

RECEIVED

DEC 16 1977

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

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

1st day of December, 19 77,

and the last publication having been made on the

8th day of December, 19 77;

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.

David Mark Brown
Subscribed and sworn to before me this 13th

day of December, 19 77.

Patricia A. Johnson

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

from a ground-water source by
means of well and pump within
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 6S, R.
30E, B.M., Bingham County; to
be used from Apr. 1 to Nov. 1 for
the irrigation of 40 acres within
the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 7, T. 6S, R.
30E, B.M.

Director

(5380)

Pub.: 12-1, 8

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 December 19, 1977.

C. STEPHEN ALLRED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
LaMar Johns, American Falls,
Idaho, has on 11-25-77, sub-
mitted Application No. 35-7759,
for a permit to appropriate 0.80
cubic feet per second of water

MICROFILMED

35-7759

155.0 A

R30E

TRANSFERRED FINDER

A.
182.7

Place of use

P.D.

B.
155.6

MICROFILMED

T 65

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that LaMar Johns, American Falls, Idaho, has on 11-25-77, submitted Application No. 35-7759, for a permit to appropriate 0.80 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 6S, R. 30E, B.M., Bingham County; to be used from Apr. 1 to Nov. 1 for the irrigation of 40 acres within the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 7, T. 6S, R. 30E, 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 December 19, 1977.

C. STEPHEN ALLRED
Director

(5380)

Pub.: 12-1, 8

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7759 Priority December 5, 1977 Amount 0.80 cfs

THIS IS TO CERTIFY, that LaMar Johns
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7759 issued pursuant to Application for Permit dated December 5, 1977,
and has submitted proof to the Department of Water Resources on July 29, 1981,
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 3.61 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 0.80 cfs and</u>	<u>140.0 acre feet</u>
_____	_____	_____	_____
_____	_____	_____	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.80 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
140.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Twp.
6S, Rge. 30E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NEW				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	30E	7									20			20					40

Total number of acres irrigated 40

This right when combined with Right Nos. 35-7953 and 35-7505 shall not exceed
3.61 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
hereby 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 2nd day of
May, 19 83.

Acting for the Director

Norma C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. **35-7759**

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

MICROFILMED

Identification No. 35 7759
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 LaMar Johns Phone: 226-5574
post office address 454 Arthur, American Falls, Idaho 83211
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 6S
Range 30E B.M. Bingham County; additional points of diversion if any: _____

