

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Wayne C. Bennett, hereby assign to William Allen
of Stinking Water 83210
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 357574
to appropriate the public waters of the State of Idaho.



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

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

Made this 29th day of September October, 19 80.
WCB

RECEIVED

MAR 9

Department of Water Resources
Eastern District Office

Permit Holder

Wayne C. Bennett
Signature of Permit Holder

State of Idaho)
County of Bingham) ss.

On this 9th day of October, 19 80, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

ssal

Anda K. Pratt
Notary Public residing at Blackfoot

My commission expires:

2-16-82

Proposed Priority 3-24-76

Received by me Date 3-24-76 Time 1:27 P.

Preliminary check by ARC Fee \$35.00 # 15699

Received by me Date 3-24-76

Publication prepared by me Date 3-24-76

Published in Blindfold Times

Publication dates Apr 11 Apr 18, 1976

Publication approved me Date 4-12-76

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ARC DRT

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. 35-7594, and said application is hereby APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1981.

c. Other: A measuring device of a type approved by the Director 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 27 day of April, 1976.

R. K. Hiji
Director

The Boise Meridian

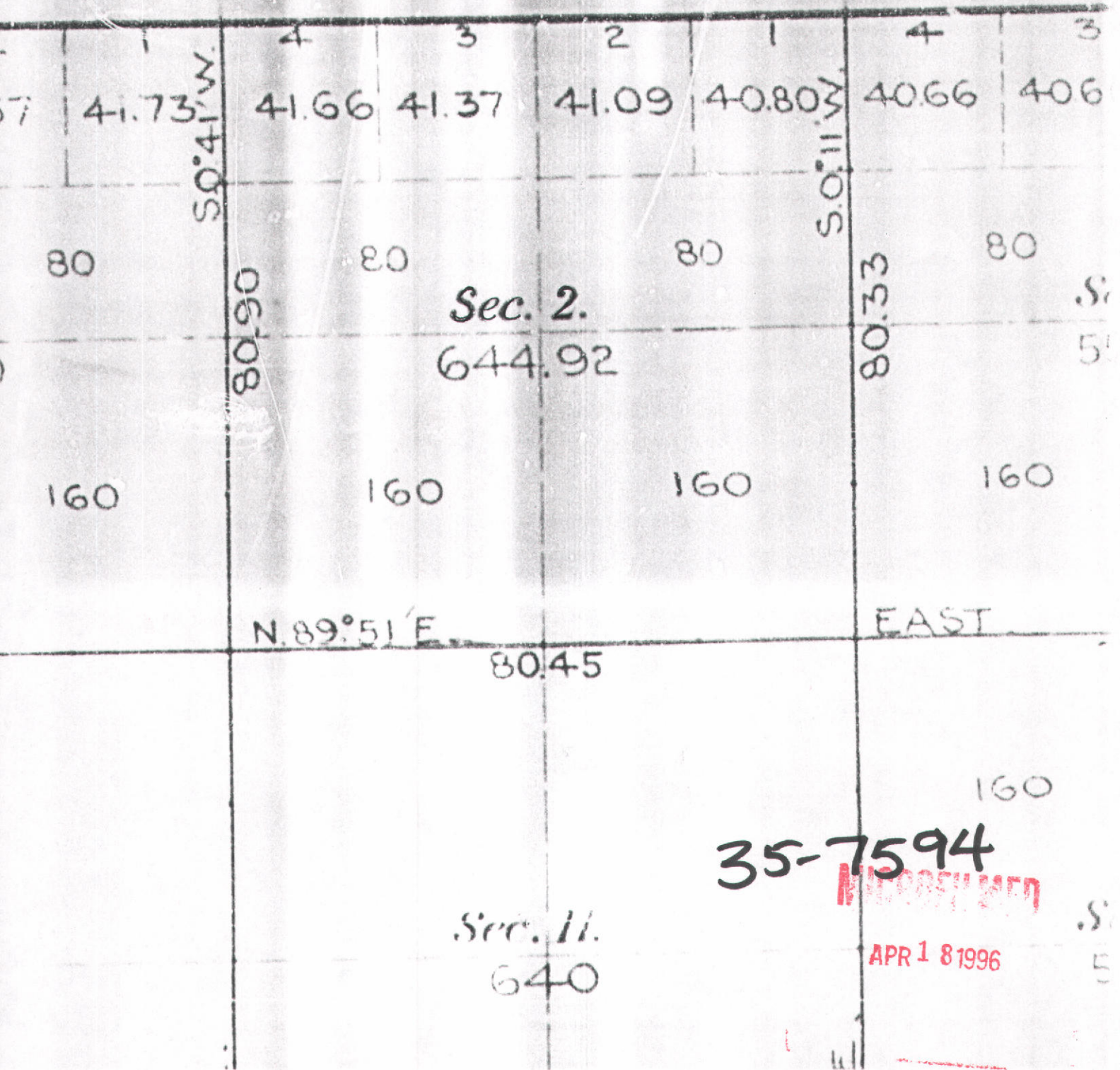
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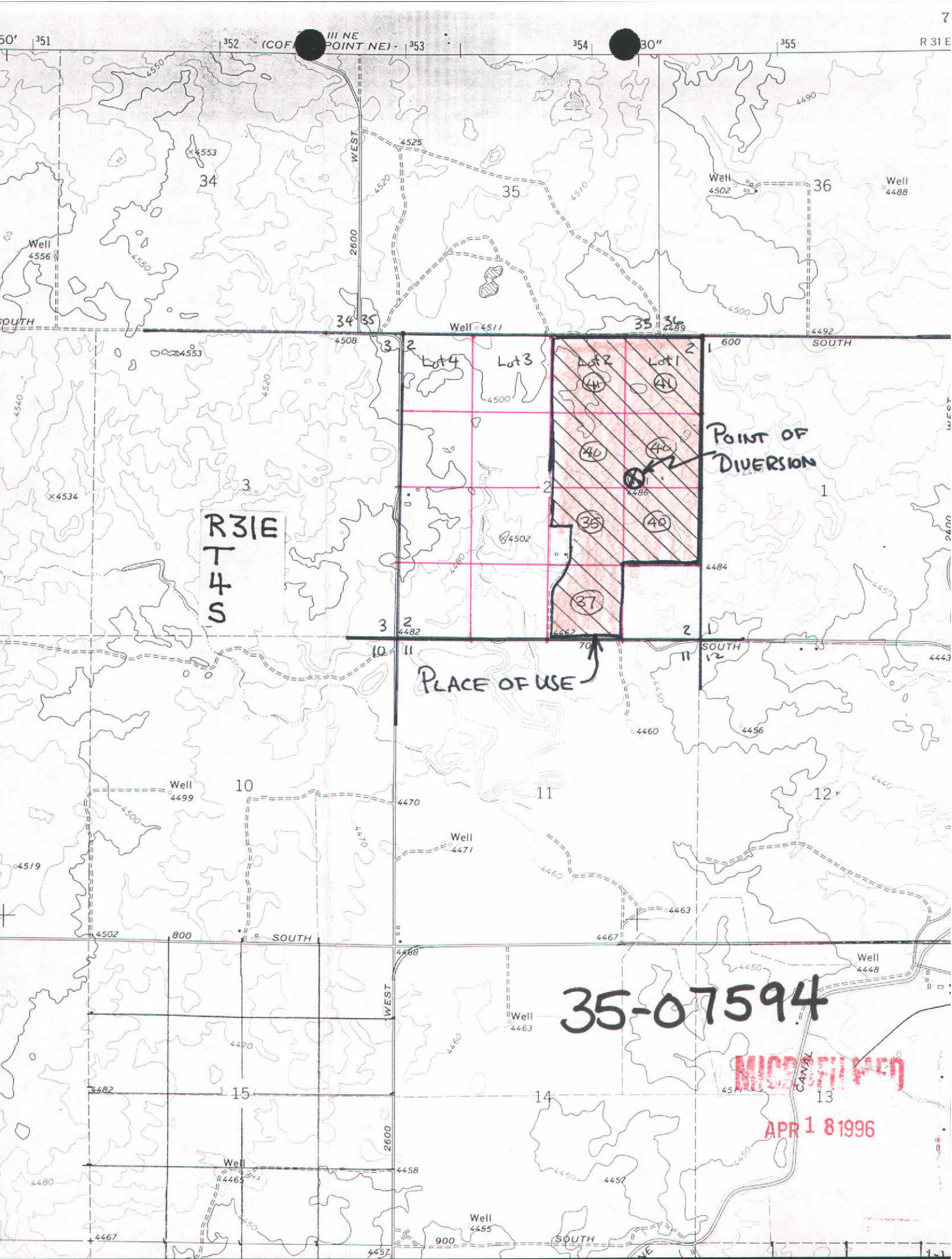
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T
4

