

RECEIVED

MAY 31 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: Thursday 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 ..19th day of ..May..., 19 77...,  
and the last publication having been made on the  
26th day of ..May..., 19 77; 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 27th

day of May..., 19 77...

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  
Rancho Carne Y Papas, a  
limited partnership, Tucson,  
Arizona, has on 5-09-77, sub-  
mitted Application No. 35-7707,  
for a permit to appropriate 1.60  
cubic feet per second of water  
from a ground-water source by  
means of well and pump within  
the SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, Sec. 22, T. 4S, R.  
33E, B.M., Bingham County; to  
be used from Apr. 1 to Nov. 1 for  
the irrigation of 80 acres within  
the N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, Sec. 22, T. 4S, R.  
33E, 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 June 6, 1977.

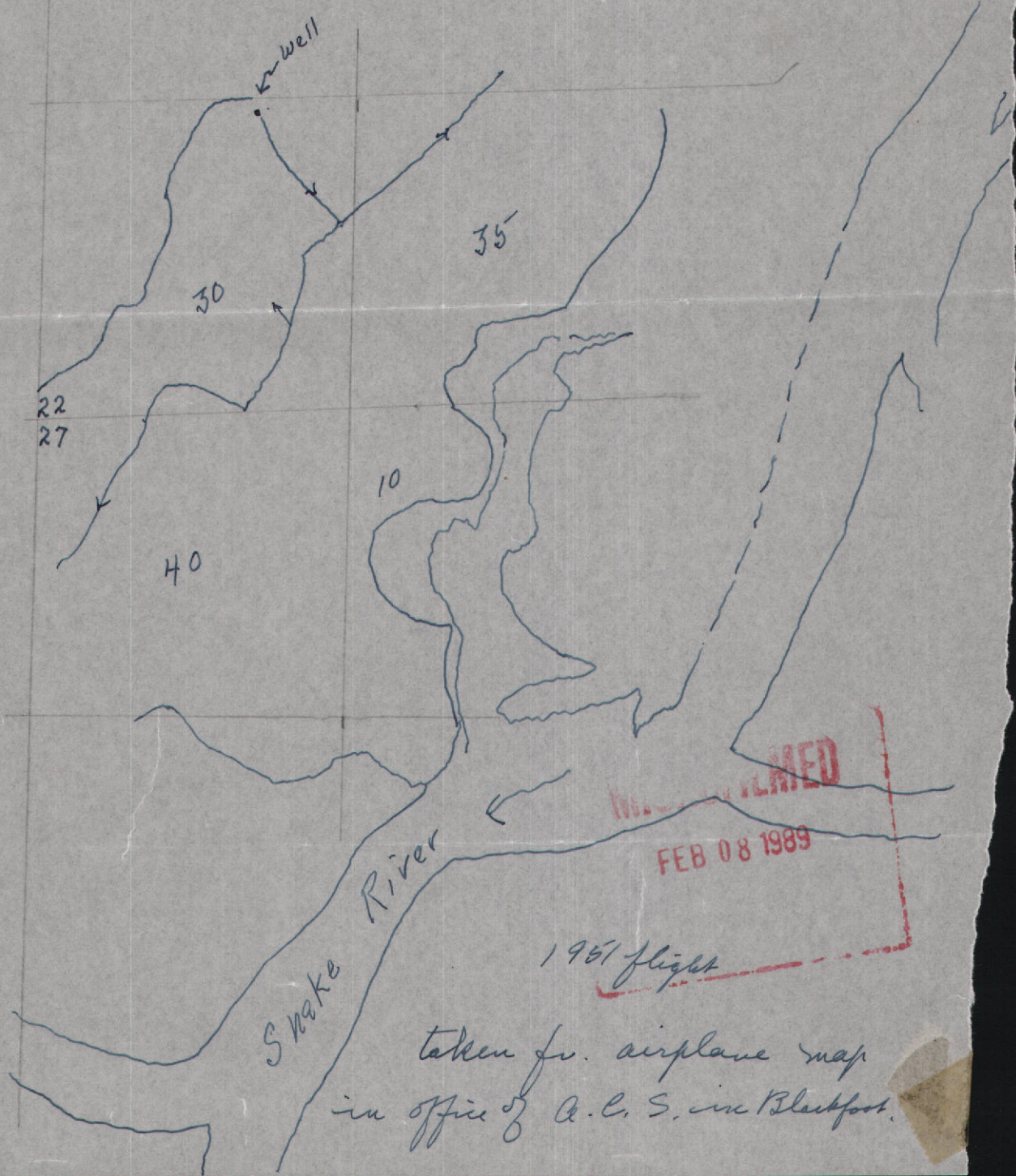
C. STEPHEN ALLRED  
Director

(5114)  
Pub.: 5-19, 26

MICROFILMED

Shelman

T 45. R 33 E. B.M.



R 33E

LEB 08 1988

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22

39

40

Road

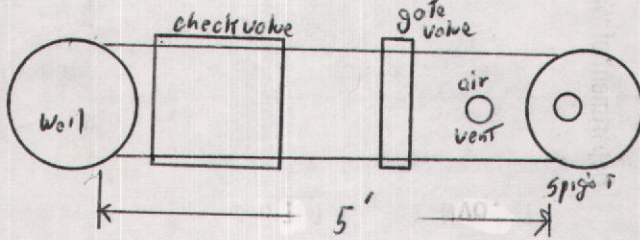
P.D.

