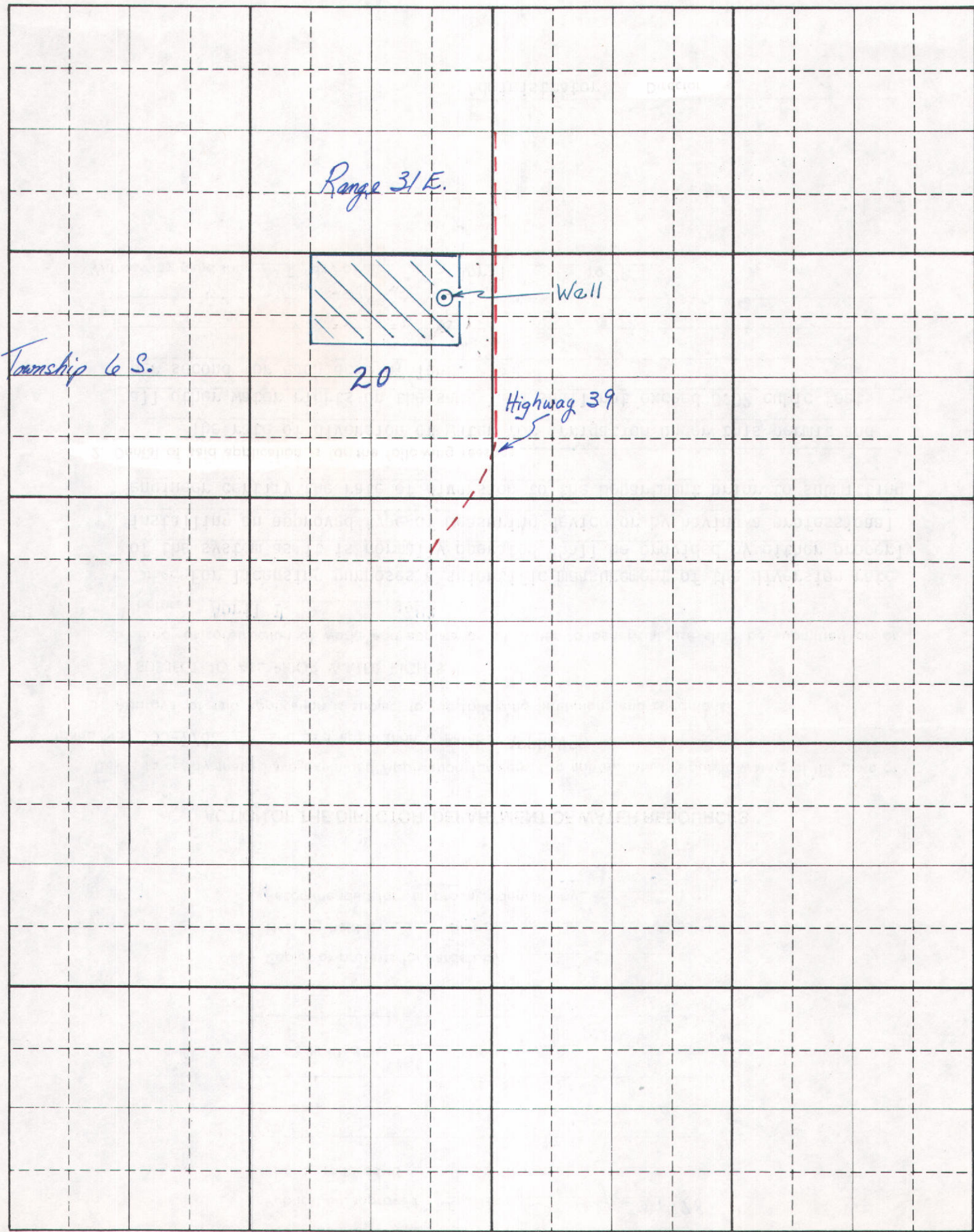


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

CR Schumacher
(Applicant)

MICROFILMED

RECEIVED
JAN 23 1977

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 Thursday

..... issue of said newspaper 2 consecutive
Wks, the first publication having been made on
the 12th day of Jan, 19 78....

and the last publication having been made on the
19th day of Jan...., 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 20th

day of January 19 78....

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, ~~1978~~ 1980

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
C.R. Schumacher, Aberdeen,
Idaho has on 1-04-78 submitted
Application No. 35-7762 for a
permit to appropriate 2.80 cubic
feet per second of water from a
ground-water source by means
of well and pump within the
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T. 6S, R.
31E, B.M., Bingham County; to
be used from Apr. 1 to Nov. 1 for
the irrigation of 145 acres
within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec.
20, T. 6S, R. 31E, 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 January 30, 1978.