B

S R31E





35 | 36

Lot 4

Lot 3

Lot 2

Lot 1

PLACE OF USE

POINT OF DIVERSION

2

T
4
S

R31E

Basin Rd. 740 S

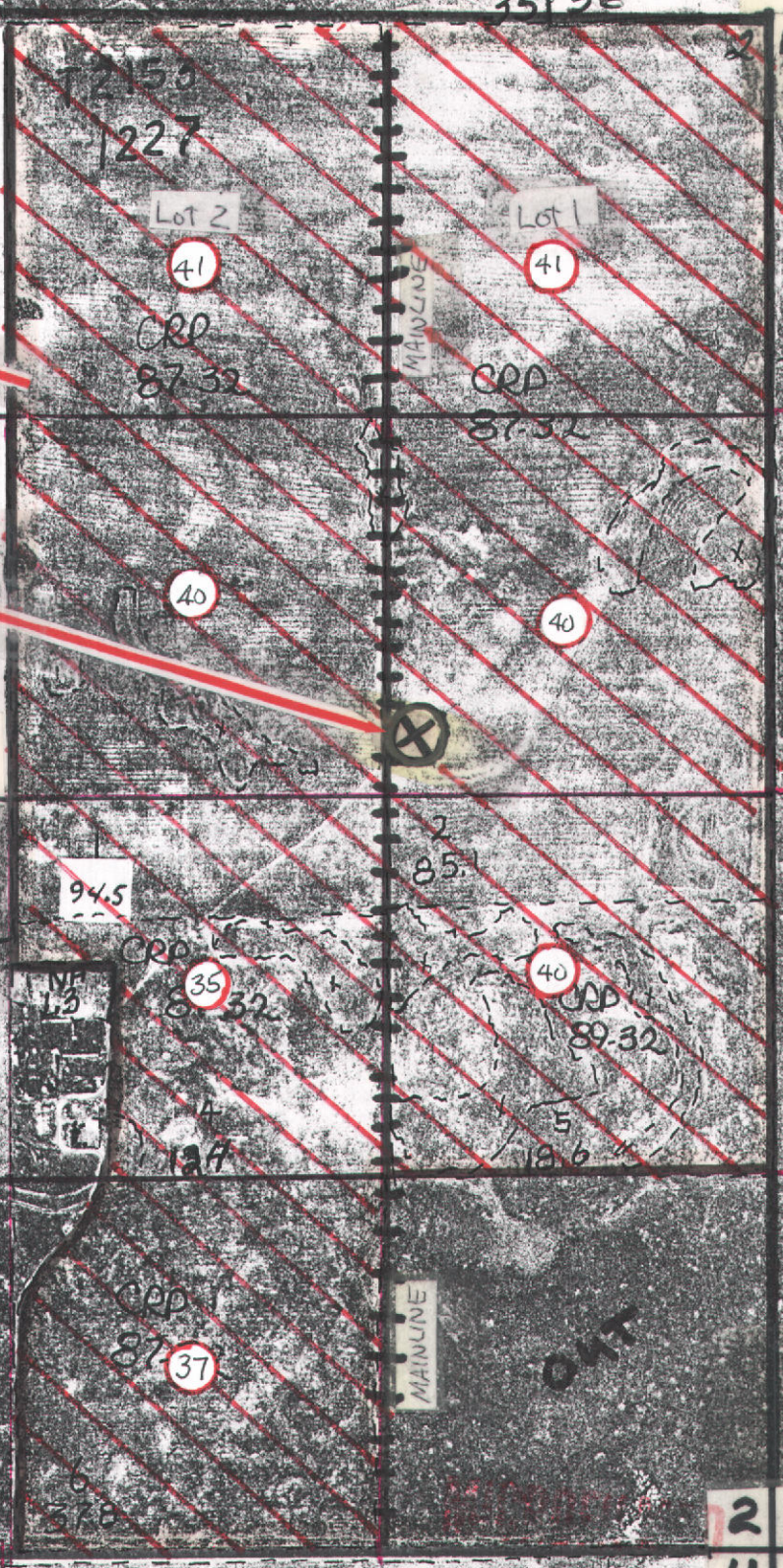
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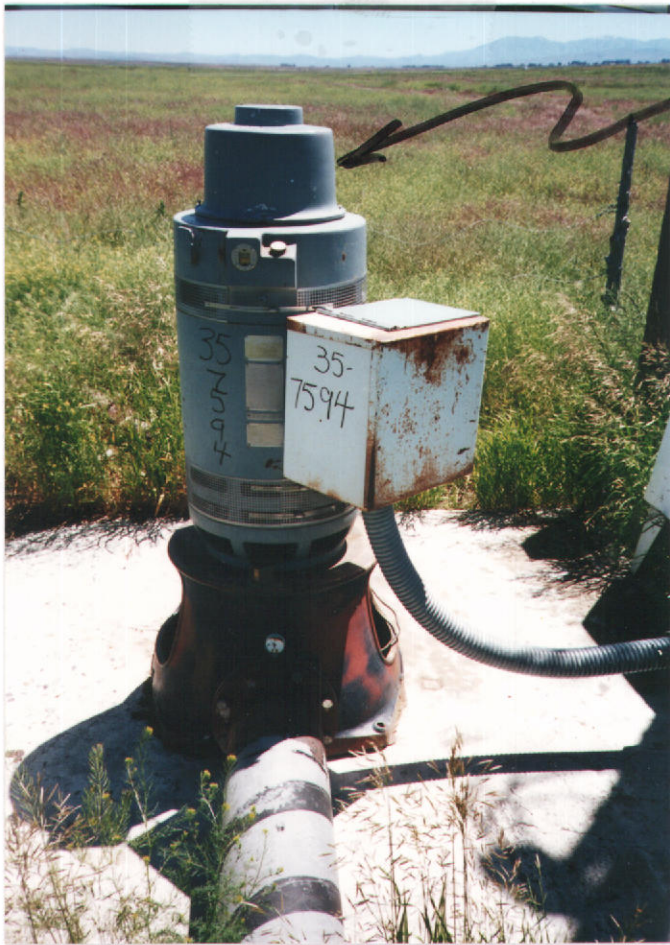
T2349
3147

35-07594

APR 1 8 1996

2 1
11 12





POINT OF DIVERSION



MAINLINE NORTH



MAINLINE SOUTH

35-7594

APR 18 1996

Photo taken
on 7-2-72,

Scale: 660 ft. inch
8 inches: mile

R 31 E

A20

16011

372-19

SEP 24 1993

T. 4 S.

Beasley RD

August 19, 1983

RE: Permit No. 35-7594

William Given
Sterling,
Idaho 83279

Dear Mr. Given:

Enclosed is a copy of an Order reinstating the above referenced permit.
Please note that the priority date has been advanced to June 17, 1976.

If you have any questions concerning this matter, please feel free to
contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:hr
Enclosure

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. 357594.

Name(s) of Permit Holder: William G Green

Post Office Address: Rt 1 Box 34

Sterling Idaho 83210

Tel. No. 208 328 2315

Source of Water: Deep well

Extent of Use: ☐ Domestic

☐ Stockwater

☒ Irrigation 320

☐ Other

(number of households)

(number and type of stock)

(acres)

Measuring Device: Required? ☐ Yes ☐ No

Installed? ☐ Yes ☐ No

Access Port: Required? ☒ Yes ☐ No

Installed? ☒ Yes ☐ No

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

7-10-1981

Date

William G Green
Signature of Permit Holder

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. 357594.

Name(s) of Permit Holder: William Green

Post Office Address: Rt 1 Box 34

Sterling Idaho 83210

Tel. No. 328 2315

Source of Water: Well

Extent of Use: ☐ Domestic

☐ Stockwater

☒ Irrigation 320

☐ Other

(number of households)

(number and type of stock)

(acres)

Measuring Device: Required? ☐ Yes ☐ No

Installed? ☐ Yes ☐ No

Access Port: Required? ☒ Yes ☐ No

Installed? ☒ Yes ☐ No

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

6-17-81

Date

William G Green
Signature of Permit Holder

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. 357594.

Name(s) of Permit Holder: William G Green by assignment

Post Office Address: Rt 1 Box 34 Sterling Idaho 83210

SEC 12 T45 R31E

Tel. No. 328 2315

Source of Water: WELL

Extent of Use: ☐ Domestic

☐ Stockwater

☒ Irrigation 320

☐ Other

(number of households)

(number and type of stock)

(acres)

Measuring Device: Required? ☐ Yes ☐ No

Installed? ☐ Yes ☒ No

Access Port: Required? ☐ Yes ☐ No

Installed? ☒ Yes ☐ No

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

Sept 10 1980

Date

William G Green
Signature of Permit Holder



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

June 10, 1981

William Given
Sterling, ID 83210

Dear Mr. Given:

Re: Permit No. 34-7594

*PLEASE NOTE
ERROR!*

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 34-7594 has lapsed. This office did not receive either a notice that you have completed the project by the date required on your permit, or a request for an extension of time. You were provided the proper forms in our letter to you dated March 25, 1981.

Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or submit an extension of time request showing reasonable cause for delay. Either the completed postcard or the extension request must be received by this office within sixty days of the date of this lapse notice or the permit will no longer be of any force or effect.

A statement of beneficial use postcard and a request for extension of time form are enclosed for your use. Please note that a fee of \$15.00 must accompany an extension of time request.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

The Bank of Commerce Idaho Falls, Idaho

RETURN ITEM CHARGE

DRAWN BY	DRAWN ON	AMOUNT	REASON
Wayne C. Blanche	92 171	55.00	10

RECEIVED

APR 6 1976

1. Insufficient Funds
2. Incorrect Endorsement
3. Drawn on Uncollected Funds
4. Payment Stopped
5. Unable to Locate
6. Account Closed
7. No Account
8. Incorrect Signature
9. Improper Date

FORM SA-352-M

ORIG. - ENTRY
DUPL. - ADVICE
TRIP. - FILE

To State Treasurer
Water Administration
Boise, Idaho

APPROVED BY:	<i>[Signature]</i>
STATE TREASURER ACCOUNT NUMBER	11-9008074-8
DATE	4-2-76
AMOUNT	55.00

124100411

0060

APR 11 1976

RE: Application for Permit No. 35-7594

Mr. Wayne C. Bennett
Rt. #3
Preston, Idaho 83263

Dear Mr. Bennett:

We regret to inform you that your check No. 92-171 in the amount of \$55.00 was returned to us due to insufficient funds.

For your convenience, we will not proceed to void our records of your application for ten (10) days to allow you time to submit a cashiers check or money order in the amount of \$55.00 to cover the statutory filing fee.

If you have any questions, please contact this office.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CM

RECEIVED

APR 8 1976

Department of Water Resources
Eastern District Office

INTER-DEPARTMENT MEMO — 1

DATE 4/7/76

FROM Phyllis Smith

TO Ron
Colleen

SUBJECT Insufficient funds check

We are returning to you for your handling a check for \$55.00 written by Wayne C. Bennett, Rt 3, Preston, Idaho returned from the bank marked insufficient funds. The check has been deducted from your deposit by the State Treasurer.

Russ suggests that the proper procedure would be to write to Mr. Bennett requiring a cashier's check or money order to redeem the insufficient funds check to avoid cancellation of his application. When this has come in it should be redeposited but not receipted again, and the insufficient funds check should then be returned to the sender.

Phyllis

SIGNATURE

March 26, 1976

RE: Application for Transfer No. 35-2311 CHRISTENSEN
" " Permit No. 35-7594 BENNETT
" " Permit No. 35-7595 CHRISTENSEN

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

Bill submitted 4-12-76 by Ch

RDC:CM

Enc: Legal Notice (3)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Wayne C. Bennett,
Preston, Idaho
has on 3-24-76 submitted Application No. 35-7594
for a permit to appropriate 4.00 cubic feet per second ~~acres feet per annum~~
of water from a ground-water source
by means of well and pump
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 4S, R. 31E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 320 acres

within the NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 4S, R. 31E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before April 19, 1976.

R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho
on April 1 and April 8, 1976

Handwritten notes:
The
D. J.
The
D. J.

TRANSFER OF WATER RIGHT

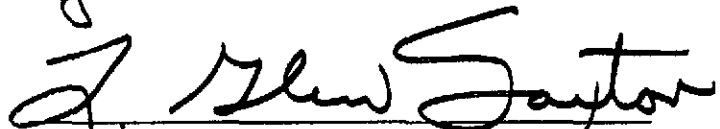
MA MICROFILMED
JAN 5 1977

TRANSFER NO. 4905
WATER RIGHT NO(S). 35-02210/35-07594

CONDITIONS OF APPROVAL AND REMARKS

3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. The water use under this right is located within the ESPA East Water Measurement District.
6. Prior to diversion of water under this approval, the right holder shall install a suitable measuring device or shall enter into an agreement to determine the amount of water diverted from power records and shall annually report the information.
- *7. Right No. 35-02210 is limited to the irrigation of 182.0 acres in the place of use described above in a single irrigation season.
- *8. Right Nos. 35-02210 and 35-07594 when combined shall not exceed irrigation of 274.0 acres in a single irrigation season.

Dated this 18th day of August, 1997.


