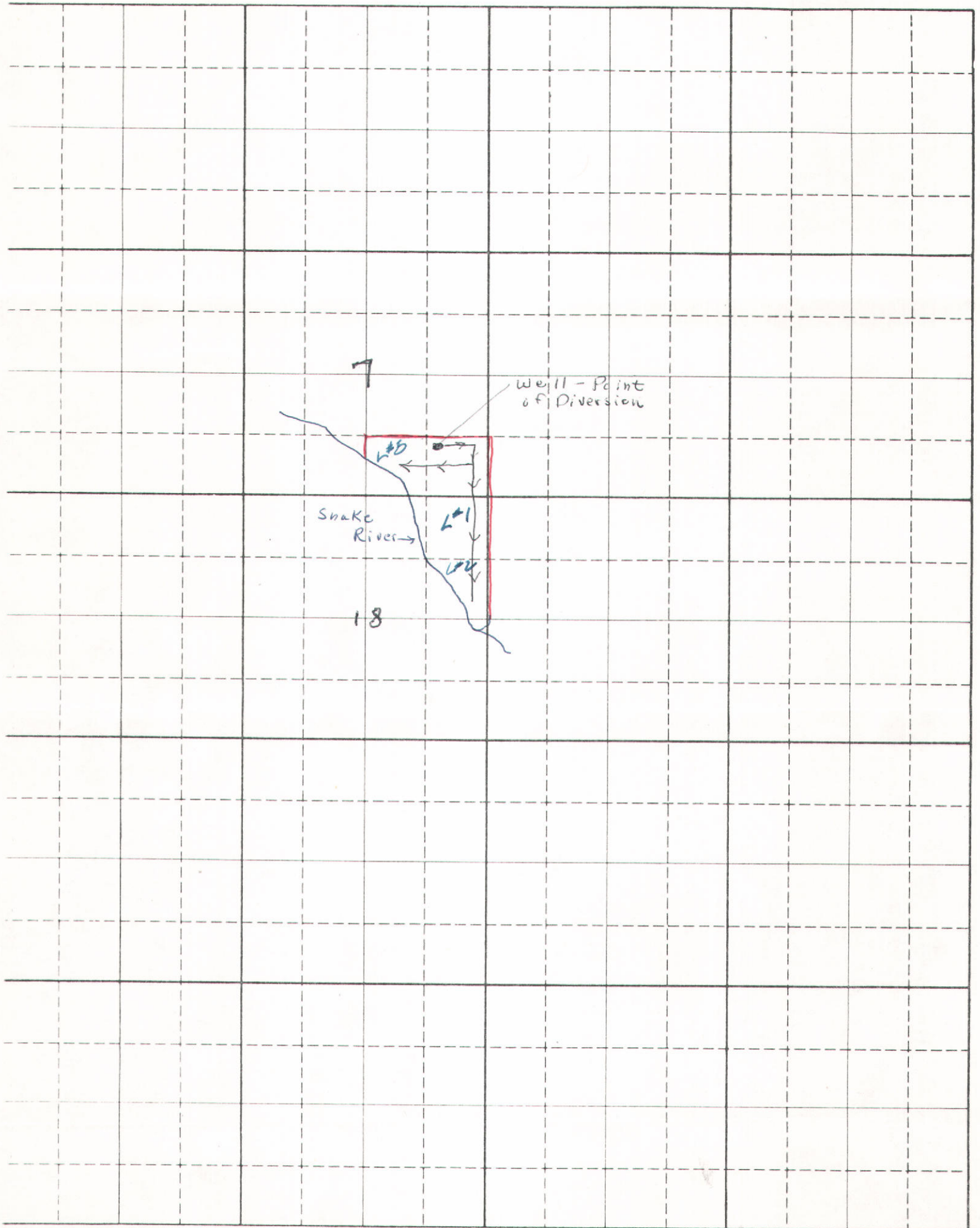


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

x Walter E. Cook
(Applicant)

RECEIVED

NOV 21 1977

Department of Water Resources
Eastern District Office

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO,

County of Jefferson

ss

NOTICE OF APPLICATION
FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that Walter E. Cook, Menan, Idaho has on 10-20-77 submitted Application No. 35-7750 for a permit to appropriate 2.52 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. 5N, R. 38E, B.M., Jefferson County; to be used from Apr. 1 to Oct. 15 for the irrigation of 136.94 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Lot 5, Sec. 7, Lots 1 and 2, Sec. 18, T. 5N, R. 38E, 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 November 21, 1977.

C. Stephen Allred
Director

Published in the Rigby Star, Rigby, Idaho on November 3 and November 10, 1977.

I, Russell Jones, do solemnly swear that I am the Editor of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Third day of November, 19 77

and the last publication on the

Tenth day of November, 19 77

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Russell Jones

Editor

Subscribed in my presence and sworn to before me this Tenth day of November, 19 77.
[SEAL]

