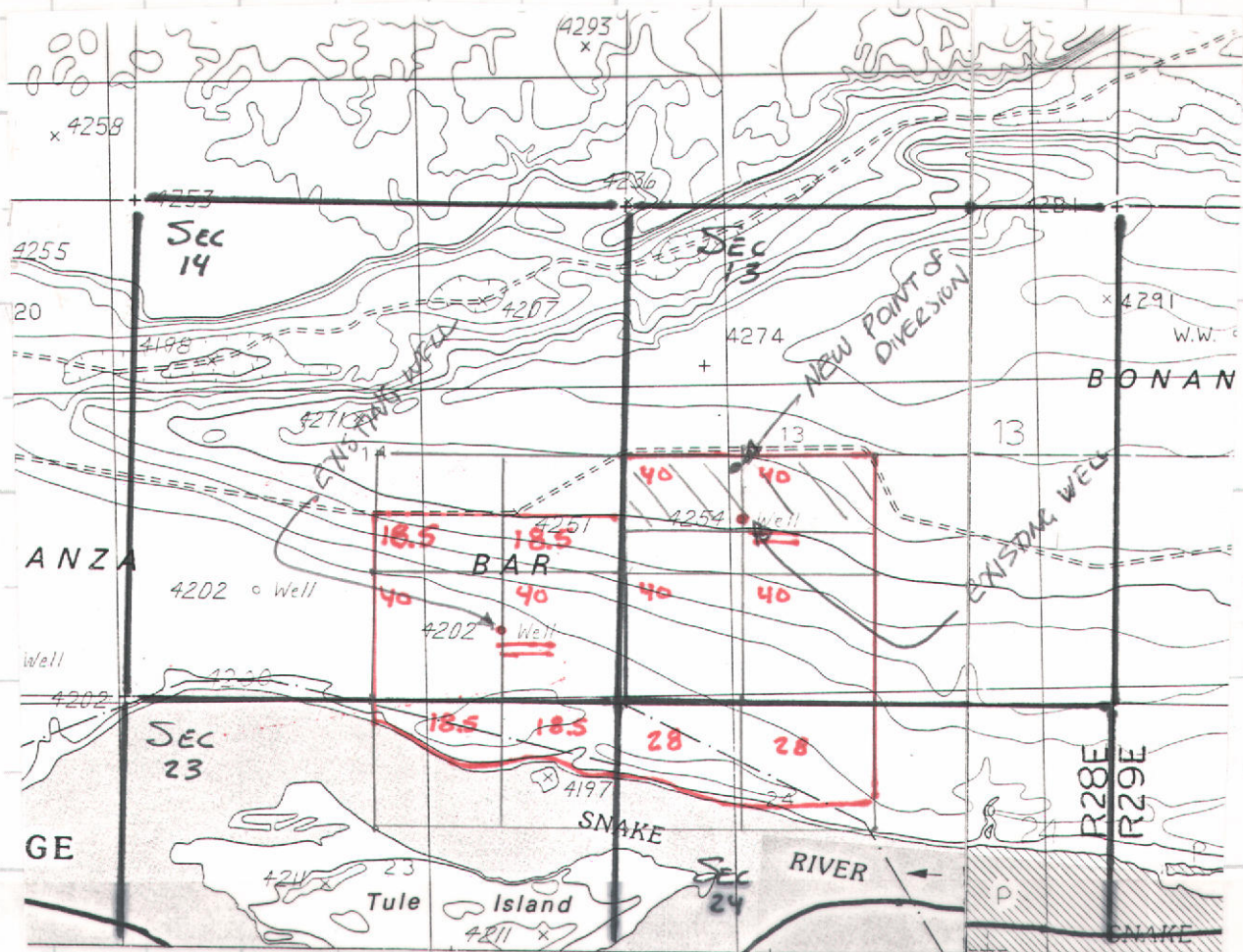


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



MICROFILMED

SEP 20 1988

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