

Identification No. 35 7495

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Sachis & Dan S. Mikami Phone: _____
post office address P.O. Box 191, Hemiston, Oregon

2. Source of water supply ground water which is a tributary of _____

3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18 Township 3N
Range 37E B.M. Bonneville 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 3.2 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
Amount ~~XXXXXXX~~ for _____ purpose from _____ to _____ (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
cfs or acre feet per annum

5. Total quantity to be appropriated:
a. 3.2 cubic feet per second and or
b. _____ acre feet per annum

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Existing well, 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 _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ _____ (Existing)

8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered: _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water: _____
(5) If water is to be used for other purposes describe: _____

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

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	37E	7									40	40	40	40					160

Total number of acres to be irrigated 160

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

- 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

Proposed Priority 3-25-1975

Received by MB Date 3-25-75 Time 11:00 A
Preliminary check by MB Fee \$25.00
Received by MB Date 3-25-75 #4159
Publication prepared by MB Date 3-28-75
Published in The Post Register
Publication dates April 3 & 10, 1975
Publication approved MB Date 4-18-75
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DC NW

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. 35-7495 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, 1980
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons _____

Witness my hand this 25 day of April 19 75

P. Karl Hjort
Director

Proof of Publication
The Post-Register

RECEIVED

Department of Water Resources
Eastern District Office

State of Idaho,

County of Bonneville

ss.

I, E. F. McDermott

Principal Clerk

, first being duly sworn, depose and say: That I am the

of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

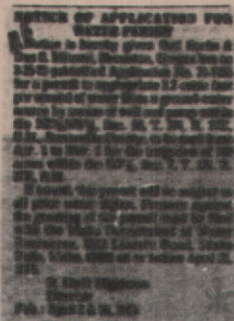
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 3rd day of April, 1975, last publication having been made on the 10th day of April, 1975, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 14th day of April, 1975

Notary Public

My commission expires April 5, 1979

B10, 1M



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 27 1992

Department of Water Resources

A. GENERAL INFORMATION

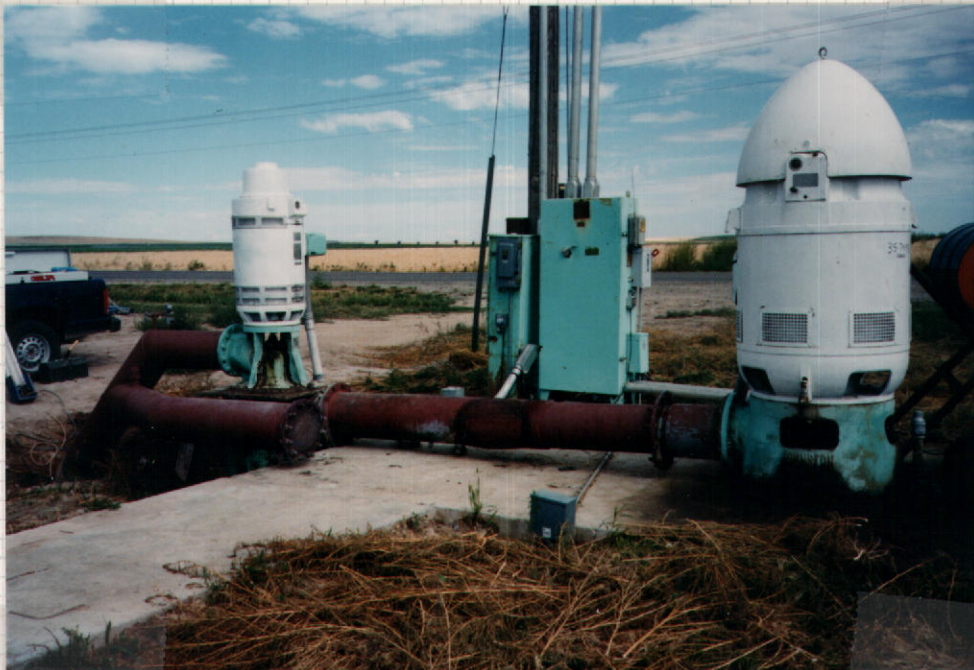
1. Owner: Howard Taylor and Sons INC. Permit No. 35-7495
Current Address: PO BOX 51780 IDAHO FALLS ID 83405 Phone No. 522-7770
2. Accompanied by: Bill Taylor EXAM. DATE: 08/14/91
Address: Same Phone No. 521-1104
Relationship to Permit Holder: President Recheck 8/24/92
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N/A ☐ Copies Attached
2. Other water rights with same point of diversion: 35-07495, 35-02672
☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____

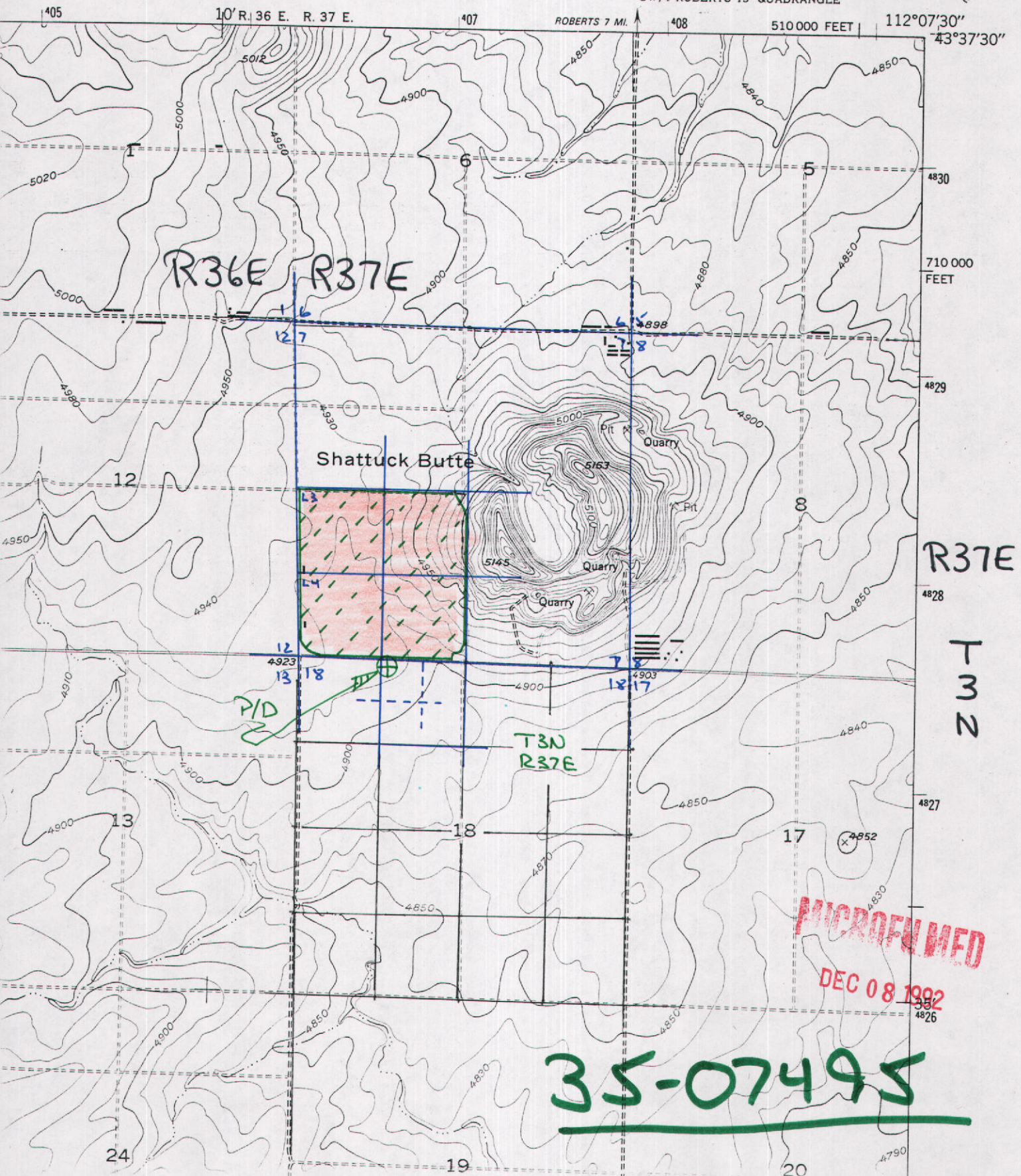
2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

RECEIVED

DEC 08 1992

SHATTUCK BUTTE QUADRANGLE
IDAHO-BONNEVILLE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SW 1/4 ROBERTS 15' QUADRANGLE

3571 11 NE
(LEWISVILLE)