Evelyn M. Flagler

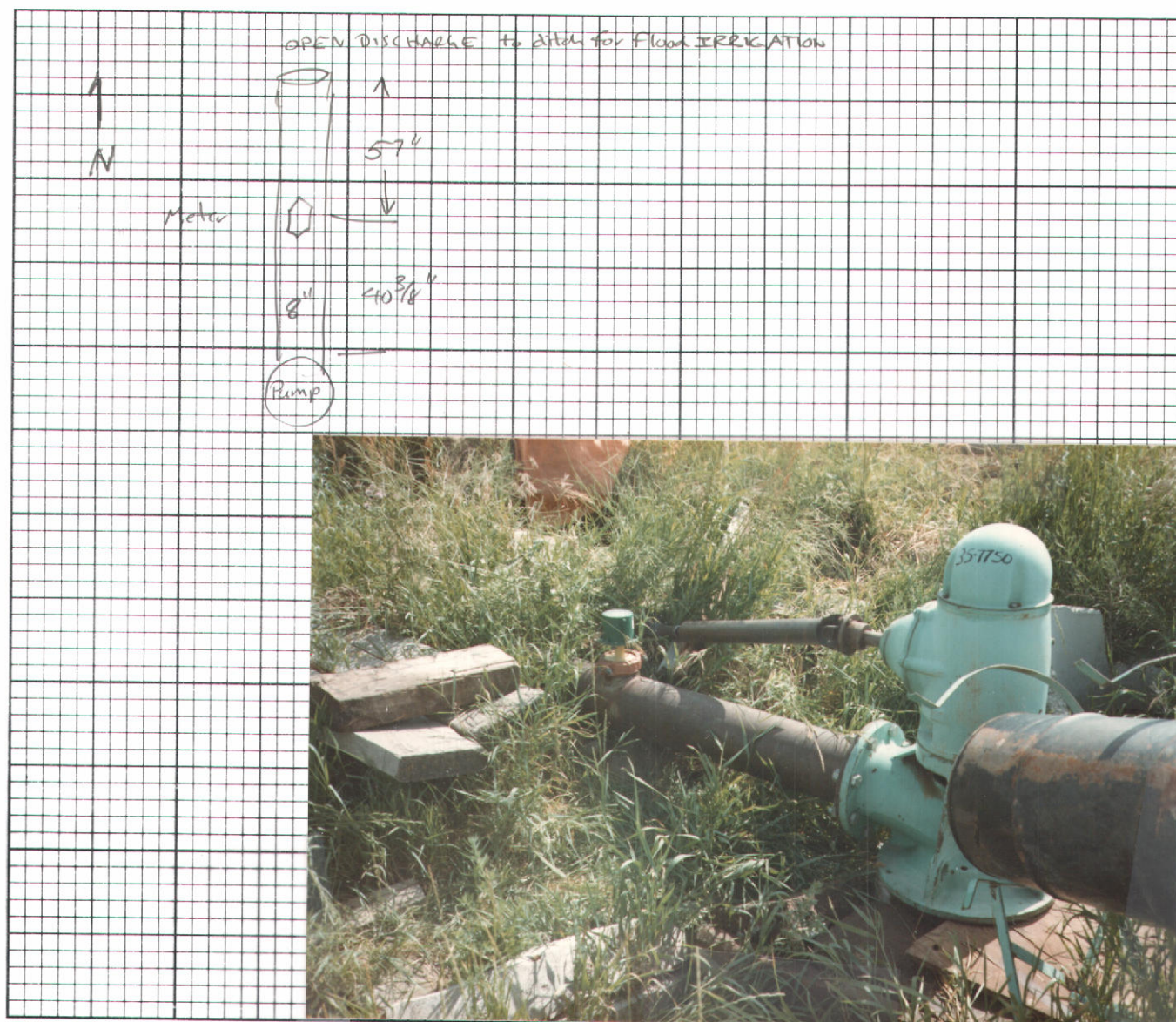
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Non-Exper 19

Publication Fee: \$ 10.92

MICROFILMED

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
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.



13. ☒ **Photo of Diversion & System Attached**

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

14. Remarks _____

15. 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

16. Examiner's/Consultant's Signature Keith C. Wilson Date 2 Aug 1984

Consultant's License Number _____

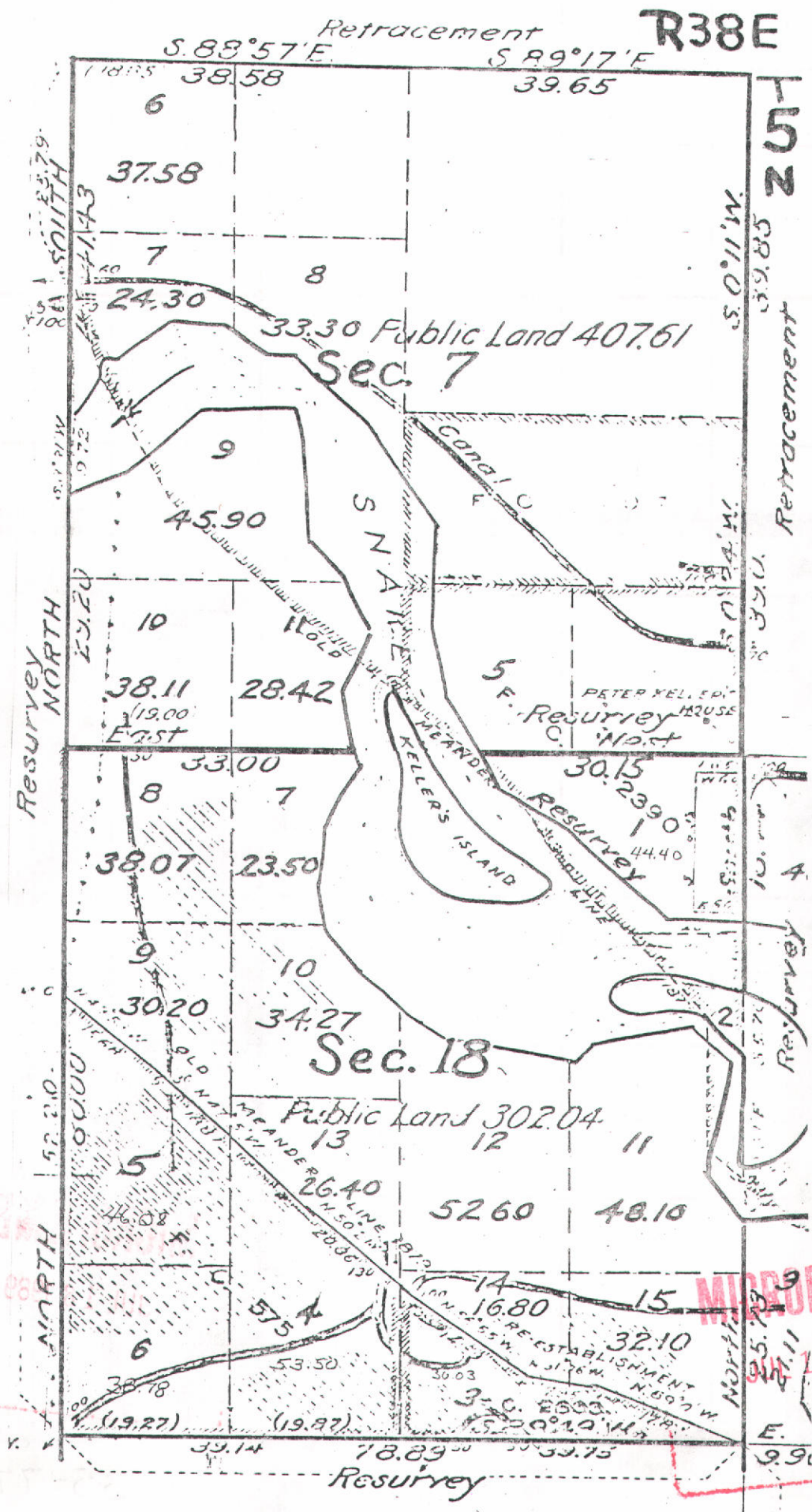
IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

