

RECEIVED

MAR 8 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho I, David Mark Brown)
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
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: 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 two consecutive weeks

the first publication having been made on the
23rd day of February, 19 78

and the last publication having been made on the
2nd day of March, 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.

[Signature]

Subscribed and sworn to before me this 6th
day of March, 19 78

[Signature]

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

lw

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
Sainz Livestock, Springfield,
Idaho, has on 2-16-78, submitted
Application No. 35-7790, for a
permit to appropriate 2.36 cubic
feet per second of water from a
ground-water source by means
of well and pump within the
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 4S, R.
32E, B.M., Bingham County; to
be used from Apr. 1 to Nov. 1 for
the irrigation of 118 acres
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11,
W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12, T. 4S, R.
32E, 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 March 13, 1978.

C. STEPHEN ALLRED
Director

(5502)
Pub.: 2-23, 3-2

30 ml

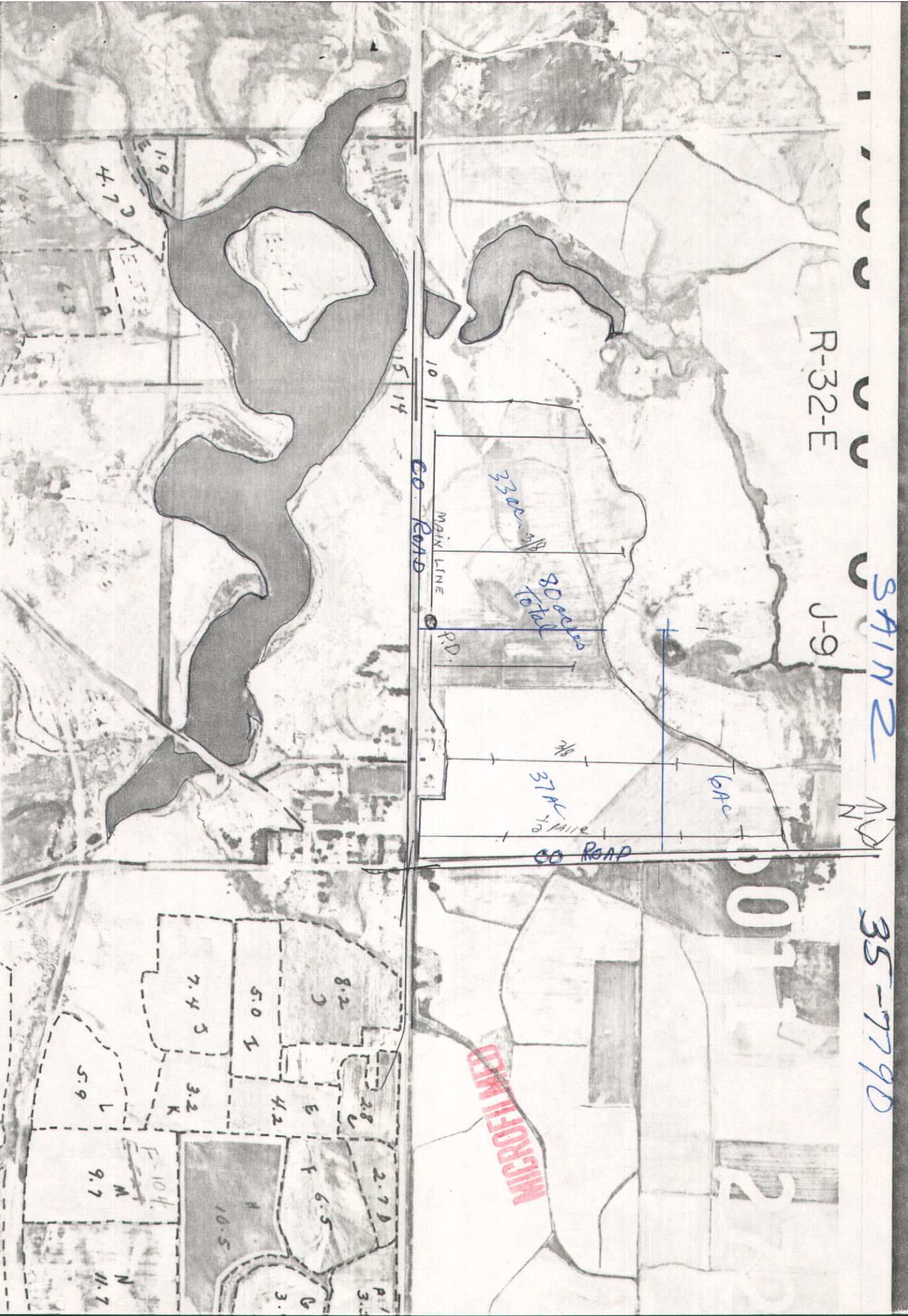
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R-32-E

