

RECEIVED

FEB 14 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho) ss.

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: ~~four~~ ^{two} hours of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was,
published in said

Thurs Issue of said newspaper ..two consecutive
weeks the first publication having been made on

the .2nd day of Feb., 19 78....

and the last publication having been made on the

...9th day of Feb., 19 78; that said

notice was published in the regular and entire issue of
every number of the paper as aforesaid during the
period and time of publication, and that notice was
published in the newspaper and not in a supplement.

David Mark Brown
Subscribed and sworn to before me this .9th.

day of Feb., 19 78....

Patricia H. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1976

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Eastern Idaho Production
Credit Assoc., Blackfoot, Idaho,
has on 1-24-78, submitted
Application No. 35-7770, for a
permit to appropriate 4.69 cubic
feet per second of water from a
ground-water source by means
of well and pump within the
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 1S, R.
32E, B.M., Bingham County; to
be used from Apr. 1 to Nov. 1 for
the irrigation of 383 acres
within the N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25,
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 1S, 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 February 20, 1978.

C. STEPHEN ALLRED
Director

(5464)

Pub.: 2-2, 9

33
me

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[illegible]

10



15

Place(s) of Use

--	--

commended

- Change P.D.

Examiner's Sig

checked by

proved by

Date 9-8-81

Date 12-8-87

ate 3-2-83

35-1110

12-9-81
#55

C-82
345C

15.4

R 32C

Road

125.6

C-132
78C

23.24

10

39

39

39

37

39

39

36

10

0-13

30

24

39

12

80.3

61.8

36.30

81.9

46.0

36.30

MICROFILMED

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7770 Priority January 24, 1978 Amount 4.56 cfs

THIS IS TO CERTIFY, that Mark R. & Sherrilynn Bair
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7770 issued pursuant to Application for Permit dated January 24, 1978,
and has submitted proof to the Department of Water Resources on June 17, 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 5.46 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
<u>Irrigation</u>	<u>from April 1 to November 1</u>	<u>at 4.56 cfs</u>	<u>and 1281.0 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 4.56 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
1281.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, Twp.
1S, 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 $\frac{1}{4}$	
1S	32E	25	37	39	39	39	39	39	10	36	3				39	24		12	356
		26	10																10

Total number of acres irrigated 366

This right when combined with Right 35-2450 shall not exceed 5.46 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 25th day of April, 19 83.

Acting for the Director

Norm C. Young

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT #	NAME	AMOUNT C.F.S.
~~App. for Permit~~	~~35-7770~~	~~Eastern Idaho Production Credit Assoc.~~	~~4.69~~
~~Assignment~~	~~35-7770~~	~~Mark R. Bair and Sherrilynn Bair~~	~~4.69~~
~~Assignment~~	~~35-7770~~	~~USDA Farmers Home Administration~~	~~4.69~~
Assignment	35-7770	Mark R. Bair and Sherrilynn Bair	4.69

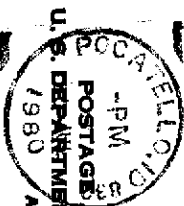
U. S. DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Box 1027
Blackfoot, Idaho 83221

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

Department of Water Resources
450 W. State Street
Boise, Idaho 83720

FIRST CLASS MAIL



POSTAGE AND FEES PAID
AGR-101



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AUG 1 1980

Department of Water Resources

A S S I G N M E N T

For value received, I hereby assign ALL of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 35-7770 to MARK R. BAIR and SHERRILYN BAIR of Rt. # 5, Blackfoot, Idaho 83221
*

FARMERS HOME ADMINISTRATION
Permit Holder
By: [Signature]
County Supervisor

STATE OF IDAHO)
County of Bingham)

On this 30th day of July, 1980, before me, a Notary Public for the State of Idaho, residing at Blackfoot, Idaho personally appeared R. Craig Thurgood are known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My Commission expires 7-20-84

[Signature]
Notary Public, Residing at
Blackfoot, Idaho

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

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APR 30 1980

Department of Water Resources
Eastern District Office

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 35-7770 to USDA Farmers Home Administration. of Blackfoot, Idaho 83221

* _____

Mark R. Bair
Permit Holder Mark R. Bair

Sherrilynn W. Bair
Wife of Permit Holder Sherrilynn W. Bair

STATE OF IDAHO)
County of Bingham)

1 On this 25th day of April, 1980, before me, a Notary Public for the State of Idaho, residing at Blackfoot personally appeared MARK R. BAIR and SHERRILYNN W. BAIR, husband and wife, are known to me to be the persons whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My Commission expires 11-22-82

Lessee Butchell
Notary Public, Residing at
Blackfoot

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

We, Eastern Idaho Production Credit Association, a corporation organized and existing under the Federal Farm Credit Act of 1933, as amended, do hereby assign to MARK R. BAIR and SHERRILYNN BAIR, husband and wife, of Route #5, Blackfoot, Idaho 83221

All our right, title, and interest in and to Permit No. 35-7770 to appropriate the public waters of the State of Idaho.