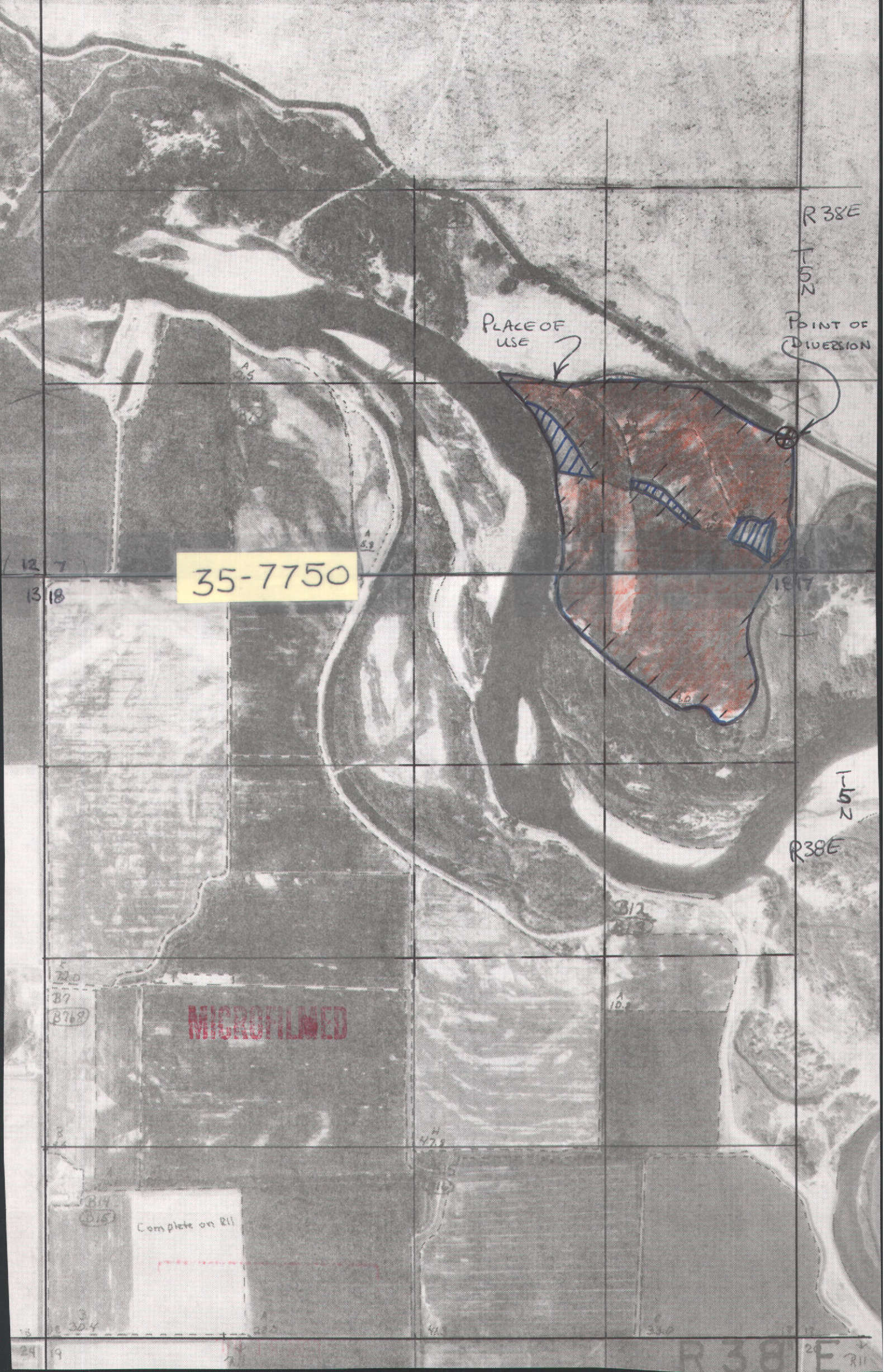
JUL 18 1989



MICROFILMED
18 1989

12 7

65
78



35-7750

MICROFILMED

Complete on R11

R38E
T5N
POINT OF
DIVERSION

T5N
R38E

R38E
T5N

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07750

Priority: October 20, 1977 Maximum Diversion Rate: 1.32 CFS
Maximum Diversion Volume:¹ 231.0 AF

This is to certify, that WALTER E. COOK
3600 E. 363 N.