J-9

STAIN 2

35-7790



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7790 Priority February 16, 1978 Amount 1.52 cfs

THIS IS TO CERTIFY, that Sainz Livestock
of Springfield, Idaho, has complied with the terms and conditions of Permit
No. 35-7790 issued pursuant to Application for Permit dated February 16, 1978,
and has submitted proof to the Department of Water Resources on December 3, 1980,
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 2.19 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>1.52</u> cfs and	<u>266.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.52 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
266.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, Twp.
4S, Rge. 32E 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 $\frac{1}{4}$	
4S	32E	11									6		33	37					76

Total number of acres irrigated 76

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 3.5 afa per acre for the lands above.

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
January _____, 19 83.

MICROFILMED

Director

RECEIVED

NOV 30 1982

STATE OF IDAHO

Licensing

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Sainz Livestock Phone 328-2256of (address) P.O. Box 96, Springfield, ID 83277, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-7790, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW 1/4 SW 1/4, Section 11, Township 4S, Range 32E, B.M., County of Bingham. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.52 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

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	
4S	32E	11									6		33	37					76

Total number of acres to be irrigated = 76

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

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Not necessary

[illegible]

Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at

Springfield, Mass., this 36 day of November, 19 82
 (Signed) *James Kendrick*
 (Signature) *James Kendrick*

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00
Received by me Date 12-3-82

Fee = \$20.00

Received by

Date 12-8-17

11508 II

Publication dates

Publication prepared by

Date _____

Published in

ACTION OF THE DEPARTMENT OF WATER RESOURCES

A. KENNETH DUNN

of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 35-7790.

Witness my hand this 5 day of

January

19 83

Director

De

Identification No. _____

Application No. 35 7790

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 Sainz Livestock (Burton Sainz, Pres.) Phone: 328-2331
post office address P.O. Box 6, Springfield, ID 83277
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 NW $\frac{1}{4}$ of Section 12 Township 4S
Range 32E B.M. Bingham County; additional points of diversion if any: _____

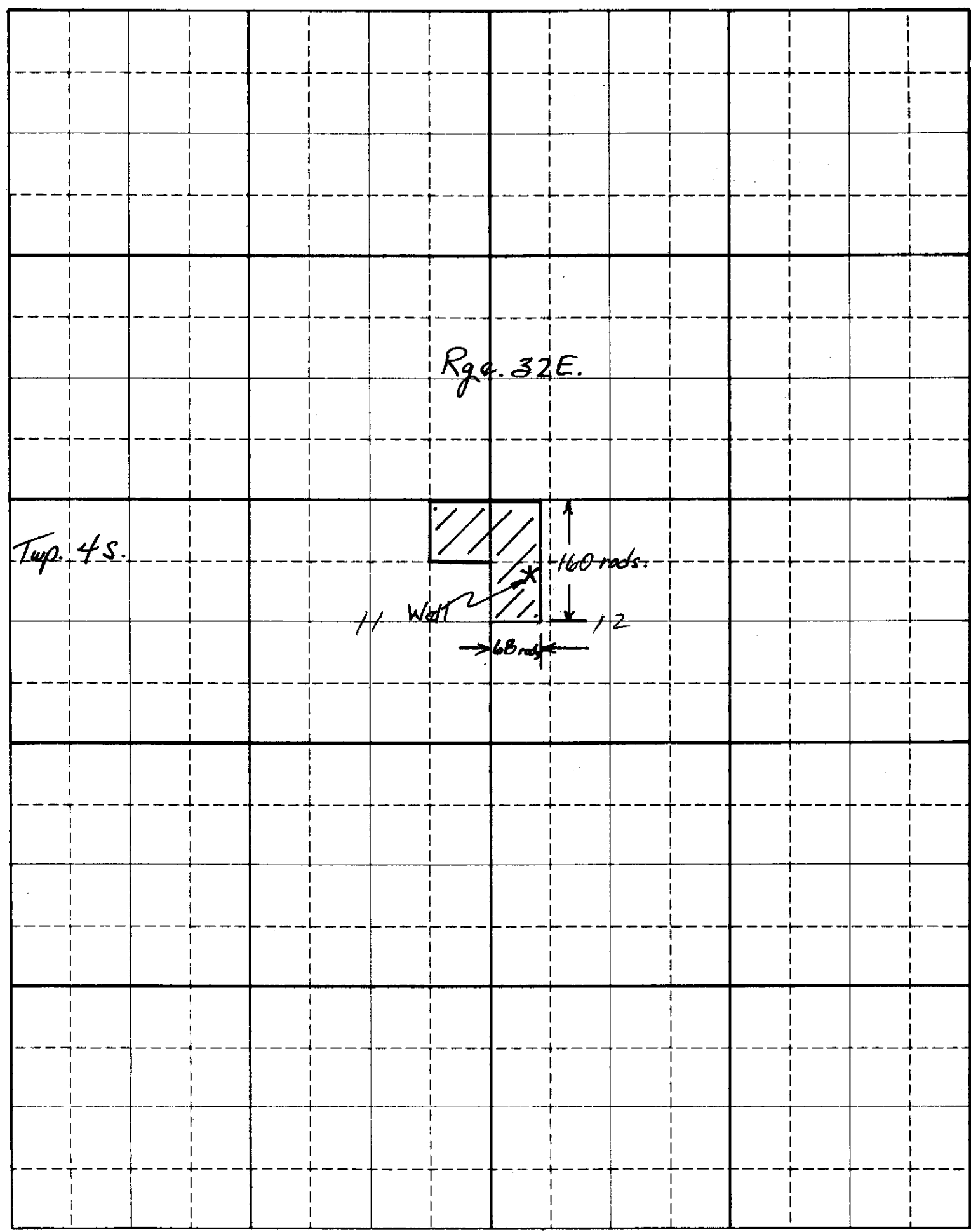
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.36 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(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. 2.36 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 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 during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 205 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 \$ 8,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ 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: _____