Made this 24th day of April, 1980.

EASTERN IDAHO PRODUCTION CREDIT ASSOCIATION
Permit Holder

By: [Signature] Pres.

By: W. M. Anglesey Sec-Treas.

ACKNOWLEDGEMENT:

State of Idaho)
County of Bingham) ss.

RECEIVED

JUN 12 1980

Department of Water Resources
Eastern District Office

On this 24th day of April, 1980, before me, a Notary Public in and for the above named County and State, personally appeared J. Elden Hill and W. ~~Marle~~ Anglesey, to me known to be the President and the Secretary-Treasurer of the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and notarial seal the day and year last above written.

(seal)

[Signature]
Notary Public for Idaho
Residing at Blackfoot, ID

RECEIVED

ASSIGNED TO:
Mark R. Bair and Sherrilynn Bair
Rt. #5 B
Blackfoot, Idaho 83221
June 12, 1980

#5

ASSIGNED TO:
USDA Farmers Home Administration
Blackfoot, Idaho 83221
April 30, 1980

Identification No. _____
Application No. 35 7770

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNED TO:
Mark R. Bair and Sherrilynn Bair
Rt. #5 B
Blackfoot, Idaho 83221
Aug. 1, 1980

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant Production Credit Association Phone: 785-1510
post office address P.O.Box 992, Blackfoot, Idaho 83221

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

3. a. Location of point of diversion is NE 1/4 of NW 1/4 of Section 25 Township 1S
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 _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:
Amount 4.69 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. 4.69 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

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 20 inches; proposed depth of well is 300 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: _____ 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: _____

MILWAUKEE

[illegible]

383

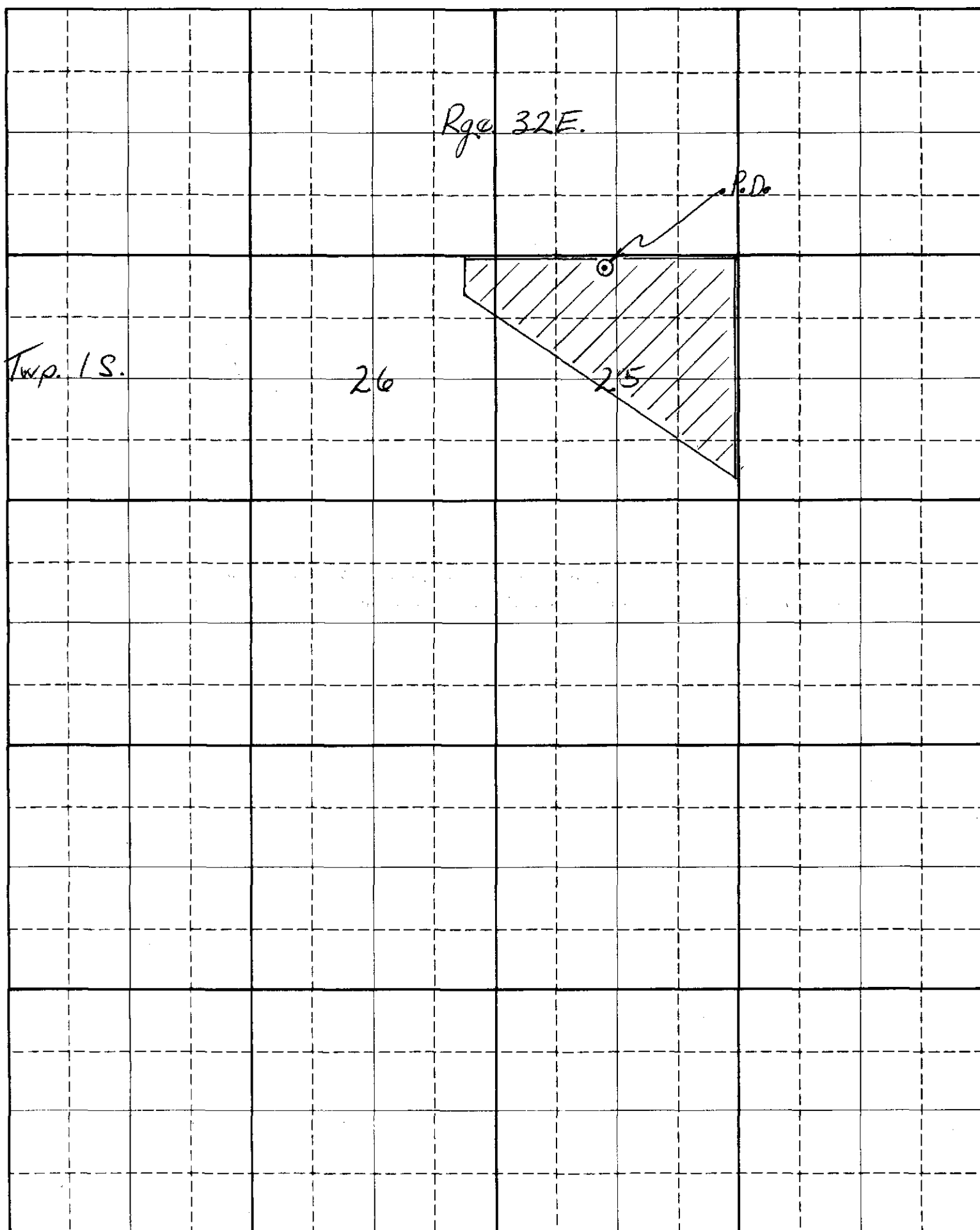
Claim 35-4004 and L.C. 35-2450 for 3.00 on 320 acres described above