MENAN, ID 83434

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 20, 1977; and has submitted Proof of Beneficial Use on November 2, 1978. An examination indicates that the works have a diversion capacity of 2.920 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/15	1.32 CFS	231.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 7, Township 05N, Range 38E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	38E	7	LOT 5(SWSE) 9	SESE 33		42
		18	LOT 1(NENE) 21	LOT 1(NWNE) 3		24

Total number of acres irrigated: 66

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.

JUL 18 1989

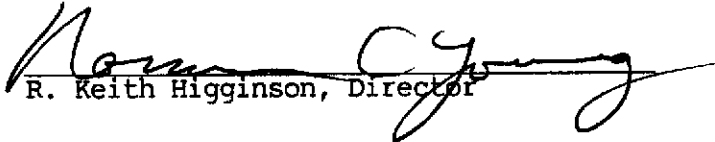
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07750

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14th
day of July, 1989.

Acting for


R. Keith Higginson, Director

MICROFILMED

JUL 18 1989

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07750

RECEIVED

APR 21 1989

APPROVED

Department of Water Resources

Date of Priority: October 20, 1977

Comes now

WALTER E. COOK

MENAN, ID 83434

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-07750, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 10/15	1.32 CFS	231.0 AFA

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 7, Township 05N, Range 38E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	38E	7	LOT 5(SWSE) 9	SESE 33		42
		18	LOT 1(NENE) 21	LOT 1 NWNE 3		24
Total number of acres irrigated:						66

MICROFILMED

JUL 18 1989

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

Signed at Menan, Idaho, this 15 day of April, 1989.

Walter E. Cook
Menan, Idaho

Walter E. Cook
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07750

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by KYoung Date 4/21/89
ACTION OF THE DEPARTMENT OF WATER RESOURCES # C006454

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-07750 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when 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 my hand this 14TH day of July, 19 89

Norm Young
Acting for (Director)

MICROFILMED

JUL 18 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 35-7750

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,

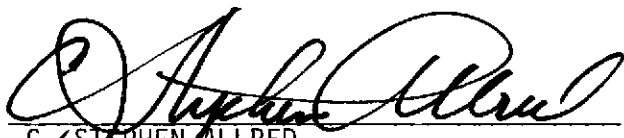
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

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 18th day of August, 1978.


C. STEPHEN ALLRED
Director

RECEIVED
MICHIGAN DEPT. OF
NATURAL RESOURCES

Identification No. 35 7750

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 Walter E. Cook Phone: _____
post office address Menan, Idaho
2. Source of water supply underground 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 5 N
Range 38 E B.M. Jefferson County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into none 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 2.52 ^{WP} for Agriculture purpose from 4-1 to 10-15 (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. 2.52 cubic feet per second and/or.
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Ditches, headgates,
gravity flow irrigation

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 60 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 6,000.00
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: _____

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JUN 10 1960

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 N	38	7																40	40
5 N	38	7																Lot 5 37.5 (SWSE)	37.5
5 N	38	18	34.58				Lot 1 (NE NE)												34.58
5 N	38	18	24.86				Lot 2 (SE NE)												24.86
																			136.94

Total number of acres to be irrigated 136.94 *W.C.*

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

10 inches Butte & Market Lake Canal

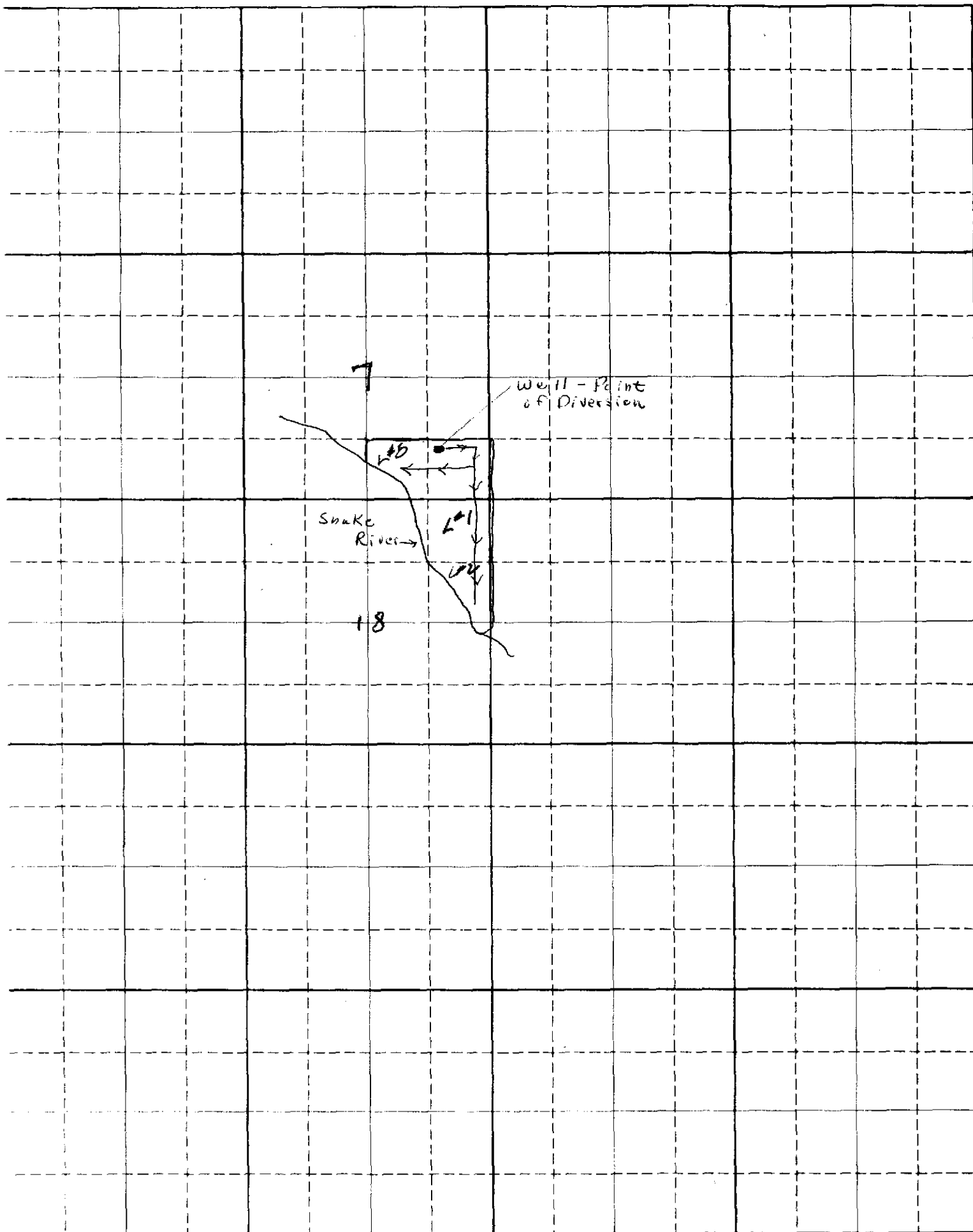
9. a. Who owns the property at the point of diversion Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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.