Min. line

Diagram of System

N

power



JDC

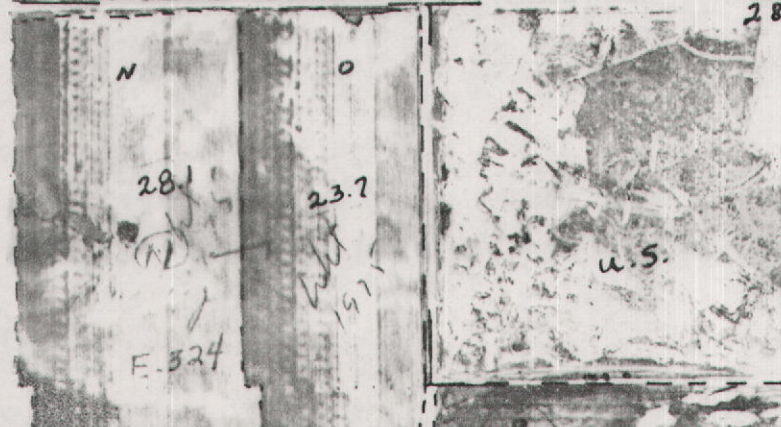
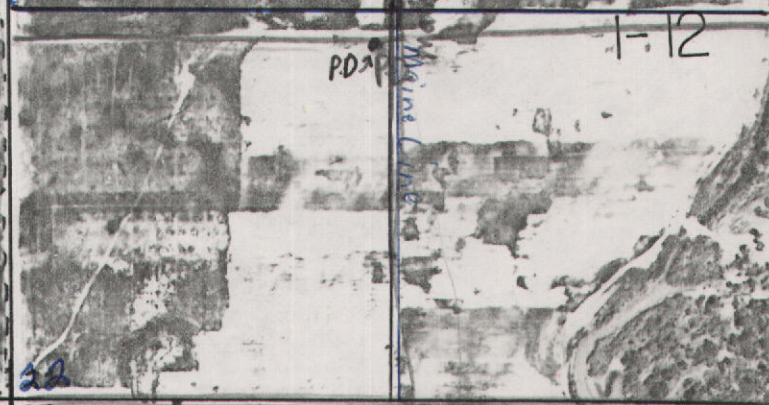
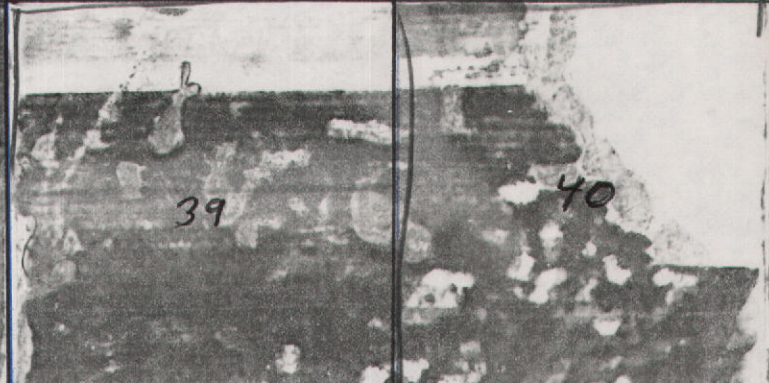
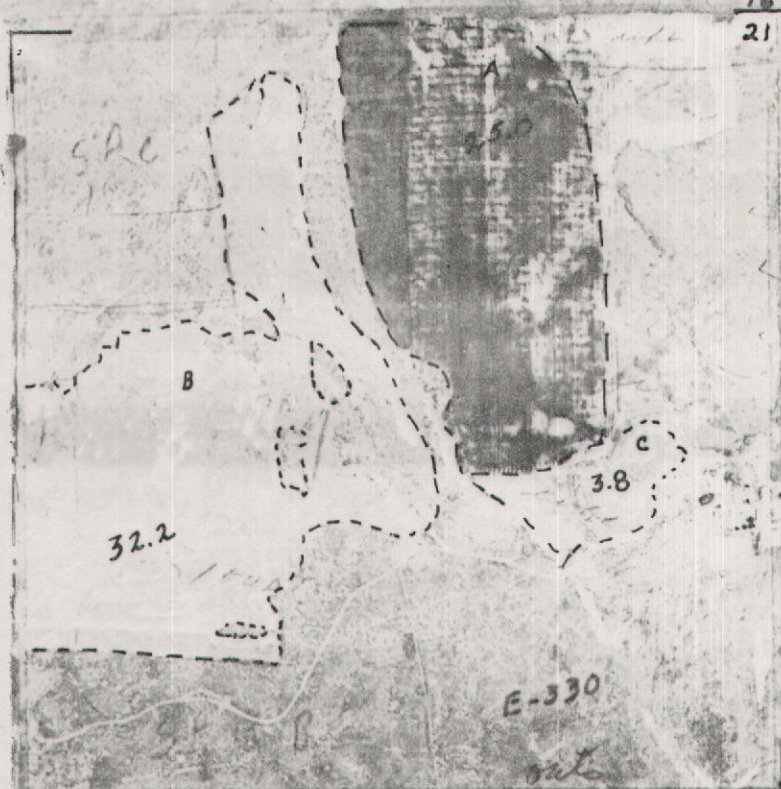
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FEB 08 1989

# RANCHO CARNE Y PAPAS

35-7707

16 15  
21 22



# License and Certificate of Water Right

# 35-2208

Water License No. G-22490

Amount 2.3 second feet

Water District No.