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

applicant to make this filing-

Will be reduced by the amount set by the court.

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.

Arnold Seely
(Applicant)
Asst Sec.

Proposed Priority 1/24/78

Received by me Date 1-24-78 Time 3:15 P.

Preliminary check by me Fee \$ 65.00

Received by me Date 1-25-78 # 9190

Publication prepared by me Date 1-25-78

Published in The Blackfoot News

Publication dates Feb 2 + 9, 1978

Publication approved me Date Feb. 14, 1978

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. 35-7770, 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 March 1, 19 83.

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.
Should Claim No. 35-4004 be decreed by a court of law this application will be reduced by the amount set by the court.

Witness my hand this 21 day of _____

March

19 78

Deputy Director

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FEB 14 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho) ss.

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: Thurs of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was,
published in said

Thurs issue of said newspaper two consecutive
weeks the first publication having been made on

the 2nd day of Feb., 19 78,

and the last publication having been made on the
9th day of Feb., 19 78; 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.

William Phillips Burns
Subscribed and sworn to before me this 9th.

day of Feb., 19 78.

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1976

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Eastern Idaho Production
Credit Assoc., Blackfoot, Idaho,
has on 2-2-78, submitted
Application No. 35-7778, for a
permit to appropriate 400 cubic
feet per second of water from a
ground water source by means
of well and pump within the
NE 1/4 NW 1/4, Sec. 25, T. 1S, R.
32E, S.M., Bingham County, to
be used from Apr. 1980 Nov. 1 for
the irrigation of 883 acres
within the NW 1/4 NE 1/4 SW 1/4,
NW 1/4 SE 1/4 SE 1/4, Sec. 25,
NE 1/4 NE 1/4, Sec. 25, T. 1S, R.
32E, S.M.

If issued, this permit will be
subject to 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 February 20, 1978.

C. STEPHEN ALLRED
Director

(5464)
Pub.: 2-2, 9

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C

NOTARY PUBLIC

May 2, 1983

RE: Permit No. 35-7770

Mark R. & Sherrilynn Bair
Route #5, Box 128
Blackfoot, ID 83221

Dear Mr. and Mrs. Bair:

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

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

March 3, 1983

RE: Permit No. 35-7770

Mark R. & Sherrilynn Bair
Route #5, Box 128
Blackfoot, ID 83221

Dear Mr. and Mrs. Bair:

A representative of this Department has made an examination of the works covered by your Permit No. 35-7770, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 4.56 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1281.0 acre feet per year.

Point(s) of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, Twp. 1S, Rge. 32E, Bingham County

Beneficial use: Irrigation of 366 acres within the NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26; Twp. 1S, Rge. 32E

Priority date established: January 24, 1978

Conditions (if any): This right when combined with Right 35-2450 shall not exceed 5.46 cfs.