Chief, Water Allocation Bureau

RECORDED
SEP 11 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07594

Priority: August 16, 1993

Maximum Diversion Rate:

3.28 CFS

Maximum Diversion Volume:

368.0 AF

This is to certify, that WILLIAM GIVEN

PO BOX 834

BLACKFOOT ID 83221-0834

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 24, 1976; and has submitted Proof of Beneficial Use on August 16, 1993. An examination indicates that the works have a diversion capacity of 5.490 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 10/31	3.28 CFS	368.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 2, Township 04S, Range 31E
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	31E	2	Lot 1(NENE) 41	Lot 2(NWNE) 41	SWNE 40	
			SENE 40	NESE 40	NWSE 35	
			SWSE 37			274

Total number of acres irrigated:

274

CONDITIONS OF APPROVAL AND 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 use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use 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 uses the same well as Right 35-02210.
6. Use of this right with Right 35-02210 is limited to the irrigation of a combined total of 274.0 acres in a single irrigation season.
7. This right when combined with Right 35-02210 and all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07594

CONDITIONS OF APPROVAL AND REMARKS

afa per acre for the lands above.

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 2ND
day of April, 1976.


Acting for KARL J. DREHER, Director

APR 1 8 1976

State of Idaho
Department of Water Resources

RECEIVED
MAR 18 1996

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07594

Date of Priority: August 16, 1993

Maximum Diversion Rate: 3.28 CFS

Maximum Diversion Volume: 368.0 AF

Comes now

~~DON EVERINGHAM~~
~~WILLIAM GIVEN~~

PO BOX 834
BLACKFOOT ID 83221-0834

Dwight E. Braker
dha Hilltop Ranch
PO Box 597 Blackfoot Idaho 83221
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. 35-07594, 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>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	3.28 CFS	368.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 2, Township 04S, Range 31E
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	31E	2	Lot 1(NENE) 41	Lot 2(NWNE) 41	SWNE 40	
			SENE 40	NESE 40	NWSE 35	
			SWSE 37			274
Total number of acres irrigated:						274

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 Blackfoot, Idaho, this 13 day of March, 1996.

Dwight E. Braker
(Signature)

APR 18 1996

State of Idaho
Department of Water Resources

RECEIVED

MAR 18 1996

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07594

Department of Water Resources

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Received by JW # C035093 Date 3-19-96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-07594 with the following;

CONDITIONS OF APPROVAL AND 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 use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use 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 uses the same well as Right 35-02210.
6. Use of this right with Right 35-02210 is limited to the irrigation of a combined total of 274.0 acres in a single irrigation season.
7. This right when combined with Right 35-02210 and all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Witness my hand this 2ND day of APRIL, 1996.

Acting for

KARL J. DREHER, Director

RECEIVED

AUG 23 1993

Department of Water Resources

OFFICE USE ONLY
Amt of Fee \$ 175.00/acc
Date 8-16-93
Receipt No. 501727
Receipt by [Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35 7594 Telephone No. 208-785-4559 (Trudy Scott)
2. Name(s) of Permit Holder(s): Don E. Everingham
3. Mailing Address: P.O. Box 834 Blackfoot, ID 83221
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: Vollmer ? Date Drilled: Not Sure
PRIOR TO 1987
OPTIONAL:
Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____ TL

5. Extent of Use (as authorized by the permit):
- Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
- Irrigation 320 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 4.0 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ 200.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Trudy Scott or Wulf Lebrecht 785-4559
Name Telephone No.
P.O. Box 834, Blackfoot, ID 83221
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8-16-93
Date

Don E. Everingham
Signature (and title, if on behalf of a company or organization)

SEP 24 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-07594	)	
	)	
IN THE NAME OF DON E EVERINGHAM	)	ORDER OF
	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On April 27, 1976, the Director of the Department of Water Resources issued Permit No. 35-07594 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before April 1, 1981.

2. On January 31, 1981, the Department sent a proof due notice to the permit holder.

3. On June 10, 1981, the Department sent a lapse notice to the permit holder.

4. On August 18, 1983, the Department reinstated the permit based on the submittal of proof of beneficial use by the permit holder.

5. On April 30, 1986, the Department sent an examination fee notice to the permit holder.

6. On April 30, 1987, the Department sent a lapse notice to the permit holder for failure to submit a license examination fee.

7. On August 16, 1993, the permit holder submitted Proof of Beneficial Use together with the license examination fee to the Department.

8. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

9. The permit holder has submitted evidence to confirm that water has been put to beneficial use during the authorized development period. Evidence includes an affidavit from a neighbor and a map from Soil Conservation Service showing that the land was

SEP 24 1993

irrigated and the water in use during the authorized development period.

10. The new permit holder and the Farm Home Administration state, in correspondence to the Department, that neither was aware that the license examination fee had not been paid by a previous owner of the property and the water right permit. When they discovered that it had not been paid, they began taking the steps necessary to reinstate the permit.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

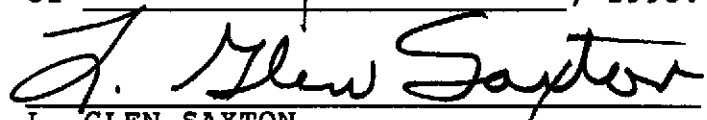
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 35-07594 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to August 16, 1993.

Dated this 27th day of August, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

SEP 24 1993

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT #	NAME	AMOUNT C.F.S.
~~App. for Permit~~	35-7594	Wayne C. Bennett	~~4.0~~
Assignment	35-7594	William Given	4.0

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-7594 IN
IN THE NAME OF WILLIAM GIVEN

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before April 1, 1981; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on March 12, 1981, the permit holder assigned all right, title, and interest in and to Permit No. 35-7594 to William Given; and,

WHEREAS, the Department notified the permit holder that proof was due and instructed him as to the steps to be taken to make said proof; and,

WHEREAS, the Department notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on June 25, 1981;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-7594 be REINSTATED and the priority advanced to June 17, 1976.

Dated this 18th day of August, 1983.


L. GLEN SAXTON
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 35-7594

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

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Warren C. Bennett, hereby assign to William A. Bennett
of 1010 S. 1st St. Boise, Idaho 83721
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 357501
to appropriate the public waters of the State of Idaho.



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

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

Made this 29th day of September, 1981.

Permit Holder

Warren C. Bennett
Signature of Permit Holder

RECEIVED

MAR 9

Department of Water Resources
Eastern District Office

State of Idaho)
County of Bingham) ss.

On this 9th day of October, 1981, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

ss: 1

Anna K. Pratt
Notary Public residing at Blackfoot

My commission expires:
2-16-82

35 7594

Identification No

Application No

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPROVED**APPLICATION FOR PERMIT**

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

- 1 Name of applicant Wayne C. Tennett Phone 852-1393
post office address Rt. #3, Preston, Idaho
- 2 Source of water supply ground water which is a tributary of _____
- 3 a Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 2 Township 4S
Range 31E B.M. Bingham County, additional points of diversion if any _____
- b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
- 4 Water will be used for the following purposes
Amount 4.0 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
cfs or acre feet per annum
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
cfs or acre feet per annum
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
cfs or acre feet per annum
- 5 Total quantity to be appropriated
a 4.0 cubic feet per second and or
b _____ acre feet per annum
- 6 Proposed diverting works
a Description of ditches flumes pumps headgates etc well, pump and sprinkler system.

b Height of storage dam _____ feet active reservoir capacity _____ acre feet, total reservoir capacity _____ acre feet materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive
c Proposed well diameter is 18 inches, proposed depth of well is 95 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 \$ 18,000.00
- 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 _____

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				TOTAL
			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	
4S	31E	2	40	40	40	40									40	40	40		280
		1					40												40

Total number of acres to be irrigated. 320

c. Describe any other water rights used for the same purposes as described above. License No. 35-2210,

2.2 c.f.s., NE 1/4 & NW 1/4 (182 acres)

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

Applicant

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

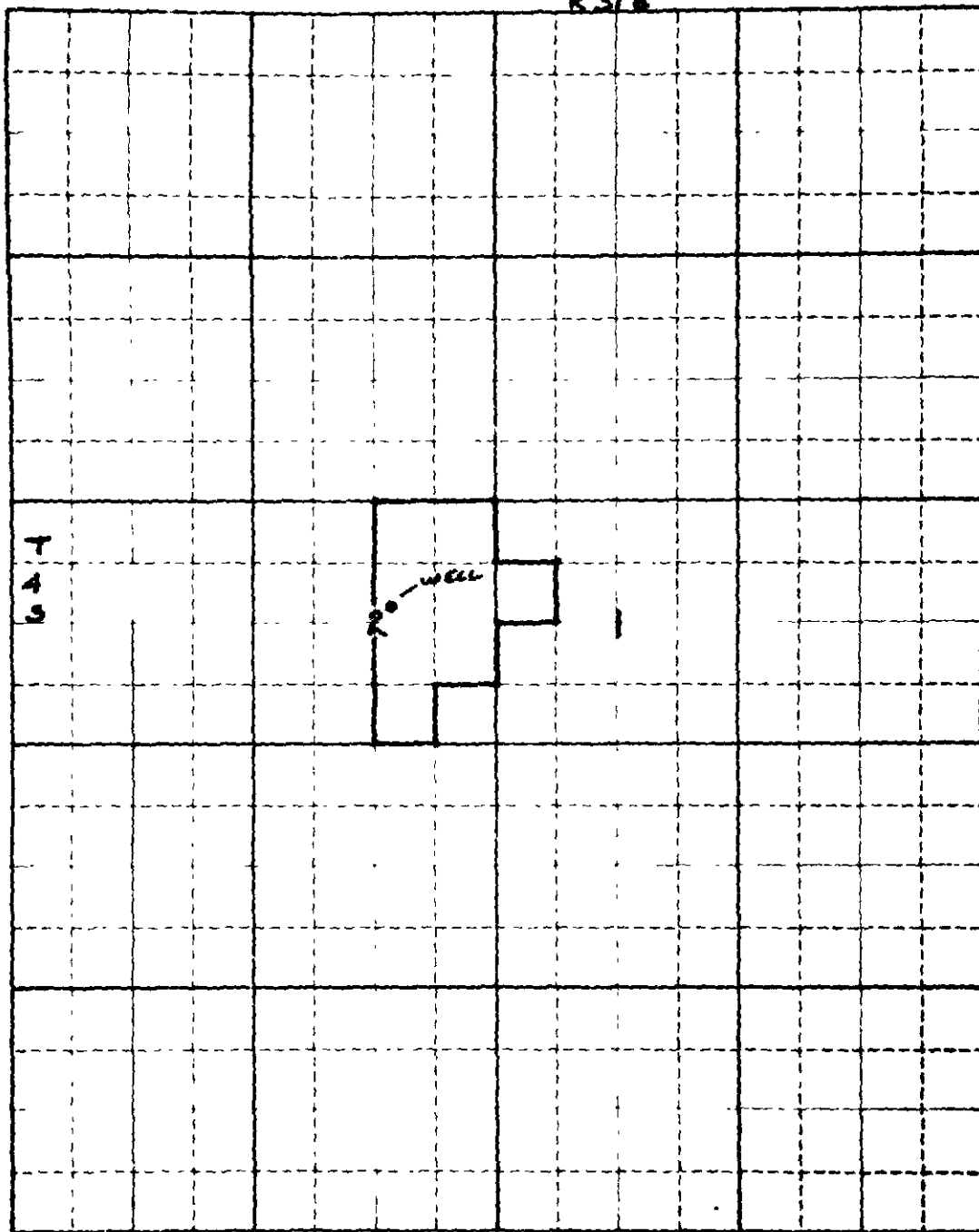
Applicant

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.