Walter E. Cant
(Applicant)

Proposed Priority 10/20/77

Received by CW Date 10-20-77 Time 10:40-A.
Preliminary check by APK Fee \$ 45.00
Receipted by CW Date 10-20-77 # 9058
Publication prepared by CW Date 10-28-77
Published in Highway Star
Publication dates Nov 3 & 10 - 1977
Publication approved me Date November 21, 1977
Priority reduced to _____ Reason _____

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

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. 35-7750, 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, 1979.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (2) The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 27 day of December 19 77.

[Signature]
Deputy Director

RECEIVED

NOV 21 1977

Department of Water Resources
Eastern District Office

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO,

County of Jefferson

ss

I, Russell Jones, do solemnly swear that I am the Editor of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Third day of November, 19 77

and the last publication on the

Tenth day of November, 19 77

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Russell Jones

Editor

Subscribed in my presence and sworn to before me this Tenth day of November, 19 77.

[SEAL]

Evelyn M. Flagler

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Non-Expir 19 79

Publication Fee: \$ 10.92

NOTICE OF APPLICATION
FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that Walter E. Cook, Menan, Idaho has on 10-20-77 submitted Application No. 35-7750 for a permit to appropriate 2.52 cubic feet per second of water from a ground-water source by means of well and pump within the SE 1/4 SE 1/4, Sec. 7, T. 5N, R. 38E, B.M., Jefferson County; to be used from Apr. 1 to Oct. 15 for the irrigation of 136.94 acres within the SE 1/4 SE 1/4, Lot 5, Sec. 7, Lots 1 and 2, Sec. 18, T. 5N, R. 38E, 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, 1615 Lincoln Road, Idaho Falls, Idaho, 83401 on or before November 21, 1977.

C. Stephen Allred
Director

Published in the Rigby Star, Rigby, Idaho on November 3 and November 10, 1977.

MICROFILMED

July 17, 1989

WALTER E. COOK
3600 E. 363 N.
MENAN, ID 83434

RE: PERMIT NO. 35-07750

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MAILED
JUL 18 1989

April 10, 1989

WALTER E. COOK
MENAN, ID 83434

RE: PERMIT NO. 35-07750

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JUL 18 1989

POD OVERLAP REV

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
3507750	05N	38E	7	SE SE		GROUNDWATER	COOK, WALTER E