Priority November 29, 1951

THIS IS TO CERTIFY that JOSEPHINE SHELMAN  
of Spring field, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated November 29, 19 51 ; that Permit No. G-22490  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
2.3 second feet, was issued thereunder on August 16, 19 54 , showing that said works  
were completed on the 20th day of January, 19 54 ; and that on the 20th  
day of January, 19 54 ,

JOSEPHINE SHELMAN BROWN, Nee Josephine Shelman,  
of Blackfoot, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of a well  
, ~~subterranean~~ (subterranean flow), for the purpose of irrigation

, under Use Permit No. G-22490 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
9 of Licenses at page 5325, on the 16th day of August, 19 54 ;

The right hereby confirmed dates from November 29, 19 51 ;

The Point of Diversion is located

in the SW 1/4 Sec. 22, Twp. 33 N., R. 33 E., B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed 2.3 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                     | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|--------------------------------------|----------------------------------|---------------------------------|
| 4 S. | 33 E. | 22   | SW 1/4                               | 40                               | 30                              |
|      |       |      | SE 1/4                               | 40                               | 35                              |
|      |       | 27   | NE 1/4                               | 40                               | 10                              |
|      |       |      | NW 1/4                               | 40                               | 40                              |
|      |       |      | Number of Acres Actually Irrigated - |                                  |                                 |
|      |       |      |                                      |                                  | 115                             |

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FEB 08 1989

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
16th day of August, 19 54

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JUL 13 1977

Department of Water Resources

*Law Offices*

FURCHNER, MARTSCH & BAKER

178 W. JUDICIAL STREET  
BLACKFOOT, IDAHO 83221

H. WILLIAM FURCHNER  
JAMES L. MARTSCH  
—  
DWIGHT E. BAKER

July 11, 1977

AREA CODE 208  
785-2310  
—  
P. O. BOX 752

State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Attn: Bobby D. Fleenor

Re: Permit Number 35-7707  
Rancho Carne Y Papas, A Limited Partnership

Dear Mr. Fleenor:

Enclosed herewith on behalf of Rancho Carne Y Papas please find Proof of Application of Water to Beneficial Use. It is quite important that you acknowledge receipt of this proof as soon as possible so that we can submit the same to the Federal Land Bank Association which is withholding some loan proceeds pending proof that Rancho Carne Y Papas has submitted Proof of Application of Water to Beneficial Use.

Thank you.

Sincerely yours,

FURCHNER, MARTSCH & BAKER

*James L. Martsch*  
James L. Martsch

JLM: daw  
Encl.

RECEIVED  
JUL 13 1977

*Do you want to acknowledge receipt of this to attorney? Ray weaver*

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 35-07707

Priority: May 9, 1977

Amount: 1.58 CFS 276.5 AFA

This is to certify, that RANCHO CARNE Y PAPAS  
1730 N. TANQUE VERDE LOOP RD.  
TUCSON, AZ 85715

has complied with the terms and conditions  
of the permit issued pursuant to Application for Permit dated May 9, 1977, and  
has submitted proof to the Department of Water Resources on July 13, 1977, that  
water has been applied to a beneficial use; an examination by the Department indicates  
that the works have a diversion capacity of 2.620 cfs of water from a GROUNDWATER  
source and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| IRRIGATION            | 04/01 to 11/01       | 1.58 CFS                 | 276.5 AFA     |

LOCATION OF POINT OF DIVERSION(S): SWSW , Sec. 22, Township 04S, Range 33E  
BINGHAM 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> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 04S                              | 33E        | 22         | NESW 40      | NWSW 39      |              | 79           |
| Total number of acres irrigated: |            |            |              |              |              | 79           |

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. The maximum combined rate of diversion under this right & Right 35-2208 shall not exceed 2.62 cfs.

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 30<sup>th</sup>  
day of JANUARY, 1989.

Acting for the Director

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FEB 08 1989

Identification No. 35 7707

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 Rancho Carne Y Papas, A Limited Phone: 602-884-8288  
Partnership  
 post office address 1730 North Tanque Verde Loop Road, Tucson, Arizona 85715
2. Source of water supply Subterranean flow (well) which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 22 Township 4 So.  
 Range 33 E.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 1.6 cfs for irrigation purpose from April 1 to November 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. 1.6 cubic feet per second and/or  
 b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
 a. Description of ditches, flumes, pumps, headgates, etc. A deep well with 75 h.p. electrical motor and turbine pump. All water distributed through sprinkler systems using 12" portable main line pipe and 4" and 6" lateral pipe lines.  
 \_\_\_\_\_  
 \_\_\_\_\_
- 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 \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years. This works has been completed and in use since the spring of 1970.  
 b. Estimated construction cost is \$ \_\_\_\_\_.
8. Description of proposed uses: N/A  
 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 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
9. 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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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. None