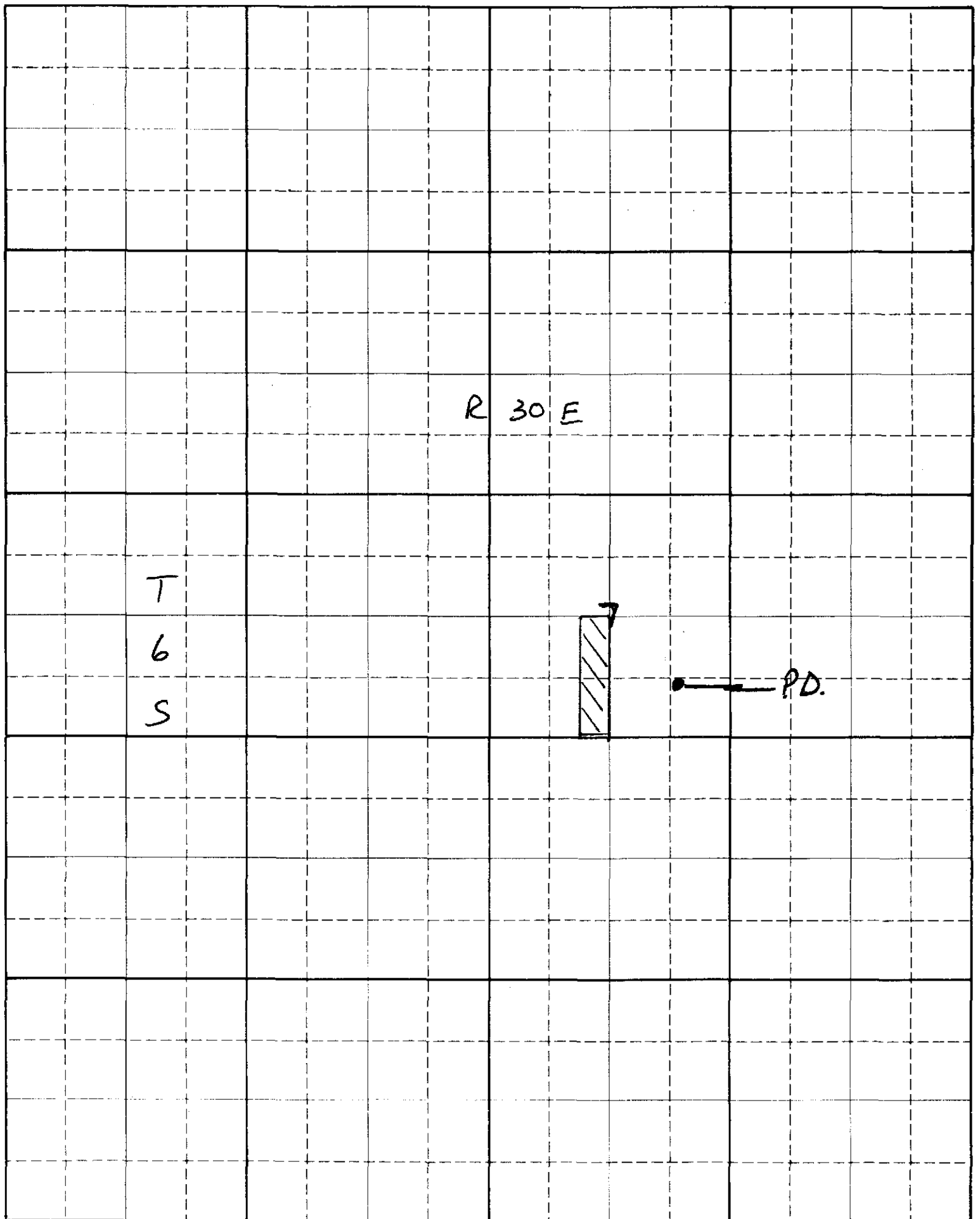
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.80 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(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. 0.80 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. existing well, 250 hp 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 20 inches; proposed depth of well is 374 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: _____ $\frac{1}{4}$ 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.

John M. Jones
(Applicant)

12/05/77

Proposed Priority

Received by WJ Date 11-25-77 Time 11:30 A.
Preliminary check by WJ Fee \$25.00
Received by WJ Date 11-25-77
Publication prepared by WJ Date 11-25-77
Published in Blackfoot Journal
Publication dates Dec 1 & 8-1977
Publication approved me Date December 14, 1977
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. 35-7759, 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 January 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. (2) The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 29 day of January 19 78

DEPUTY
Director

[Signature]

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DEC 16 1977

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

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

1st day of December, 19 77,

and the last publication having been made on the

8th day of December, 19 77;

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.

David Mark Brown
Subscribed and sworn to before me this 13th

day of December, 19 77.

Patricia H. Johnson

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

from a ground-water source by
means of well and pump within
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 6S, R.
30E, B.M., Bingham County, to
be used from and after 1978 for
the irrigation of 40 acres within
the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 7, T. 6S, R.
30E, B.M.

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

of Water
Was in Road,
it, on or
77.

NOW

\$8.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 1995

DOUG RUFF
3005 W 2100 S
ABERDEEN ID 83210

RE: Application for Permit

Dear Mr. Ruff:

I have reviewed the information you submitted to support your request for immediate approval of your application for permit to divert 5.00 cfs of groundwater on Lamar Johns's land near American Falls. Your effort in collecting the data is appreciated.

As you are aware, our previous director indicated he would approve applications in the Eastern Snake River Plain moratorium area if they are supported by incontrovertible evidence that the diversion and use of water began prior to November 19, 1987, the commencement date of the Snake River Basin Adjudication. The information you sent me in April indicated that you might be able to find strong evidence to contradict information in the department's files. In fact, some of the new information you submitted does give the impression that Lamar Johns's irrigation system was designed to pump about 2200 gpm (4.90 cfs) during the 1980s. But, the department has record of a direct measurement of the system's diversion capacity made in 1981 by department personnel. The measured rate of diversion was 3.61 cfs, which is the diversion rate allowed under licensed rights 35-07505, 35-07759, and 35-07953. Because the irrigation system has changed since the measurement was made, there is no way to test the accuracy of the measurement. Had Mr. Johns questioned the measurement, he could have indicated so in the 1980s before the system was changed.