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,

JILL JOHNSON
Water Distribution Supervisor

MICROFILMED
JW

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

35-7770

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)

EXAMINATION

Date 7-28-81 Accompanied by Mr. BairTotal Q measured 5.46 cfs

If source is surface water, estimate total flow of source

Methods of measurement AnnubarMeets Permit requirements? Yes

Measurement calculations:

$$V = 366 \text{ acres} \times 3.5 \text{ cfs} \\ = 1281 \text{ cfs} \quad \checkmark \text{ ok}$$

$$V = 3.64 \text{ cfs} \times 1.9825 \times 214 \\ = 1545 \text{ cfs}$$

$$307 \text{ acres get } 2.46 \text{ cfs} \\ (5.46 - 3.00 \text{ cfs} = 2.46 \text{ cfs}) \\ \text{From } 35-2450$$

NE NE 1/4	Sec 26	10 acres	$\times 0.02 = 0.20 \text{ cfs}$
SW NW 1/4	Sec 25	10 acres	$\times 0.02 = 0.20 \text{ cfs}$
NW 1/4	Sec 25	24 acres	$\times 0.02 = 0.48 \text{ cfs}$
SE SE 1/4	Sec 25	12 acres	$\times 0.02 = 0.24 \text{ cfs}$
NE NW 1/4	Sec 25	3 acres	$\times 0.02 = 0.06 \text{ cfs}$

1.18 cfs

$$2.46 \text{ cfs} + 1.18 \text{ cfs} = 3.64 \\ (310 \text{ acres}) \quad (59 \text{ acres}) \\ \text{covered by } 35-2450 \quad \text{NEW}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	400	Westinghouse	15-73	Layne-Bowler	024843A			
	100	Marathon	NA	Cornell	25798			Booster

System Description From 400 Hp pump to 100 Hp Booster thru 12" main to mainline running North + South and East-West serving 20 lines.

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

RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE

Irrigation

Q (cfs)

3.64
4.56

V (afa)