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 -----

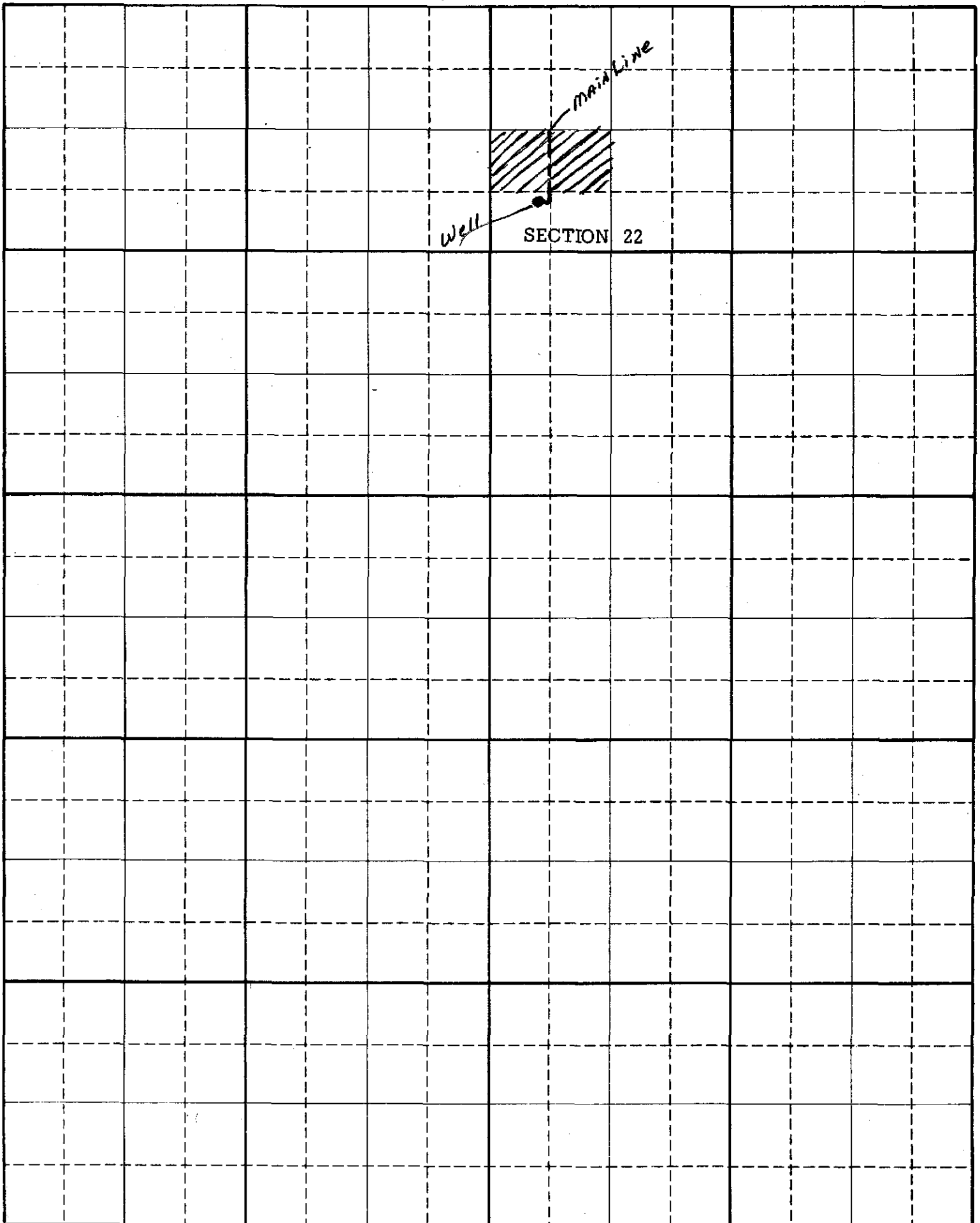
10. Remarks This application is for a permit to irrigate 80 acres in addition to the  
farm land now being irrigated pursuant to Water License No. G-22490

Legend:

Pump: ● Point of diversion; Main Line -----; Land irrigated: 

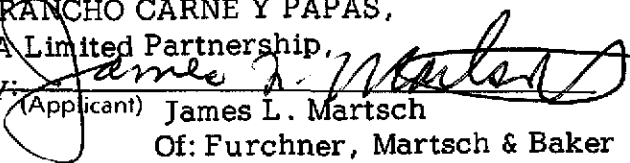
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

TOWNSHIP 4 SOUTH, RANGE 33 E.B.M.



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.

RANCHO CARNE Y PAPAS,  
A Limited Partnership.  
By:   
(Applicant) James L. Martsch  
Of: Furchner, Martsch & Baker  
Attorney in Fact

Proposed Priority 5/ 9/77

Received by me Date 5-9-77 Time 11:04 a.

Preliminary check by RPC Fee \$ 35.00

Receipted by me Date 5-09-77 # 7228

Publication prepared by me Date 5-13-77

Published in Ins. Blackfoot News

Publication dates May 19 + 26, 1977

Publication approved me Date 6-1-77

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by RPC jo

#### 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. 35-7707, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

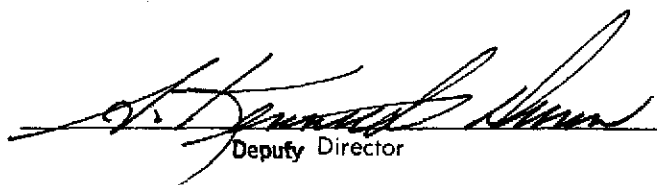
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 82.

c. Other: A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: \_\_\_\_\_

Witness my hand this 29 day of June, 19 77.