R316



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

Wayne C. Bennett
(Applicant)

Proposed Priority 3-28-76

Received by me Date 3-24-76 Time 1:27 p.

Preliminary check by ROC for \$25.00

Received by me Date 3-24-76 # 10694

Publication prepared by W Date 3-24-76

Published in Idaho Water Review

Publication date 4-1-76

Publication approved by me Date 4-12-76

Priority, referred to: _____ Reason: _____

Test, filed by: _____

Curie of protest, forwarded to: _____

Hearing held by: _____ Date: _____

Referred to: approval denia over DRT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for Permit to use, or share the public waters of the State of Idaho No. 35-7594 and said application is hereby APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1981

c. Other A measuring device of a type approved by the Director 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 27 day of April, 1976

R. K. H. H. H.
Director

RECEIVED
APR 3 1976

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 Session 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: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 1 consecutive
weeks, the first publication having been made on
the 1st day of April 1976
and the last publication having been made on the
8th day of April 1976 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 same was published in the newspaper and not in a newspaper supplement.

Subscribed and sworn to before me this 8th
day of April 1976

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct 30, 1976

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Wayne C. Bennett, Preston, Idaho, has on 3-24-76, submitted Application No. 35-7594, for a permit to appropriate 4.00 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 4S, R. 31E, B.M., Bingham County, to be used from Apr. 1 to Nov. 1 for the irrigation of 320 acres within the NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 4S, R. 31E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before April 19, 1976.

R. KEITH HIGGINSON
Director
(4421)
Pub 4-1, 8

20



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

August 20, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DWIGHT E BAKER
PO BOX 577
BLACKFOOT ID 83221-0577

RE: Water Right Nos. 35-02210/35-07594 (Transfer No. 4905)

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer No. 4905). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

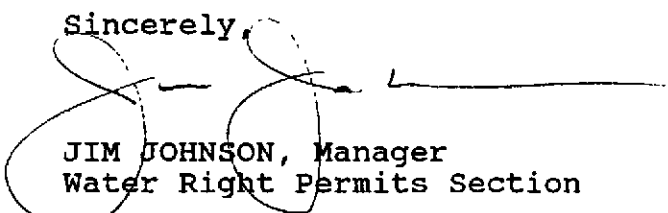
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

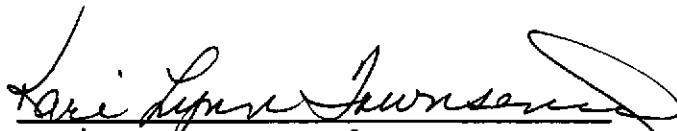
SEP 11 1997

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of August, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT NOS. 35-02210/35-07594 (Transfer No. 4905)

DWIGHT E BAKER
PO BOX 577
BLACKFOOT ID 83221-0577


Kari Lynn Townsend
Secretary

REC'D - CIVIL
SEP 11 1997

MEMORANDUM

TO: FILE NOS. 35-02210 & 35-07594

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4905

DATE: August 7, 1997

=====

Transfer No. 4905 changes the point of diversion and changes the place of use under Right Nos. 35-02210 and 35-07594.

The right holder is changing the irrigation system from handlines to pivots and is reconfiguring the acres to match. These two rights were developed from the same well and the change is to correct the legal description on the senior right. No physical change or new well is proposed.

Season of use and diversion volume were identified on the senior right according to current standards. Recommended conditions include irrigation overlap, measuring device/reporting, permissible place of use, combined right limits and standard transfer conditions.

RECEIVED
SEP 11 1997

MEMORANDUM

TO: FILE 35-07594
FROM: PAM SKAGGS *PS*
RE: TRANSFER # 4905
DATE: 9-20-96

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 35-02210.

MICROFILMED

SEP 11 1997

RECEIVED

DWIGHT E. BAKER

DEC 30 1996

PO Box 577
Blackfoot ID 83221

Department of Water Resources
Telephone (208) 785-2310
Facsimile: (208) 785-6749

November 19, 1996

RECEIVED

NOV 20 1996

Department of Water Resources
Eastern Region

Keith C. Wilson
State of Idaho
Department of Water Resources
900 N. Skyline Drive
Idaho Falls, ID 83402-1718

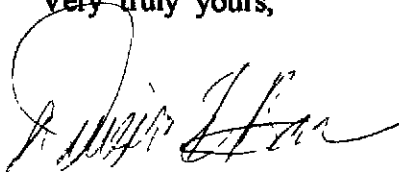
Re: Proof of ownership of land under 35-02210 & 35-07594

Dear Mr. Wilson:

Pursuant to your letter of September 9, 1996, enclosed please find a copy of the Warranty Deed recorded in Bingham County on October 23, 1996 as Instrument No. 448669.

Should you have any further question regarding this transaction, please let us know.

Very truly yours,



Dwight E. Baker
DEB/mib
Enclosure

MICROFILMED
SEP 11 1997

34968

448669

Warranty Deed

For Value Received LILA M. EVERINGHAM, Successor Sole Trustee of the Donald E. and Lila Everingham Family, 1982 Revocable Trust

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
DWIGHT E. BAKER and ALICE T. BAKER, husband and wife
 whose address is: 255 WEST 300 NORTH, BLACKFOOT, ID, 83221

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

TRACT A:

Township 4 South, Range 31 E.B.M., Bingham County, Idaho

Section 1: SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 2: Lots 1 and 2; N $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: October 15, 1996

DONALD E. EVERINGHAM AND LILA M. EVERINGHAM
 1982 REVOCABLE TRUST

Lila M. Everingham

LILA M. EVERINGHAM, SOLE SUCCESSOR TRUSTEE

STATE OF CALIFORNIA)

: ss.

COUNTY OF)

On this _____ day of OCTOBER in the year 1996, before me, the undersigned, personally appeared LILA M. EVERINGHAM, known or identified to me to be the person whose name is subscribed to the within instrument as SOLE SUCCESSOR TRUSTEE for DONALD E. EVERINGHAM AND LILA M. EVERINGHAM 1982 REVOCABLE TRUST, and acknowledged to me that she executed the same as SOLE SUCCESSOR TRUSTEE OF THE DONALD E. EVERINGHAM AND LILA M. EVERINGHAM 1982 REVOCABLE TRUST.

Notary Public for CALIFORNIA
 Residing at:
 Commission Expired:

RECORDED AT THE REQUEST OF
 FIRST AMERICAN TITLE
 SEP 11 1997
 BINGHAM COUNTY RECORDER
 BLACKFOOT, IDAHO
 FEE 6.00
 96 OCT 23 PM 3:51
 DEP

STATE OF CALIFORNIA,

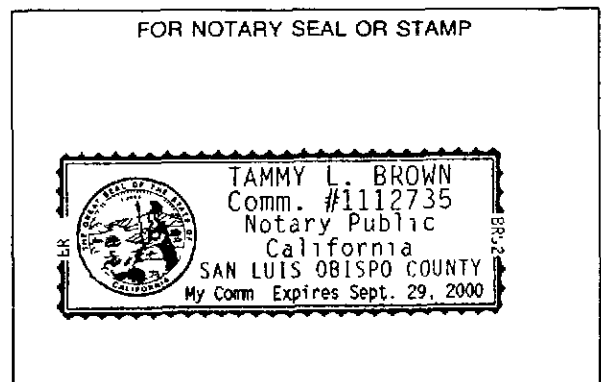
COUNTY OF California } S.S

On Oct. 16, 1996, before me, Tammy L. Brown
a Notary Public in and for said County and State, personally
appeared Lila M. Everingham

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Tammy L. Brown
(ATTACHED TO A WARRANTY DEED)





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARI J. DREHER
DIRECTOR

September 9, 1996

Dwight E. Baker
P.O. Box 577
Blackfoot, ID 83221

RE: Proof of ownership of land under 35-02210 & 3507594

Dear Mr. Baker:

To complete the processing of the transfer for 35-02210, and 35-07584, this office needs documentation of proof of ownership on or before 30 September 1996. Please send a copy of last year's tax notice for the property to which the right is appurtenant or other documentation which show ownership.

Your promptness will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

Jim Johnson



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: _____

AUG 28 1996

LEGAL DESCRIPTION OF PROPERTY: Township 4 South Range 31 E. B M
 Section 1, SW 1/4 of NW 1/4 of 1/4 Govt. Lot _____ Department of Water Resources
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet Section 2
Lots 1 + 2, N 1/2 SE 1/4, S 1/2 NE
SW 1/4 SE 1/4

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: 35-7594 A35-02210
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Donald E. and Lila Everingham Family 1982
Revocable Trust
1856 Southfork Pl., Paso Robles, CA 93446
- ☐ New Owner/Claimant (Purchaser): Dwight E. Baker and Alice T. Baker
- ☐ New Mailing Address: Po Box 577
Blackfoot, ID 83221
- ☐ New Telephone Number: (208) 785- - 2310

Stock 0.14

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

NO letter required - in office completion by
ABR 8-22-96

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Alice T. Baker Date 8/22/96
- ☐ Signature of Former Owner/Claimant(s): Donald E. Everingham Date 1/11/96
Lila Everingham TTEE Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

MICROFILMED

SEP 11 1997

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

ORIGINAL FRONT PAGE IS MISPLACED
 ABR 22 Aug 96

WARRANTY DEED

For Value Received, Don E. Everingham and Lila M. Everingham, as Trustees of the Donald E. and Lila Everingham Family 1982 Revocable Trust, of 1856 Southfork Pl., Paso Robles, CA 93446, hereinafter Grantor, hereby grant, bargain, sell, and convey unto Dwight E. Baker and Alice T. Baker, husband and wife, of PO Box 577, Blackfoot, Idaho 83221, hereinafter Grantees, the following-described premises, to-wit:

Township 4 South, Range 31 E.B.M., Bingham
County Idaho

Section 1: SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 2: Lots 1 and 2; N $\frac{1}{2}$ SE $\frac{1}{4}$;
S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Together with Water Right No. 35-7594 and No. 35-02210, and all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

Subject to Real Estate Mortgage dated September 29, 1980, recorded September 30, 1980, Instrument No. 271387, records of Bingham County, Idaho, which Grantees assume and agree to pay according to its terms.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this _____ day of January, 1996.

MICROFILMED
SEP 11 1997

The Donald E. and Lila Everingham Family Revocable Trust

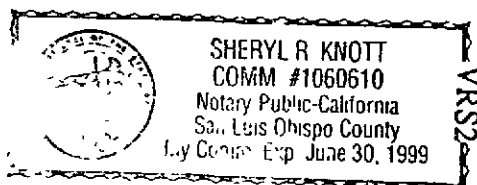
Don E. Everingham TEE
By: Don E. Everingham, Trustee

Lila M. Everingham TEE
By: Lila M. Everingham, Trustee

STATE OF CALIFORNIA)
: ss.
County of SAN LUIS OBISPO

On this 4TH day January, 1996. before me, the undersigned, a Notary Public in and for the State of California, personally appeared Don E. Everingham and Lila M. Everingham, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their capacity as Trustees of the Donald E. and Lila Everingham Family 1982 Revocable Trust.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year first above written.