T 332

35-07495

1802
T835

①
152.2

35-07495

PLACE OF USE

P/O

T
3
N

R37E

⑩
10.2

18

POINT OF DIVERSION

②
151.4

T3N
R37E

⑤
156.4

7 8
18 17
⑥ 37

HEL

35-02672

④
152.2

⑧
52.3

35-7495

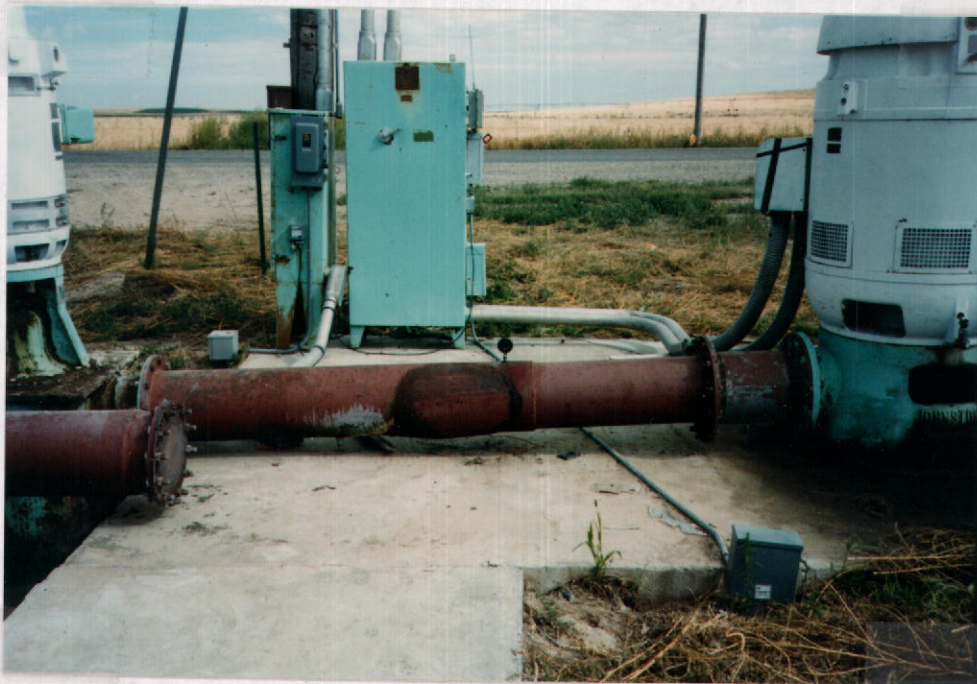
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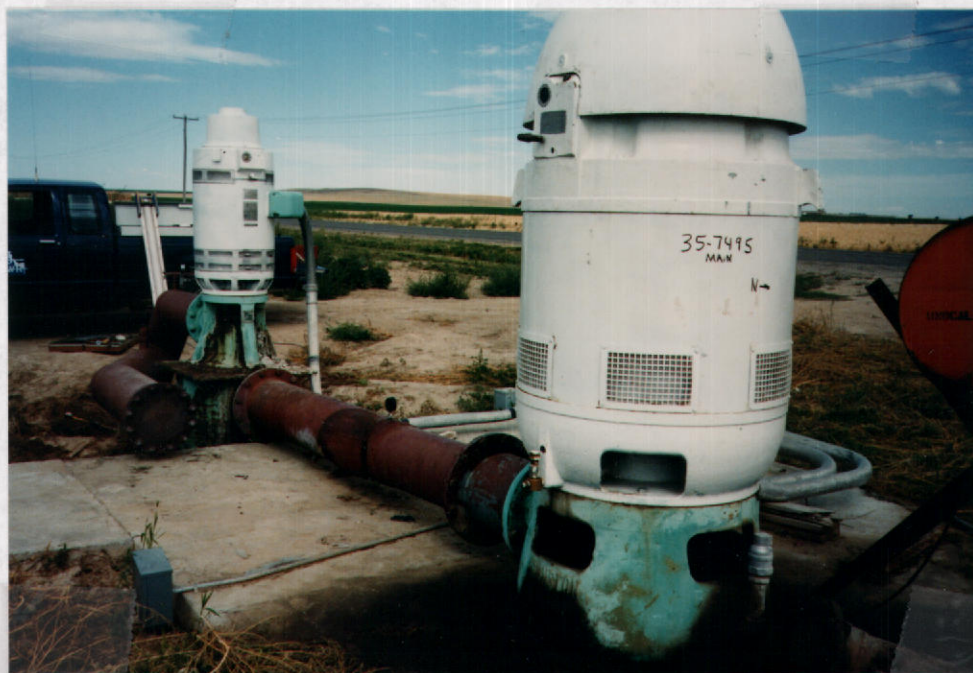
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35-7495



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35-7495

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18

15A.2

310.1

18

17

NOV 23 1995

16.8



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

35-7495
TWIN BUTTES FARMS
C/O LYLE ROBINSON
RT. 5 BOX 312
IDAHO FALLS, ID 83402

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

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

July 22, 1982

RE: Permit No. 35-7495

Twin Butte Farms
c/o Lyle Robison
Route #5, Box 312
Idaho Falls, ID 83402

Dear Mr. Robison:

This office acknowledges receipt of the assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures



John V. Evans
Governor

C. Stephen Allred
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

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

July 1, 1981

RE: Permit No. 35-7495

J.R. Egys and Sons, Inc.
P.O. Box 136
Idaho Falls, Idaho 83401

Gentlemen:

Permit reinstated and priority advanced to November 25, 1975.
We acknowledge receipt of the proof of beneficial use card
submitted for the above referenced permit.

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

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

Very truly yours,

BOBBIE R. STEPHENS
Principal Clerk

cc: IDWR - State Office

March 12, 1980

J.R. Hays & Sons, Inc.
Douglas Cameron, D.A.
Box 190
Idaho Falls, Idaho 83401

Dear Mr. Cameron,

RE: Permit No. 35-7498

We have received the Extension Request form and additional correspondence submitted for the above referenced permit.

However, we cannot accept the Extension Request form until the assignment is received from Sach and Dan Mikami. We also need more information concerning the amount of work completed on this project. Is the well drilled and is any of the land being irrigated, etc? We will notify you as soon as the assignment is received in order for you to submit the Extension Request form with the additional information.

This permit does not permanently lapse on April 1, 1980, however, a day of priority is lost each day the extension request or proof of beneficial use card is late after the April 1st date. There is also a 60-day reinstatement period within which the extension request can be submitted. If that date passes then the permit permanently lapses.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:mr

cc: Sach & Dan Mikami
Box 191
Hermiston, Oregon 97838

MIKAMI BROS.

AREA CODE 503 449-3811 • P. O. BOX ⁷⁸⁶₁₈₄ • HERMISTON, OREGON 97636

Farm Location - Feedville Road

February 1, 1960

Re: Permit No. 11-10

Mr. J. J. and Mrs.
L. L. Fort
Idaho Falls, Idaho 83401

Attention: Don D. Fort

Enclosed papers that I discussed with you on the telephone,
concerning water rights.

Please advise if I can be of further help.

Yours Truly,



Sach Mikami

SM/ls

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

MIRANI, SACHS & DAVIS,
P.O. BOX 191
PERMISTON, OR 97838

1041712

JANUARY 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 45-7495 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1980. (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.

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,

WITA FLECK
SR. SECRETARY

ENC: 1

March 27, 1975

RE: Application for Permit No. 35-7495

Mr. Sachs Mikami
Mr. Dan S. Mikami
P.O. Box 191
Keniston, Oregon 97838

Gentlemen:

Attached herewith is departmental receipt No. 4159 in the amount of \$55.00 which was submitted for the above referenced application.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:ME

Attachment

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07495

Priority: September 19, 1979

Maximum Diversion Rate:

2.12 CFS

Maximum Diversion Volume:

612.0 AF

This is to certify, that HOWARD TAYLOR & SONS INC

PO BOX 51780

IDAHO FALLS ID 83403

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 25, 1975; and has submitted Proof of Beneficial Use on December 2, 1980. An examination indicates that the works have a diversion capacity of 7.100 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	2.12 CFS	612.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 18, Township 03N, Range 37E
BONNEVILLE 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>
03N	37E	7	NESW 39	Lot 3(NWSW) 39	Lot 4(SWSW) 37	153
			SESW 38			

Total number of acres irrigated: 153

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use 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 when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. The total combined rate of diversion under this right and Right 35-02672 shall not exceed 7.10 cfs.

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DEC 08 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07495

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 27th
day of NOVEMBER, 1992.

Acting for R. Keith Higginson, Director

RECEIVED
DEC 08 1992

UNITED STATES OF AMERICA

STANDARD

ACQUISITION	PERMIT NO.	NAME	AMOUNT C.F.S.
Original Permit	35-7495	Sachs & Dan S. Mikami	3.2 cfs
Full Assignment	35-7495	J. R. Hays & Sons, Inc. or Hays Brothers	3.2 cfs
Full Assignment	35-7495	Twin Buttes Farm	3.2 cfs

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT
NO. 35-7495 IN THE NAME OF
HOWARD TAYLOR & SONS, INC.

ORDER OF REINSTATEMENT

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 35-7495 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 35-7495 to appropriate the public waters of the State of Idaho with a proposed priority of NOVEMBER 25, 1975.
2. On APRIL 30, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on JUNE 29, 1986.
3. The license examination fee was not paid within one year of the date, and the permit lapsed for failure to pay the license examination fee.

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MAY 23 1990

4. The license examination fee was received on
APRIL 23, 1990, 1393 day(s) late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 35-7495 should be advanced 1393 day(s).

ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 35-7495 is reinstated.

IT IS FURTHER ORDERED that the date of priority of Permit No. 35-7495 is advanced to SEPTEMBER 19, 1979.

Dated this 26th day of April, 1990.

J. Blusson
Chief, Water Allocation Bureau

MICROFILMED

MAY 23 1990

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Lyle J. Robison, hereby assign to HOWARD Taylor & Sons, INC.
of P.O. Box 51780 IDAHO FALLS, IDAHO 83403
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 35-7495
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 12 day of Sept, 19 89.

Lyle J. Robison
Permit Holder

Lee Raye Robison
Spouse of Permit Holder

State of Idaho)
County of Bonneville) ss.