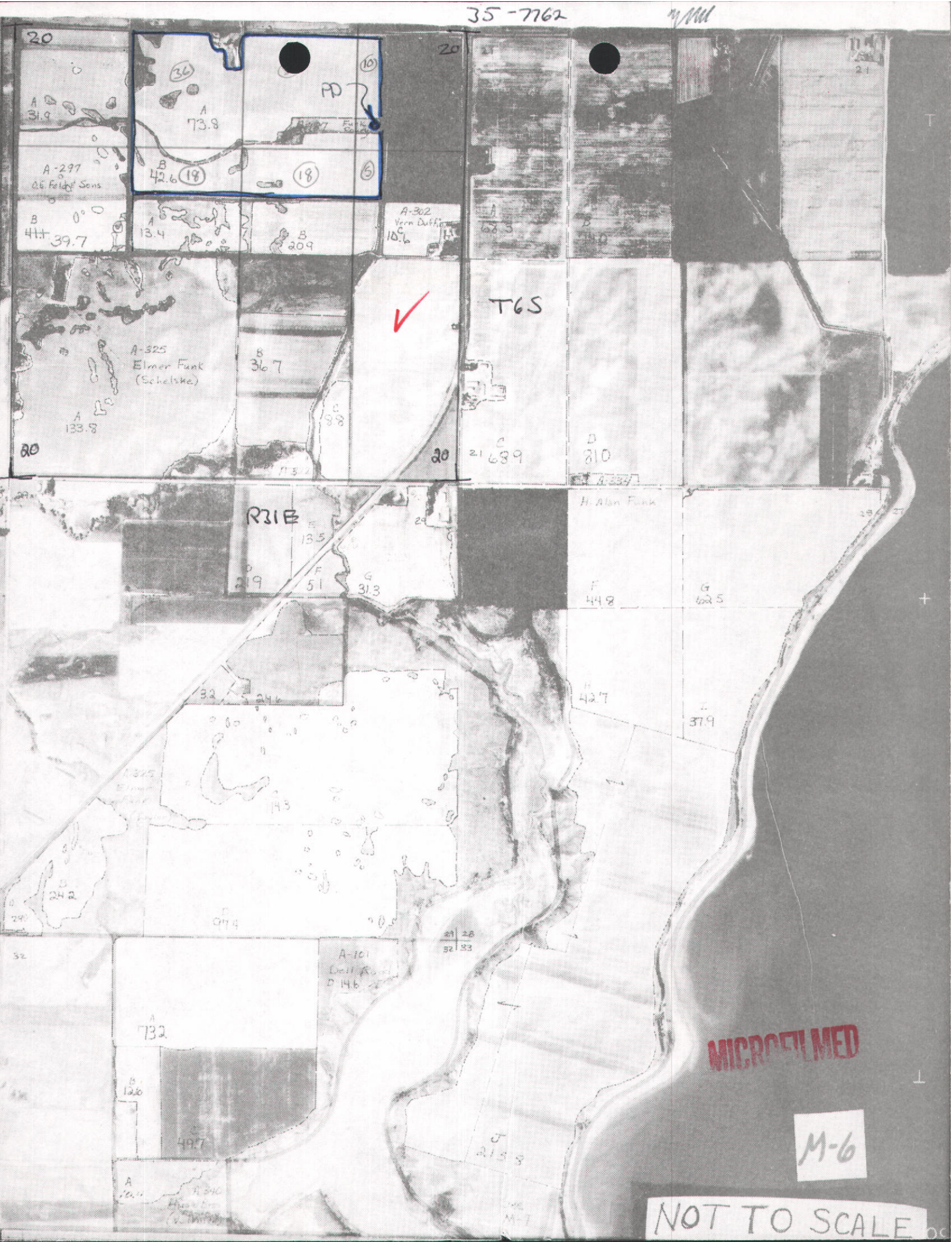
C. STEPHEN ALLRED
Director

(5432)
Pub.: 1-12, 19

MICROFILMED

35-7162

W/M

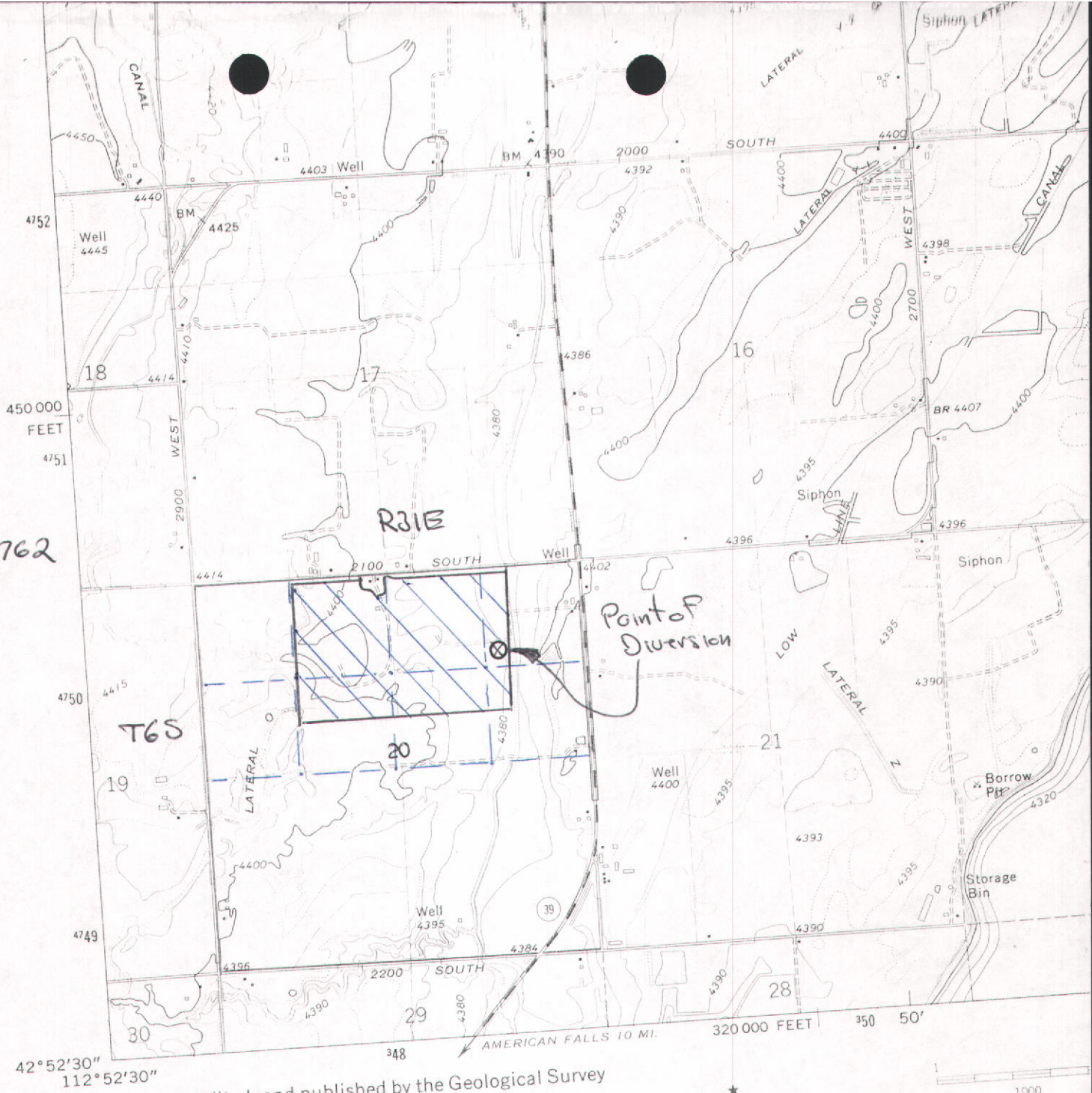


MICROFILMED

M-6

NOT TO SCALE

#35-7762

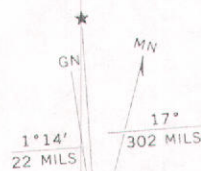


(AMERICAN FALLS SW)
3469 IV SW

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1969. Field checked 1971
Underwater contours by U. S. Bureau of Reclamation
Projection and 10,000-foot grid ticks: Idaho coordinate
system, east zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue. 1927 North American datum
Fine red dashed lines indicate selected fence lines

UTM GRID AND 1971 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



FOR SALE BY U. S.
A FOLDER

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7762 Priority January 4, 1978 Amount 2.19 cfs

THIS IS TO CERTIFY, that Funk & Povey Farms
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7762 issued pursuant to Application for Permit dated January 4, 1978,
and has submitted proof to the Department of Water Resources on March 11, 1983,
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
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>2.19</u> cfs and	<u>441.0</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 2.19 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
441.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20,
Twp 6S, Rge 31E 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 $\frac{1}{4}$	
6S	31E	20	10	39	18	5	36			18									126

Total number of acres irrigated 126

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CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.
- This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18th day of September, 19 86.

Acting for the Director

[Signature]

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178

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Orginial Permit	C.R. Schumacher	35-7762	2.8 cfs
Full Assignment	35-7762	Funk and Povey Farms	2.8 cfs

RECEIVED
JAN 13 1964

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED

MAR 11 1983

Department of Water Resources
Eastern District Office

I, Clyce Schumacher, hereby assign to FUNK & POVEY FARMS
of RT 1 Box 132-A American Falls Idaho 83211
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 35-7762
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 8 day of March, 19 83.

Clyce Ray Schumacher
Permit Holder

La Rue Schumacher
Spouse of Permit Holder

State of Idaho)
County of Lower) ss.

On this 8th day of March, 19 83, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Sherrill Aguirre
Notary Public residing at
American Falls, Idaho

My commission expires:
Life

NOTARY PUBLIC
Residing in American Falls, Idaho
My Commission is For Life

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 35-7762

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

RECORDED

Identification No. 35 7762
Application No. _____

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 C. R. Schumacher Phone: 397-4803
post office address Box 51, Route #1, Aberdeen, Idaho 83210
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 6S
Range 31E B.M. Bingham County; additional points of diversion if any: _____