RECEIVED

JUL 18 1989

From Walter Cude
3600 E 368th
Minneapolis, MN



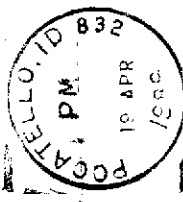
Note

address correction

State of Idaho
Dept of Water Resources

Boise Idaho 83220

KW
6/27/89

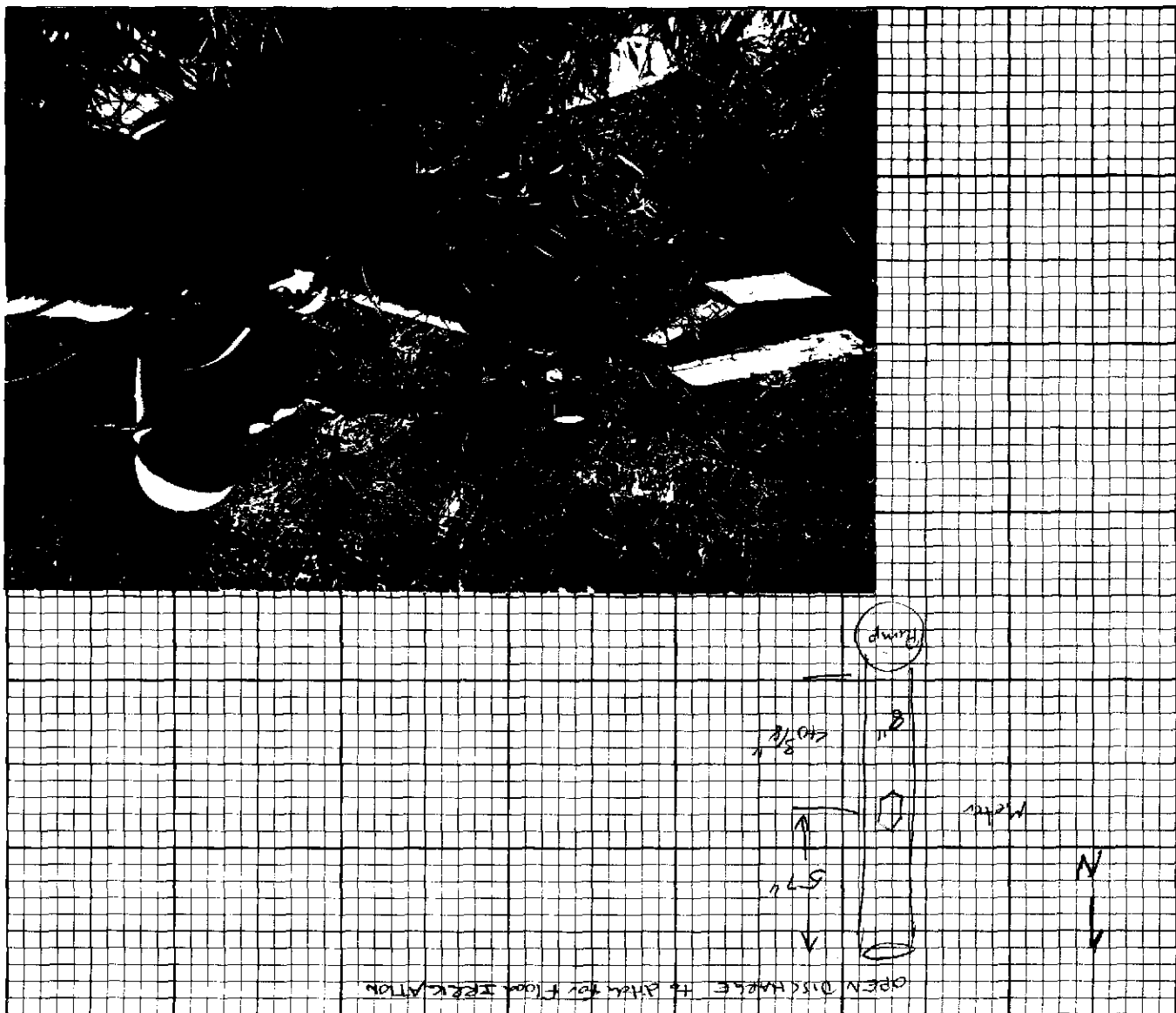


APR 19 1989

MAR 25 1986

[illegible]

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
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.



13. ☒ Photo of Diversion & System Attached

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

14. Remarks _____

15. Recommended Amendments
- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above
16. Examiner's/Consultant's Signature _____ Date 2 Aug 1984

Consultant's License Number _____

IDWR Director's Authorization to Conduct _____

Beneficial Use Examination _____

Date _____

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
MAR 25 1986

Permit No. _____

1. Measurement Calculations

Department of Water Resources

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

$$Q = 0.01 \text{ df in } 149 \text{ sec} = \left[(43560 \text{ ft}^2/\text{ac}) (0.01 \text{ ac-ft}) \right] \div 149 \text{ sec} = 2.92 \text{ cfs}$$

$$Q = 66 \text{ ac} \times 0.02 \text{ cfs/ac} = 1.32 \text{ cfs}$$

$$Q \text{ LIMITED BY } 0.02 \text{ cfs/ac} = 1.32 \text{ cfs}$$

b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 66 \text{ ac} \times 3.5 = 231 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.32 \times 197 \times 1.9835 = 515.8 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 231 \text{ af}$$

c) Volume Calculations for Other Uses: N/A

2. Overlap Review

a) Other water rights with same place of use: 01-0110C / 01-0317 / 01-0302

b) Other water rights with same point of diversion: N/A

c) Analysis: Permit indicates 10" Butte / Market Lake canal (01-0302)
Condition Limit to 0.02 cfs/ac / 3.5 af (R30)

RECORDED

JUL 18 1989

RECOMMENDED AMOUNTS

3.	Permit No.	35-7750
	Priority	
	Amount	
	App. Date	
	Date Proof Submitted	
	System Capacity	2.92cf

- | | | | | |
|-------------------|---------------|-------------------|---------------|------------|
| 4. Permit Holder: | | | | |
| Address: | | | | |
| 5. Source: | Groundwater | | | |
| 6. Beneficial Use | Period of Use | Rate of Diversion | Annual Volume | Irrigation |
| | From To | Q (cfs) | V (afa) | |
| | 4/1 10/15 | 1.32 cfs | 231 afa | |