Sheryl R. Knott
Notary Public for California
Residing at: PASO ROBLES
My Commission Expires: 6-30-99

WITNESSED
SEP 11 1997



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

April 2, 1996

DWIGHT E BAKER
ALICE T BAKER
PO BOX 577
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-07594

Dear Water Right Holder(s):

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

The license is in the name of William Given as he is the last owner of record. There was no assignment from Mr. Given to Mr. Everingham, so your assignment could not be processed. However, since a Water Right License is appurtenant to the land it doesn't matter what name is on the license. Proof of ownership of the land is proof of owning the water right license.

Should you have any questions regarding these documents, please contact me.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APR 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP MAR 18 1996

Please print or type
(see instructions on back of page)

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 4 South Range 31 E.B.M
Section 1, SW 1/4 of NW 1/4 of 1/4 Govt Lot, BM

Lot _____ Block _____ Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

Section 2:
Lots 1+2; N 1/2 SE 1/4; S 1/2 NE 1/4
SW 1/4 SE 1/4

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: ~~35-7594~~ 35-02210

☐ Name and Address of Former Owner/Claimant(s)(Seller): Donald E. and Lila Everingham Family 1982
Revocable Trust

☐ New Owner/Claimant (Purchaser): 1856 Southfork PL, Paso Robles, CA 93446
Dwight E. Baker and Alice T. Baker

☐ New Mailing Address: Po Box 577
Blackfoot, ID 83221

☐ New Telephone Number: (208) 785- - 2310

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): *Nugent Baker* Date 1-2-96

Alice T Baker Date 1-2-96

☐ Signature of Former Owner/Claimant(s): *Don E. Everingham HSE* Date 1/4/96

Lila M. Everingham TEE Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

APR 18 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

* Jim Johnson 3/20/96 No claim filed

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

RECEIVED
APR 18 1996



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

March 1, 1996

DON EVERINGHAM
WILLIAM GIVEN
PO BOX 834
BLACKFOOT ID 832210834

RE: WATER RIGHT NO. 35-07594

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced. Please note that the filing fee for this amendment is \$50.00.

If you have any questions, please call me at (208) 327-7946

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MAILED

APR 18 1996



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

February 6, 1996

DON EVERINGHAM
WILLIAM GIVEN
PO BOX 834
BLACKFOOT ID 832210834

RE: WATER RIGHT NO. 35-07594

Dear Water Right 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 depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APR 18 1996

B/U FIELD EXAM REVIEW
Cindy Zimmerman

Permit #: 35-7594 Name: Everingham Date: 1/3/96
App Rcd 3/24/76 Priority _____ Examined 7/5/95 ✓ Lots ✓

NAME	Chng <u> </u> Same <u> </u>	Or Address Change?
SOURCE	<u> </u> <u>✓</u>	Clarify source _____ Prelim. Order to Void - Source change.
P/D	<u>✓</u> <u> </u>	Amendment Needed? <u>SENE</u> <u>P39</u> Overlap(s) <u>35-2210 (same well)</u> <u>reduce to: 45, 51E, 52 LI (NONE)(41); U2(NWNE)(41); SWNE(40); SENE(40)</u>
P/U	<u> </u> <u>✓</u>	Amendment Needed? <u>NONE IN SI, TOTAL 274 acres.</u> Overlap(s) <u>35-2210 (same system)</u> (Gov't special #'s) <u>*P/D & P/U Amend? P37</u>
RATE	<u> </u> <u> </u>	Permit/fee limits: <u>4.0</u> / <u>4.0</u> Measured Q= _____ cfs/Theoretical Q= <u>5.49</u> cfs <u>(274 x 0.02 = 5.48 cfs) - (35-2210 = 2.2 cfs) = 3.28 cfs</u> (HP) <u>8.8 x 0.70 x 200 = 1232</u> <u>88 + (2.31 x 60) = 224.6 = 5.49 cfs</u> <u>✓</u> Recommended capacity <u>5.49</u> cfs <u>✓</u> Recommended rate <u>3.28</u> cfs
VOLUME	<u>✓</u> <u> </u>	Season of Use: <u>(C/4.0) 4/1 - 10/31 = 214</u> days Calculations: <u>(274 x 4.0 = 1096) - (35-2210 = 728) = 368 AF</u> Flow limit: <u>5.49 x 214 x 1.9835 = 2330.3</u> AF Recommended volume <u>368.0 * AF</u>
USES	<u> </u> <u>✓</u>	Same Nature of Use? _____ <u>P46</u> Amendment Needed? _____
REMARKS	<u> </u> <u>✓</u>	Multiple p/d's in <u>1/4</u> ? W32 <u>① W35 ② Same well as 35-2210 ③ Modify R31</u> <u>274.Ao.</u>
CONDITIONS	<u>R01</u> <u> </u> <u> </u> <u> </u> <u> </u>	Measuring (R01)/Locking (R02) Devices _____ Watermaster Control (R04) - WD # _____ <u>R31</u> Irrigation rate/volume overlap _____ Irrigation water overlap (065) (If gw use sw) _____ Water Quality/Other _____
PRIORITY	Due <u>4/1/81</u> Rc'd <u>6/25/81</u> Receipt# <u>E019039</u> Fee OK? <u>(Yes)</u> No Order to Reinstate Needed? Yes <u>(No)</u> Done? _____ If Yes, Advanced? Yes/No to: _____	

COMMENTS: _____

USE	CFS	DIV VOL	SRBA Overlap
<u>274</u>	<u>3.28</u>	<u>\$368.0</u>	<u>35-2210</u>
			Adjustment Memo _____
			LICENSE LTR: <u>P49</u>
			#1 AMEND LTR: <u>P41/P38</u> <u>P39</u>
			#2 AMEND LTR: <u>P42/P47</u>
TOTAL	<u>3.28</u>	<u>\$368.0</u>	

* in remarks.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 10 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-7594

1. Owner: Don E. Everingham

Phone No. 785-4559

Current Address: P.O. Box 834, Blackfoot Id 83221

2. Accompanied by: NO ONE

EXAM DATE: 5 July 95

Address: —

Phone No. —

Relationship to Permit Holder: —

3. Source: GROUNDWATER

tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-02210

2. Other water rights with the same point of diversion: 35-02210

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	2	4S	31E	Bingham	USGS Map & ON SITE INSPECTION

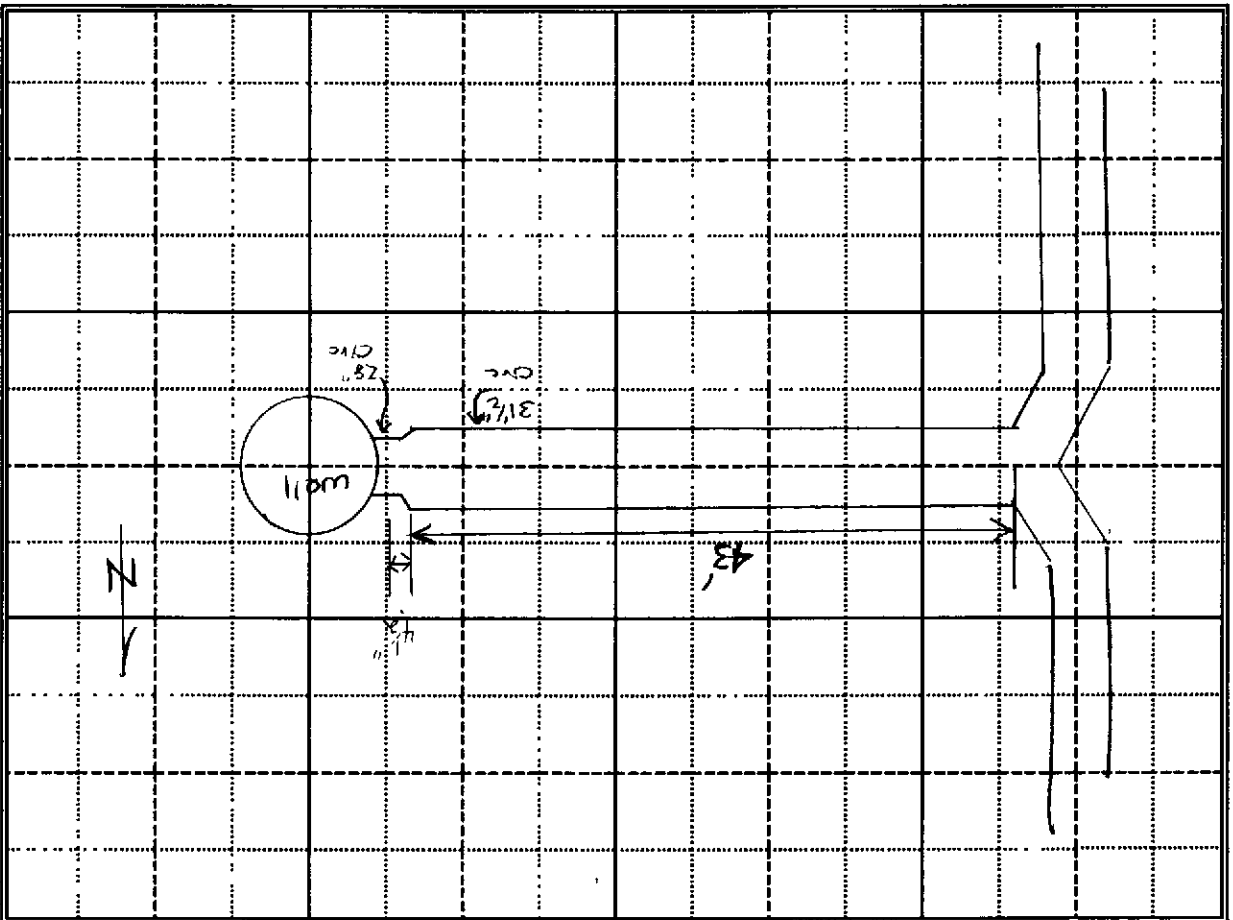
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	31E	2	41	42	40	40									40	35	37		274

APR 18 1996

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.



Scale: 1" = _____
 _____ Copy of USGS Quadrangle Attached Showing location(s) of _____
 _____ point(s) of diversion and place(s) of use (required).
 _____ Aerial Photo Attached of _____
 _____ (required for irrigation of 10+ acres)
 _____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	200	D57423157	Le Royne Powler	26431

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Static water level is 78 ft.

APR 1 8 1996

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{200} \\ Eff &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Drawdown}) \\ &\text{Static Water Level} = \underline{78} \text{ ft.} \\ &\text{Assumed Drawdown} = + \underline{8} \text{ ft.} \\ &\text{Lift} = \underline{86} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\quad - \quad} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{60} \text{ psi}$$

$$Q_{cfs} = \left[\frac{200}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{86}{Lift} + \left(\frac{60}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{1233.96} \right] \div \left[\underline{224.48} \right]$$

$$Q_{cfs} = \underline{5.496} \text{ cfs}$$

PERMIT NO. 35-07594

[Signature]
APR 18 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POINT OF DIVERSION OVERLAP REVIEW

35-07594

Permit Number

1. Analysis of Entire System, Current Application Rate per Acre (Q_c):
Limit to 0.02 cfs/ac, Permitted Amount, or System Capacity, WHICHEVER IS LESS.