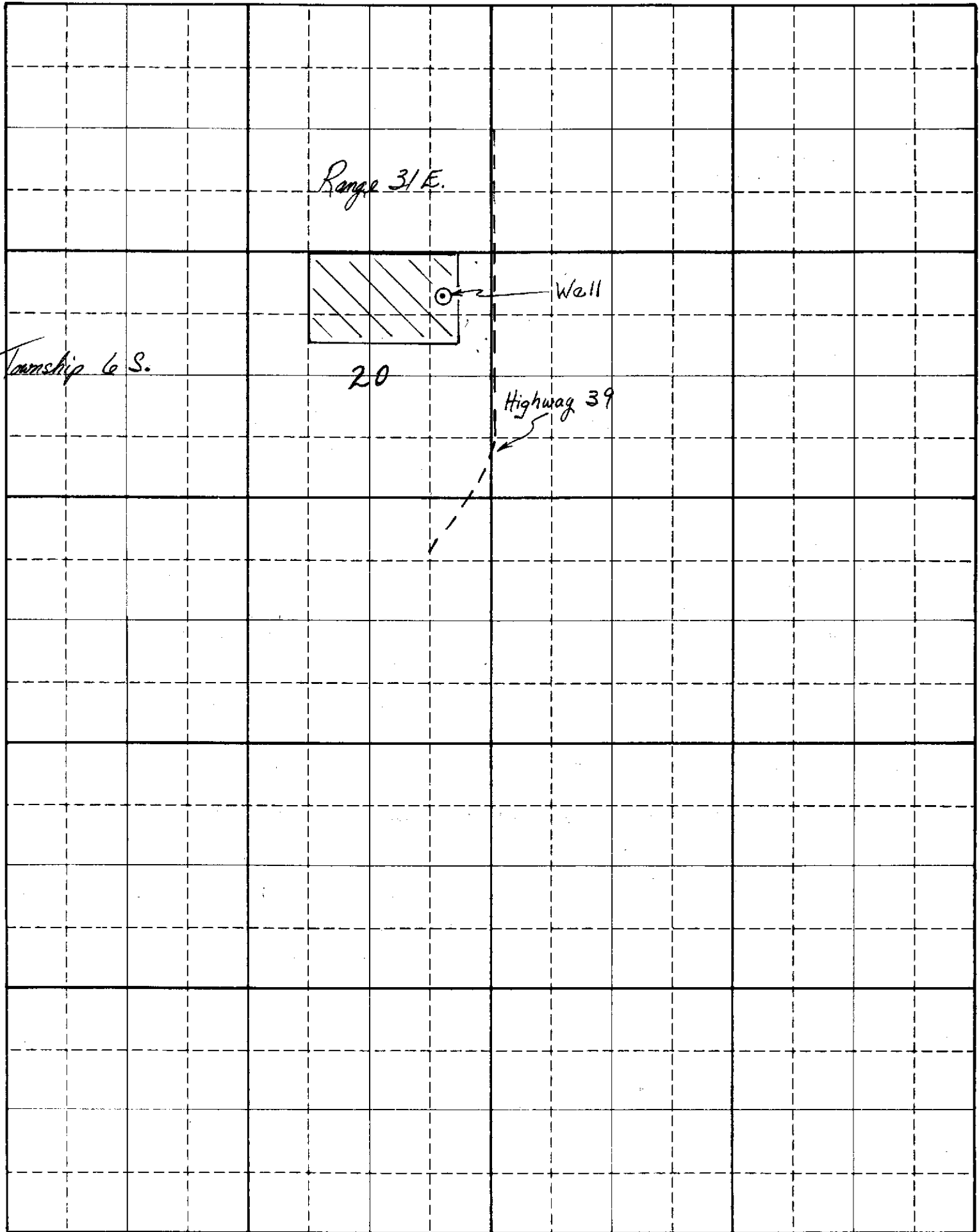
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.80 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(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. 2.80 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 12 inches; proposed depth of well is 130 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 \$ 5,000.00.
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.

CR Schumacher
(Applicant)

MICROFILM

Proposed Priority 1-04-78

Received by WJ Date 1-04-78 Time 11:40 A.
Preliminary check by BMC Fee \$ 45.00

Received by WJ Date 1-04-78 # 9157

Publication prepared by WJ Date 1-04-78

Published in Blackfoot Journal

Publication dates Jan. 12 & 19-1978

Publication approved me Date January 23, 1978

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WJ

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. 35-7762, 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.

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 11th day of April 1978.

Administrator

RECEIVED
JAN 28 1977

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 Thursday

..... issue of said newspaper ...2... consecutive
Wks, the first publication having been made on
the 12th day of Jan, 19 78...

and the last publication having been made on the
19th day of Jan..., 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 20th

day) of January 19 78...

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1978 1980

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
C.R. Schumacher, Aberdeen,
Idaho has on 1-04-78 submitted
Application No. 35-7762 for a
permit to appropriate 2.80 cubic
feet per second of water from a
ground water source by means
of well and pump within the
NE 1/4 NE 1/4, Sec. 16S, R.
31E, B.M. Bingham County, to
be used from Apr. 1 to Nov. 1 for
the irrigation of 145 acres
within the NE 1/4, E 1/2 NW 1/4, Sec.
20, T. 6S, R. 31E, B.M. 34

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 January 30, 1978.

C. STEPHEN ALLRED

Director

(5432)

Pub. 1-12-19



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

September 22, 1986

RE: Permit No. 35-7762

Funk & Povey Farms
Rt. 1, Box 123-A
American Falls, ID 83211

Gentlemen:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED



ate of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

August 25, 1986

RE: Permit No. 35-7762

Funk & Povey Farms
Rt. 1, Box 132-A
American Falls, ID 83211

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

NOV 26 1984

35-7762
Permit No.

Department of Water Resources

1. Measurement Calculations

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

$0.977 \text{ correction factor} \times 8.2 \text{ "meter reading} = 8.01$

$(9.5 \text{ "ID})^2 \times 3.85 \times \sqrt{8.01} = 983.39 \text{ gpm or } 2.19 \text{ cfs} \checkmark$

$126 \text{ acres} \times 0.02 \text{ cfs} = 2.52 \text{ cfs}$

Limited by capacity to 2.19 cfs $\checkmark$

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 126 \text{ acres} \times 3.5 \text{ af/c} = 441 \text{ af} \checkmark$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.19 \text{ cfs} \times 214 \times 1.9835 = 929.6$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 441 \text{ af} \checkmark$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: $\checkmark$ shares of Aberdeen-Springfield canal

- b) Other water rights with same point of diversion: NA

per VAX: none

- c) Analysis:

~~R16(3.5 af/c)~~ R30

MICROFILMED

trap 01

Permit Holder: Funk & Povey Farms

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Investigation	4-1 ✓	2.19 cfs ✓	444 afa ✓

Point(s) of Diversion: ✓

Allowable Maximums: 2.19 gva 441.0 AF

[illegible]

Recommended Conditions/Remarks: R30

Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature	<i>[Signature]</i>	Date	10-19-84
Checked in Regional Office by	<i>[Signature]</i>	Date	11-15-84
Approved in State Office by	<i>[Signature]</i>	Date	8/14/86

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RECEIVED

NOV 20 1984

Department of Water Resources

Permit No. 55-7762

Phone No. 226-2196

1. Owner: Funk & Povey Farms Phone No. 226-2196
Current Address: Rt 1 Box 132-A
2. Accompanied by: Mr. Povey EXAM. DATE: 6-22-84
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	75	4LJ806428	Johnston	NA

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement, indicate pressure, number of sprinklers, etc.)