MICROFILMED

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.

Sainz Livestock

by Buster Sainz-pres
(Applicant) President

Received by AD Date 2-16-78 Time 2:00pm
Preliminary check by BMC Fee \$ 45.00
Received by AD Date 2-16-78 # 9831
Publication prepared by AD Date 2-17-78
Published in Blackfoot Journal
Publication dates Feb. 23 & Mar. 2-1978
Publication approved AD Date March 8, 1978
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by lg

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. 35-7790, 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 April 1, 1983.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly

installing an approved type of measuring device or by having a professional

engineer certify the rate of diversion to the Department prior to submitting

proof of beneficial use of water. (2) The rate of diversion of water for

irrigation under this permit and all other water rights on the same land

shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 27th day of

April

19 78

Administrator

Harmon C. Gunn

RECEIVED
MAR 8 1978
Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
) ss.
State of Idaho)
I, David Mark Brown do
solemnly

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
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: 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 two consecutive weeks

the first publication having been made on the
23rd day of February, 19 78

and the last publication having been made on the
2nd day of March, 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.

[Signature]

Subscribed and sworn to before me this 6th
day of March, 19 78

[Signature]
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

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SW 1/4 NW 1/4, Sec. 12, T. 4S, R.
32E, B.M., Bingham County, to
be used from Apr. 1 to Nov. 1 for
the irrigation of 118 acres
within the NE 1/4 NE 1/4, Sec. 11,
W 1/2 NW 1/4, Sec. 12, T. 4S, R.
32E, B.M.

If issued, this permit will be
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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 March 13, 1978.

C. STEPHEN ALLRED
Director

(5502)
Pub.: 2-23, 3-2

304

WATER RIGHT NUMBER 35-7790

OWNER LAST NAME - SAINZ LIVESTOCK
ADDRESS LINE 1 - P.O. BOX 96
ADDRESS LINE 2 -
ADDRESS LINE 3 -
SOURCE - GROUNDWATER
STAGE - LICENSE
TOTAL DIV. VOLUME - 266.00 AFA TRFR/AMEND -
DIVERSION POINT - SWSW 11 04S 32E LOT REDIV -
FROM - 04-01 TO - 11-01 USE - IRRIGATION
USE - IRRIGATION
PLACE OF USE - TWN 04S RANG 32E SEC 11 TRACT NE3W LOT AC 06 TRACT SWSW LOT AC 33
DATE -
DEGREE NAME -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE - HIGHLINE CANAL.
PROOF DUE - 04-01-1983 PERMIT/DENIED - 04-27-1978 PROTESTED -
PROOF MADE - P FID EXAM -
DIVERSION MEANS - WELL, PUMP & SPRINKLERS.