1281 ok

FROM

April

TO

Nov. 1

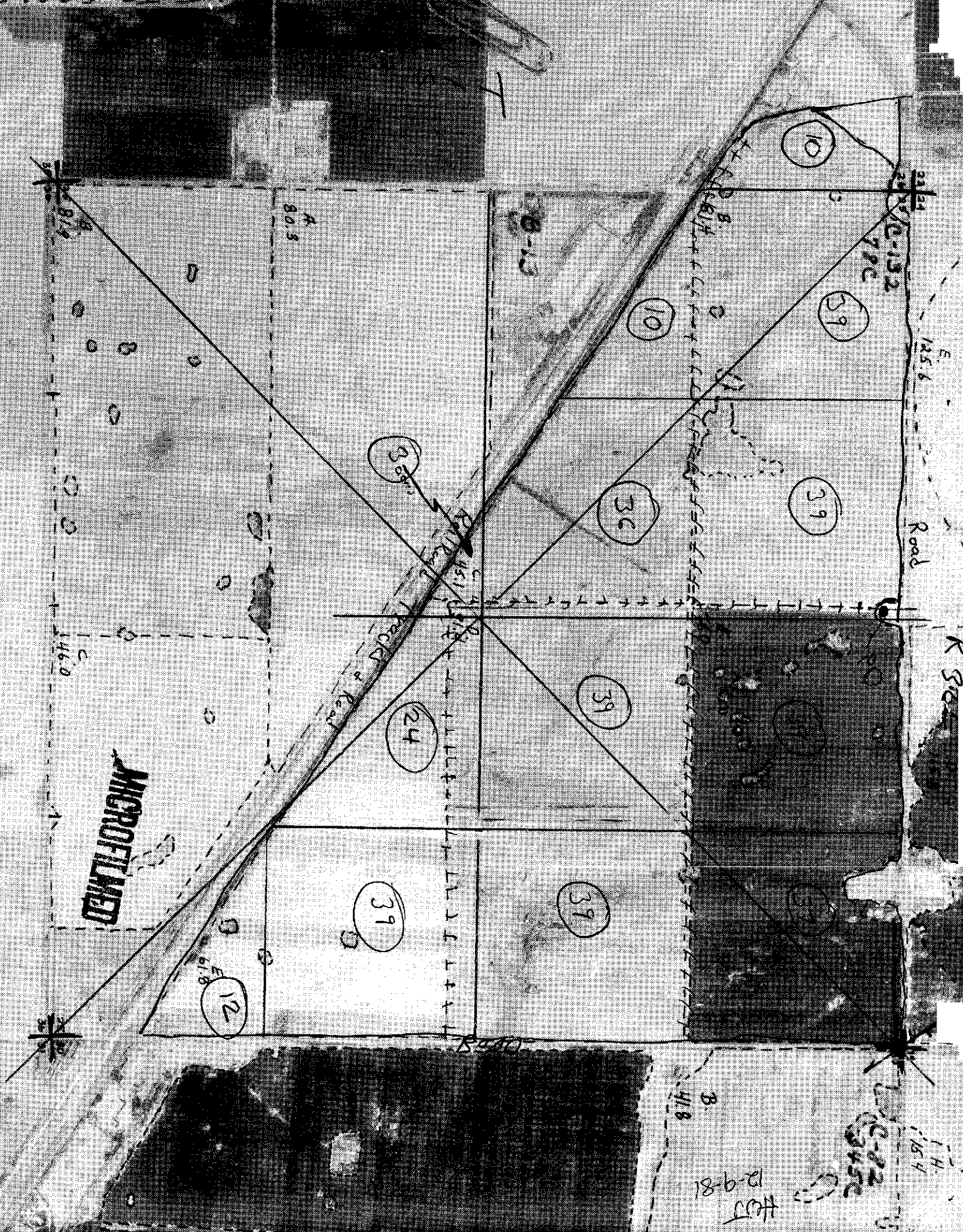
Total

Remarks

Amt. system was capable of (5.46 cfs) was only 2.46 cfs more than previous license 35-2450. I applied 2.46 cfs to those lands covered by 35-2450 so they could be additive quantities. Those extra acres covered in 35-7770 + not in 35-2450 were given 0.02 cfs/acre. However total rate allowed when both licenses used in conjunction should not exceed 5.46 cfs.

Overlap Review attachedJim
3-4-83

55-1110



IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: HWJ

Date: 7-28-81

Owner: Mark Bair

Permit #: 35-7770

Description of well &/or measuring site (give distance to restrictions upstream and downstream): From 400hp pump to 100hp Booster thru 12" line /
Restriction distances N.A.

Measured inside diameter of pipe in inches

11.5"

Size of Annubar used in test

10.020

State ID# of Meter used

191148

Size Eagle Eye Meter used

10-80

State ID# of Meter used

091471

Date of Last Calibration of Meter

12/81

Observed inches of H2O read on Meter

23"

Adjusted inches of H2O from Last Calibration

23.2"

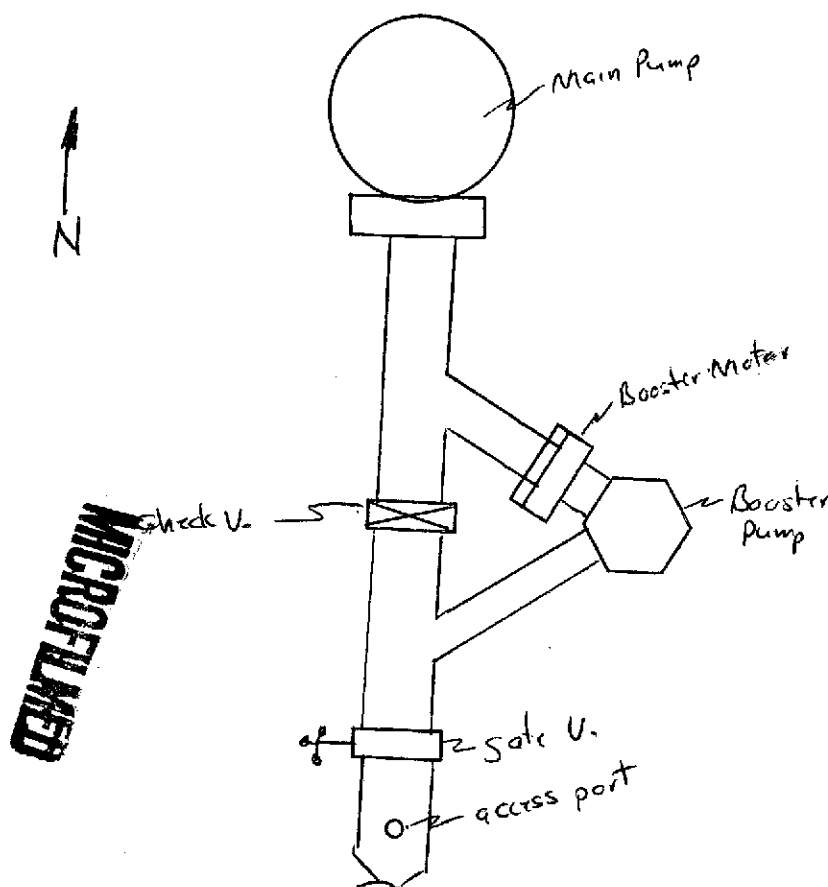
CALCULATION:

$$\frac{(3.85) \times \frac{(11.5)^2}{448.8} \times \sqrt{23.2}}{(3.85) \times (A)^2 \times (B)}$$

$$= \frac{2452}{448.8} = 5.46 \text{ cfs measured}$$

Where A and B are measured in inches
and 3.85 is a constant for the model
75 Annubar

SKETCH:



Overlap Review 35-7770

License 35-2450

gw

P/D NENW Sec 25 TIS R32E
(same) ✓

$$\frac{3.0}{320} = .009 \text{ cfs/ac}$$

No Volume amt on Lic.