On this 12th day of September, 19 89, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Donna V. Linn

Notary Public residing at

Pocatello,

My commission expires:

08/31/93

MICROFILMED
MAY 23 1990

Form 204
578

Identification No _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

SEP 22 1980

State of Idaho

J R Hays and Sons, Inc
(Name)

of

Idaho Falls, Idaho
(Address)

State of Idaho, deposes and says

That he is the holder, or the duly authorized agent of the holder*, of Permit to appropriate the Public
Waters of the State of Idaho No 35-7495

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before Oct 1, 19 80

That he has heretofore performed the following work described under said permit
complete project as required

Costing \$

That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: did not know what to do until currently, have been in
contact with local office, after harvest will finish
the project.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to Oct 1, 19 80.

J. R. HAYS & Sons, Inc
(Signature)

by

Rich Hays

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be

Signed this _____ day of _____, 19 _____

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

\$15 fee received by _____ Date _____ Receipt # _____

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Robert L. Robinson, hereby assign to Twin Butte Farm
of Box 312 Idaho Falls 83402
Address

- CHECK ONE
- ☒ All my right, title, and interest in and to Permit No. 35-7495
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 15 day of July, 19 82.

Robert L. Robinson
Permit Holder

None
Spouse of Permit Holder

State of Idaho)
County of Bonneville) ss.

On this 15th day of July, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Robert L. Robinson
Notary Public residing at
Idaho Falls, ID 83402

My commission expires:
6/15/85

RECEIVED

JUL 15 1982

Department of Water Resources
Eastern District Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-7495 }
IN THE NAME OF J. R. HAYS & SONS, INC. } ORDER OF REINSTATEMENT

WHEREAS, on March 25, 1975, Sachs and Dan S. Mikami applied to the Department of Water Resources for a permit to appropriate 3.20 cubic feet per second of water from a groundwater source to be diverted within the NE1/4NW1, Sec. 18, Twp. 3N, Rge. 37E, B.M., Bonneville County, to be used for irrigation purposes; and,

WHEREAS, on April 25, 1975, the Department approved said application and issued Permit No. 35-7495 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before April 1, 1980; and,

WHEREAS, on January 31, 1980, the Department notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, on March 17, 1980, the Department received an assignment conveying all right, title, and interest in and to Permit No. 35-7495 to J. R. Hays & Sons, Inc.; and,

WHEREAS, on October 20, 1980, the Department notified the permit holder that Permit No. 35-7495 lapsed for failure of the permit holder to submit proof of beneficial use of water; 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 from 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 December 2, 1980;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-7495 be REINSTATED and the priority date advanced to November 25, 1975.

Dated this 28 day of May, 1981.

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

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED

MAR 17 1980

Department of Water Resources
or Hays Brothers
J R Hays and Sons, Inc

I, Sachs & Dan Mikami, hereby assign to

of P O Box 136 Idaho Falls, Idaho 83401
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 35 7495
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 1 day of March, 1980

Sachs & Dan Mikami
Permit Holder

Spouse of Permit Holder

OREGON
State of Idaho)
County of Umatilla) ss.

On this 11th day of MARCH, 1980, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

J Marshall Condit
Notary Public residing at

Hermiston, Oregon

My commission expires:
By Commission Expires April 21, 1983

ASSIGNMENT OF PERMIT

CHECK ONE

Made this 1 day of March, 1980

Permit Holder

Spouse of Permit Holder

State of Kansas)
County of LeFlore) ss.

On this 10 day of March, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he ~~was~~ ~~they~~ executed the same.

● ● ● ●

Nov. 17 Public meeting at

My commission expires: 2-18-24

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Sachs & Dan Mikami, hereby assign to or Hays Brothers
J R Hays and Sons, Inc
of P O Box 136 Idaho Falls, Idaho 83401
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 35 7495
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 1 day of March, 19 80.

copy

Permit Holder

Spouse of Permit Holder

State of Idaho)
County of _____) ss.

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

seal

Notary Public residing at

My commission expires:

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 35-7499

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.


Director

Identification No 65-7495

Application No _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

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

APPROVED

Name of applicant Sadis & Dan S. Mikami Phone _____

Post office address P.O. Box 191, Hemiston, Oregon

2 Source of water supply ground water which is a tributary of _____

3 a. Point of diversion is NE 1/4 of NW 1/4 of Section 18 Township 3N

Range 37E B.M. Bonneville County additional points of diversion

1. If water is not consumed it will be discharged into _____ at a point in _____
of _____ of Section _____ Township _____ Range _____ B.M. _____

4 Water will be used for the following purposes

Amount 3.2 for irrigation purpose from Apr. 1 to Nov. 1 both dates inclusive

Amount _____ for _____ purpose from _____ to _____ both dates inclusive

Amount _____ for _____ purpose from _____ to _____ both dates inclusive

5 Total quantity to be appropriated

a. 3.2 cubic feet per second and or

b. _____ acre feet per annum

6 Proposed diverting works

a. Description of ditches flumes pumps headgates etc. Existing well, 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 _____ inches proposed depth of well is _____ feet

7 a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years

b. Estimated construction cost is \$ _____ (Existing)

8 Description of proposed uses

a. If water is not for irrigation

(1) Give the place of use of water _____ % of _____ % of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated _____ hp under _____ feet of head

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____ or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe _____

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[illegible]

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	37E	7									40	40	40	40					160

Total number of acres to be irrigated

160

Describe any other water rights used for the same purpose as described above: None

U. S. Department of the Interior, Bureau of Land Management

Applicant

1. Δ^2 (A) Δ^2 (B) Δ^2 (C) Δ^2 (D) Δ^2 (E) Δ^2

Applicant

7 e p l i e s . a n e l l , + i r - t h o v e r l y

the "e" arrangement enabling the

And I'd like to make this thing

71. $\frac{1}{2} \pi = 90^\circ$

Proposed Priority 3-25-1975

Received by MB Date 3-25-75 Time 11:00 A
Preliminary check by MB Fee \$ 35.00
Receipted by MB Date 3-25-75 # 4129
Publication prepared by MB Date 3-28-75
Published in The West Register
Publication dates April 1 & 2, 1975
For publication approved MB Date 4-11-75
Priority referred to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DC MB

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
Iring No 35-7495 and said application is hereby APPROVED

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, 1980
- c. Other A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons _____

Witness my hand this 25 day of April 19 75

P. Kent Ho
Director OO

Proof of Publication
The Post-Register

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Department of Water Resources
Eastern District Office

State of Idaho,

County of Bonneville

I, E. F. McDermott
Principal Clerk

, first being duly sworn, depose and say: That I am the
of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho, said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register established in the year 1890 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 3rd day of April, 1975, last publication
having been made on the 10th day of April, 1975, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 14th day of April, 1975

Notary Public

My commission expires April 5, 1979

B18, 1M

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 2, 1992

HOWARD TAYLOR & SONS INC
PO BOX 51780
IDAHO FALLS ID 83403

RE: WATER RIGHT NO. 35-07495

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in cursive script that reads 'Pamela Skaggs'.

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 30, 1992

HOWARD TAYLOR & SONS INC
PO BOX 51780
IDAHO FALLS ID 83403

RE: WATER RIGHT NO. 35-07495

Dear Water Right Holder(s):

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

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

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

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LICENSE REVIEW CHECKLIST

Permit # 35-7495

Date 10-27-92
CB

	<u>Yes</u>	<u>No</u>	
NAME	<u> </u>	<u>✓</u>	Address Change?
PRIORITY DATE	<u> </u>	<u>✓</u>	Advance? <u> </u>
	<u> </u>	<u>✓</u>	Memo to Advance
	<u> </u>	<u>✓</u>	Order to Reinstate Needed? <u>DONE</u>
TOTAL CFS	<u> </u>	<u>✓</u>	Incorrect Fee for rate recommended?
	<u> </u>	<u>✓</u>	Disagree with Actual Measurement?
	<u>NA</u>	<u> </u>	<u>153x.02 = 3.06 / 153x.01384 = 2.12 cfs (IRR)</u>
	<u> </u>	<u> </u>	Disagree with Theoretical? <u>400x3.3x.7 = 6.86</u>
	<u>✓</u>	<u> </u>	Limited by Capacity? <u>7.10</u> <u>400' + (2.31x60)</u> <u>cfs</u>
TOTAL VOLUME			Rate/ac <u>4.0</u> AFA Irr. Season <u>C</u>
			<u>4-1 to 10-31</u> Standard Irr. Season
			<u>Same/Reduced from Permit</u> Season Recommended
	<u> </u>	<u>✓</u>	Disagree with Examiner's Calculations?
	<u> </u>	<u>✓</u>	<u>153x4 = 612 ac (IRR)</u>
	<u> </u>	<u>✓</u>	Limited by Flow? <u> </u>
SOURCE	<u> </u>	<u>✓</u>	Changes? Clarification of <u>Originally</u>
	<u> </u>	<u>✓</u>	<u>Intended</u> source <u> </u>
	<u> </u>	<u>✓</u>	Notice of Intent to Void.
P/D	<u> </u>		Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
P/U	<u> </u>		Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
USES	<u> </u>	<u>✓</u>	Change(s) in Nature of Use? <u> </u>
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u>✓</u>	Multiple P/Ds in 1/4 1/4? <u> </u>
	<u> </u>	<u>✓</u>	Non-Irr. Uses <u> </u>
	<u>✓</u>	<u>WBI</u>	Special Overlap Condition <u>P/D / 35-02672</u>
	<u> </u>	<u>✓</u>	Other <u> </u> <u>7.10 cfs</u>
CONDITIONS	<u> </u>	<u>✓</u>	Measuring Device
	<u> </u>	<u>✓</u>	W/Master Control
	<u>R31</u>	<u> </u>	Overlap
	<u> </u>	<u>✓</u>	Water Quality
			DATES/MISC
		<u>✓</u>	Water Dist.
		<u>✓</u>	App Rec'd
		<u>✓</u>	Exam Made

COMMENTS/MEMOS NEEDED: Reduced Acres, rate, season

License 10-Day ✓ 15-Day Special Correspondence

WR0749NP
No. L35-07495

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/27/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOWARD TAYLOR & SONS INC PO BOX 51780 IDAHO FALLS ID 83403	09/19/1979	IRRIGATION	04-01 10-31	2.12 CFS	612.0 AFA
TOTAL DIVERSION:					2.12 CFS	612.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 7.10 CFS

Point(s) of Diversion: T03N R37E S18 NE NW

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
03N	37E	7	:											39	03-39	04-37	38	:	153.0	
TOTAL ACRES																			153.0	

Pou County: BONNEVILLE

Other Water Rights with Same Point(s) of Diversion and Source:
35-02672 35-07495

Other Water Rights Listing Overlapping Place(s) of use:
35-07495

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.