A. Total Number of Acres irrigated = 274 acres

B. Total Diversion Rate = 5.50 cfs

Q_c = Total Diversion rate [1.B]/Total irrigated acres [1.A] = Current Diversion Rate

$$Q_c = \frac{5.50 \text{ cfs}}{274 \text{ acres}} = Q_c = 0.020073 \text{ cfs/ac use } \boxed{0.02} \text{ cfs/ac}$$

2. Old Application Rate per Acre = (Q_o) from Licensed Flow Rates:

License # 35-2210 @ 2.2 cfs / 182 ac

License # _____ @ _____ cfs / _____ ac

License # _____ @ _____ cfs / _____ ac

$$Q_o = \text{Total Lic. Rate} = \frac{2.2 \text{ cfs}}{182 \text{ ac}} = Q_o = 0.01208 \text{ cfs/ac}$$

[Old Diversion Rate(Q_o) = Licensed Flow Rate/# acres]

3. Comparison of Diversion Rates if:

A. $Q_o > Q_c$: $Q_o(\#2) = \text{_____ cfs/ac} > Q_c(\#1) = \text{_____ cfs/ac}$
[Old Diversion Rate(Q_o) > New Diversion Rate(Q_c)]

EXCLUDE LICENSED LANDS . . . GO TO ITEM #4A

B. $Q_c > Q_o$: $Q_c(\#1) = 0.02 \text{ cfs/ac} > Q_o(\#2) = 0.012 \text{ cfs/ac}$
[New Diversion Rate(Q_c) > Old Diversion Rate(Q_o)]

INCLUDE LICENSED LANDS . . . CONTINUE TO ITEM #3.B.1 & 2

1. Additional Flow Rate for Licensed Lands. $Q_a = (Q_c - Q_o) \times (\# \text{ Lic. Ac})$

$$Q_a = [(0.02 \text{ cfs/ac}) - (0.01208 \text{ cfs/ac})] \times (182 \text{ acres}) = Q_a = 1.44 \text{ cfs}$$

2. Flow Rate New Acreage. Total Ac. (#1.A) - Lic. Ac. (#2) = New Acres

$$Q_n = (Q_c) \times (\# \text{ New Ac.}) = (274) - (182) = 92 \text{ Ac}$$

$$Q_n = (0.02 \text{ cfs/ac}) \times (92 \text{ ac}) = Q_n = 1.84 \text{ cfs}$$

GO TO ITEM #4B.

4. Calculate Total Flow Rate to be licensed:

- A. Rate EXCLUDING Licensed land. Total Ac. (#1.A) - Lic. Ac. (#2) = New Ac.

$$(\text{_____}) - (\text{_____}) = \text{_____ ac}$$

$$Q_t = Q_c(\#1) \times (\# \text{ New Acres}) = \text{_____ cfs/ac} \times \text{_____ ac} = \text{_____ cfs}$$

CONDITIONS/REMARKS: _____

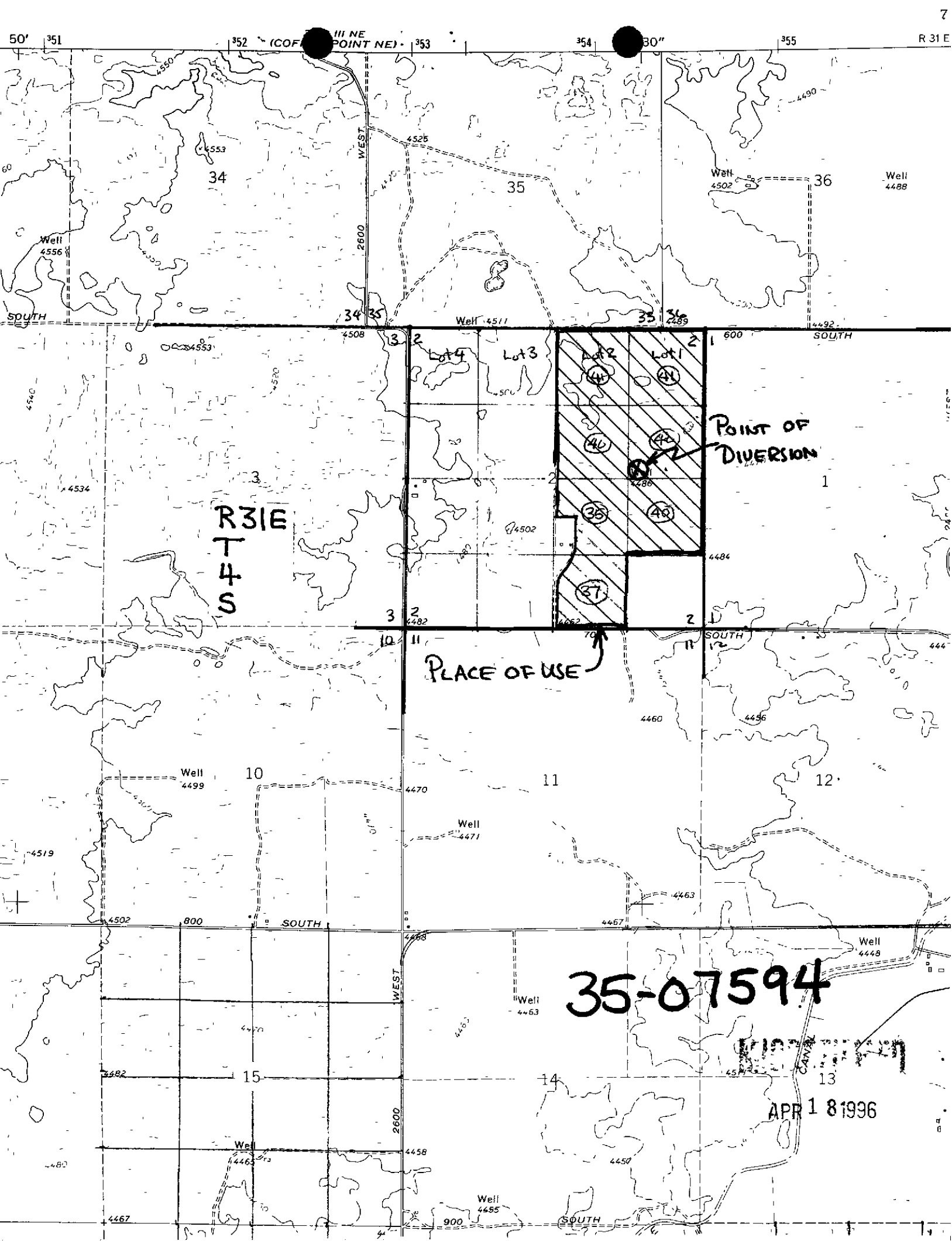
APR 18 1996

- B. Flow Rate INCLUDING licensed land.

$$Q_t = Q_a(\#3.B.1) + Q_n(\#3.B.2) = 1.44 \text{ cfs} + 1.84 \text{ cfs} = \boxed{3.28} \text{ cfs}$$

CONDITIONS/REMARKS: 3.28 cfs + 2.20 cfs = 5.48 cfs does not exceed

capacity is. NO CONDITIONS



R31E
T4S

POINT OF
DIVERSION

PLACE OF USE

35-07594

APR 18 1996

25/36

Lot 4

Lot 3

PLACE OF USE

Lot 2

Lot 1

41

41

POINT OF DIVERSION

40

40

2

T
4
S

945

35

40

R31E

MARINE

37

T 2349
3147

APP I 8 1995

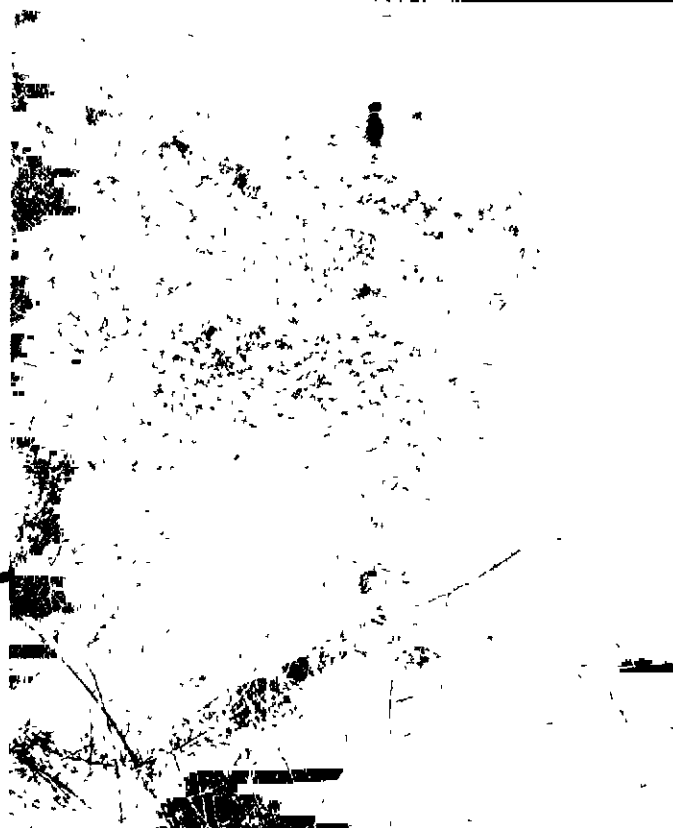
35-07594

21
111

POINT OF DIVERSION



MAIN LINE NORTH



MAINLINE
SOUTH

35-7594

APR 18 1996

E. NARRATIVE/REMARKS/COMMENTS

Note: I did talk on the phone with Trudy Scott (one of the contact people for Don Everingham) According to her well was 18" wide and 95ft deep with 8-1/4 mile hand line

ASSUME THAT DYNAMIC PUMPING DEPTH IS HALF THE DISTANCE BETWEEN THE STATIC (78') and WELL (95') DEPTH OR 86.5' or 86 ft

ASSUME PSI = 60 psi

efficiency = 70%

NOTE: I believe that they operated more than 8-1/4 mile hand lines

Have conditions of permit approval been met? ☒ yes ☐ no

Minnow Creek

APR 18 1996

F. FLOW CALCULATIONS

Measured Method:

THEORETICAL CALCULATIONS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated} \times (\text{Irrigation Requirement})) = (274 \text{ ac} \times 4 \text{ afc}) = 1096 \text{ afc}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (3.28 \text{ cfs}) \times (214) \times (1.9835) = 1392.2$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 1096$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

IRRIGATION

From 4/1

To 11/1

Rate of Diversion

Q (cfs)

3.28 cfs

Annual Volume

V (afa)

1096 afa

2. 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

I. AUTHENTICATION

Field Examiner's Name

KENT C WILSON

Date

5 JUL 95

Reviewer

Date

APR 18 1996

SEAL

Additional Computation Sheets Attached

September 3, 1993

DON EVERINGHAM
WILLIAM GIVEN
PO BOX 834
BLACKFOOT ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-07594

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a measuring device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the measuring device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

SEP 24 1993



United States
Department of
Agriculture

Farmers
Home
Administration

1600 Highland Drive
Blackfoot, ID 83201
(208) 785-6600

August 17, 1993

Department of Water Resources
% Ernest Carlson
150 Shoup Avenue
Idaho Falls, Idaho 83402

Subject: Permit # 35-7594

Dear Mr. Carlson:

This letter is being written to further outline Farmers Home Administration position with regards to the above water permit now lapsed.