  
Deputy Director

MAY 31 1977

Department of Water Resources  
Eastern District Office

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..... issue of said newspaper ..2... consecutive  
wks the first publication having been made on  
the 19th day of May, 19 77,  
and the last publication having been made on the  
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*David Mark Brown*

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*Notary Public for the State of Idaho,*  
Residing at Blackfoot, Idaho  
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C. STEPHEN ALLRED

Director

(5114)  
Pub.: 5-19, 26

30

January 31, 1989

RANCHO CARNE Y PAPAS  
1730 N. TANQUE VERDE LOOP RD.  
TUCSON, AZ 85715

RE: PERMIT NO. 35-07707

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

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FEB 08 1989

January 4, 1989

RANCHO CARNE Y PAPAS  
1730 N. TANQUE VERDE LOOP RD.  
TUCSON, AZ 85715

RE: PERMIT NO. 35-07707

Dear Permit Holder(s):

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

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

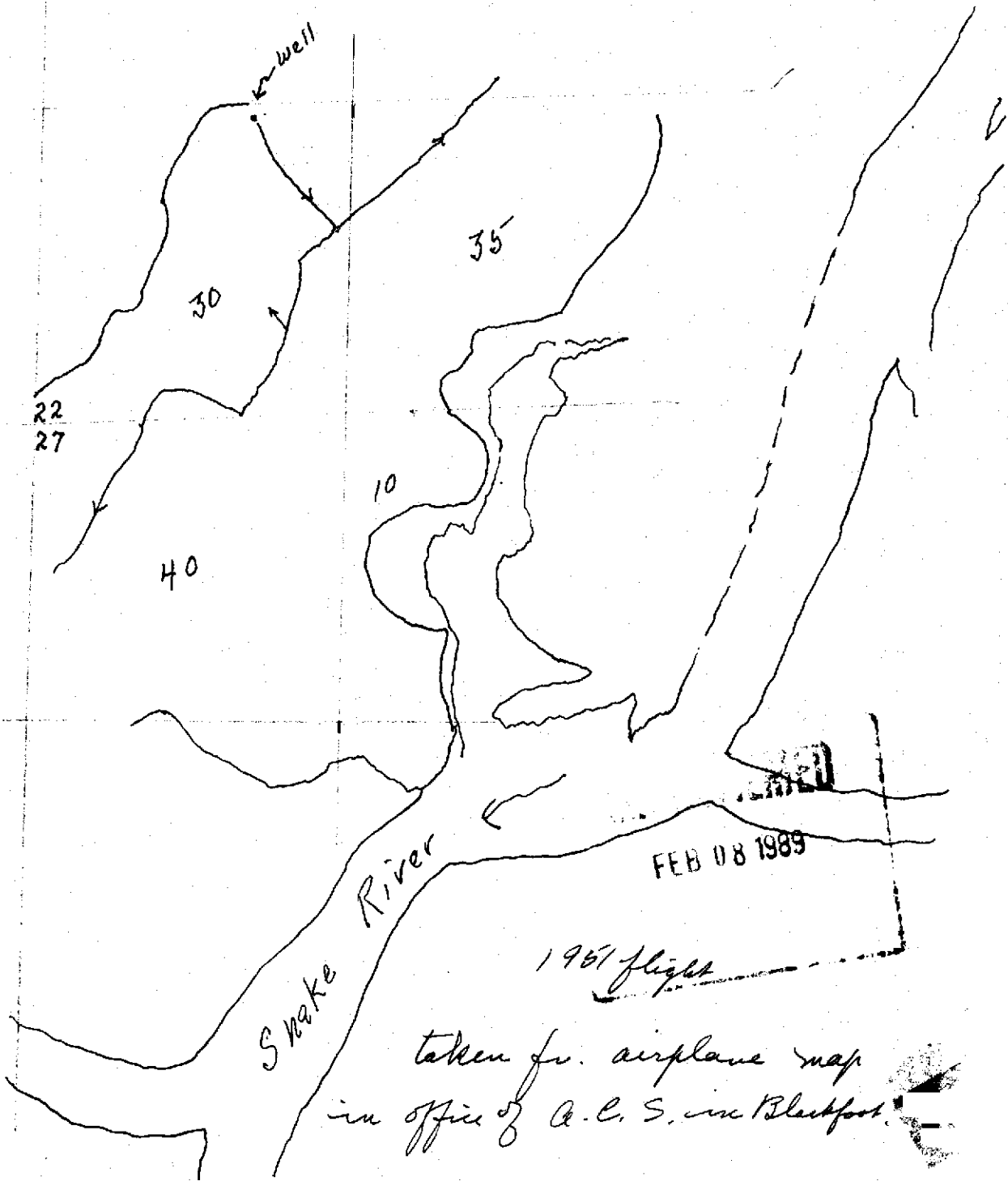
JJ:sc

Enclosure

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Shelman

T4S. R33 E.B.M.