It is my conclusion that the new information does not support the diversion of an additional 5.00 cfs prior to November 19, 1987. Moreover, it is insufficient to outweigh the direct measurement of 3.61 cfs in 1981. Therefore, the application you submitted will be held without being advertised until the moratorium on new development in the Eastern Snake River Plain is lifted. You will be notified when the application can be processed.

Meanwhile, it appears that you did not address item 11.c. on the application form. Item 11.c. says, "If the property is owned by

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JUN 27 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Mr. Doug Ruff
Re: Application for Permit
June 21, 1995
Page 2

a person other than the applicant, describe the arrangement enabling the applicant to make this filing." Because you listed Lamar Johns as the property owner, you are required to submit information to answer item 11.c. If this information is not submitted within 30 days, the application could be viewed as speculative and may be rejected and returned to you.

If you have any questions, please contact me at 208-327-7946 in Boise.

Sincerely,

A handwritten signature in cursive script that reads "Shelley Walter Keen".

Shelley Walter Keen
Water Rights Supervisor

SWK

For supporting documents, see file 35-07953.

RECEIVED JUN 27 1995

JUN 27 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 1, 1995

Doug Ruff
3005 W 2100 S
Aberdeen, ID 83210

RE: Appropriations by Lamar Johns

Dear Mr. Ruff:

I have reviewed the irrigation system information you submitted to show that Lamar Johns had appropriated more than 3.61 cfs prior to November 19, 1987, with the irrigation system that is reflected in water right licenses 35-07505, 35-07759, and 35-07953.

The receipts and pump curves you submitted seem to indicate that the system was designed to produce about 2000 gpm, or 4.45 cfs. Moreover, 4.45 cfs seems more reasonable than 3.61 cfs for the twelve wheel lines on the system. However, our records indicate a measured diversion rate of 1619 gpm, or 3.61 cfs, in 1981. I do not see anything in our files that indicates that our flow rate measurement was done incorrectly. It is possible that factors for which we have no record may have impacted the actual production of the system. Such factors have included the following:

- Actual dynamic pumping level
- System wear and tear
- Number of lines in operation simultaneously
- Pumping plant efficiency
- Changes made after the 1981 measurement
- System operating pressure

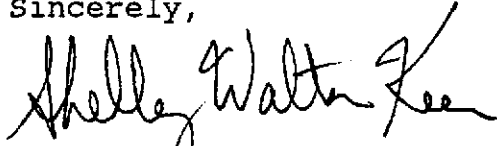
As you know, under the current moratorium, applications for permit for new water right development in your area are being held without approval. However, the Director of the Department of Water Resources has indicated that he will consider approving applications for permit for uses commenced prior to November 19, 1987. Therefore, if you can collect additional information to definitively show that Mr. Johns system beneficially used more than 3.61 cfs prior to that date, then there is a possibility that the department will issue a new permit to Mr. Johns. If you are able to collect such information, please submit it with your application to our Idaho Falls office. I am enclosing an application form and the information you have already gathered from Funk Irrigation and Implement.

JUN 27 1995

Mr. Doug Ruff
Re: Lamar Johns Appropriations
May 1, 1995
Page 2

If you have any questions, please contact me at 208-327-7946 in Boise.

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

SWK

Enclosures:

Application for Permit with Instructions
Funk Irrigation and Implement Information

For supporting documents, see file 35-07953

RECEIVED
MAY 18 1995

JUN 27 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 8, 1994

Paul Laggis
376 Roosevelt
P.O. Box 70
American Falls, ID 83211

RE: Lamar Johns - Request for Re-Examination

Dear Paul:

I am responding to your request to Harold Jones for a re-evaluation of the diversion rates on the licenses issued to Mr. Lamar Johns for irrigation from groundwater. The three licensed rights; numbers 35-07759, 35-07505, and 35-07953; allow a maximum combined diversion rate of 3.61 cfs for 319 acres.

The field report completed for 35-07505 lists a measured diversion capacity for Mr. Johns's well at 3.26 cfs on May 21, 1979. The field examiner for 35-07759 and 35-07953 indicated a diversion capacity of 3.61 cfs measured on July 14, 1981. I reviewed the calculations in the field reports and found nothing obviously amiss.