Remarks: The total combined rate of diversion under this right and
Right 35-02672 shall not exceed 7.10 cfs.

Dates: App. Received: 03/25/1975 Priority Date: 09/19/1979 (Priority Date Advanced.)
Proof Due Date: 04/01/1980 Proof Made Date: 12/02/1980 (Proof Received Late.)
Exam Made Date: 08/24/1992 Exam Sent to S.O.: 08/25/1992
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 10/27/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

35-7495
Permit No.

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Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots If so, make a copy of Government Plat

Check of P/D index WUP (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index WUP (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 2/24/92 WUP (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent 8/24/92 Kaw (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Data Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
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Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Howard Taylor and Sons INC. Permit No. 35-7495
Current Address: PO BOX 51780 IDAHO FALLS ID 83405 Phone No. 522-7770
2. Accompanied by: Bill Taylor EXAM. DATE: 08/14/91
Address: Same Phone No. 521-1104
Relationship to Permit Holder: President Recheck 8/24/92
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

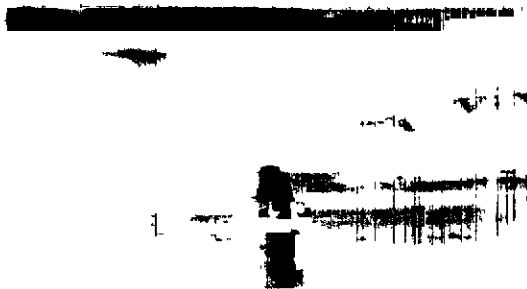
1. Other water rights with same place of use: N/A

☐ Copies Attached
2. Other water rights with same point of diversion: 35-07495, 35-02672

☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more)

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well pump 3- 1/4 mile pivots, 50 joints hardlines
(5/32 nozzles)

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#4	Westinghouse	450	H 454	Johnston	12" discharge
#4 Booster	Gen Elec	150	LET1112167	Johnston	10" discharge

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#4		NW	NE	NW	18	3N	37E	Bonneville	USGS QUAD & on-site inspection

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	37E	7									39	39	37	38					153
											43	44							

Do not use this space

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Cox Hall pressure gage		Ashcroft		120386	11" 0-100 psi	

2. Measurements:

Cox Hall H ₁	Lo	operating pressure - 60 psi
44.00	12.20	
45.00	13.10	
46.00	14.20	

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

SEE ATTACHED SHEETS FOR Q CALCULATIONS

MEASURED Q = 7.10 cfs RECOMMEND Q = 2.12 cfs

2. Alternate Method for Checking Purposes:

COMBINED Q 35-02672 & 35-07495

NOT TO EXCEED 7.10 cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 153 \text{ ACRES} \times 4.0 \text{ AFA} = 612 \text{ AFA}$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.12 \text{ cfs} (214 \text{ DAYS}) \times 1.9835 = 899.87 \text{ AFA}$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 612 \text{ AFA}$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

POINT OF DIVERSION SHARED WITH 35-02672

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	2.12	612
Totals:			2.12	612

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

J. AUTHENTICATION

Field Examiner's Name ALAN W. PARIS

Signature Alan W. Paris

Certification Date _____

Field Report Preparation Date 2-24-92 BY PAUL R. MEYER

CONSULTANT SEAL

8/24/92 Keith C. Wilcox (KCW)

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

PAID

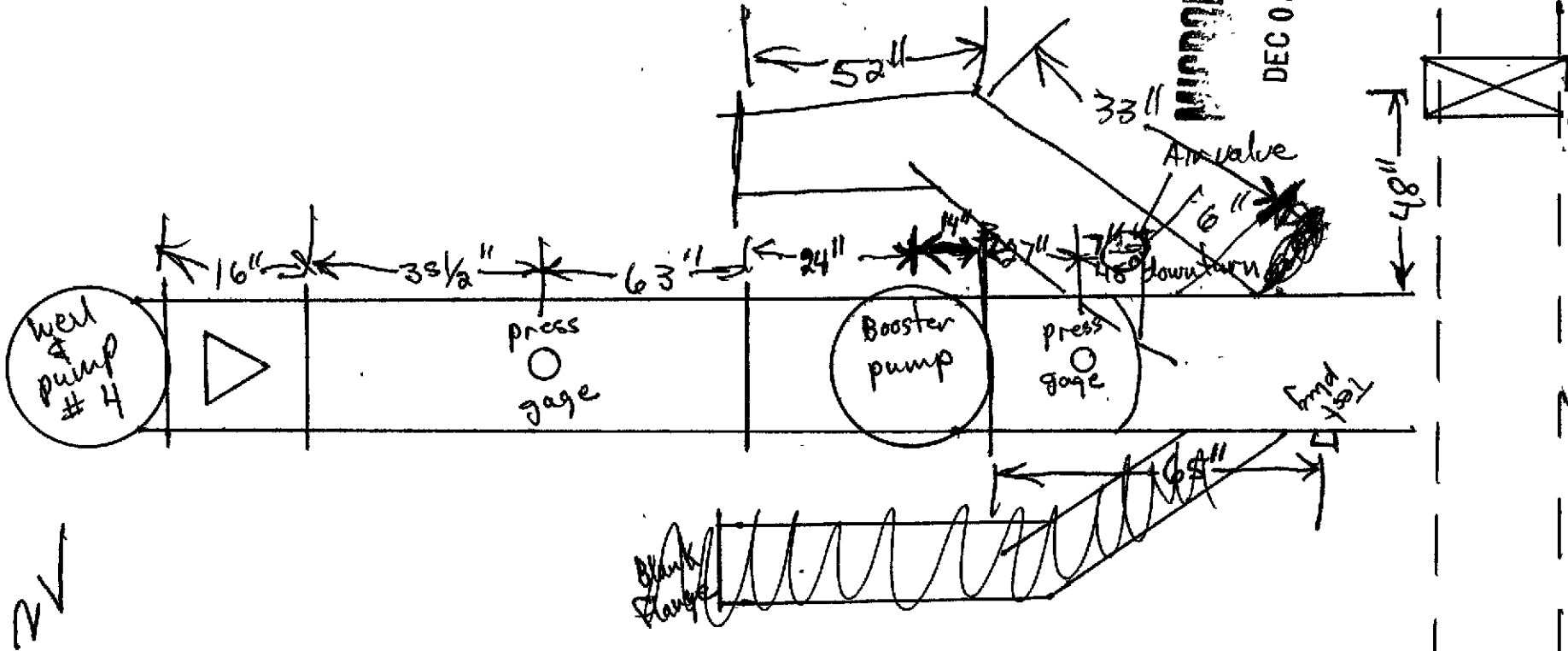
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35-07495

35-7495

DEC 08 1992

UNRECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
POINT OF DIVERSION OVERLAP REVIEW

35-7495
Permit Number

1. Analysis of Entire System:

- A. Total Number of Acres irrigated = 513 acres
B. Total Diversion Rate = 7.10 cfs

2. Current Application Rate per Acre (Qc):

Limit to 0.02 cfs/ac, Permitted Amount, or System Capacity, Whichever is Less.

$$Q_c = \text{Total Diversion rate [1.B]} / \text{Total irrigated acres [1.A]} \\ = \frac{7.10}{\text{cfs}} / \frac{513}{\text{acres}} = \underline{0.01384} \text{ cfs/ac}$$

3. Old Application Rate per Acre (Qo) from Licensed Flow Rates:

License # 35-2672 @ 6.4 cfs / 360 ac
License # _____ @ _____ cfs / _____ ac
License # _____ @ _____ cfs / _____ ac
Total Licensed Rate = 6.4 cfs / 360 ac

Old Diversion Rate(Qo) = Licensed Flow Rate/# acres

$$Q_o = \frac{6.4}{\text{cfs}} / \frac{360}{\text{acres}} = \underline{0.01778} \text{ cfs/ac}$$

4. Comparison of Diversion Rates if:

- A. Old Diversion Rate(Qo) > New Diversion Rate(Qc) : EXCLUDE Licensed Lands.

$$Q_o(\#3) = \underline{0.01778} > Q_c(\#2) = \underline{0.01384} \quad \text{GO TO ITEM \#5A.}$$

- B. New Diversion Rate(Qc) > Old Diversion Rate(Qo) : INCLUDE Licensed Lands.

$$Q_c(\#2) = \underline{\hspace{2cm}} > Q_o(\#3) = \underline{\hspace{2cm}} \quad \text{CONTINUE TO ITEM \#4.B.1}$$

1. Additional Flow Rate for Licensed Lands.

$$Q_a = (Q_c - Q_o) \times (\# \text{ Lic. Ac.}) = [(\underline{\hspace{2cm}}) - (\underline{\hspace{2cm}})] \times (\underline{\hspace{2cm}}) = \underline{\hspace{2cm}} \text{ cfs}$$

cfs/ac cfs/ac acres

2. Flow Rate for New Acreage. Total acres(#1.A) - Licensed acres(#3) = New Acres

$$Q_n = (Q_c) \times (\# \text{ New Ac.}) = (\underline{\hspace{2cm}} \text{ cfs/ac}) \times (\underline{\hspace{2cm}} \text{ ac}) = \underline{\hspace{2cm}} \text{ cfs}$$

GO TO ITEM #5B.