FEB 08 1989

1961 flight

taken fr. airplane map  
in office of A.C.S. in Blackfoot

80

**FEB 08 1989**



DATE OF EXAM May 21, 1980

ACREAGE

Found 2001 ac  
Recommended 79 ac

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = 1.58 c.f.s. V = 276.5 AF/Ann. from April 1 to Nov. 1  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ☒

Name source: n/a  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no ☒

Name source exchanged with: n/a  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of injection: n/a  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of exchange: n/a  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Total Q measured 2.62 Method of measurement pressure gauge on nozzle

Total Q recommended 1.58 cfs Meter No. \_\_\_\_\_ Type \_\_\_\_\_ Condition std.

Total V recommended 276.5

Recommended Amendments:

☒ P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None \_\_\_\_\_

MEASUREMENT CALCULATION:

Pressure gauge on sprinkler nozzle. See other side

$2.62 \text{ cfs} \times 1.9835 \times 214 \text{ days} = 1112 \text{ AF/yr}$   $79 \text{ ac} \times 3.5 \text{ AF/ac} = 276.5$

SYSTEM DESCRIPTION:

Water is diverted by a H.F. Tri-Clad Ind. motor 150 hp. Serial #  
ENJ302153 and a Johnston vertical turbine pump. # 15713 1/4 mile of 8" portable  
main line and 1/2 mile 10" portable main line

REMARKS:

(35-2208)  
Condition per license G-22490 - R17 (35-2208) (2.62 cfs)

Examiner's Signature John Dale Carson

Checked by H.W. Jones

Approved by Raymond McElathay

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FEB 08 1989

Date 4/29/86

Date 5-20-86

Date 4/18/88

|                                                                                                                                                                        |                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| $\begin{array}{ccc} 5/32 & & 5/32 \\ \times & 33 \text{ lbs} & \times \\ 49 \text{ psi} & 5.13 \text{ gpm} \times 33 = 169.3 \text{ gpm} & 50 \text{ psi} \end{array}$ | $\begin{array}{ccc} 5/32 & & 5/32 \\ \times & 33 \text{ lbs} & \times \\ 50 \text{ psi} & 5.13 \text{ gpm} \times 33 = 169.3 & 49 \text{ psi} \end{array}$             |
| $\begin{array}{ccc} 5/32 & & 5/32 \\ \times & 33 \text{ lbs} & \times \\ 49 \text{ psi} & 5.13 \text{ gpm} \times 33 = 169.3 \text{ gpm} & 50 \text{ psi} \end{array}$ | $\begin{array}{ccc} 5/32 & & 5/32 \\ \times & 27 \text{ lbs} & \times \\ 50 \text{ psi} & 5.13 \text{ gpm} \times 27 = 138.5 & 49 \text{ psi} \end{array}$             |
| $\begin{array}{ccc} 5/32 & & 5/32 \\ \times & 33 \text{ lbs} & \times \\ 46 \text{ psi} & 5 \text{ gpm} \times 33 = 165 \text{ gpm} & 48 \text{ psi} \end{array}$      | $\begin{array}{ccc} 5/32 & & 5/32 \\ \times & 25 \text{ lbs} & \times \\ 48 \text{ psi} & 4.98 \text{ gpm} \times 25 = 124.5 \text{ gpm} & 45 \text{ psi} \end{array}$ |
| $\begin{array}{ccc} 5/32 & & 5/32 \\ \times & 30 \text{ lbs} & \times \\ 43 \text{ psi} & 4.85 \text{ gpm} \times 30 = 145.5 \text{ gpm} & 45 \text{ psi} \end{array}$ | $\begin{array}{ccc} 5/32 & & 5/32 \\ \times & 20 \text{ lbs} & \times \\ 45 \text{ psi} & 4.82 \text{ gpm} \times 20 = 96.4 \text{ gpm} & 48 \text{ psi} \end{array}$  |

1177.8 gpm = 2.62 of 5

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RANCHO CARNE Y PAPAS

30-7707

16 15  
21 12

SRL

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4-12

NOT FILMED

FEB 08 1989

E 24

# WATER AND CURRENTS OF WATER RIGHT

# 35-2208

Water License No. 6-22490

Amount 2.3 second feet

Water District No.

Priority November 29, 1951

THIS IS TO CERTIFY that JOSEPHINE SHELMAN

of Spring field, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 29, 1951; that Permit No. 6-22490 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.3 second feet, was issued thereunder on August 16, 1954, showing that said works were completed on the 20th day of January, 1954; and that on the 20th day of January, 1954,

JOSEPHINE SHELMAN BROWN, Nee Josephine Shelman,

of Blackfoot, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, ~~withstanding~~ (subterranean flow), for the purpose of irrigation

under Use Permit No. 6-22490 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 5325, on the 1st day of August, 1954;

The right hereby confirmed dates from November 29, 1951;

The Point of Diversion is located

in the 34 1/4 Sec. 22, Twp. 3, R. 33 E., B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.3 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                     | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|--------------------------------------|----------------------------------|---------------------------------|
| 4 S. | 33 E. | 22   | SW 1/4 SW 1/4                        | 40                               | 30                              |
|      |       |      | SE 1/4 SW 1/4                        | 40                               | 35                              |
|      |       | 27   | NE 1/4 NW 1/4                        | 40                               | 10                              |
|      |       |      | NW 1/4 NW 1/4                        | 40                               | 40                              |
|      |       |      | Number of acres actually irrigated - |                                  |                                 |

**MICROFILM**  
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**MICROFILMED**  
FEB 08 1989

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 10th day of August, 1954.