Because water rights cannot exceed a water user's ability to divert and use water, the three licenses were limited to a combined maximum rate of 3.61 cfs. A rate of 3.61 cfs on 319 acres constitutes a diversion rate of 0.011 cfs per acre. My experience is that this rate per acre is within reason for sprinkler irrigation systems in Mr. Johns's area. In addition, 3.61 cfs is sufficient to produce a diversion volume of 4.0 acre-feet per acre for 319 acres over the course of the irrigation season. An analysis by department personnel indicates that 4.0 acre-feet per acre per year is a reasonable application volume for irrigation in Mr. Johns's area.

My conclusion is that there is nothing in the department's files to indicate that our analysis of Mr. Johns's water use in 1981 was incorrect. Moreover, Mr. Jones has told me that he has information that Mr. Johns has substantially altered his irrigation system since 1981. If that is the case, a re-evaluation of the irrigation system developed prior to 1981 is not possible. Therefore, without additional information I am unwilling to recommend a re-evaluation of licensed water rights 35-07505, 35-07759, and 35-07953.

However, three alternatives remain for Mr. Johns to consider. First, if he can provide evidence that clearly demonstrates that

JUN 27 1995

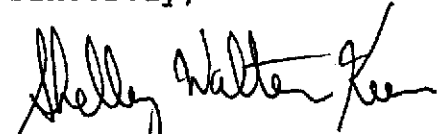
Paul Laggis
November 7, 1994
Page 2 - Bingham County

the field reports are incorrect and that the licenses were issued in error, I will accept and review such evidence. Second, if Mr. Johns changed his system to increase his diversion capacity prior to Nov. 19, 1987, and he can clearly demonstrate such, the director has indicated that he will review any application for a new water right that meets those criteria, despite the current moratorium. Third, the moratorium does not prohibit the transfer of existing water rights. Mr. Johns could, therefore, purchase an existing right and apply to transfer it to his land.

In your letter you also asked about permit 35-08143. It was issued to Mr. Johns in 1990. It authorized development of an additional 0.32 cfs of trust water for 16 acres. Mr. Johns submitted proof of beneficial use for this permit in May of 1990. I have enclosed copies of the permit and the proof form for your reference.

If you have any questions, please contact me at (208)327-7946 in Boise.

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

SWK

Enclosures:

- Copy of permit 35-08143
- Copy of proof submitted for 35-08143

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JUN 27 1995

Boomer & Laggis

HENRY R. (Hank) BOOMER
PAUL S. LAGGIS

ATTORNEYS-AT-LAW
376 Roosevelt - P.O. Box 70
American Falls, Idaho 83211

Telephone
(208) 226-2562
Fax (208) 228-2578

October 24, 1994

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OCT 26 1994

Department of Water Resources
Eastern District Office

Harold Jones
Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline Dr.
Idaho Falls, ID 83402

Re: LAMAR JOHNS - PERMIT NO. 35-08143

Dear Harold:

I am writing for a couple of reasons; I wanted to make a written request for the Department to re-evaluate Mr. Johns' well and the licenses therefor. Mr. Johns assures me that the well is now and always has provided more than 3.61 c.f.s. of water for his system. We understand that Mr. Johns has made significant improvements to his pump in recent years, which would lead to a difficult re-test by the Department.

Nevertheless, at this time Mr. Johns formally requests consideration be given to a re-test by the Department. In the event that this is not granted, Mr. Johns would like to know of any alternatives which may be available to him through the Department.

The other reason I am writing is to verify the existence of permit #35-08143, registered in the name of Lamar Johns. Mr. Johns would like to know the status of this permit and whether it is "additive" to his existing licenses or if it is under the same restriction that, when used in conjunction with the other licenses, the total amount of water shall not exceed 3.61 c.f.s.

We appreciate your prompt response in this matter and thank you in advance.