Description (As operating at time of measurement) indicate pressure, number of spr
Well/pump to 8 Sprinkler lines. (Pump Set at 30')

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Eagle ExeMiter				091461	0-13	5-30-84
Annubar				191138	7.9"	

7. Measurements 9 1/2" TD 80" MLR ☐ Additional data/computation sheets attached

- | | | |
|---------------------------|----------------------------------|----------|
| 8. Point(s) of Diversion: | Indicate Method of Determination | ASCS MAP |
|---------------------------|----------------------------------|----------|

[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam. ^{Acres}
Indicate Method of Determination ASCS map - Grid ^{Computer}

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	
6S	31E	20	10	39	18	5	36			18								126
Total Acres 126																		

Total Acres 126

10-19-84

CONSULTANT SEAL

Date

Beneficial Use Examination

IDWR Director's Authorization to Conduct

Consultant's License Number

16. Examiner's/Consultant's Signature

[Signature]

☐ Add P.U. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Change P.D. as reflected above

15. Recommended Amendments

☒ None
☐ Other

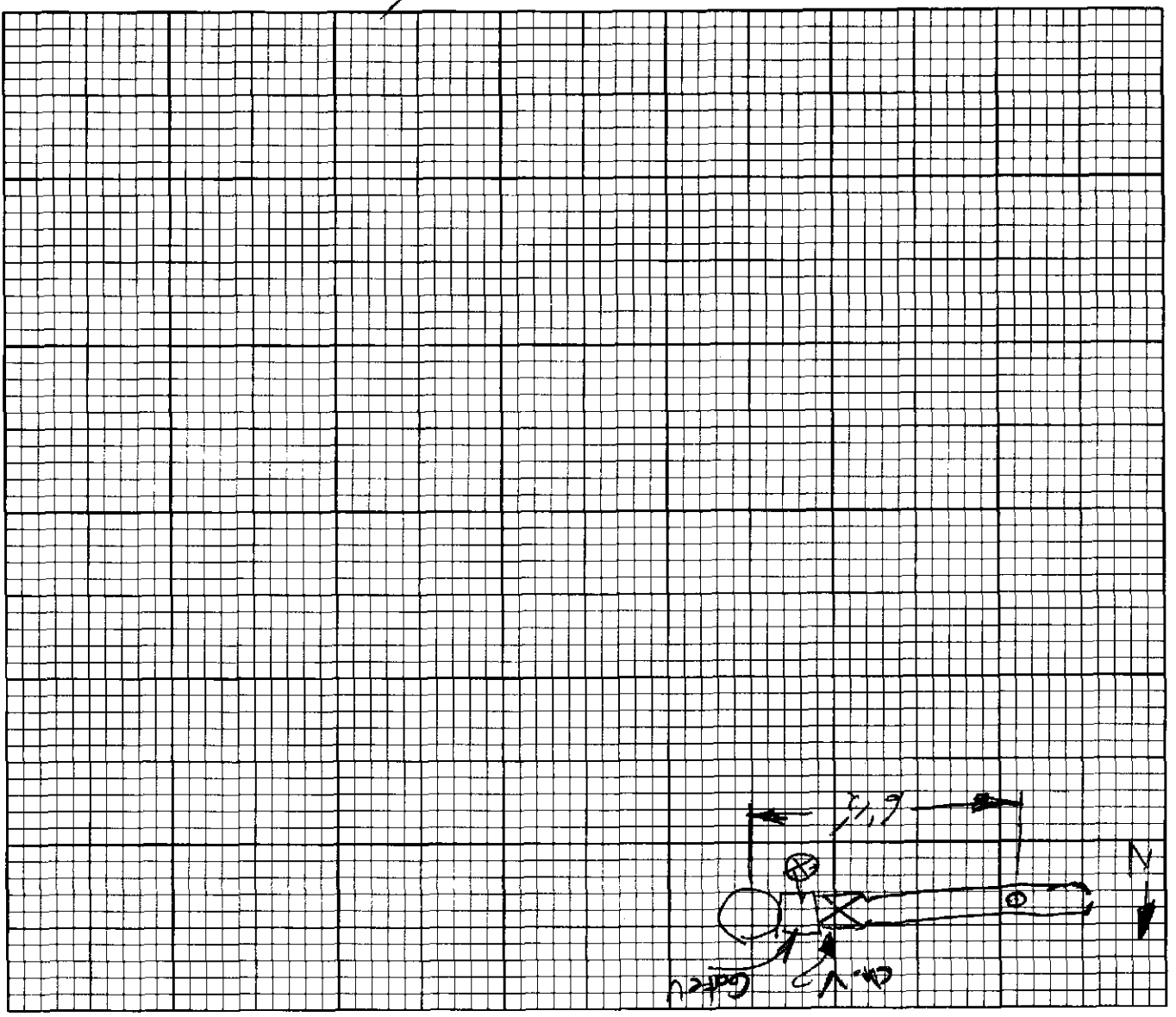
Date

10-19-84

14. Remarks

13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached



12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

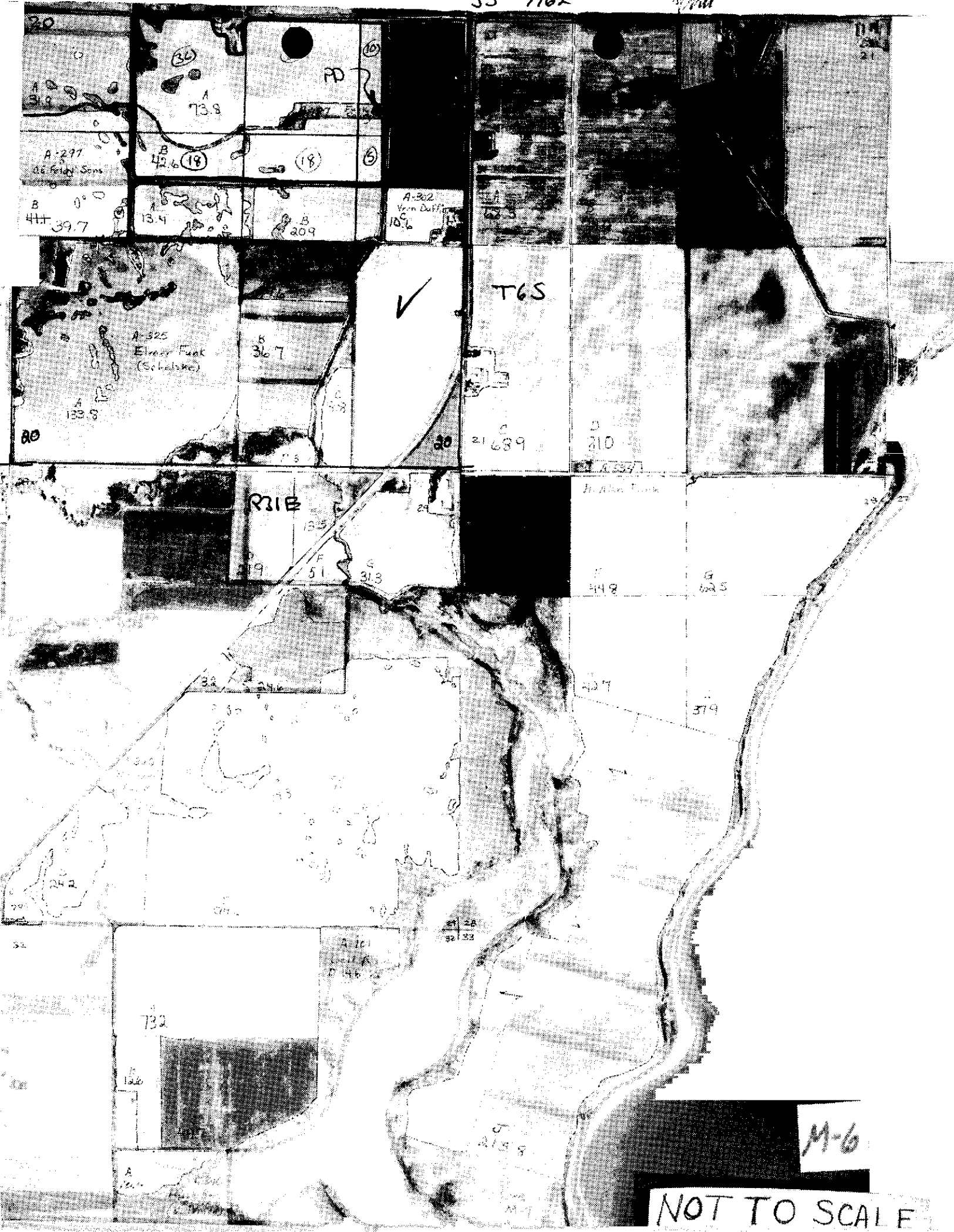
11. Other water right diverted from same p.d.