5. Calculate Total Flow Rate to be licensed:

- A. Flow Rate excluding licensed land. Total Acres(#1.A) - Lic. Acres(#3) = New Acres
(513) - (360) = 153 ac

$$Q_t = Q_c(\#2) \times (\# \text{ New Acres}) = \underline{0.01384} \text{ cfs/ac} \times \underline{153} \text{ ac} = \underline{2.117}$$

$$Q_t = \underline{2.12} \text{ cfs}$$

- B. Flow Rate including licensed land.

$$Q_t = Q_a(\#4.B.1) + Q_n(\#4.B.2) = \underline{\hspace{2cm}} \text{ cfs} + \underline{\hspace{2cm}} \text{ cfs}$$

$$Q_t = \underline{\hspace{2cm}} \text{ cfs}$$

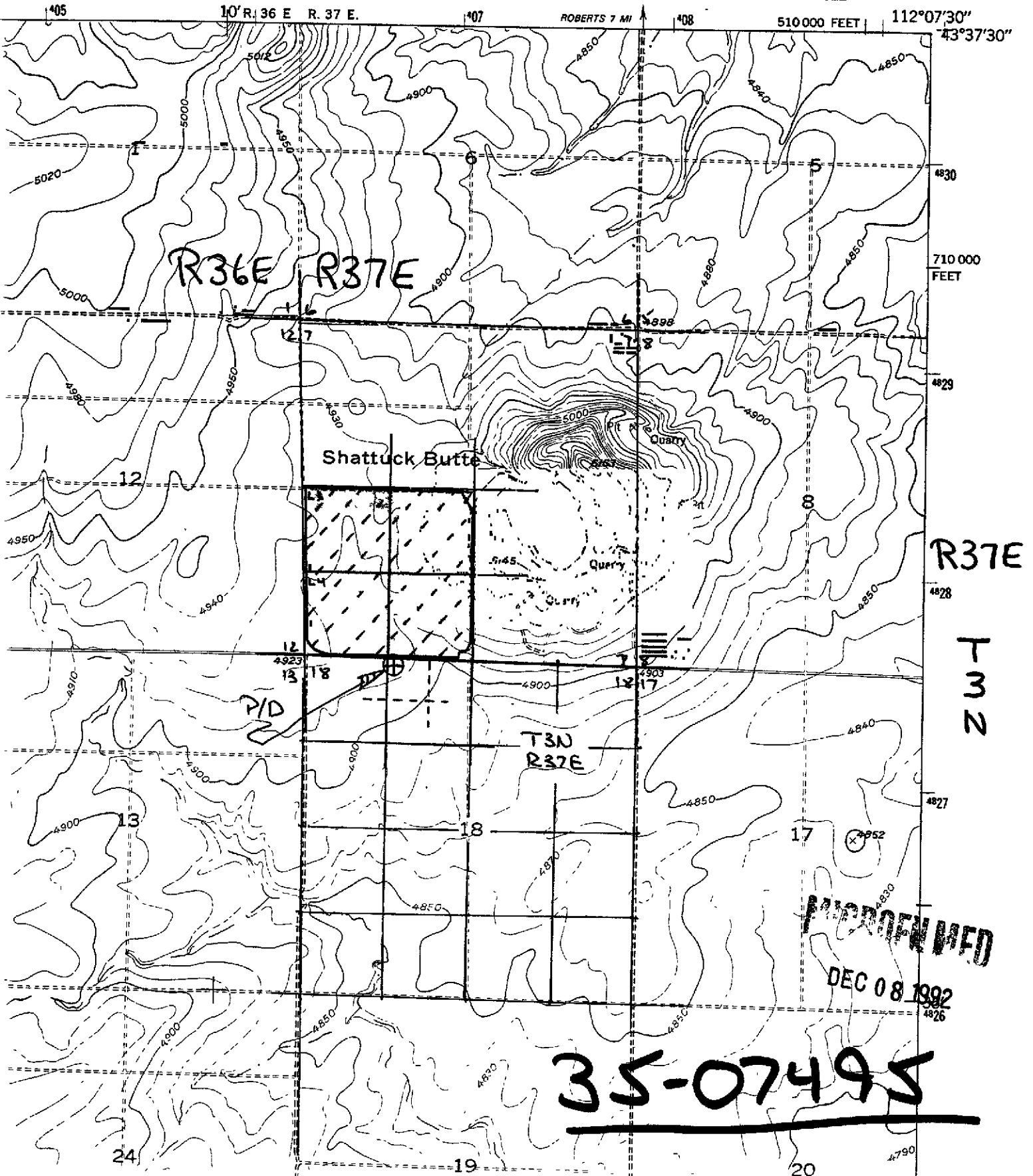
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SHATTUCK BUTTE QUADRANGLE
IDAHO-BONNEVILLE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SW/4 ROBERTS 15' QUADRANGLE

3571 II NE
(LEWISVILLE)



1862

(10)
103

MEOPUS

HE

75
18

James Davidson

103

564

65

0

⑧

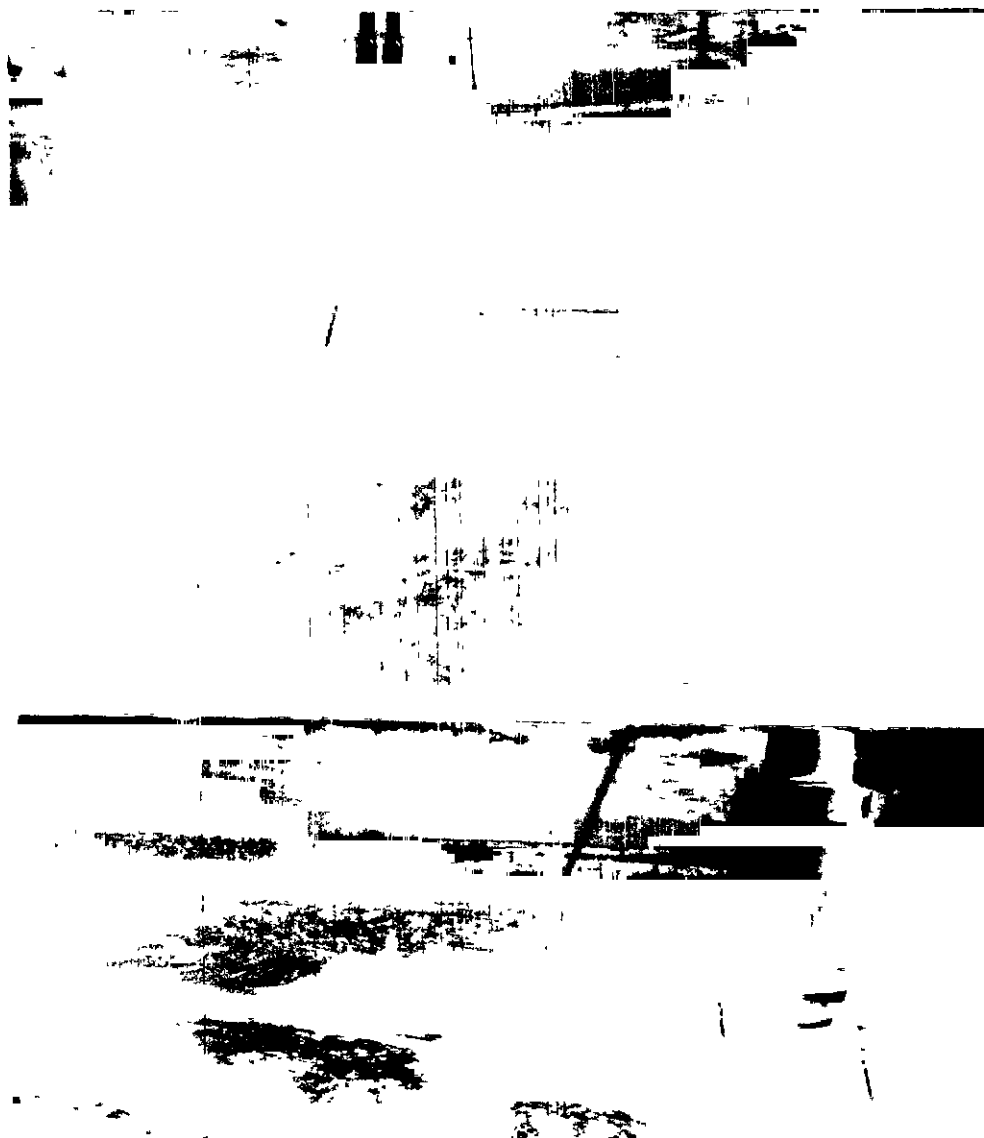
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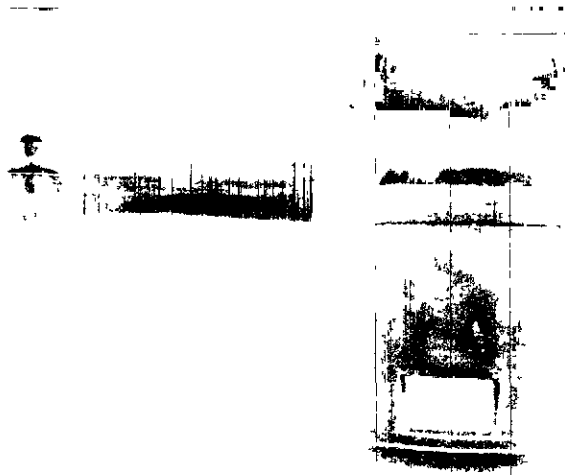
12