FIRST NAME - ORIG OWNER -
ADDRESS LINE 2 -
CITY - SPRINGFIELD
STATE - ID ZIP CODE - 83277
PRIORITY - 02-16-1978 COUNTY - BINGHAM
WATER DIST. -
DUE/CAREY ACT -
RIGHT BASIS -
TOTAL DIV. RATE - 1.5200 -CFS
USE DIV. RATE -
CFS USE DIV. VOLUME -
TRACT NE3W LOT AC 06 TRACT SWSW LOT AC 33
TRACT SE3W LOT AC 37
TOTAL ACRES 76

HEARING -
OLD NO. -

WATER RIGHT NUMBER 35-7790

OWNER LAST NAME - SAINZ LIVESTOCK

ADDRESS LINE 1 - P.O. BOX 96

ADDRESS LINE 3 -

SOURCE - GROUNDWATER

STAGE - LICENSE

TOTAL DIV. VOLUME -

DIVERSION POINT - SWSW 11 04S 32E LOT

FROM - 04-01 TO - 11-01 USE - IRRIGATION

PLACE OF USE -

USE DIV. RATE -

1.5200 CFS USE DIV. VOLUME -

AC 06 TRACT

SWSW LOT

AC 33

FIRST NAME -

ADDRESS LINE 2 -

CITY - SPRINGFIELD

STATE - ID ZIP CODE - 83277

ORIG OWNER -

TRIBUTARY OF -

PRIORITY - 02-16-1978

COUNTY - BINGHAM

TOTAL DIV. RATE -

1.5200 -CFS

RIGHT BASIS -

-

WATER DIST. -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

DATE -

TOTAL ACRES

76

DEGREE NAME -
REMARKS - THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN 0.02 CFS/AC NOR MORE THAN 3.5 AF/AC FOR THE LANDS ABOVE.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - HIGHLINE CANAL.

PROOF DUE - 04-01-1983 PERMIT/DENIED - 04-27-1978

PROTESTED -

HEARING -

ULD NO. -

PROOF MADE - F FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - WELL, PUMP & SPRINKLERS.

IDENT. NO. 35-7790

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

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
		Key punched by State Office
		License update
		G G MAY 14 1984 VERIFIED



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

February 16, 1983

RE: Permit No. 35-7790

Sainz Livestock
P.O. Box 96
Springfield, ID 83277

Dear Sirs:

Enclosed is a copy of the water right license issued on the above referenced permit, along with a copy of the approved application for licensing amendment and Departmental Receipt No. 25311 in the amount of \$20.00.

Please be advised that although the name continues to be Sainz Livestock, this licensed water right is totally owned by the owner of the 76 acres identified thereon. Therefore if you are the sole owner of the land, then you are the sole owner of the water right.

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures



December 7, 1982

RE: Permit No. 35-7790

Marjorie Sainz
P.O. Box 96
Springfield, ID 83277

Dear Mrs. Sainz:

Our office received Amendment for Permit ~~Mon~~ November 30, 1982. However, in response to your question about issuing the license in your name, we must request that you submit the enclosed assignment.

In Idaho a permit is considered personal property and can be acquired when the permit holder assigns all or part of the permit to another party. You can execute the assignment with evidence that you are the sole owner of Sainz Livestock or have Burton Sainz execute the assignment. After we receive the assignment we can issue the license in your name.

In Idaho a licensed water right is considered real property and is appurtenant to the land. If you wish we could issue the license in the name of Sainz Livestock whereas it becomes appurtenant to the land and passes through the sale of the land no matter who's name appears on the license. Proof of owning the land is proof of owning the water right license.

If we have not received the assignment by December 31, 1982, we will go ahead and issue the license in the name of Sainz Livestock. Please contact me if you have any questions.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosure

Springfield, Idaho

Sirs;

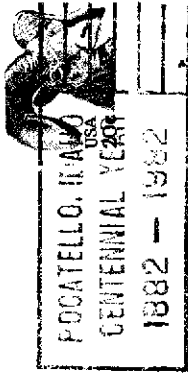
I would like the license put in my name (Marjorie Sainz) as I am the sole owner of this place. The lawyer we had didn't turn in the right papers to make us a Corporation. You can check with Mr Pete Cenaruso on this if you wish.

My son has done all the work on this water deal and now he's not here; it leaves me to do it. ~~the~~

I also wonder if anything has been done on my other pump. It is 30 or 40 yrs old. It would be in my husband's name "Joe Sainz" or maybe they didn't have to be licensed in those days.

Sincerely, Marjorie Sainz

Saring, Marjorie
Springfield, Idaho
83277



State Of Idaho
Dept. Of Water Resources
State house
Boise
Idaho 83720



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

November 19, 1982

RE: Permit No. 35-7790

Sainz Livestock
P.O. Box 96
Springfield, ID 83277

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 35-7790 and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: **1.52 cfs** Source: **groundwater**

The maximum quantity diverted shall not exceed **266.0** acre feet per year.