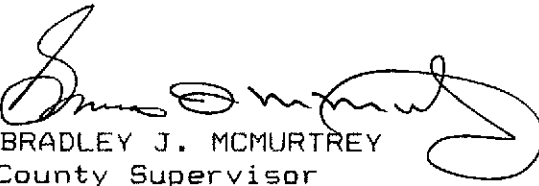
Farmers Home Administration first became involved in the property covered by this permit on September 29, 1980, when a loan was made to William G. and Brenda Givens. The permit was originally in the name of Wayne C. Bennett and was assigned to the Givens' on October 9, 1980, and filed with the Department on March 21, 1981. The Givens' also filed with the Department proof of beneficial use on the following dates, September 10, 1980, February 10, 1981, and June 17, 1981. This information was obtained from Mr. Jim Johnson of your office. On June 17, 1983, the permit had lapsed but according to Mr. Johnson would be reinstated with a June 17, 1976, priority date and would go to licence as soon as a field test on the system could be accomplished. It was about this time that FmHA began experiencing serious financial problems with the Givens' and subsequently, began a foreclosure proceeding against them. During the course of the foreclosure action, the Givens' left the farm and did nothing to protect their interest in the water. Had FmHA been given the opportunity to pay the \$175.00 licensing fee, we surely would have done so in order to protect our interest in the water right which served as collateral for our loans. In light of these findings, we are requesting your assistance in helping us to re-establish this water right on property. The farm is now owned by a Mr. Don E. Everingham. Mr. Everingham has enclosed the \$175.00 licensing fee along with this letter and the other evidence he had been requested to provide to your office. We remain hopeful the this matter can be resolved and that we can retain the 1976 priority right.

SEP 4 1993



If after your review you should have any questions or desire additional information, please do not hesitate to call.

Sincerely,



BRADLEY J. MCMURTREY
County Supervisor

cc: Don Everingham % Trudy Scott

P.O. Box 628
Blackfoot, ID 83221
August 16, 1993

Ms. Karen Gustafson
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RE: Permit No. 35-07594

Dear Karen:

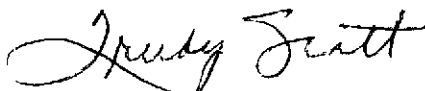
Please find enclosed the requested information on the above mentioned water license.

Mr. Don Everingham purchased this property in March 1992 and now we have found out that the water license has lapsed and we need to refile to gain the license back.

The land has changed names many times since the original permit was filed and no one has changed the license in any of the purchases. The permit still shows that Wayne C. Bennett is the owner, but I think that there has been at least 3 owners since him. Please use the enclosed affidavits and photo to reinstate the license. I appreciate your kindness and time to explain the process. Also, please find enclosed a check in the amount of \$175 for the permit fees. If you have any questions or concerns, please call me at 785-4559.

Thanks again.

Sincerely yours,

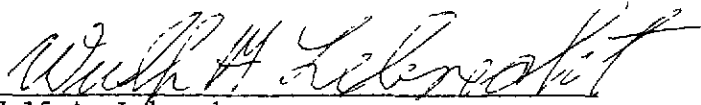

Trudy Scott

SEP 24 1993

AFFIDAVIT

I, Wulf A. Lebrecht, hereby testify that Water Permit #357594,
Township 4 South, Range 31 EBM, Section 1, Bingham County, Idaho, was in use
prior to 1981.

Dated this 10th day of August 1993.

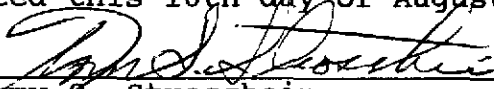

Wulf A. Lebrecht

SEP 24 1993

AFFIDAVIT

I, Tommy S. Stroschein, hereby testify that Water Permit #357594, Township 4 South, Range 31 EBM, Section 1, Bingham County, Idaho, was in use prior to 1981.

Dated this 10th day of August, 1993.



Tommy S. Stroschein

RECEIVED

SEP 24 1993

Trudy -

The pencil lines were already on the photo. I just highlighted the boundary.

The land appears to have been irrigated with hand-lines or wheel-lines when the photo was taken in July 1972, except the easternmost field surrounded by BLM land. It was sagebrush-grass.

Hope this helps. 113

Linda O'Neil
Aug 24 1993
Soil Cons.

Photo taken R 30 E
on 7-2-72.

Scale: 660 ft. inch
8 inches: mile

55-19

SEP 24 1972

2.08

4-S

3 E

I certify that file No. 35-7594 has been
reviewed and is ready to be **MICROFILMED**
and **DESTROYED**.

Robert Fleck
Signature

1-11-1989
Date

CONVERSATION MEMORANDUM

DATE 2-22-1988FILE 35-7594

NAME OF PARTY

EMPLOYEE

P. Fleck

RE:

Question: Does the Federal Land Bank
have an interest in this permit?
(See memo of 8-19-1983 & returned envelope)

3-21-1988

According to the Farm Credit Service
they have no interest.

The Farm Home Admin. feels that
there is an interest in this permit.
Although the Farm Home Admin. doesn't
own this property, it appears that
a foreclosure is eminent. Mr. Chad
McIntyre would like to have this
permit reinstated. The entire
irrigation system (2308 acres) was
in use 1983 to 1986. The property
has since been deeded and put
under a CRP Program. The Farm
Home Admin. will eventually bring
a foreclosure action to take possession
of the land.

FHA address: 715 W. Judicial, Blackfoot.

Action taken as of 1-11-89. ELM & D. J.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

35-7534
GIVEN, WILLIAM
P.O. BOX 542
JILLION, MT 59725

Mailing address:
Seashore
Boise, Idaho 83720
(208) 324-4440

April 30, 1987

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 30, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 30, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 28, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Operations Bureau

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JERRY V. EVANS
Commissioner

A. NEWBETH BROWN
Deputy

Mailing address:
Statehouse
Boise, Idaho 83720

35-7594
GIVEN, WILLIAM
P.O. BOX 543
BILLION, MT 59725

138577

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: 734-3678

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

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

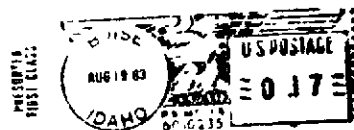
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



William Given
Sterling, ID

83279

Pursuant to: *Turner*
Home. Adm. the new
address is
P.O. Box 542
Allison, MT 59725
9-1-83 *if*



August



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

August 19, 1983

RE: Permit No. 35-7594

William Given
Sterling,
Idaho 83279

Dear Mr. Given:

Enclosed is a copy of an Order reinstating the above referenced permit.
Please note that the priority date has been advanced to June 17, 1976.

If you have any questions concerning this matter, please feel free to
contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson".

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

INTER-DEPARTMENT MEMO—1

DATE August 19, 1983

FROM Jim

TO File

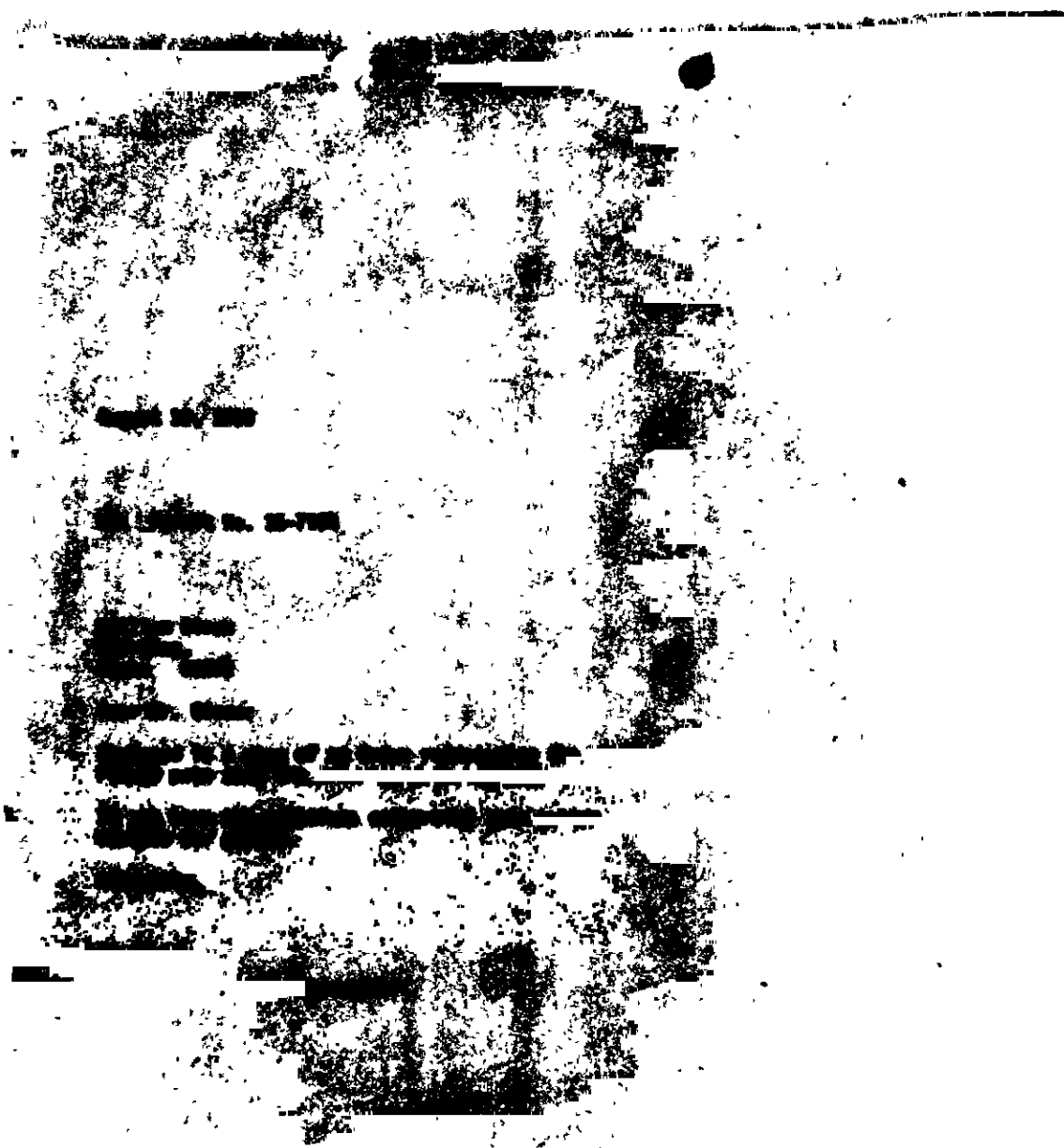
SUBJECT MEMO

Per enquiry on status of this file by John Johnson with the Federal Land Bank in Blackfoot, I made a review of this file.

This review discovered that this permit should ~~not~~ have been ~~lapsed~~ because a proof to beneficial use statement had ~~in fact~~ been received by the Department on June 25, 1981.

An order for reinstatement is needed.