Sincerely,

Paul S. Laggis
Paul S. Laggis
Attorney at Law

PSL:sab

cc: Lamar Johns

Post-It™ brand fax transmittal memo 7671		# of pages	1
To	Shelley Kern	From	H.G. Jones
Co.	Boise	Co.	Eastern
Dept.	IDWR	Phone #	
Fax #		Fax #	

JUN 27 1995

May 3, 1983

RE: Permit No. 35-7759

LaMar Johns
180 Tyhee Ave.
American Falls, ID 83211

Dear Mr. Johns:

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

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. 35-7759

Name(s) of Permit Holder: LaMar Johns

Post Office Address: Ponderosa Court #9

American Falls, Idaho 83211 Tel. No. 226-5703

Source of Water: Deep Well

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 120 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
 Access Point: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

7-25-81

Date

LaMar Johns
 Signature of Permit Holder

Department of Water Resources
Eastern District Office

JUL 29 1981

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



MICROFILMED

RECEIVED

AUG 5 1981

Idaho Department of Water Resources

PLACE
TEN CENT
STAMP
HERE

Over ~~the~~ Review attached

Signature

Date 4-6-83

Recommendations and Amendments:

☐ Change to D, as reflected above

☐ Change to U, as reflected above

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

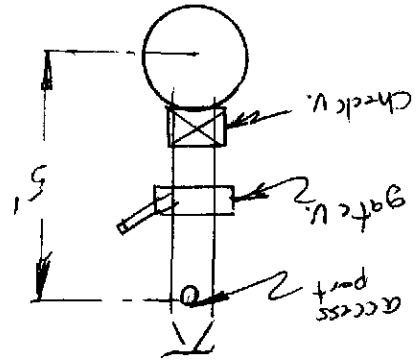
MICROFILMED

[illegible]

Place(s) of Use

Point(s) of diversion:

SE 1/4 of SE 1/4 SECT. 7 T6S R30E



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

SCHEMATIC DIAGRAM OF SYSTEM

A hand-drawn diagram on a grid of graph paper. The grid consists of solid lines forming a 10x10 square, with dashed lines forming a 20x20 grid. A rectangular area is drawn in the center, spanning from the 5th to the 7th vertical grid line and the 10th to the 12th horizontal grid line. The right side of this rectangle is marked with a dashed line. To the right of the rectangle, the text "place of use" is written vertically. A small circle is drawn at the intersection of the 7th vertical line and the 11th horizontal line, with a line pointing to it from the text "place of use". Another small circle is drawn at the intersection of the 6th vertical line and the 11th horizontal line, with a line pointing to it from the text "place of use". A small arrow points from the text "place of use" to the dashed line on the right side of the rectangle.

MAP (Attach Aerial Photo)

35-7759

155.00

R30E

TRANSFERRED LOWER

A.
182.7

Place of use

B.
155.6

MICROFILMED

78/7

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IDWR SUPPLEMENTAL FIELD REPORT
FOR ANNUBAR MEASUREMENT

Measured by: Harold Jones

Date: 7-14-81

Owner: LaMar Johns

Permit #: ~~35-7753~~
35-7759

Description of well &/or measuring site (give distance to restrictions upstream and downstream): From 350 Hp pump thru 10" mainline; distance
restrictions not noted at time.

Measured inside diameter of pipe in inches

9.5"

Size of Annubar used in test

7.981

State ID# of Meter used

#191138

Size Eagle Eye Meter used

10-80

State ID# of Meter used

091471

Date of Last Calibration of Meter

4/81

Observed inches of H2O read on Meter

21"

Adjusted inches of H2O from Last Calibration

21.7"

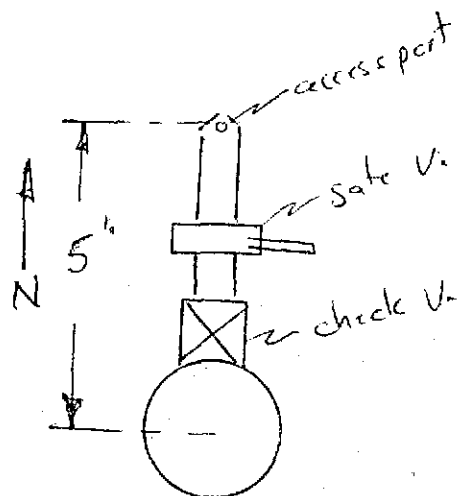
CALCULATION:

$$\frac{(9.5)^2 \times \sqrt{21.7}}{(3.85) \times (A)^2 \times (B)} = 1619_{spw} = \underline{3.61} \text{ cfs measured}$$