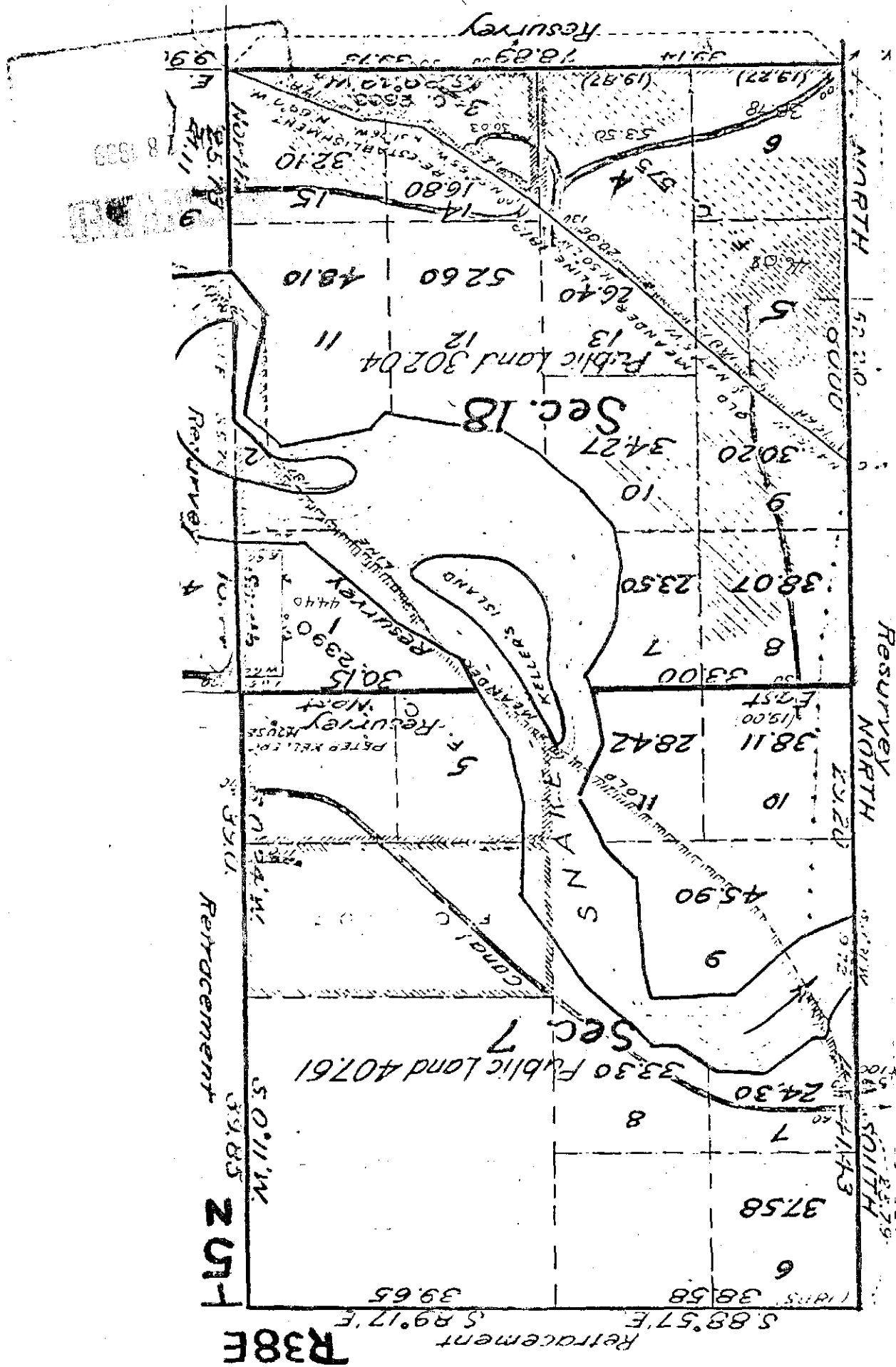
231 a ft	1.32 c ft	Allowable Maximums:

- | No. | Govt Lot | % | % | % | Sec. | Twp. | Rge. | County |
|-----|----------|---|---|---|------|------|------|--------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
7. Point(s) of Diversion: NO CHANGE FROM FIELD REPORT
8. Place(s) of Use NO CHANGE FROM FIELD REPORT

[illegible]

9. Recommended Conditions/Remarks: K 30
10. 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

1. Examiner's Signature Scott C. Wilson Date 11 Mar 1986
Checked in Regional Office by Gary Spahr Date 3-13-86
Approved in State Office by _____ Date 11/30/88 Paul





35-7750

PLACE OF
USE

1-102

R38

Complete on R11

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

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

November 16, 1978

Walter E. Cook
Menan,
Idaho 83434

Dear Mr. Cook:

Re: Permit No. 35-7750

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

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

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

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

RECEIVED

NOV 2 1978

Department of Water Resources
Eastern District Office

Identification No. 35-7750

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

1. a) Name of permit holder Walter E. Cook

b) Post office address Menan, Idaho

2. Permit number 35-7750

3. Date of priority that you are prepared to establish 10/20/77

4. a) Source from which water was appropriated groundwater

b) Location of the point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7

Township 5N, Range 38E Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 2.52 for Agriculture purposes from 4-1 to 10-15 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated 2.52 cfs and/or acre-feet per annum.

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:
myself

6. If the means of diversion and conveyance are owned by someone other than the permit holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement of understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):

Well, tractor powered pump, open ditches

b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

Headgates and rectangular weir

Exam filed 11/16/78 by af

Doug Cushman Wel Drilling April 1978

[illegible]

Total number of acres irrigated 136.94

10. Remarks:

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

November 2, 1978

(Date)

(Signature)

Walter E. Cook

State of Idaho)
County of Bonneville) ss.)

On this 2nd day of November, 1978, personally appeared before me the
 signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

6/15/81

CONVERSATION MEMORANDUM

DATE

Nov. 15, 1978

FILE

35-7750

NAME OF PARTY

Joy Johnson

EMPLOYEE

Jan Grover

RE:

I called Joy to discuss the letter of 10/6/78 requesting the measuring device removal. Mr. Cook ~~actually~~ had not received the letter yet informing him of the change in the meas. device condition to the 3 choices. He does have a weir in so we're going to ignore this altogether.

MICROFILMED

JAN
October 6, 1978

RE: 35-7750

Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sirs:

I would like to request an exemption of the measuring devise requirement as the Department of Water Resources has not adopted the access port specification and my pump produces a lettle over 100 miners inches of water. The discharge pipe is between 1 foot and 2 ft. above the bottom of the ditch.

Therefore, I requested that the Department measure the discharge through their Sparling meter.

Very truly yours,

RECEIVED

OCT 10 1978

Department of Water Resources
Eastern District Office

Walter E. Cook



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

C. STEPHEN ALLRED
Director

CERTIFIED MAIL

100314

October 31, 1978

Re: Permit No. 35-7750

Walter E. Cook
Menan,
Idaho 83434

Dear Mr. Cook:

One of the conditions of approval of your water Permit No. 35-7750 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit

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

9/12/78

Dear Wateruser:

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

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

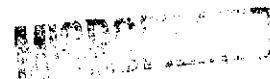
If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure



January 3, 1978

Re: Permit No. 35-7750

Walter E. Cook
Menan, ID 83434

Dear Mr. Cook:

Enclosed is a copy of your approved Application for Permit No. 35-7750 . 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 install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

MICROFILMED

October 31, 1977

RE: Application for Permit No. 35-7550 COOK

Mr. Grant L. Young
Attorney at Law
115 North Clark
Rigby, Idaho 83442

Dear Mr. Young:

Attached herewith is departmental receipt No. 9058 in the amount of \$45.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