P/U see attached license
copy
(same) ✓ (307 ac same)

overlap

$$Q = 307 \text{ ac} \times .011 \text{ cfs} = 3.38$$

$$\text{Non overlap} \rightarrow 59 \text{ ac} \times .02 = 1.18$$
$$\underline{4.56 \text{ cfs} \checkmark}$$

$$V = 366 \times 3.5 = 1281.0 \text{ OK}$$

2 35-2450 3.0

This night 35-7770 4.56

7.56

greater than capacity (5.46)
Recommend R17

~~initial Volume:~~
MICROFILMED

35-2450

State of Idaho
License and Certificate of Water Right

Water License No. G-26189

Amount 3.0 c.f.s.

Water District No.

Priority Feb. 13, 1956

THIS IS TO CERTIFY that H. E. BENSON - Assignee - EARL V. WALKER
of Blackfoot, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 13, 1956; that Permit No. G-26189
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.0 second feet, was issued thereunder on July 12, 1960, showing that said works
were completed on the 22nd day of April, 1959; and that on the 22nd
day of April, 1959,

- EARL V. WALKER

of Blackfoot, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-26189 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6920, on the 12 day of July, 1960;
The right hereby confirmed dates from February 13, 1956;

The Point of Diversion is located
in the NE 1/4 NW 1/4, Sec 25, Tp. 1 S., R. 32 E., B. M. Bingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	32 E.	25	NE 1/4 NE 1/4	40	40 ✓
			NW 1/4 NE 1/4	40	40 ✓
			SW 1/4 NE 1/4	40	40 ✓
			SE 1/4 NE 1/4	40	40 ✓
			NE 1/4 NW 1/4	40	40 ✓
			NW 1/4 NW 1/4	40	40 ✓
			SE 1/4 NW 1/4	35	40 ✓
			NE 1/4 SE 1/4	30	40 ✓
			Total number of acres to be irrigated:		320

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
12 day of July, 1960.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

35 2450

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. **35-7770**.

Name(s) of Permit Holder: Mark R. Bain

Post Office Address: Lt 5 Box 128

Blackfoot Idaho Tel. No. 684-5271

Source of Water: ground water

Extent of Use:

☒ Domestic _____ (number of households)

☐ Stockwater _____ (number and type of stock)

☐ Irrigation 383 _____ (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.

6/11/80

Mark R. Bain

Date

Signature of Permit Holder

RECEIVED

JUN 17 1980

Department of Water Resources
Eastern District Office

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



RECEIVED

JUN 20 1980

Department of Water Resources



Mark Bair
Rt 5 Box 128
Blackfoot, Idaho
83221

September 18, 1980

Mark R. Bair and Sherrilynn Bair
Route #5
Blackfoot, Idaho 83221
Permit #35-7770

Dear Mr. & Ms. Bair:

This office acknowledged receipt of the Assignment and the proof to beneficial use on August 12, 1980, to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

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

Sincerely,

JIM JOHNSON
Supervisor, Water Distribution

JJ:jg

Enclosure

MICROFILMED

August 12, 1980

Federal Land Bank Association of Blackfoot
10 West Judicial
P.O. Box 10
Blackfoot, Idaho 83221

Attn: Mr. Harry B. Gambles

Dear Mr. Gambles,

This letter is to acknowledge the receipt of an assignment of Permit No. 35-7770 from USDA Farmers Home Administration to Mark R. Bair and Sherrilynn Bair.

The assignment was received by the Department on August 1, 1980 and has been filed with the permit.

Also, the proof to beneficial use card filed by Mr. Bair on June 11, 1980 is now in good standing and no other requirements are necessary from Mr. Bair until a filed exam is conducted in the future. Personnel in our regional office will be making contact with Mr. Bair at that time.

If you have any further requests or questions please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

MICROFILMED

Federal Land Bank Association of Blackfoot

10 West Judicial, P. O. Box 10, Blackfoot, Idaho 83221
Blair W. Archibald, Manager — Telephone: (208) 785-0820

Salmon Branch:
Main and North Daisy, P. O. Box 1063, Salmon, Idaho 83467
Richard S. Dunn, Branch Manager — Telephone: (208) 756-3278

RECEIVED



JUL 28 1980

Department of Water Resources

July 24, 1980

Department of Water Resources
State House
Boise, Idaho 83720

Re: FLB 183368-0 Mark R. Bair
Permit No. 35-7770

ATTENTION: Rita

Gentlemen:

Would you please let us know what determination was made in connection with filing the Proof on the above numbered Permit which had been signed by Mark R. Bair. Did you come to an agreement with the FmHA regarding the assignment to them?