RECORDED



CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 35-7594

DATE: Aug 15, 1963

Date Proof Received

Proof Due

Number of Days Proof Late

176
91
85

June 25
Apr 1

Priority Date

Number of Days Proof Late

New Priority Date

83
85
168

Mar 24, '76

June 17, 1976

Remarks

INTER-DEPARTMENT MEMO—1

DATE 6-17-83

FROM Jim

TO File

SUBJECT

John Johnson (PH 785-6600)

765 W. JUDICIAL ST.

BLACK FOOT, IDAHO

83221

Needs notice of status of permit
when review is complete. Done
6-21-83 Jim



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

June 10, 1981

William Given
Sterling, ID 83210

Dear Mr. Given:

35
Re: Permit No. 34-7594

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 34-7594 has lapsed. This office did not receive either a notice that you have completed the project by the date required on your permit, or a request for an extension of time. You were provided the proper forms in our letter to you dated March 25, 1981.

Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or submit an extension of time request showing reasonable cause for delay. Either the completed postcard or the extension request must be received by this office within sixty days of the date of this lapse notice or the permit will no longer be of any force or effect.

A statement of beneficial use postcard and a request for extension of time form are enclosed for your use. Please note that a fee of \$15.00 must accompany an extension of time request.

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on June 10, 1981
a true and correct original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual named above.
[Signature]

March 25, 1961

William Given
Sterling, ID 83210

Dear Mr. Given:

Re: Permit No. 35-7594

This office acknowledges receipt of the assignment conveying the above-referenced permit to you. The assignment has been entered into the department's records. Enclosed is a copy of the permit for your records.

Also enclosed is a copy of the notice letter sent to Wayne Bennett. Please read it carefully and return the proper form (enclosed) by April 20, 1961 to keep your permit in good standing.

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

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

8/17/70

RETURN TO
TO ORDER
FORWARDING ORDER EXPIRED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

BERNETT, WAYNE C.
RT. 3
PRESTON, ID 83263

JANUARY 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 35-7594 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

KITA FLECK
SR., SECRETARY

ENCLOSURES

October 16, 1980

William G. Given
Route 1, Box 34
Sterling, ID 83210

Dear Mr. Given:

RE: Permit No. 35-7594

Enclosed is the statement of beneficial use which you submitted in September.

Please be advised that Permit No. 35-7594 is still recorded in the name of Wayne C. Bennett and until the permit is conveyed to you by a notarized assignment only the permit holder, Mr. Bennett, can take any further action on this permit.

I note the words "by assignment" behind your name on the statement of beneficial use. This leads me to believe that you have purchased this particular property from Mr. Bennett and there is probably a general statement in your deed which states that all water rights to the property now belong to you. However, a water right is considered to be personal property and is not automatically conveyed with the transfer of land unless specifically identified, i.e., water right permit number.

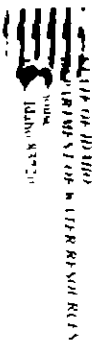
Since I'm not familiar with your particular case, I'm forwarding a copy of this letter along with an assignment form to Mr. Bennett.

If you have any further questions or need further assistance, please feel free to contact the department.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure
cc: Wayne C. Bennett



Wayne C. Bennett
Rt. #3
Preston, Idaho 83263

Keith



FORWARDING ORDER EXPD

Order #12

35-7594



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLARD
Director

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

July 29, 1999

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.

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

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Western Region Office
92 South Cole Road
Boise, Idaho 83705

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 1594

Name(s) of Permit Holder William C. Green
 Post Office Address Rt 1 Box 34
Starling Idaho 8320 Tel No 832-2315
 Source of Water Deep well
 Extent of Use Domestic (number of households)
 Stockwater (number and type of stock)
☒ Irrigation 320 (acres)
 Other

Measuring Device Required? Yes No Installed? Yes No
 Access Port Required? ☒ Yes No Installed? ☒ Yes No

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

Feb 11 1981
 Date

William C. Green
 Signature of Permit Holder

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 7594

Name(s) of Permit Holder William C. Green 35 7594
 Post Office Address Rt 1 Box 34
Starling Idaho 8320 Tel No 832-2315
 Source of Water Well
 Extent of Use Domestic (number of households)
 Stockwater (number and type of stock)
☒ Irrigation 320 (acres)
 Other

Measuring Device Required? Yes No Installed? Yes No
 Access Port Required? ☒ Yes No Installed? ☒ Yes No

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

6-17-81
 Date

William C. Green
 Signature of Permit Holder

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 7594

Name(s) of Permit Holder W. H. Green
 Post Office Address Rt 1 Box 34
Starling Idaho 8320 Tel No 832-2315
 Source of Water Well
 Extent of Use (1) Domestic (number of households)
 (1) Stockwater (number and type of stock)
☒ (1) Irrigation 320 (acres)
 (1) Other

Measuring Device Required? Yes No Installed? Yes No
 Access Port Required? Yes No Installed? Yes No

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

Sept 1 1980
 Date

William C. Green
 Signature of Permit Holder

150

JUN 26 1950

Department of Water Resources

I Glen Saxton

Dear Sir,

Here is a "statement of beneficial use
Card", or several of them. As you will
note, I sent one of these in before. Also
I took one into the office of your Dept in
Idaho Falls. Each time I get them back.

Please send details of the specs for
the access part as I have several
sittings on my mainline now. One
of them should work.

Thank you
Bill Given

B Given
RT 1 Box 34
Sterling Falls
83210



Idaho Dept of Water Resources
Statehouse
Boise Idaho 83720



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:
Storehouse
Boise, Idaho 83720
(208) 334-4440

June 10, 1981

William Given
Sterling, IN 83210

Dear Mr. Given:

Re: Permit No. 34-7594

Handwritten: I have not received this letter. I have not received this letter.

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 34-7594 has lapsed. ~~THIS~~ office did not receive either a notice that you have completed the project by the date required on your permit, or a request for an extension of time. You were provided the proper forms in our letter to you dated March 25, 1981.

Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or submit an extension of time request showing reasonable cause for delay. Either the completed postcard or the extension request must be received by this office within sixty days of the date of this lapse notice or the permit will no longer be of any force or effect.

A statement of beneficial use postcard and a request for extension of time form are enclosed for your use. Please note that a fee of \$15.00 must accompany an extension of time request.

Handwritten signature: L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

July 9, 1981

Re: Permit No. 35-7594

William Given
Sterling, ID 83210

Dear Mr. Given:

In our letter of June 10, 1981, there was an error in the number as typed. However, your Permit No. 35-7594 has also lapsed as of June 1, 1981.

Enclosed is a proof of beneficial use card and request for extension of time form. Also enclosed is your corrected lapse notice. You have 60 days within which to submit the proof of beneficial use card or if your project is not completed then the request for extension of time should be submitted. If neither item is submitted within the 60-day period, this permit will permanently lapse and be of no further force or effect.

If you have any questions, please contact us.

Sincerely,

JAM GROVER
Sr. Water Resource Agent

JG:j

Enclosures

April 27, 1976

Re: Permit No. 35-7594

Wayne C. Bennett
Rt. #3
Preston, ID 83263

Dear Mr. Bennett:

Enclosed is a copy of your approved Application for Permit No. 35-7594. 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

April 15, 1976

RE: Application for Permit No. 35-7594

Mr. Wayne C. Bennett
Rt. #3
Preston, Idaho 83263

Dear Mr. Bennett:

This office is in receipt of your Cashier's Check No. 92-273 in the amount of \$65.00 for the above referenced application for permit. Please find enclosed your personal check No. 92-171 returned to this office due to insufficient funds.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RC:CM

Attachment: Check No. 92-171

The Bank of Commerce Idaho Falls, Idaho

RETURN ITEM CHARGE

DRAWN BY		DRAWN ON		AMOUNT	REASON	REASON FOR RETURN
Wayne C. Leland		92 121		55.00	11	1. Insufficient Funds 2. Incorrect Endorsement 3. Drawn on Unallocated Funds 4. Payment Stopped 5. Unable to Locate 6. Account Closed 7. No Account 8. Incorrect Signature 9. Incorrect Date

APR 8 1976

APPROVED BY *[Signature]*

STATE TREASURER NUMBER 11-90080748

DATE 4-2-76

AMOUNT 55.00

To State Treasurer
Water Administration
Boise, Idaho

FORM SA-382-M

ORIG - ENTRY
DUPL - ADVICE
FILE -
TRIP -

1241000412

0060

April 8, 1976

RE: Application for Permit No. 35-7594

Mr. Wayne C. Bennett
Rt. #3
Preston, Idaho 83263

Dear Mr. Bennett:

We regret to inform you that your check No. 92-171 in the amount of \$55.00 was returned to us due to insufficient funds.

For your convenience, we will not proceed to void our records of your application for ten (10) days to allow you time to submit a cashiers check or money order in the amount of \$55.00 to cover the statutory filing fee.

If you have any questions, please contact this office.

Very truly yours,

RONALD S. CARLSON
Supervisor,
Eastern Region

RBC:CM

RECEIVED

INTER-DEPARTMENT

APR 8 1976

DATE 4/7/76

FROM Phyllis Smith

TO Ron
Colleen

Department of Water Resources
Eastern District Office

SUBJECT Insufficient funds check

We are returning to you for your handling a check for \$55.00 written by Wayne C. Bennett, Rt 3, Preston, Idaho returned from the bank marked insufficient funds. The check has been deducted from your deposit by the State Treasurer.

Russ suggests that the proper procedure would be to write to Mr. Bennett requiring a cashier's check or money order to redeem the insufficient funds check to avoid cancellation of his application. When this has come in it should be acknowledged but not receipted again, and the insufficient funds check should then be returned to the sender.

Phyllis
SIGNATURE

March 26, 1976

RE: Application for Transfer No. 35-2311 CHRISTENSEN
" " Permit No. 35-7594 BENNETT
" " Permit No. 35-7595 CHRISTENSEN

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

Bill submitted 4/2/76 by CB

RDC:CM

Enc: Legal Notice (3)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Wayne C. Bennett,

Preston, Idaho

has on 3-24-76 submitted Application No. 36-7594

for a permit to appropriate 4.00 cubic feet per second ~~XXXXXX~~

of water from a ground-water source

by means of well and pump

within the SW1/4, Sec. 2, T. 4S, R. 31E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 320 acres

within the NE1/4, NW1/4, SW1/4, Sec. 2, SW1/4, Sec. 1, T. 4S, R. 31E, B.M.,

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before April 19, 1976.

R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho

on April 1 and April 8, 1976

**NOTICE OF APPLICATION
FOR WATER PERMIT**
Notice is hereby given that
Wayne C. Bennett, Preston,
Idaho has on 3/24/76, submitted
Application No. 357594, for a
permit to appropriate 4.00 cubic
feet per second of water from a
ground water source by means
of well and pump within the
SW 1/4 NE 1/4 Sec. 2 T. 45 R.
31E B.M. Bingham County, to
be used from Apr. 1 to Nov. 1 for
the irrigation of 320 acres
within the NE 1/4, NW 1/4,
SW 1/4 SE 1/4 Sec. 2 SW 1/4 NW 1/4,
Sec. 1 T. 45, R. 31E B.M.

It is 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 April 19, 1976.
R. KEITH HIGGINSON
Director
(4621)
Pub 418