NOT RECORDED

DEC 08 1992

35-7495



RECEIVED

DEC 08 1992

35-7495



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 3, 1990

RE: Permit No. 35-7495

Howard Taylor & Sons, Inc.
P.O. Box 51780
Idaho Falls, ID 83403

Dear Mr. Taylor:

Enclosed is a copy of the Order of Reinstatement which advances the date of priority of the above referenced permit to September 19, 1979 due to late submittal of the exam fee.

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

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAY 23 1990

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 35-7495

FROM: JIM JOHNSON *Jim L.*

RE: PRIORITY ADVANCE REVIEW

DATE: 25-APR-1990

=====

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	NOVEMBER 25 1975	329
EXAM FEE NOTICE		
Exam Fee Notice Date:	APRIL 30 1986	120
Exam Fee/Info Sheet Received Date:	APRIL 23 1990	1573
Exam Fee or Info Due Date:	JUNE 29 1986	180
Days Late:		1393 DAY(S)
NEW PRIORITY DATE		
Original Priority Date:	NOVEMBER 25 1975	329
Total Days Late:		1393 DAY(S)
New Priority Date:	SEPTEMBER 19 1979	262

RECEIVED

MAY 23 1990

4/86

RECEIVED

APR 23 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

Department of Water Resources

For Office Use Only
Fee Received 175.00
Date 4-23-90
Receipt # COL6482
Receipt by Guler
Sent to S.O.

1. Permit No. 35-7495

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Howard Taylor & Sons, INC

3. Post Office Address: P.O. Box 51780

IDAHO FALLS ID 83405 Telephone No. 522-7770

4. Source of Water: Underground

5. Extent of Use:

Domestic (No. of households) Stockwater (No. and type of stock)

Irrigation 160 (acres) Other/Remark

6. Total rate &/or volume for which proof is submitted 3.2 cfs acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1982

8. Person to contact to accompany the department representative during the field examination:

WILLIAM H. Taylor

(Name)

MAY 23 1990

4535 W, 81 N

(Address)

IDAHO FALLS

522-7770

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

April 19, 1990

Date

William H. Taylor Pres.

Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
<u>3.01 - 4.0</u>	<u>301 - 400</u>	<u>175.00</u>
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

3.2 160 AF

320 - A

150.00

160 - A - 175.00

3.0

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C016482

Date: 04/23/90
Time: 16:20:01

Received

From: HOWARD TAYLOR & SONS, INC

Type of Payment	Program Acct Class	Amount
EXAM FEE_(357495)	0630121 1238 6490	\$175.00
Total		\$175.00

CHECK 5717

Idaho Department of Water Resources

Region: STATE

Signature: J. Yarbrough

MICROFILMED

MAY 23 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 13, 1990

Howard Taylor & Sons
Box 51780
Idaho Falls, ID 83403

Re: Lapsed Permit No. 35-7495

Gentlemen:

Attached is a letter from this office dated September 26, 1989. Our records indicate that you have failed to respond to this last correspondence.

This letter provides a final reminder that certain fees are due in order to reinstate the above lapsed permit.

Sincerely,

Tim Luke
Sr. Water Resource Agent

MICROFILMED

MAY 23 1990

per telecon
4-20-90 mk.
Taylor will
submit exam
fee info sheet
& fee \$20



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 26, 1989

RE: Permit No. 35-7495

Howard Taylor & Sons, Inc.
Box 51780
Idaho Falls, ID 83403

Gentlemen:

The Department recently received an assignment of permit form and documentation of past beneficial use for the above referenced permit. The permit lapsed on June 30, 1987 for failure of the permit holder to submit either a license examination fee or a field examination report prepared by a certified water right examiner. The permit holder was provided notice of the exam fee requirement on April 30, 1987.

Before the permit can be reinstated, you must complete and return the enclosed exam information form along with the appropriate exam fee (see exam fee schedule on reverse side of form). Upon submittal of the exam fee, the department can reinstate the permit but will advance the priority of the permit by the total number of days the fee is late. Please note also that the department will not recognize the assignment until the exam fee is submitted.

Your assignment form and beneficial use documentation will remain on file in this office for 60 days to allow you an opportunity to submit the required information and fee.

Please feel free to contact this office if you have additional questions.

Sincerely

TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosure

MICROFILMED

MAY 23 1990



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Bonneville County ASCS
Box 1893
Idaho Falls, ID 83403

September 6, 1989

Howard Taylor & Sons
P.O. Box 51780
Idaho Falls, ID 83405

Gentlemen:

I hereby certify that T-3-N R-37-E Sec 7, SW1/4 has been irrigated cropped prior to 1978, and every year since.

The enclosed photo copy was taken from the 1978 aerial photography showing fields under cultivation. Crop reports are available in the Bonneville County ASCS Office, if needed.

Primary crops have been alfalfa, potatoes, wheat and barley.

Very truly yours,

Darrell E. Byerly
County Executive Director

DEB/jo

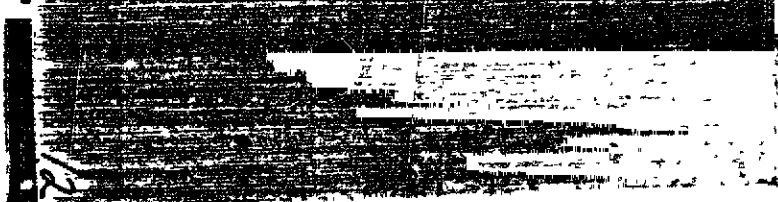
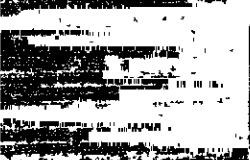
MICROFILMED
MAY 23 1990

Date 09/06/89



Page

1



2
150.4

MAY 23 195

16.8

I certify that file No. 35-7495 has been
reviewed and is ready to be **MICROFILMED**
and **DESTROYED**.

Beta Fleck
Signature

2-17-1988
Date



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

3-7-87
THAN-UT-CC
C/L-LL-AD-13
7-1-87
ICAP-FL-1-10-84

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

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Storehouse
Boise, Idaho 83720

35-7495
TWIN BUTTES FARMS
C/O LYLE ROBISON
RT. 5 BOX 312
IDAHO FALLS, ID 83402

138569

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

July 22, 1962

RE: Permit No. 35-7495

Twin Butte Farms
c/o Lyle Robison
Route #3, Box 312
Idaho Falls, ID 83401

Dear Mr. Robison:

This office acknowledges receipt of the assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Alfred
Director

1616 Lincoln Road
Idaho Falls, Idaho 83401
(208) 623-7186

July 1, 1981

RE: Permit No. 35-7495

J.R. Epps and Sons, Inc.
P.O. Box 136
Idaho Falls, Idaho 83401

Gentlemen:

Permit reinstated and priority advanced to November 25, 1975.
We acknowledge receipt of the proof of beneficial use card
submitted for the above referenced permit.

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

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

Very truly yours,

ROBERT R. STEPHENS
Principal Clerk

cc: IDWR - State Office

INTER-DEPARTMENT MEMO — 1

DATE 6-4-81

FROM R. L. Fleck

TO FILE 35-7495

SUBJECT Calculation of Priority date

Proof due APR 1, 1980

Permit lapsed by notice Oct. 20, 1980

Proof received Dec. 2, 1980

Total days lapsed 245

Priority date: March 25, 1975 plus 245 day equals
November 25, 1975

SIGNATURE

Dick Hays
P. O. Box 136
IDAHO FALLS, IDAHO 83401



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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 7495

Name(s) of Permit Holder J R Hays and Sons, Inc

Post Office Address P O Box 136 Idaho Falls, Idaho 83401 Tel No 523 1241

Source of Water well (number of households)
Extent of Use ☐ Domestic (number and type of stock)
☐ Stockwater 320 A (acres)
☒ Irrigation
☐ 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

12 15 87
Date

Signature of Permit Holder

5

POWER OF ATTORNEY

10

March 16, 1981

DOUGLAS DAMERON
P O BOX 51
IDAHO FALLS, IDAHO

15

83401

is hereby appointed as agent for

J R HAYS AND SONS, INC

20

P O Box 136
IDAHO FALLS, IDAHO

83401

as of 1-1-81 for the period of time of 1-1-81 to 12-31-81 for the
25 purpose of agent in fact for and in the reference of

STATE OF IDAHO
DEPARTMENT OF LANDS
STATEHOUSE

30

BOISE, IDAHO 83720

This power of attorney in the request of Rita Flack of the State of
Idaho in reference to the Application of Permit of # 35-7495
sent to the State of Idaho, Department of Water Resources.