Point of diversion: **SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11, Twp. 4S, Rge. 32E, Bingham County**

Beneficial use: **Irrigation of 76 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 11, Twp. 4S, Rge. 32E**

Priority date established: **February 16, 1978**

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

FIELD REPORT

Post office address

Person to contact

(name spring, stream, etc.)

Tributary to

3. Water will be used for the following purposes:

(nature of use)

Period of Use: from 4-1 to 1
(mo.-day) inclusive (mo.-day)

(nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

(nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 2.36 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4 N(S), Range 33 (E)W, B.M., Section 12, Subdivision SW $\frac{1}{4}$ NW $\frac{1}{4}$

Township_____N/S, Range_____E/W, B.M., Section_____, Subdivision_____1/4_____1/4

Township_____N/S, Range_____E/W, B.M., Section_____, Subdivision_____1/4_____1/4

Other Points of Diversions:

Description of diverting works: 146" X 305', flood irrigation with portable

Measuring device required: yes ☒ no ☐

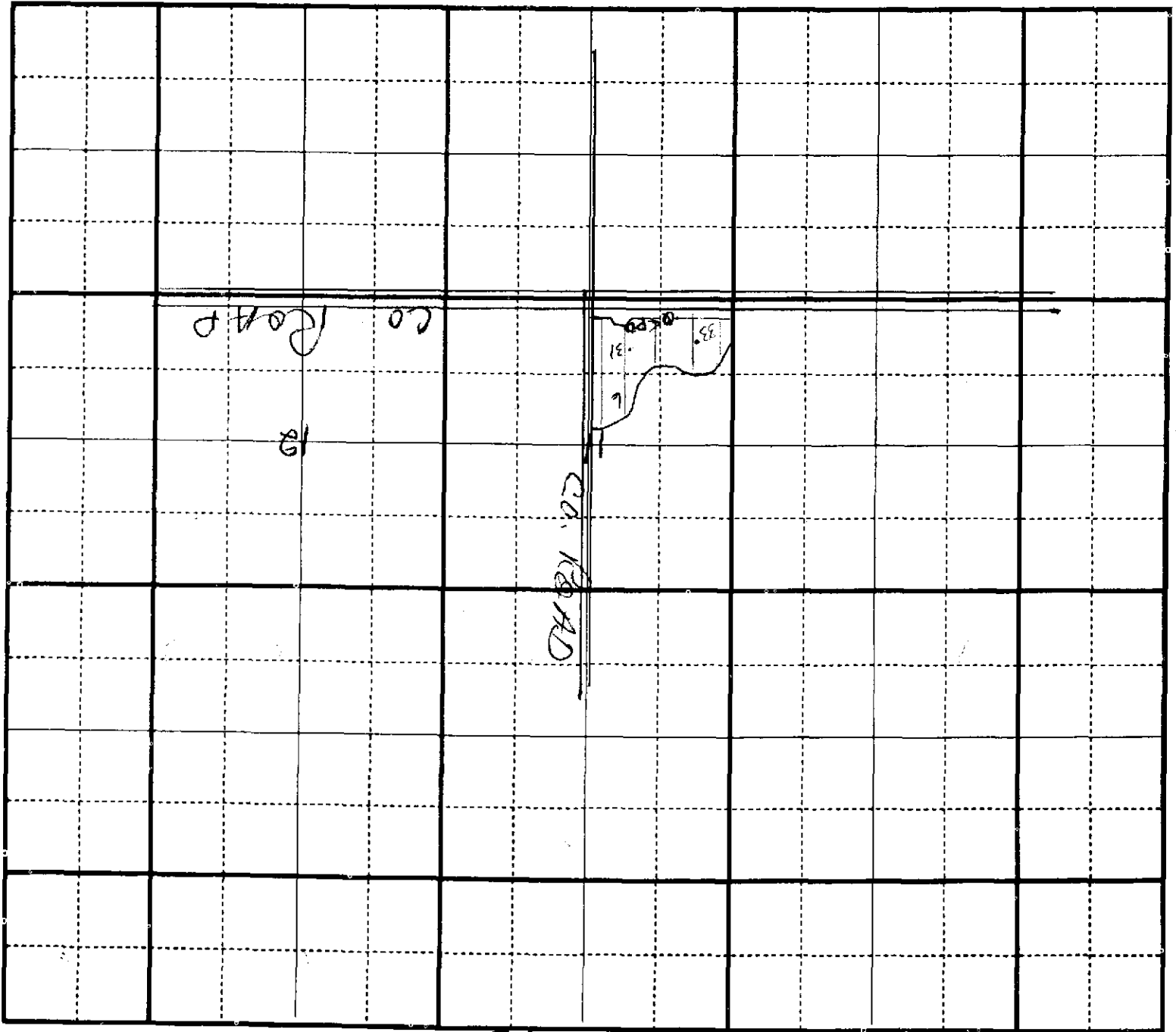
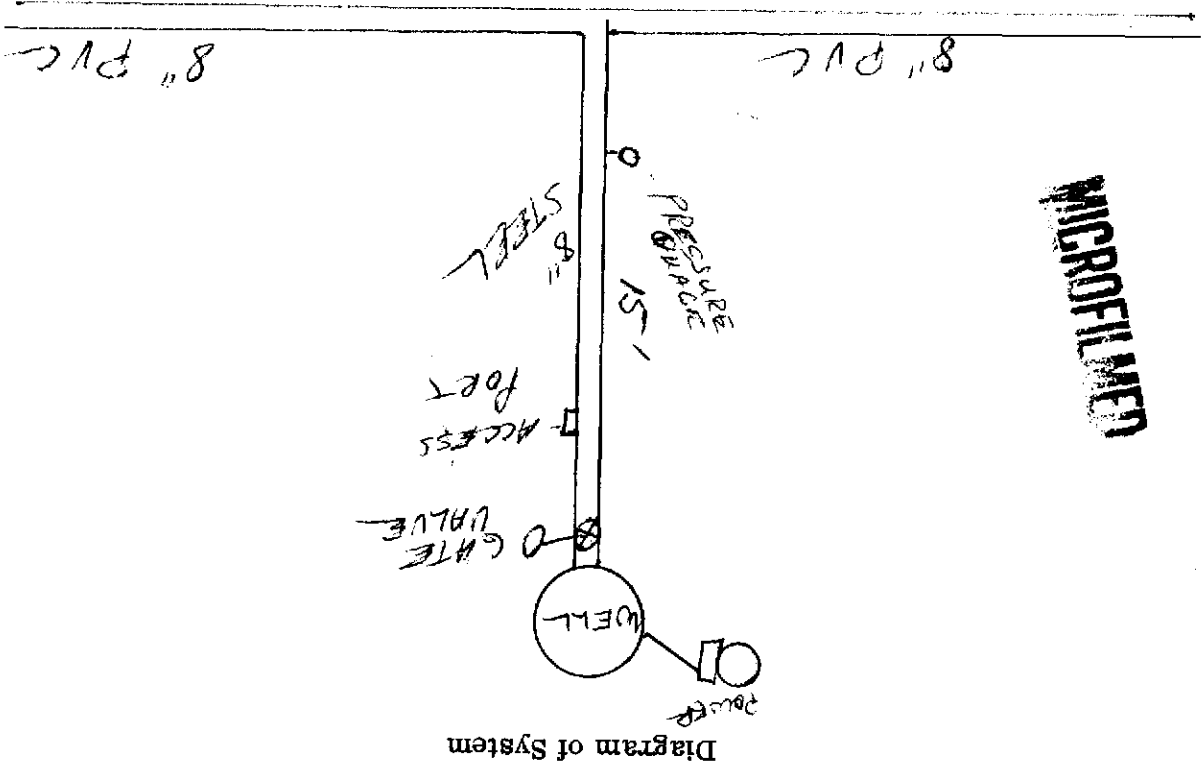
6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