RECEIVED

October 28, 1977

RE: Application for Permit No. 31-7272 McAfee
35-7750 Cook

Rigby Star
P.O. Box 37
Rigby, Idaho 83442

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 11-21-77 by CW

RDC:CW

Enc: Legal Notice (2)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Walter E. Cook,
Menan, Idaho

has on 10-20-77 submitted Application No. 35-7750
for a permit to appropriate 2.52 cubic feet per second XXXXXXXXXXXXXXXXXXXXXX
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. 5N, R. 38E, B.M., Jefferson County;

to be used from Apr. 1 to Oct. 15
for the irrigation of 136.94 acres

within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Lot 5, Sec. 7, Lots 1 and 2, Sec. 18, T. 5N, R. 38E, 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 _____
November 21, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Rigby Star, Rigby, Idaho
on November 3 and November 10, 1977

W.E.C.
Nov 10

LAW OFFICES

GRANT L. YOUNG

115 NORTH CLARK STREET
RIGBY, IDAHO 83442
(208) 745-6656

October 14, 1977

RECEIVED

OCT 20 1977

Mr. Anthony R. Kozlowski
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

Dear Mr. Kozlowski:

Enclosed please find corrected Application and
filing fee of \$45.00.

Yours very truly,

Grant L. Young

GLY:ck

Enclosure



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

October 11, 1977

Mr. Grant L. Young
Attorney at Law
115 North Clark
Rigby, Idaho 83442

Dear Mr. Young:

Again we must return the application submitted by you in the name of Walter E. Cook and check No. 92-40 in the amount of \$10.00 for the following reasons:

The statutory filing fee for 2.52 c.f.s. is \$45.00. As you have submitted a check for only \$10.00, we are unable to begin processing the application at this time.

Under Item 5, you have indicated an erroneous total of 4.00 c.f.s. I believe the total should be changed to 2.52 c.f.s.

Please make the necessary correction and resubmit the appropriate filing fee for further processing.

Very truly yours,

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:CW

Attachment: Check No. 92-40 \$10.00

Enclosure

RECEIVED
OCT 11 1977
WATER RESOURCES
EASTERN REGION

LAW OFFICES

GRANT L. YOUNG

115 NORTH CLARK STREET
RIGBY, IDAHO 83442
(208) 745-6656

October 6, 1977

OCT 7 1977

Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

To Whom It May Concern:

Enclosed please find application for resubmittal with changes pursuant to your letter dated September 22, 1977. Mr. Cook's check for \$10.00 is also enclosed.

Your prompt attention to this matter will be appreciated.

~~Yours very truly,~~

Grant L. Young

GLY:ck

Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director
September 22, 1977

Mr. Grant L. Young
Attorney at Law
115 North Clark Street
Rigby, Idaho 83442

Dear Mr. Young:

We must return the application submitted by you in the name of Walter E. Cook and check No. 92-40 in the amount of \$55.00 for the following reasons:

1) The amount of water indicated in Items 4 and 5 is excessive for the number of acres irrigated. Section 42-202, Idaho Code, specifies a maximum of one-inch or 0.02 cubic feet per second for each acre to be irrigated.

2) Since this is to be a ground-water development, a description of the well should be listed in Item 6c.

3) The land list in Item 8b is confusing in that 136.94 acres are listed as being owned by the applicant, but only 80 acres is shown as a total. Normal practice in filling out applications is to list all the lands being considered for development and to compute the amount of water from these acreages. Then when the development is complete and you are ready to make beneficial use you may file on the actual completed development.

For your convenience, I have enclosed a Water Users Handbook which may answers some of your questions.

Very truly yours,

LOREN O. HOLMES
Assistant Regional Supervisor

LOH:cw

Enclosures

Attachment

LAW OFFICES

GRANT L. YOUNG

115 NORTH CLARK STREET
RIGBY, IDAHO 83442
(208) 745-6656

September 21, 1977

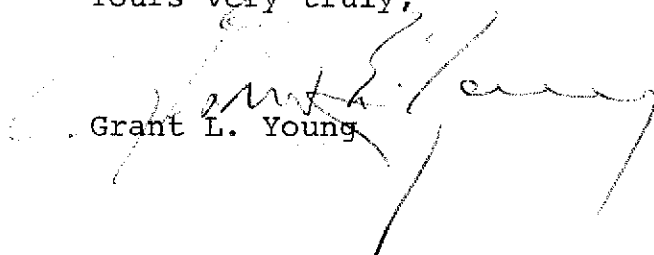
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

To Whom It May Concern:

Enclosed please find application for a permit to appropriate public waters for the State of Idaho with application fee in the sum of \$55.00.

I trust that you will find everthing in order. Your prompt attention will be appreciated as Mr. Cook is interested in getting his well dug as soon as possible.

Yours very truly,


Grant L. Young

GLY:ck

Enclosures

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Cook

g.w. Source
✓ Point of Diversion
✓ County
252 Quantity of Water and Period of Use
✓ Description of Diverting Works
1 yr. Time required for B/U of water
✓ Place of Use or Acres Irrigated
✓ Map
✓ Signature
45.00 Fee

(1) EMC 10/25/77
(2) " "

In form to receipt yes.

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. 5N 38E Bism 35

(6) " "

Located within Water District No. 01

(7) " "

Critical groundwater area: yes no ✓

(8) " "

Groundwater levels:

Declining, ✓ Stable, Increasing

(comment) _____

(9) " "

Other rights on the same place of use 10 inches in
Butte Market Lake Canal

(10) " "

Comments: none

(11) CW 11-21-77

Affidavit of Publication received (date) Nov. 21-1977

(12) CW 11-21-77

Final date for protests Nov. 21-1977

Protests received: yes no ✓

(13) RDC 11/21/77

All requested information received from agencies or applicant: yes no

(14) " "

Action recommended:

✓ Approve Deny

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 RDC

Date 11/21/77

Supplemental