448.8

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

SKETCH:



REPRODUCTION

Overlap Review for 35-7759

License 35-7953
 $\frac{2.40}{120} = .02 \text{ ds/ac}$

gw

P/D SESE Sec 7 T6S R30E
 (same)

P/U Sec 7

NESW	18 ac
NWSW	38 ac
SWSW	37 ac
SESW	19 ac
SWNW	8 ac

(different)

License 35-7505
 $\frac{3.0}{159} = .019 \text{ ds/ac}$

gw

P/D SESE Sec 7 T6S R30E
 (same)

P/U Sec 7

NESE	40 ac
NWSE	40 ac
SWSE	40 ac
SESE	39 ac

(different)

No Overlap in P/U
 Overlaps P/D

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L 35-7953 2.40

L 35-7505 3.00

This right 35-7759 + .80
6.20

greater than Capacity (3.61)

Re 4/21/83



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

October 28, 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

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

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

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

Sept. 29, 1981

RE: Permit No. **35-7750**

LaMar Johns
Ponderosa Court #9
American Falls, Idaho 83211

Dear Mr. Johns:

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

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

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

Very truly yours,

BOBBIE R. STEPHENS
Principal Clerk

cc IDWR - State Office

MICROFILMED

January 30, 1978

Re: Permit No. 35-7759

LaMar Johns
454 Arthur
American Falls, ID 83211

Dear Mr. Johns:

Enclosed is a copy of your approved Application for Permit No. 35-7759. 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 a measuring device at your point 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,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

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November 25, 1977

RE: Application No. 35-7759 JOHNS

The 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 12-16-77 by CW

NOTIFIED

NOTICE OF APPLICATION

LeMay, John, et al.,
Idaho Water Resources
Advisory Board
Notified by
Idaho Water Resources
Advisory Board
for a permit to appropriate 0.80
cubic feet per second of water
from a ground-water source by
means of well and pump within
the SE 1/4 of Sec. 7, T. 20N.,
30E., B. 1E., Co. 1, Idaho
be used for Apr. 1, 1960, for
the irrigation of 40 acres within
the E 1/2 of Sec. 7, T. 20N.,
30E., B. 1E., Co. 1, Idaho.
If issued this permit will be
subject to the following conditions:
Protests must be filed with
the permit must be filed with
the Idaho Water Resources
Advisory Board, Boise, Idaho, before
December 1, 1972.
C. STEPHEN ALBRECHT
Director
(5380)
Pub. 12-1-72

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that LaMar Johns,
American Falls, Idaho

has on 11-25-77 submitted Application No. 35-7759
for a permit to appropriate 0.80 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a ground-water source
by means of well and pump
within the SE $\frac{1}{4}$ Sec. 7, T. 6S, R. 30E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 40 acres

within the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 7, T. 6S, R. 30E, 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 _____
December 19, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho

on December 1 and December 8, 1977

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the A.
the B.

November 25, 1977

RE: Application for Permit No. 35-7759

Mr. LaMar Johns
454 Arthur
American Falls, Idaho 83211

Dear Mr. Johns:

Attached herewith is departmental receipt No. 9112 in the amount of \$25.00 for the above referenced application.

In our review of your application, we note you failed to sign at the bottom of page 3. This office is currently processing this application, however, final action can not be taken until we have received the signed application. Please sign and return to this office as soon as possible.

If you have any questions, please feel free to contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:CW

Attachment

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Lamar Johns

- ☒ 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) smj 11/25/77

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. 65, 30E.

(6) " "

Located within Water District No. Basin 35

(7) " "

Critical groundwater area: yes no ☒

(8) " "

Groundwater levels: No obs well in the area

Declining, Stable, Increasing

(comment) Wells 55, 30E are stable. Bulletin # 27

(9) " "

Other rights on the same place of use none

(10) " "

Comments: No conflicting water rights
none else

(11) aw 12-16-77

Affidavit of Publication received (date) Dec 16-77

(12) aw 12-19-77

Final date for protests December 19-1977

Protests received: yes no ☒

(13) LH 12-19-77

All requested information received from agencies or applicant: yes no ☒

(14) LH 12-19-77

Action recommended:

☒ Approve

Deny

12-5-77

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'Kelley Date 12-19-77

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Easement Condition

[Signature]