118

RECEIVED

MICROFILMED



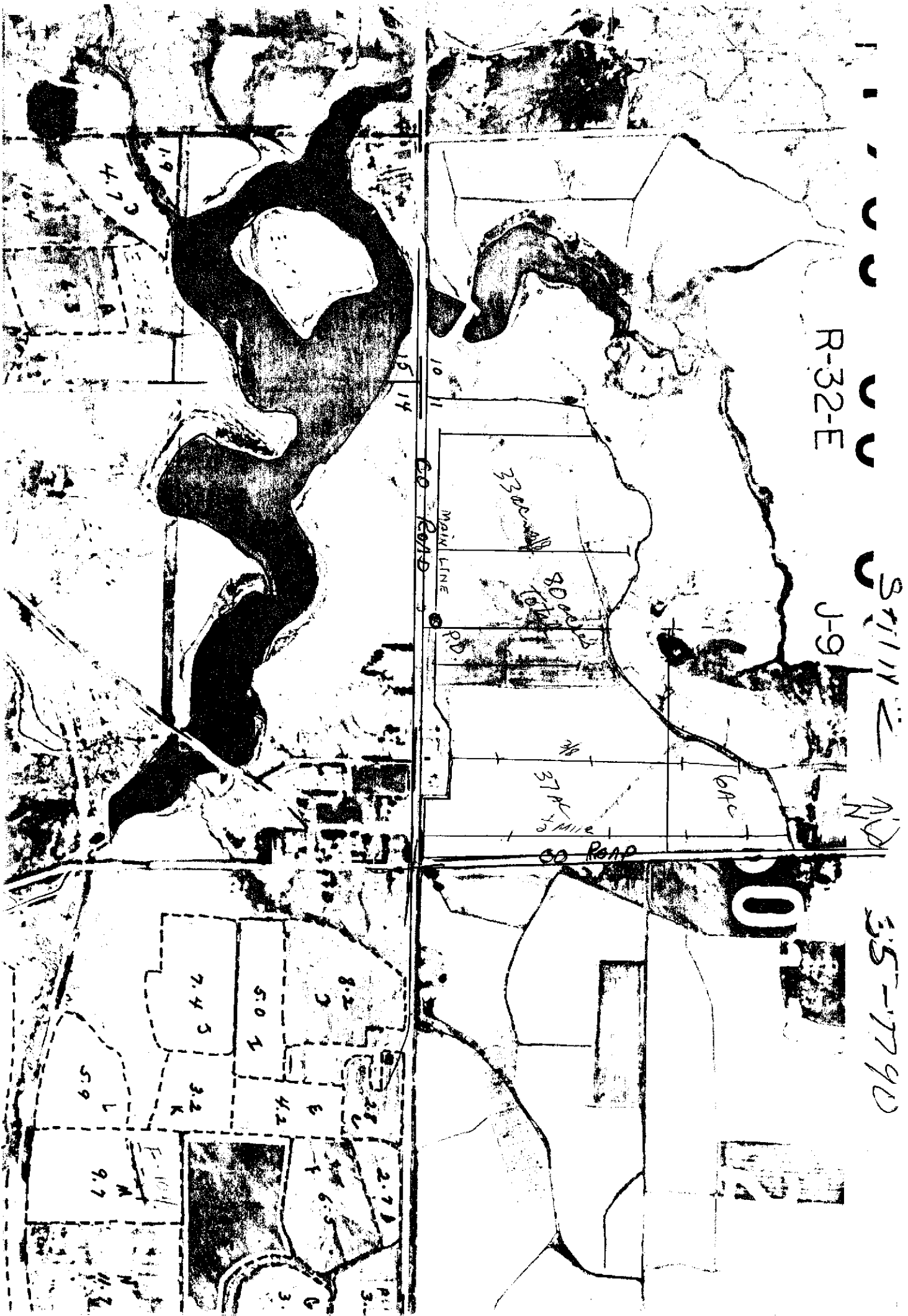
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P 32 B

R-32-E

J-9

35-7790



DATE OF EXAM 6-5-79

ACREAGE 76 ✓
Found 76 ✓
Recommended 76 ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.52 c.f.s. V = 266 AF/Ann. from Apr. 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ✓

Name source exchanged with: N/A
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: N/A
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: N/A
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 2.19 CFS Method of measurement ANNUBAR 7.981"
Total Q recommended 1.52 cfs Meter No 67-C 80" Type Eagle Eye Condition NEW
Total V recommended 266.0 AF/YR

Recommended Amendments:

SW SW Sec 11, T45 R32E
Place of Use See rough draft amendment. NOT SW NW 12
Other _____
None _____

MEASUREMENT CALCULATION:-

$Q = \text{ANNUBAR READING} \times 16'' = 982 \text{ gpm} \times 2.19 \text{ CFS}$ capacity
 $V = 1.52 \text{ cfs} \times 214 \times 19836 = 645.192 \text{ AF/YR}$ $3.5 \times 76 = 266 \text{ AF/YR}$
Allow .02 cfs/AC T6AC $\times .02 = 1.52 \text{ cfs}$
 $7.981'' \text{ CV } 16'' = 245.23 \times 4 = 980.92 \text{ gpm} = 2.185 \text{ CFS}$

SYSTEM DESCRIPTION:

Motor - U.S. High Thrust 100 HP. TYPE RU. MODEL HR 2849 00270 No. SN.
Pump - JOHNSTON U.T. SN. 45948
8" STEEL MAIN PVC PLASTIC, 5" HAND LINES

REMARKS: 4 ACRES out for ROADS

Examiner's Signature Rodney A Parker Date 11-20-79
Checked by Anthony R. Kozlowski Date 3-2-80
Approved by John Date 11-1-82

Lee Spackman - pingree
called after 7 p.m.
684-4279

Benton
Sandy

328-2331

no conflicting rights
g.w. rights
SW 1/4 of 11.