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

35-7707  
RANCHO CARNE Y PAPAS  
1730 N. TANQUE VERDE LOOP RD.  
TUCSON, AZ 85715

138584

April 30, 1986

CERTIFIED MAIL

### EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources  
4055 Government Way  
Coeur d'Alene, ID 83814  
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources  
150 Shoup Ave., Suite 15  
Idaho Falls, ID 83401  
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources  
1041 Blue Lakes Blvd. North  
Twin Falls, ID 83301  
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources  
450 W. State St., (Third Floor)  
Boise, ID 83720  
Phone: 334-2190

Sincerely,



L. GLEN SAXTON  
Chief, Operations Bureau

Enclosures

**MICROFILMED**

FEB 08 1989

July 27, 1977

Re: Permit No. 35-7007

Rancho Carne Y Papas, A  
Limited Partnership  
1730 North Tanque Verde Loop Road  
Tucson, Arizona 85715

Gentlemen:

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,

JANICE RENK  
Water Rights

cc: James L. Martsch  
178 W. Judicial St.  
Blackfoot, ID 83221

MICROFILMED

Identification No. \_\_\_\_\_

Permit No. 35 7707

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 12 1977

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Rancho Carne Y Papas, A Limited Partnership  
b) Post Office Address 1730 North Tanque Verde Loop Rd, Tucson, Arizona 85715
  2. Permit Number 35-7707
  3. Date of Priority that you are prepared to establish Spring - 1970
  4. a) Source from which water was appropriated ground water by means of well and pump  
b) Location of the point of diversion: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 22  
Township 4 South, Range 33 East Boise Meridian, Other points of diversion: None
  5. a) The amount of water and use to which the water has been applied:  
Amount 1.6 cfs for irrigation purposes from April 1 to November 1 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 1.6 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: Based upon estimate of owner and specification of pump and motor
  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: owned by applicant  
b) Describe the agreement or understanding by which you take water from the works: not applicable
  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) a deep well with 75 H.P. electrical motor and turbine pump. Water distributed through sprinkler systems.  
b) Describe the type and size of measuring device which you have installed at your point of diversion: 8 inch Rockwell #405 irrigation flow meter  
c) Give well driller's name and address and the date the well was completed: unknown
- If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: irrigation use only

Exam typed

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

| T  | R   | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL    |
|----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----------|
|    |     |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |          |
| 4S | 33E | 22   |     |     |     |     |     |     |     |     | 40  | 40  |     |     |     |     |     |     | 80 acres |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |          |

Total number of acres irrigated 80 acres

10. Remarks:

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

July 11, 1977  
(Date)

James L. Martach

James L. Martach, Attorney in Fact for  
Rancho Carney Y Papas, A Limited Partnership

State of Idaho )  
County of Bingham ) ss.

On this 11th day of July, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Helene Fay Bischoff

Notary Public residing at Blackfoot, Idaho

My commission expires October 10, 1977

MICROFILMED

RECEIVED

JUL 13 1977

*Law Offices*  
**FURCHNER, MARTSCH & BAKER**  
178 W. JUDICIAL STREET  
BLACKFOOT, IDAHO 83221

Department of Water Resources

H. WILLIAM FURCHNER  
JAMES L. MARTSCH  
—  
DWIGHT E. BAKER

July 11, 1977

AREA CODE 208  
785-2310  
—  
P. O. BOX 752

State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Attn: Bobby D. Fleenor

Re: Permit Number 35-7707  
Rancho Carne Y Papas, A Limited Partnership

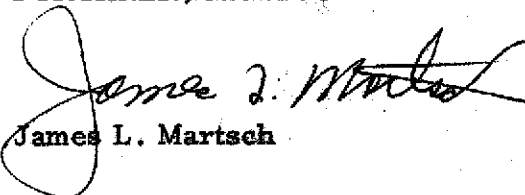
Dear Mr. Fleenor:

Enclosed herewith on behalf of Rancho Carne Y Papas please find Proof of Application of Water to Beneficial Use. It is quite important that you acknowledge receipt of this proof as soon as possible so that we can submit the same to the Federal Land Bank Association which is withholding some loan proceeds pending proof that Rancho Carne Y Papas has submitted Proof of Application of Water to Beneficial Use.

Thank you.

Sincerely yours,

FURCHNER, MARTSCH & BAKER

  
James L. Martsch

JLM:daw  
Encl.

MICROFILMED

Do you want to acknowledge receipt of this to  
attorney? Ray weaver

July 1, 1977

Re: Permit 35-7707

Rancho Carne Y Papas, A limited Partnership  
1730 North Tanque Verde Loop Road  
Tucson, Arizona 85715

Dear Sirs:

Enclosed is a copy of your approved Application for Permit No. 35-7707. 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

May 31, 1977

RE: Application for Permit No. 35-7707 RANCHO CARNE Y PAPAS

Mr. James L. Martsch  
Attorney at Law  
P.O. Box 752  
Blackfoot, Idaho 83221

Dear Mr. Martsch:

Attached herewith is departmental receipt No. 7228 in the amount of \$35.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC:CW

Attachment

May 13, 1977

RE: Applications for Permit Nos. 35-7707 RANCHO CARNE & PAPAS  
27-7084 DEPT. OF H & W  
T 3522660 GRIFFITHS  
T 35-2334 GRIFFITHS

The Blackfoot News  
P.O. Box 70  
Blackfoot, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC:ME

Enclosures

Bill submitted 6-01-77 by Cal

RECEIVED  
MAY 15 1977

**NOTICE OF  
APPLICATION FOR  
WATER PERMIT**

Notice is hereby given that Rancho Carne Y Papas, a limited partnership, Tucson, Arizona, has on 5-09-77, submitted Application No. 35-7707, for a permit to appropriate 1.60 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 22, T. 4S, R. 33E, B.M., Bingham County; to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 22, T. 4S, R. 33E, 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 June 6, 1977.