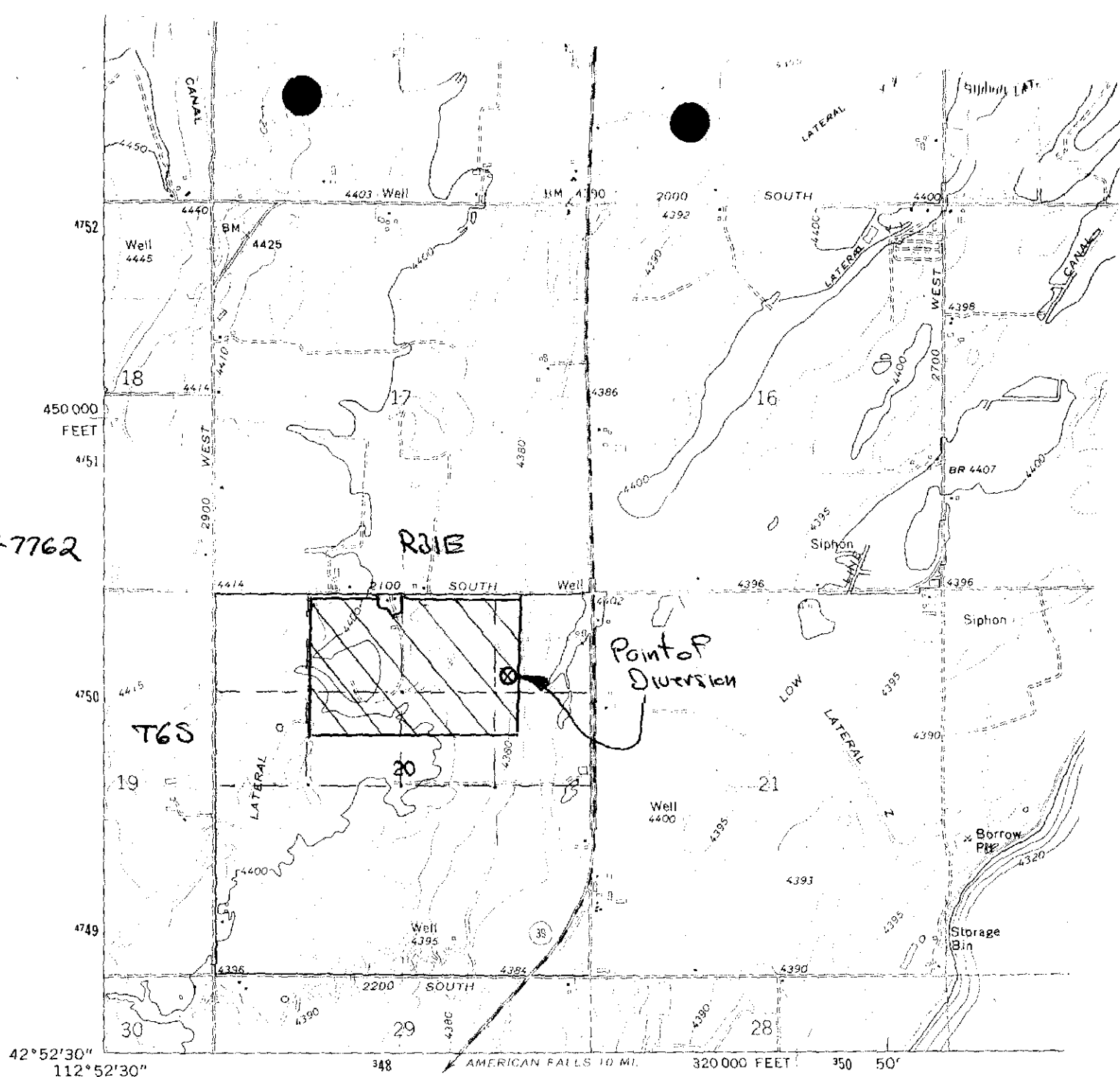
10. Other water rights on these lands

Abundant Spring Hill Canal Shares

35 - 7762

4/14/14





(AMERICAN FALLS SW)
3469 IV SW

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

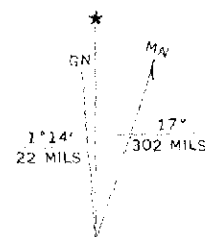
Topography by photogrammetric methods from aerial photographs taken 1969. Field checked 1971

Underwater contours by U. S. Bureau of Reclamation

Projection and 10,000-foot grid ticks: Idaho coordinate system, east zone (transverse Mercator)

1000-meter Universal Transverse Mercator grid ticks, zone 12, shown in blue. 1927 North American datum