We would appreciate any help you can give us in resolving the problem as we would like to complete our loan requirements by receiving an acknowledgement from you that the proof had been file on this Permit. Thank you for your help.

Yours very truly,

Harry B. Gambles
Harry B. Gambles
Assistant Manager

HBG:jm

cc: Farmers Home Administration
Blackfoot, Idaho



MICROFILMED

FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT

10 WEST JUDICIAL

P. O. BOX 10

BLACKFOOT, IDAHO 83221



1930



Department of Water Resources
State House
Boise, Idaho 83720

July 10, 1980

NAME OF PARTY

EMPLOYEE

FILE

35-7770

RE:

JoAnn N. K. Neib-
Federal Land Bank and
Craig Farmers Home Admin.
Rita Leck

Assignments and Beneficial Use

It seems that the ^{Federal and Bank} is anxious for the statement of beneficial use to be submitted, so they can complete their loan processing. Farmers Home Admin. requires a "permit" to be assigned to them to safeguard their interests. (These two agencies have a joint loan on this property.)

In a conference call, I pointed out the status of the permit in the department's eyes and the ~~the~~ options open to the agencies to get the proof card submitted.

The Federal Farmers Home Admin. asked that we hold the beneficial use card until he could get back with us. It's possible they would assign the permit to ~~him~~.

I stated we would hold the card for 10 days.

MICROFILMED

Federal Land Bank Association of Blackfoot

10 West Judicial, P. O. Box 10, Blackfoot, Idaho 83221
Blair W. Archibald, Manager — Telephone: (208) 785-0820



Salmon Branch:
Main and North Daisy, P. O. Box 1063, Salmon, Idaho 83467
Richard S. Dunn, Branch Manager — Telephone: (208) 756-3278

RECEIVED

JUN 21 1980

June 16, 1980

Department of Water Resources

Department of Water Resources
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

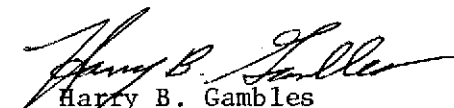
Re: FLB 183368-0 Mark R. Bair
Permit No. 35-7770

Gentlemen:

We enclose herewith a card that must be forwarded to the Boise Office for processing on the water license of the well under Permit No. 35-7770.

Will you please send us a letter acknowledging that the proof card has been filed. Thank you.

Yours very truly,


Harry B. Gambles
Assistant Manager

HBG:jm

Enclosure

P.S. Would you also send us and acknowledgement that you have received the Assignment of Permit which we sent to you June 10, 1980. Thank you.

HBG

RECEIVED

JUN 17 1980

Department of Water Resources

Eastern District Office

MICROFILMED



Federal Land Bank Association of Blackfoot

10 West Judicial, P. O. Box 10, Blackfoot, Idaho 83221
Blair W. Archibald, Manager — Telephone: (208) 785-0820



Salmon Branch:
Main and North Daisy, P. O. Box 1063, Salmon, Idaho 83467
Richard S. Dunn, Branch Manager — Telephone: (208) 756-3278

June 10, 1980

Department of Water Resources
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: FLB 183368-0 Mark R. Bair
Permit No. 35-7770

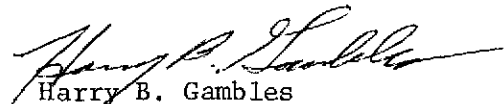
Gentlemen:

Enclosed herewith is Assignment of Permit No. 35-7770 assigning this permit to Mark R. Bair and Cherrilynn Bair, husband and wife.

Will you please send us a letter acknowledging that the assignment has been accepted and that Mark Bair can now file the proof of application of water to beneficial use in his name.

Thank you for your help and cooperation.

Yours truly,


Harry B. Gambles
Assistant Manager

HBG:jm

Enclosure

RECEIVED

JUN 12 1980

Department of Water Resources
Eastern District Office





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

July 8, 1980

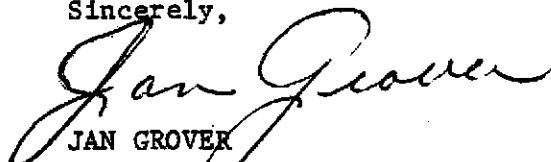
USDA Farmers Home Administration
Blackfoot, Idaho 83221
Permit # 35-7770

Dear Wateruser:

This office acknowledges receipt of the assignment conveying the above referenced permit to you.