C. STEPHEN ALLRED  
Director

(5114)  
Pub.: 5-19, 26

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Rancho Carne Y Papas, a limited partnership,  
Tucson, Arizona

has on 5-09-77 submitted Application No. 35-7707  
for a permit to appropriate 1.60 cubic feet per second XXXXXXXXXXXXXXXXXXXX  
of water from a ground-water source acre feet per annum  
by means of well and pump  
within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 22, T. 4S, R. 33E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1  
for the irrigation of 80 acres

within the N $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 22, T. 4S, R. 33E, 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 June 6, 1977.

C. STEPHEN ALLRED  
XXXXXXXXXXXXXXXXXXXX  
R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho  
on May 19 and May 26, 1977.

*the A. the B.*

RECEIVED

MAY 9 1977

Department of Water Resources  
Eastern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

POWER OF ATTORNEY

The undersigned holder(s) of Permit/Application No. \_\_\_\_\_ of the  
Department of Water Resources of the State of Idaho hereby nominates \_\_\_\_\_  
James L. Martsch, whose address is P.O. Box 752, Blackfoot, Idaho 83221  
as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all  
matters pertaining to the above numbered permit or application. Such acts shall include,  
but not be limited to, the filing of application, receiving of all notices, the signing and  
filing of applications for extension of time and for amendments of said permits, and the  
submission of proofs of completion of works and beneficial use of water.

Dated this 3<sup>rd</sup> day of May, 1977.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
RANCHO CARNE Y PAPAS  
A Limited Partnership

By: [Signature]  
Donald Butler, General Partner

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
ARIZONA  
STATE OF ~~IDAHO~~ )  
County of Pima ) ss.

On this 3rd day of May, 1977, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged to me  
that he ~~(she)~~ ~~(they)~~ executed the same.

seal

[Signature]  
Notary Public for Arizona  
Residing at Tucson, Arizona

My Commission expires:  
August 12, 1978

NOT RECORDED

RECEIVED

MAY 9 1977

Law Offices

FURCHNER, MARTSCH & BAKER

178 W. JUDICIAL STREET

BLACKFOOT, IDAHO 83221

Department of Water Resources

Eastern District Office

May 5, 1977

H. WILLIAM FURCHNER  
JAMES L. MARTSCH

DWIGHT E. BAKER

AREA CODE 208  
785-2310

P. O. BOX 752

State of Idaho  
Department of Water Resources  
Eastern Region  
1515 Lincoln Road  
Idaho Falls, Idaho 83401

Attention: Ronald D. Carlson  
Supervisor, Eastern Region

Re: Application for Permit of Rancho Carne Y Papas,  
A Limited Partnership

Dear Mr. Carlson:

On behalf of Rancho Carne Y Papas, a limited partnership, I enclose herewith Application for Permit to Appropriate the Public Waters of the State of Idaho. The application is to appropriate 1.6 cfs and I calculate the fee to be \$35.00. Enclosed is our check number 6262 in the sum of \$35.00 to cover said fee.

Also enclosed is Power of Attorney which has been duly executed by Mr. Donald Butler, the general partner of said partnership appointing me to act on behalf of said partnership.

Would you please acknowledge receipt of this application as quickly as possible, for I must submit the same to the Federal Land Bank, which is in the process of granting the partnership a substantial loan, and before all of the loan proceeds can be disbursed, we must show evidence that an application has been filed covering the 1.6 cfs requested.

If you have any questions, please call me at the office. Thank you.

Sincerely yours,

FURCHNER, MARTSCH & BAKER

James L. Martsch

Encls:  
JLM:fb

RECEIVED

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. Rancho Carne Y Papas

GW Source  
☒ Point of Diversion  
☒ County  
1.6 Quantity of Water and Period of Use  
☒ Description of Diverting Works  
☒ Time required for B/U of water  
80 Place of Use or Acres Irrigated  
☒ Map  
☒ Signature  
☒ Fee

(1) ENC 5/9/77

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. 4S 33E Basin 35

(6) " "

Located within Water District No. 01

(7) " "

Critical groundwater area: yes \_\_\_\_\_ no X

(8) " "

Groundwater levels:

\_\_\_\_\_ Declining, X Stable, \_\_\_\_\_ Increasing

(9) " "

(comment) OB WELL 4S 33E 3066

Other rights on the same place of use NONE

(10) " "

Comments: None

(11) OW 6-01-77

Affidavit of Publication received (date) May 31-77

(12) RDC 6/6/77

Final date for protests June 1st 1977

Protests received: yes \_\_\_\_\_ no \_\_\_\_\_

(13) " "

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 6/6/77

MICROFILMED