35

This power of attorney is dated 3-16-81 and signed by the Secretary of
J R Hays and Sons, Inc this day. Also signed by the agent assigned
Douglas Dameron, accountant for J R Hays and Sons, Inc this day.

40

J.R. Hays and Sons, Inc.

J R Hays and Sons, Inc

45

See two Wicks Hays

Douglas Dameron P.A.

50

Douglas Dameron
accountant

55

60

J.R. HAYS & SONS, INC.

P.O. BOX 136
IDAHO FALLS, ID. 83401
(208) 343-1241

J. R. HAYS & SONS, INC
P. O. Box 136
IDAHO FALLS, IDAHO 83401



State of Idaho
Department of ~~Land~~
Statehouse
Boise, Idaho 83720

Water Resources

ATT: MS Fleck

CONVERSATION MEMORANDUM

DATE 1 Dec 1961

FILE 20-1112

NAME OF PARTY Mr. Harry - Sam - [unclear]

EMPLOYEE Julius Black

RE: Power of Attorney

I left a message to have Douglas Cameron send the Dept. a copy of his power of attorney to sign for the corporation.

Mr. Cameron returned my call and will send the power of attorney.

12/17/1961

I contacted Mr. Cameron to see if he had sent the power of attorney. He says he sent it yesterday.

December 11, 1980

Douglas Dameron
J. R. Hays & Sons, Inc
P. O. Box 136
Idaho Falls, ID 83401

Dear Mr. Dameron:

Re: Permit No. 35-7495

I've received your letter of November 25, 1980 in which you state that the measuring device is installed on your pump. However, your letter does not fulfill the requirement of beneficial use.

The department requires the enclosed statement of beneficial use be submitted before further action can be taken on the permit. Please complete the statement indicating the extent of use, and return it to this office on or before January 5, 1980.

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

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure

J R HAYS & SONS, INC

P O BOX 126

IDAHO FALLS IDAHO 83401

208-523 1241

JAMES R HAYS PRES 322 8477
MICHAEL HAYS SEC 8 1249
FRED J HAYS TREAS 323 4115
DOUGLAS DAMERON ACC 1 5 1 8710

11-25-80

BELGIAN
RAY
POTATOES
BARLEY
WHEAT

Department of Water Resources
State office
450 W State Street
Boise, Idaho 83720

Dear Jim Johnson,

RE: perm t No. 35-7495

As requested and promised, we have finished the measuring device on the pump as requested by the State of Idaho and think that we have done all necessary to comply.

If you have any questions, please drop us a line and we will answer any questions that you might have.

Thank you for your cooperation in this matter and sorry for being so long in finishing the job.

Respectfully yours,

Douglas Dameron

dad



J R HAYS & SONS, INC
P O Box 136
IDAHO FALLS IDAHO 83401



Department of Water Resources
State Offices
450 W State Street
Boise, Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street Boise Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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

October 20, 1980

J. R. Hays and Sons, Inc.
P. O. Box 136
Idaho Falls, ID 83401

Gentlemen,

Re: Permit No. 35-7495

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided a form for that purpose in our notice to you dated August 25 and September 18, 1980.

Your permit cannot be reinstated unless you submit the proof of beneficial use postcard, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.

C. STEPHEN ALLRED
Director

CSA:rf

Enclosure

10-20-80

Rita Fluck

September 18, 1980

J.R. Hays & Sons, Inc.
P.O. Box 136
Idaho Falls, Idaho 83401

Dear Mr. Hays,

Thank you for responding to our letter of August 25, 1980.

We note that you returned a request for an extension of time until October 1, 1980. If you do not need more time than October 1, 1980 may I suggest that you fill out the enclosed Proof to Beneficial Use card and return it to us.

If you require more time than October 1, 1980 then fill out the enclosed extension of time request, being sure to describe the amount of work completed fully, including the amount of expenses made, (1 additional year minimum or 5 years maximum) and return it with a filing fee of \$15.00.

No fee is required for filing the Proof to Beneficial Use card.

I hope I have made clear your alternatives, if you have any further questions, please call me at 334-4162.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

J. R. HAYS & SONS, INC.
P. O. Box 136
IDAHO FALLS, IDAHO 83401

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
450 W STATE STREET
BOISE, IDAHO 83720

August 25, 1980

J. P. Hays & Sons, Inc.
P. O. Box 136
Idaho Falls, ID 83401

Gentlemen:

Re: Permit No. 35-7495

The water right, Permit No. 35-7495, that was assigned to you on March 11, 1980 lapsed on April 1st and has been losing a day of priority since that time.

To reinstate the permit, you now must do one of two things. If your project is completed, you should complete the postcard indicating that the water has been used for a beneficial purpose or if your project is not complete then you should complete the enclosed extension of time form indicating the reasons for not completing your project and the amount of time that you need to complete it. (Please note that there is a \$45.00 charge for extensions).

One of these two forms must be returned within the next twenty days so that your permit can be reinstated.

If you have any questions, please contact us immediately.

Sincerely,

RIEY FLECK
Sr. Secretary

Enclosures

RECEIVED

JUN 18 1980

J. R. HAYS & SONS, INC.

P O BOX 136

IDAHO FALLS IDAHO 83401

208-523-1241

Department of Water Resources

JAMES R. HAYS PRES
RICHARD J. HAYS SEC
JESSE T. HAYS TREAS
DOUGLAS DAMERON ACCY

822-8477
822-1299
822-2110
822-8010

June 12, 1980

BELOIAN
HAY
POTATOES
BARLEY
WHEAT

5 State of Idaho
Department of Water Resources
State office
450 W State Street
10 Boise, Idaho 83720

PERMIT # 35 7495

15 Dear Ms. Grover,

20 This is a follow-up of the water application of transfer
of water rights from Sachs & Dan Mikami to
J R Hays and Sons, Inc.

25 I'm not sure what to do from here other than provide
proof of the access port has been installed.
I have requested the information from Mr. Mikami that
he sent to your office, but I have not heard from
you as to what I should do next.

30 Your cooperation in this matter is greatly appreciated
and we will do whatever we can to comply with the
requirements.

Thank you,

35 Respectfully yours,

40 *Doug*
Douglas Dameron
Accountant

45 dad

50

JUN 18 1980

J R HAYS & SONS, INC.

P O BOX 136

IDAHO FALLS IDAHO 83401

208-523-1241

Department of Water Resources

JAMES R HAYS PRES 522 0271
RICHARD J HAYS SEC 523 1299
JESS T HAYS TREAS 523 2113
DOUGLAS DAMERON ACC T 522 5010

June 12, 1980

BELGIANS
HAY
POTATOES
BARLEY
WHEAT

5 State of Idaho
Department of Water Resources
State office
450 W State Street
10 Boise, Idaho 83720

PERMIT # 35 7495

15 Dear Ms. Grover,

20 This is a follow-up of the water application of transfer
of water rights from Sachs & Dan Mikami to
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25 I'm not sure what to do from here other than provide
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I have requested the information from Mr. Mikami that
he sent to your office, but I have not heard from
you as to what I should do next.

30 Your cooperation in this matter is greatly appreciated
and we will do whatever we can to comply with the
requirements.

Thank you,

35 Respectfully yours,

40 *Doug*
Douglas Dameron
Accountant

45 dad

J. R. HAYS & SONS, INC.
P. O. Box 136
IDAHO FALLS, IDAHO 83401



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

April 11, 1980

J. R. Hays and Sons, Inc.
P.O. Box 136
Idaho Falls, Idaho 83401
Permit # 35-7495

Dear Mr. Hays and Sons:

This office acknowledges receipt of the assignments conveying the above referenced permit to you.

These assignments have been entered into the Department's records. Enclosed for your records is a copy of the permit.

Please be advised that proof of beneficial use was due on April 1, 1980, as mentioned in my letter of 03/13/80. A day of priority is being lost each day past that date that proof of beneficial use or an extension request is not submitted. The extension request form which was returned in the above mentioned letter should be returned to us as soon as possible.

If you have any questions, please contact us.

Sincerely,

IAN CROVER
Supervisor, Water Rights

JG:jg

Enclosure

1962



[REDACTED]

April 7, 1980

Jack & Dan Mikami, Inc.
c/o Mr. J. H. Brown, D.F.
P.O. Box 191
Idaho Falls, Idaho 83401

Dear Mr. Mikami,

RE: Permit No. 35-7A06

We have received the Extension Request form and additional correspondence submitted for the above referenced permit.

However, we cannot accept the Extension Request form until the assignment is received from Jack and Dan Mikami. We also need more information concerning the amount of work completed on this project. How much well drilled and is any of the land being irrigated, etc? We will notify you as soon as the assignment is received in order for you to submit the Extension Request form with the additional information.

This permit does not permanently lapse on April 1, 1980, however, a day of priority is lost each day the extension request or proof of beneficial use card is late after the April 1st date. There is also a 60-day reinstatement period within which the extension request can be submitted. If that date passes then the permit permanently lapses.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:mr

cc: Jack & Dan Mikami
Box 191
Idaho Falls, Oregon 83401

Kan 1 1 1 1

J. L. Grover, Inc.
P.O. Box 191
Rupert, Idaho 83441
Idaho Falls, Idaho 83401

Dear Mr. Grover,

RE: Permit No. 75-7406

We have received the Extension Request form and additional correspondence submitted for the above referenced permit.