This assignment has been entered into the Departments records. Enclosed for your records is a copy of the permit.

Sincerely,



JAN GROVER
Supervisor, Water Rights

JG:jg

Enclosures

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

Dear Wateruser:

Forwarded for your information in regard to your water permit is a self-explanatory letter which this office is now forwarding to holders of recently issued water right permits.

This is being mailed retroactively for informational purposes to persons who submitted applications on approximately December 30, 1977 and later.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON

Chief, Operations Bureau

LGS:kw

Enclosure





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

April 14, 1978

Re: Permit No.'s 35-7767, 35-7768, 35-7769, 35-7770, 35-7771, 35-7772,
35-7773, 35-7774, 35-7775, 35-7776, 35-7777 and 35-7778

Eastern Idaho Production Credit Assoc.
P.O. Box 992
Blackfoot, ID 83221

Gentlemen:

listed

Your approved copy of Application for Permit No. above 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.

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

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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

March 27, 1978

Re: Permit No.'s 35-7767, 35-7768, 35-7769,
35-7770, 35-7771, 35-7772, 35-7773, 35-7774,
35-7775, 35-7776, 35-7777 and 35-7778

Eastern ID Production Credit Assoc.
P. O. Box 992
Blackfoot, ID 83221

Gentlemen:

Enclosed are copies of your approved Applications for Permit as referenced above. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain measuring devices at your points of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosures

January 31, 1978

C

Mr. Arnold Seeley
Eastern Idaho Credit Production Assoc.
P.O. Box 1667
Pocatello, Idaho 83201

Dear Mr. Seeley:

Attached herewith are departmental receipts Nos. 9186, 9187, 9188, 9190, 9191, 9192, 9194, 9195, 9198, 9199, 9200 and 9804 for applications for permits; and receipt Nos. 9196 and 9197 for two amendments.

Very truly yours,

COLLEEN WRAY
Secretary

Attachments (14)

January 27, 1978

RE: Applications for Transfer Nos. 35-2241 EASTERN ID. PRODUCTION CREDIT ASSOC.
35-2420 " "
35-2493 " "
Applications for Permit Nos. 35-7767 THRU 35-7778
EASTERN ID. PRODUCTION CREDIT ASSOC.

The 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 2-14-78 by clw

RDC:ME

Enclosures: 15 legals

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Eastern Idaho Production Credit Assoc., Blackfoot, Idaho, has on 1-24-78, submitted Application No. 35-7770, for a permit to appropriate 4.69 cubic feet per second of water from a ground-water source by means of well and pump within the 32E, B.M., Bingham County, to NE1/4NW1/4, Sec. 25, T. 15, R. 32E, B.M., Bingham County, to be used from Apr. 1 to Nov. 1 for the irrigation of 383 acres within the N1/2, NE1/4SW1/4, N1/2SE1/4, SE1/4SE1/4, Sec. 25, NE1/4NE1/4, Sec. 26, T. 15, 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 February 20, 1978.

C. STEPHEN ALLRED
Director

(5464)
Pub.: 2-2, 9

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eastern Idaho Production Credit Assoc.,
Blackfoot, Idaho

has on 1-24-78 submitted Application No. 35-7770
for a permit to appropriate 4.69 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump
within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 1S, R. 32E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 383 acres

within the N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 1S, 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 _____
February 20, 1978

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director
Blackfoot News, Blackfoot, Idaho

Published in the _____
February 2 _____ and _____
on _____ February 9, 1978.

MICROFILMED

the
D. W. H.
the
D. H.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

35

Item Initial Date

Application No.

Eastern Idaho Production
Credit Association #5

☒ 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) ARK Jan 24, 1978

In form to receipt yes

(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. 1532E

(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 wells in area

(9) _____

Other rights on the same place of use

(10) _____

Comments: 35-2450 for 3.00 for 320
acres minus focus equals 4.69 cfs can
be applied for.

(11) CU 2-14-78

Affidavit of Publication received (date) Feb. 14-1978

(12) CU 2-21-78

Final date for protests February 20, 1978
Protests received: yes _____ no X

(13) KA 2-21-78

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

(14) KA 2-21-78

Action recommended:

X Approve

Deny

1-24-78 Proposed Priority

Reason for Reduction

X Measuring device required

X See attached sheet for other conditions of approval

No special conditions for approval

See Item 10 of Application for condition

(15) District E

By Loren O'Halloran Date 2-21-78

Copy
Sent