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. 35-7790

Name(s) of Permit Holder: SAINZ Livestock

Post Office Address: PO Box 96

Springfield, Idaho 83277 Tel. No. 328-2331

Source of Water: _____

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation 100 Acres

(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.

Dec 2, 1980
Date

Burt Sainz (Pres)
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



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

November 17, 1978

Sainz Livestock
P. O. Box 6
Springfield, ID 83277

Gentlemen:

Re: Permit No. 35-7790

We acknowledge receipt of the affidavit submitted as proof of beneficial use 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 regional office in Idaho Falls.

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

RECEIVED

JUN 1 1978

Department of Water Resources
Eastern District Office

Identification No. _____

Permit No. 35-7790

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Sainz Livestock (Burton Sainz, Pres.)
b) Post Office Address P.O. Box 6, Springfield, Idaho 83277
2. Permit Number 35-7790
3. Date of Priority that you are prepared to establish 2-16-78
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12
Township 4S, Range 32E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 2.36 for Irrigation purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.36 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Hansen Irrigation
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
N.A.
b) Describe the agreement or understanding by which you take water from the works:
N.A.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 16 inch. well 305 ft. deep, flood irrigation with portable mainline into a ditch, 100 hp. pump
b) Describe the type and size of measuring device which you have installed at your point of diversion:
In-line meter
c) Give well driller's name and address and the date the well was completed:
Jack Cushman drilling, Blackfoot, Idaho; completed 4/1978.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Exam typed 11/7/78 by g

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	32E	11	40																40
		12						34	34										78

Total number of acres irrigated 118

10. Remarks:

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

6/01/78
(Date)

Sainz Linestak by Burton Sainz Inc.
(Signature)

State of Idaho)
County of Bonneville) ss.

On this 1st day of June, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at
Idaho Falls, Idaho

My commission expires 6/15/81



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

May 3, 1978

Re: Permit NO. 35-7790

Sainz Livestock (Burton Sainz, Pres.)
P. O. Box 6
Springfield, ID 83277

Dear Mr. Sainz:

Your approved copy of Application for Permit No. 35-7790 is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

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.

RECEIVED

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,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

UNRECORDED

February 17, 1978

RE: Application for Transfer No. 35-2883 TAYLOR
Application for Permit No. 35-7787 "
35-7790 Sainz

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 3-08-78 by clw

RDC:CW

Enc: Legal Notice (3)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Sainz Livestock, Springfield, Idaho, has on 2-16-78, submitted Application No. 35-7790, for a permit to appropriate 2.36 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 4S, R. 32E, B.M., Bingham County; to be used from Apr. 1 to Nov. 1 for the irrigation of 118 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12, T. 4S, R. 32E, 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 March 13, 1978.

C. STEPHEN ALLRED
Director

(5502)

Pub.: 2-23, 3-2

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Sainz Livestock,
Springfield, Idaho

has on 2-16-78 submitted Application No. 35-7790
for a permit to appropriate 2.36 cubic feet per second XXXXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump
within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 4S, R. 32E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 118 acres

within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12, T. 4S, R. 32E, 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 March 13, 1978

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho

on February 23 and March 2, 1978

MICROFILMED

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the B.
the Co.*

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Saving Livestock

☒ 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

(1) DMD 17 Feb 78

In form to receipt

(2) DMD 17 Feb 78

Send Copies to:

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

(3) DMD 17 Feb 78

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

(4) DMD 17 Feb 78

In form for advertising

(5) _____

Platted on Map No. 45 32 E

(6) DMD 17 Feb 78

Located within Water District No. 35

(7) DMD 17 Feb 78

Critical groundwater area: yes _____ no /

(8) DMD 17 Feb 78

Groundwater levels:

_____ Declining, / Stable, _____ Increasing

(comment) _____

(9) DMD 17 Feb 78

Other rights on the same place of use none

(10) _____

Shaw in High line canal
Comments: none kw

(11) CW 3-08-78

Affidavit of Publication received (date) Mar. 8-1978

(12) CW 3-13-78

Final date for protests March 13, 1978

Protests received: yes _____ no /

(13) LH 3-15-78

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

(14) LH 3-15-78

Action recommended:

/ Approve

_____ Deny

2-16-78 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. Baker Date 3-15-78

Department of Water Resources

RECEIVED

MAR 10 1978

MICROFILMED

Snake River letter (I.P.)

Copy Sent