However, we cannot accept the Extension Request form until the assignment is received from Sach and Dan Mikani. We also need more information concerning the amount of work completed on this project. If the well drilled and is any of the land being irrigated, etc? We will notify you as soon as the assignment is received in order for you to submit the Extension Request form with the additional information.

This permit does not permanently lapse on April 1, 1960, however, a day of priority is lost each day the extension request or proof of beneficial use card is late after the April 1st date. There is also a 60-day reinstatement period within which the extension request can be submitted. If that date passes then the permit permanently lapses.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:mr

cc: Sach & Dan Mikani
Box 191
Rupert, Idaho 83441

J. R. HAYS & SONS, INC

February 27, 1980

5

10 State of Idaho
Department of Water Resources
State Office
373 W Franklin Street
Boise, Idaho

15

Dear Ms. Fleck,

20

Enclosed please find the application for Request for Extension
of Time for permit # 35 7495 in the name of Sachs & Dan Mikami.
Also is the letter requesting the Mikami's to assign their water rights
to us with the request to forward this assignment to your office.
I have discussed the problem with the Hays' and we will install the
necessary measuring device in the later summer or fall of
this year.

25

If there is any other items that your office needs from our firm,
please drop us a line.
Thank you for your cooperation in this matter.

30

35

Respectfully yours,

40

Doug
Douglas Dameron PA

dad
inc 3

45

50

55

J. R. HAYS & SONS, INC

February 27, 1980

5

10 Sach & Dan Mikami
P O Box 191
Hemiston, Oregon

15

Dear Sachs,

20

Enclosed please find the Assignment of Permit form that requires
you and Dan's signiture and to be forward to the State of Idaho
Water resources board for consideration.

25

I have filled in the form to the point of signiture and Notary,
then please forward to the state. We have filed for extension to
complete the work as requested by the State of Idaho but
this assignment is need-d first, so I understand.

30

Thank you for your cooperation in this matter; and hope all
is well with you and yours,

35

Respectfully yours,

40

Douglas Dameron PA

45 dad
enc 3
cc. STATE OF IDAHO

50

55

60

February 21, 1980

Douglas Dameron
Accountant for J. R. Hays & Sons, Inc.
P. O. Box 136
Idaho Falls, ID 83401

Dear Mr. Dameron:

Re: Permit No. 35-7495

This office received your letter of February 14, 1980 informing the department that J. R. Hays and Sons, Inc. now own the property covered by Permit No. 35-7495 in the name of Sacs and Don Mikami.

Since a permit is personal property, the first thing to do is to have the Mikamis complete the enclosed assignment form which would convey the permit to you.

Then, if you have completed the proposed project, complete the statement of beneficial use postcard and return it along with the assignment. This notifies the department that you wish to have us do the preliminary work to licensing.

If you have not completed the project, complete the request for extension of time and submit it along with the assignment form. This will allow you up to five years in which to complete the project.

For your information, I have enclosed a copy of the permit along with the specifications for an access port (measuring device).

If you have any questions or need assistance, please contact us.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosures

J. R. HAYS & SONS, INC.

P O BOX 136

IDAHO FALLS IDAHO 83401

208-523-1241

JAMES R HAYS PRES 922 8477
RICHARD J HAYS SEC 923 1299
JERRY HAYS TREAS 923 3113
DOUGLAS DAMERON, ACC Y 923 9010

February 14, 1980

BELEANS
HAY
POTATOES
BARLEY
WHEAT

5 State of Idaho
Department of Water Resources
State House
10 Boise, Idaho 83720

Dear Sir,

15 Attached please find the form and application for filing the
water permit no. 35-7495 in the name of Mikami, Sachs & Dan
of Idaho Falls, Idaho. In 1975, we purchased this property
and assumed the farm as it was. We did not know of the
20 filing requirements and therefore we did not file for the
water permit.

Currently there is no type of water measuring devise on the
25 pump and we do not have the requirements as to the type or
degree of accuracy that is required.

Therefore, we would request that you extend the time of
30 requirement for filing of this water permit # 35 - 7495
and send us the information that is necessary for qualifying
for the State of Idaho Water Resources permit.

Thank you for your cooperation in this matter.

Respectfully yours,

40 Douglas Dameron PA
Accountant for J R Hays
and Sons, Inc

45 dad
enc 2

50

MIKAMI BROS.

AREA CODE 503 449-3611 • P. O. BOX 124 • HEPPINGTON, OREGON 97031

Farm Location - Foothills Road

2000, 90

10-10-68

1. Journal of
 2. the
 3. the

At the time of the 1970 census, the population of the city was 1,100.

noticed again that a fire with four tin telephones,
so called a "fire" fire.

Please advise if it can be of further help.

You are invited:

SAC: [redacted]

5. 4. 1

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder has completed development to the extent shown below of Permit No. 35-7495

Name(s) of Permit Holder **HAUS BROTHERS**

First Office Address **P.O. Box 136**

IDAHO FALLS, ID

Tel. No. **528-1241**

Source of Water

WELL

Extent of Use

Domestic

(number of households)

Stockwater

(number and type of stock)

Other

(acres)

Measuring Device

Required?

Yes

No

Installed?

Yes

No

Access Port

Required?

X Yes

No

Installed?

Yes

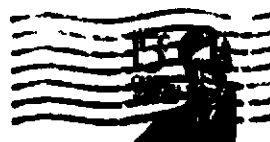
No

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

Date

Signature of Permit Holder

J. R. HAYS & SONS, INC.
P. O. Box 136
IDAHO FALLS, IDAHO 83401



Department of Water Resources
Statehouse
Boise, Idaho 83720

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOSTON, LEAD 83720
(208) 334-4440

ALBERT, SALES & CAN. S.
1410, 104 191
REPRESENTING OF 17414

1 1/2 1/2

JANUARY 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 45-7495 WAS THAT EVIDENCE OF THE EXISTENCE OF A BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1980. (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, LEAD 100, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

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.

STANLEY,

WILLIAM
S. SECRETARY

PAGE 1



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Deputy

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

August 17, 1979

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. Tutthill Jr.

DAVID R. TUTTHILL, JR.
Supervisor, Water Allocations Section

DEI:lr

Enclosures

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

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

Eastern Region Office
1515 Lincoln Street
Idaho Falls, Idaho 83401

Western Region Office
92 S. Cole Road
Buhl, Idaho 83705

April 25, 1976

Re: Permit No. 35-7495

Sachs & Dan S. Mikami
Box 191
Hermiston, OR 97038

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 35-7495. 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

BDP:jfr

Enclosures

MICROFILMED

March 28, 1975

RE: Application for Permit No. 35-7495 MIKAMI

The Post Register
P.O. Box 1800
Idaho Falls, ID 83401

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
District Engineer

Bill submitted 4-18-75 by MB

RDC:MB

Enc: Legal Notice (1)

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Sacha & Dan S. Mikami,
Hamilton, Oregon
has on 3-25-75 submitted Application No. 35-7495
for a permit to appropriate 3.2 cubic feet per second ~~acre feet per annum~~
of water from a ground-water source
by means of well and pump
within the NE 1/4, Sec. 18, T. 3N, R. 37E, B.M., Bonneville County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 160 acres

within the S 1/4, Sec. 7, T. 3N, R. 37E, 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 21, 1975

R. KEITH HIGGINSON
Director

Published in the Post Register, Idaho Falls, Idaho
on April 3 and April 10, 1975

MICROFILMED

aw. R.
AB-A

March 27, 1975

RE: Application for Permit No. 35-7495

Mr. Jack's Miami
Mr. Dan S. Miami
Box 191
Clifton, Oregon 97838

Gentlemen:

Attached herewith is departmental receipt No. 4159 in the amount of \$55.00 which was submitted for the above referenced application.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:ME

Attachment

MICROFILMED

GEORGE C. PETERSEN JR.
REED L. MOSS
DENNIS M. OLSEN
WINSTON V. BEARD

PETERSEN, MOSS, OLSEN & BEARD
ATTORNEYS AT LAW
485 E STREET
IDAHO FALLS, IDAHO 83401

TELEPHONE
AREA CODE 208
523-4880

March 24, 1975

RECEIVED

MAR 25 1975

Mr. Ron Carlson
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

RE: Application for Water Permit, Sachs & Dan S. Mikami

Dear Mr. Carlson:

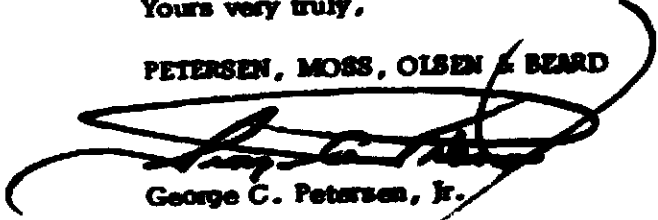
Pursuant to our telephone discussion this date, enclosed herewith please find the following:

1. State of Idaho Department of Water Resources Application for Permit properly completed and executed by Sachs and Dan S. Mikami
2. Mikami Brothers check made payable to the State of Idaho for \$55.00 representing the fee for processing the above described Application.

I trust that the enclosures represent the appropriate and necessary documentation for the permit the subject of the enclosed Application for Permit of the Mikamis; however, in the event you have further queries, or this office can be of any further assistance in the above matter, please do not hesitate to contact the writer and every effort will be made to respond to your queries.

Yours very truly,

PETERSEN, MOSS, OLSEN & BEARD


George C. Petersen, Jr.

Is
Enc.

MICROFILMED