Fine red dashed lines indicate selected fence lines



UTM GRID AND 1971 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

FOR SALE BY U. S.
A FOLDEI

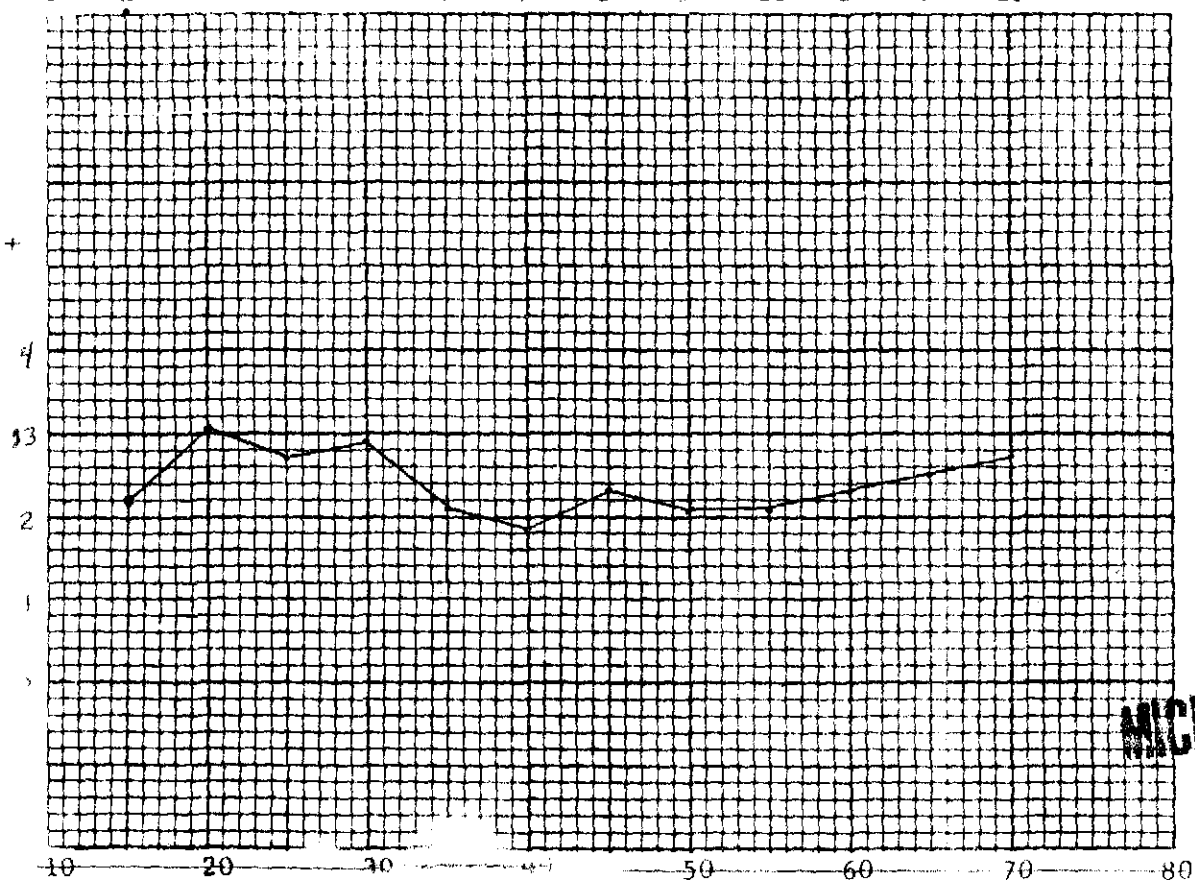
MICROFILMED

EASTERN

METER NO. 091461RANGE 2-13DATE TESTED 5/29/84

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE			
2.00	1.83	1.92	2	+2.20	.979
2.90	2.75	2.83	3	+3.05	.970
3.90	3.68	3.79	4	+2.73	.973
4.84	4.61	4.73	5	+2.87	.972
5.87	5.64	5.76	6	+2.11	.979
6.86	6.64	6.75	7	+1.84	.982
7.76	7.51	7.64	8	+2.36	.977
8.78	8.48	8.63	9	+2.12	.979
9.72	9.46	9.59	10	+2.12	.979
10.65	10.36	10.51	11	+2.33	.977
11.54	11.30	11.42	12	+2.51	.976
12.33	12.30	12.32	13	+2.74	.973

1 2 3 4 5 6 7 8 9 10 11 12 13



MICROFILMED

10 20 30 40 50 60 70 80



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

July 11, 1985

Funk & Povey Farms
c/o Wade Povey
Rt. 1, Box 132A
American Falls, ID 83211

Re: Water Right Identification No. 35-7762

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

☒ Proof of beneficial use has already been submitted for the water right.

☐ Proof of beneficial use is not applicable for existing licensed rights.

☐ Proof of beneficial use is not applicable for existing decreed rights.

☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.

☐ Other:

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

cc: Region

MICROFILMED

March 24, 1983

Funk and Povey Farms
Rt. 1, Box 132-A
American Falls, ID 83211

Gentlemen:

Re: Permit No. 35-7762

This office acknowledges receipt of the assignment conveying this permit to you. The assignment has been entered into the department's records. A copy of the permit is enclosed for your records.

Also this office acknowledges receipt of the statement of beneficial use submitted for the 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 or a representative may show him the system.

If you have any questions regarding the field examination, please contact our Eastern Regional office at 525-7161.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosure

NOTIFIED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below permit No. 35-7762.

Name(s) of Permit Holder: FARRIS & PEEVEY FARMS

Post Office Address: RT Box 132-A American Falls Idaho

Tel. No. 296-2196

Source of Water: 14-11

Extent of Use: ☒ Domestic

☐ Stockwater

MAR 11 1982 Irrigation 145

☐ Other

(number of households)

(number and type of stock)

(acres)

Department of Water Resources

Measuring Device: ☒ Required? ☒ Yes ☐ No

Access Port: ☒ Required? ☒ Yes ☐ No

Installed? ☐ Yes ☐ No

Installed? ☐ Yes ☒ No

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

March 10, 1982

Date

Walter Forgy

Signature of Permit Holder

FACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138179

SCHUMACHER, C. R.
RT. 1 BOX 51
ABERDEEN, ID 83210

PROOF DUE NOTICE

JANUARY 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 35-7762 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



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

December 13, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190



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 13, 1978

Re: Permit No. 35-7762

C. R. Schumacher
Box 51, Route #1
Aberdeen, ID 83210

Dear Mr. Schumacher:

Your approved copy of Application for Permit No. 35-7762 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.

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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

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Schumacher

☒ 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 4, 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
☒ Request Dam Safety Information

(4) _____

In form for advertising yes

(5) _____

Platted on Map No. 6531E

(6) _____

Located within Water District No. Basin 35

(7) _____

Critical groundwater area: yes _____ no X

(8) _____

Groundwater levels:

_____ Declining, X Stable, _____ Increasing

(comment) No Obstacles in Township

(9) _____

Other rights on the same place of use Hoskings of surface water Aberdeen Springfield

(10) _____

Comments: _____

(11) me 1-23-78

Affidavit of Publication received (date) 1-23-78

(12) ca 1-30-78

Final date for protests January 30, 1978
Protests received: yes _____ no X

(13) LH 1-30-78

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

(14) LH 1-30-78

Action recommended:

X Approve _____ Deny

1-4-78 Proposed Priority

_____ Reason for Reduction _____

X Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District E

By Laura O. Holmes Date 1-30-78

Copy
Sent

Supplemental
SRL
GAT

January 6, 1978

RE: Application for Permit No. 35-7762 SCHUMACHER

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

RDC:CW

Enc: Legal Notice (1)

Bill submitted January 23, 1978 by me

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that C.R. Schumacher, Aberdeen, Idaho has on 1-04-78 submitted Application No. 35-7762 for a permit to appropriate 2.80 cubic feet per second of water from a ground-water source by means of well and pump within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T. 6S, R. 31E, B.M., Bingham County; to be used from Apr. 1 to Nov. 1 for the irrigation of 145 acres within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 20, T. 6S, R. 31E, 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 January 30, 1978.

C. STEPHEN ALLRED
Director

(5432)
Pub.: 1-12, 19

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that C. R. Schumacher,
Aberdeen, Idaho

has on 1-04-78 submitted Application No. 35-7762
for a permit to appropriate 2.80 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a ground-water source acre feet per annum
by means of well and pump
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T. 6S, R. 31E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 145 acres

within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 20, T. 6S, R. 31E, 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 _____
January 30, 1978

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Blackfoot News, Blackfoot, Idaho

Published in the _____
on January 12 and January 19, 1978

[Handwritten signature and initials]