, Bureau of Lands

DATE: May 3, 1978

FROM: Area Supervisor - Eastern Idaho

FILE NO.:

SUBJECT: Application to Appropriate Public Waters

This memo refers to a stockwater well drilled on State land in 1969. It appears that an application for water rights associated with this well has never been made. Therefore, we have worked up an application for a permit to appropriate the public waters of the State of Idaho.

Please find attached the above mentioned application. The well is located in the SWNE Section 28, Township 2 North, Range 33 East, B.M. in Bingham County. This well supplies water for livestock which utilize approximately 9,750 acres of State land. This office recommends processing of the attached permit.

Perry
LDB/PAW/cmp

Attachment

MICROFILMED

FEB 08 1989



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

April 20, 1982

RE: Permit No. 35-7802

State Dept. of Lands
Beeches Corner
Rt. #1, Box 400
Idaho Falls, Id. 83401

Gentlemen:

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,

BOBBIE R. STEPHENS
Principal Clerk

cc: R - State Office

RECEIVED
MAY 1 1982

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. 35-7802.

STATE DEPARTMENT OF LANDS

Name(s) of Permit Holder: BEECHES CORNER

Post Office Address: ROUTE 1, BOX 400

IDAHO FALLS, IDAHO 83401 Tel. No. 523-5398

Source of Water: WELL

Extent of Use:

☐ Domestic		(number of households)
☒ Stockwater	<u>900 BEEF</u>	(number and type of stock)
☐ Irrigation		(acres)
☐ Other		

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

Access Point: 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.

2/25/82

Date

Donald E. Holtz GARM
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



Department of Water Resources

MAR 2 1982

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED



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

June 23, 1978

Re: Permit No. 35-7802

Idaho State Dept. of Lands
Route #1, Box 400
Beeches Corner
Idaho Falls, ID 83401

Gentlemen:

Your approved copy of Application for Permit No. 35-7802 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 Director ☒ Place of Use for other than irrig.
 2. ☒ Source 8. ☐ Place of Use for irrigation (add acres)
 3. ☒ Point of Diversion 9. ☒ Property Owner at Pt. of Div. & Pl. of Use
 4. ☒ Amnt. & Period of Use 10. ☒ Map
 5. ☒ Descrip. of Diverting Wrks. 11. ☒ Fee & Rec't. No.
 6. ☒ Time req. for Proof of B/U

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 - stock

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 5/18/78

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
6/21/78
 Date

June 1, 1978

RE: Application for Permit No. 35-7802 and 74-7061

Idaho State Department of Lands
Rt. #1, Box 400
Beeches Corner
Idaho Falls, Idaho 83401

Gentlemen:

Attached herewith is departmental receipt No. 9990 in the amount of \$20.00
for the above referenced applications.

Very truly yours,

COLLEEN WRAY
Senior Secretary

Attachment

MICROFILMED

May 26, 1978

RE: Application for Permit No. 35-7802 LANDS

Blackfoot News
P.O. Box 70
Blackfoot, Idaho 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 6-14-78 by CW

RDC:CW

Enc: Legal Notice

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that State of Idaho, Department of Lands,
Idaho Falls, Idaho

has on 5-25-78 submitted Application No. 35-7802
for a permit to appropriate 0.20 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~ acre feet per annum
of water from a ground-water source
by means of well and pump
within the SW 1/4 NE 1/4, Sec. 28, T. 2N, R. 33E, B.M., Bingham County;

to be used from Jan. 1 to Dec. 31
for stockwatering purposes for 900 head of range cattle

within the SW 1/4 NE 1/4, Sec. 28, T. 2N, R. 33E, 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 _____
June 19, 1978

C. STEPHEN ALLRED

Director

Published in the Blackfoot News, Blackfoot, Idaho

on June 1 and June 8, 1978

MICROFILMED

242
CW-K-D

EXPENDITURE VOUCHER

STATE OF IDAHO
 Office of State Auditor

AUDITOR USE

Document No.	
Pre-Audit	Date 140314 MAY 18 1978
Warrant No. 1741699	

8008
Date 5-17-78
Code 18-00-00

AGENCY NAME: Department of Lands

REC-11

CHECK ONE:

PAY Department of Water Resources
 Building Mail

MAY 25 1978

(X) MISCELLANEOUS EXPENDITURE

Department of Water Resources
 Eastern District Office

() STATE CONTRACT

TO

() PURCHASE ORDER

() MISCELLANEOUS
 ENCUMBRANCE REQUISITION

Encumbrance Reference No.

PAYMENT: () PARTIAL () FINAL

LINE No.	PROGRAM			ACCT.	CLASS		DESCRIPTION (Include Quantity)	COMPLETE ONE		AGENCY USE
	Maj	Min	Ele		Maj	Min		%	LINE AMOUNT	
1	05	01	001	1107	80	01	Application for permit on SWNE Sec 28-2N-33E		\$10. 00	
	04	02	002				Application for permit on SESE Sec 22-20N-23E		\$10. 00	
vp										
TOTAL								100%=	\$20. 00	

NOTE: Final payment must be accompanied by a receiving copy

STATE AUDITOR

AUDITOR'S CERTIFICATE

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary for the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date Head of Agency or Institution

State Auditor

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Idaho State Dept of Lands

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee none

(1) ARK 5-22-78

In form to receipt Assumes receipt of

(2) _____

Send Copies to:

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

(3) _____

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

(4) _____

In form for advertising yes

(5) _____

Platted on Map No. 2N33E

(6) _____

Located within Water District No. Basin 35

(7) _____

Critical groundwater area: yes _____ no X

(8) _____

Groundwater levels:

_____ Declining, X Stable, _____ Increasing

(comment) no obs within area

(9) _____

Other rights on the same place of use none

(10) _____

Comments: None

(11) AW 6-14-78

Affidavit of Publication received (date) June 14-1978

(12) BP 6-19-78

Final date for protests June 2-1978

Protests received: yes _____ no X

(13) LH 6-19-78

All requested information received from agencies or applicant: yes X no _____

(14) " "

Action recommended:

☒ Approve _____ Deny

5-18-78 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District E

By Loren O'Halloran Date 6-19-78

RECEIVED

JUN 20 1978

Department of Water Resources

copy sent

3/79

IDENT. NO. 35-7802

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

WATER RIGHT
DATA ENTRY LOG

[illegible]