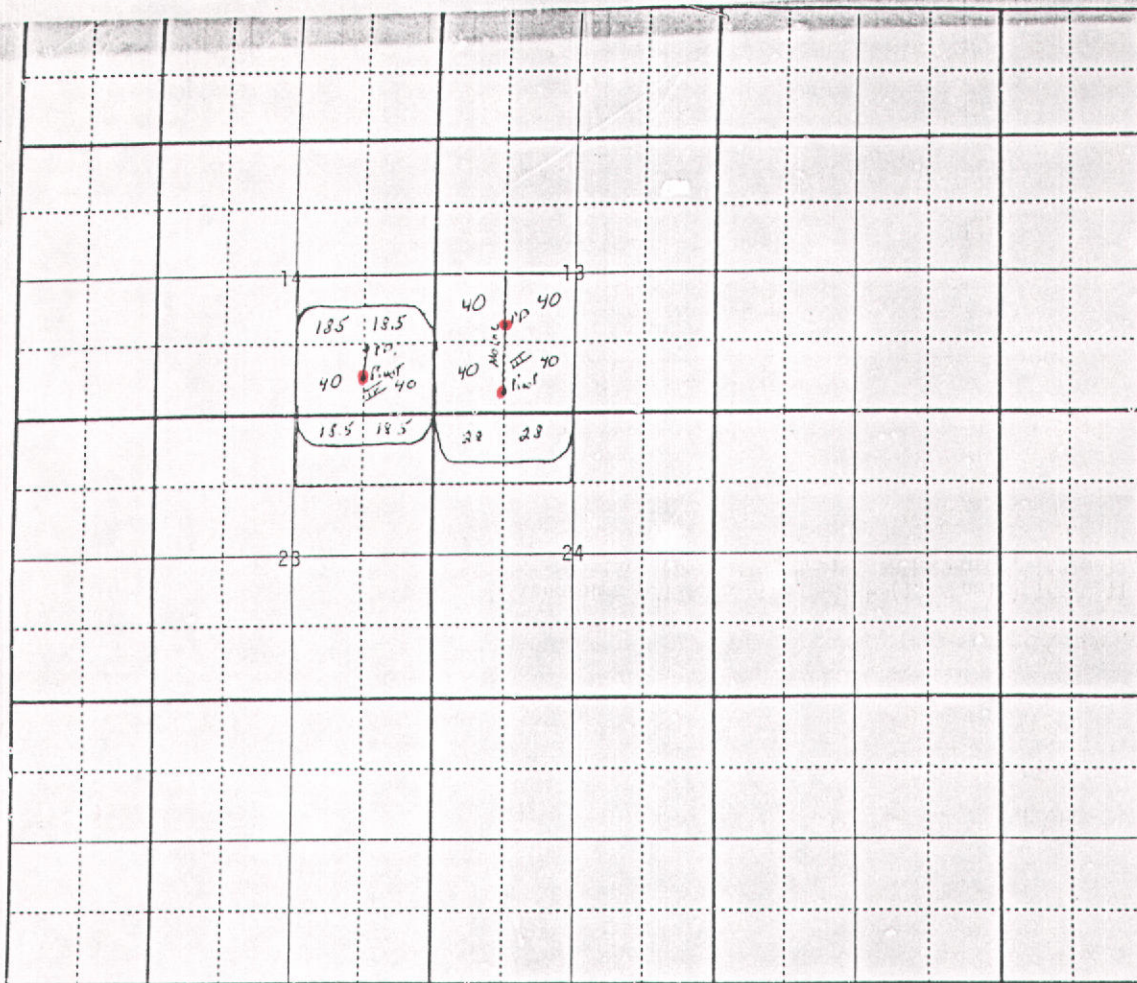
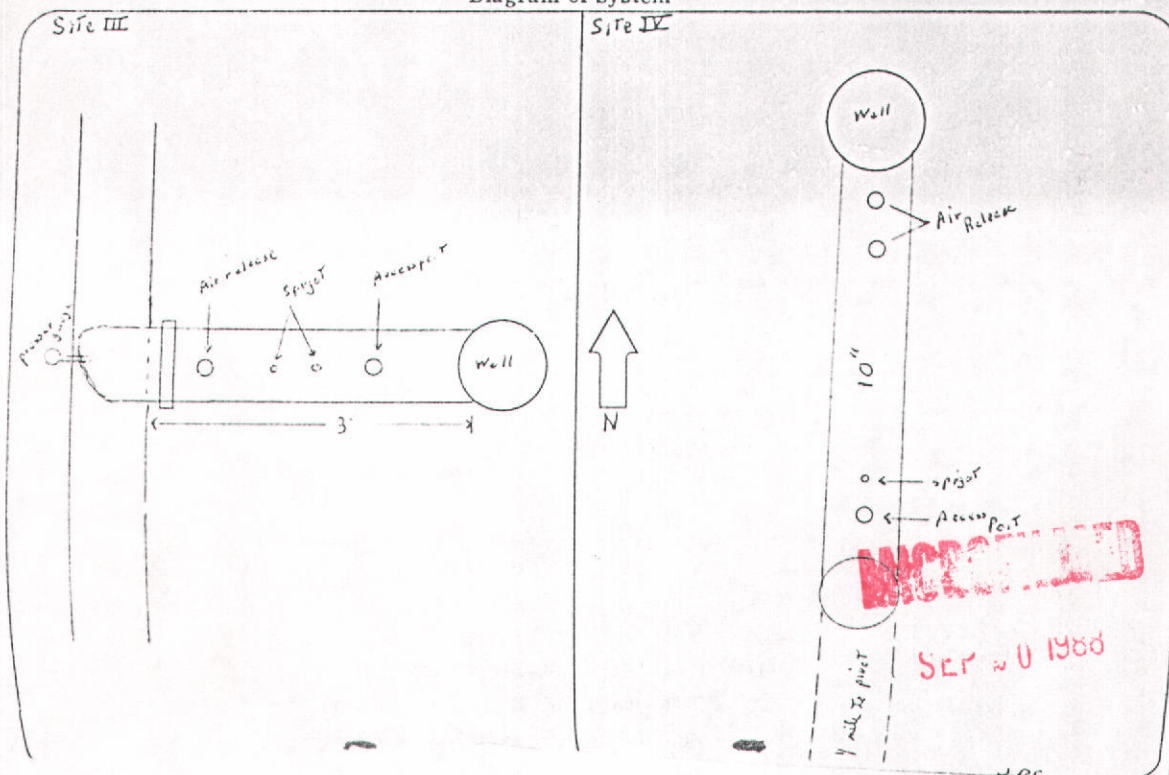


Diagram of System



DATE OF EXAM

6/7/79

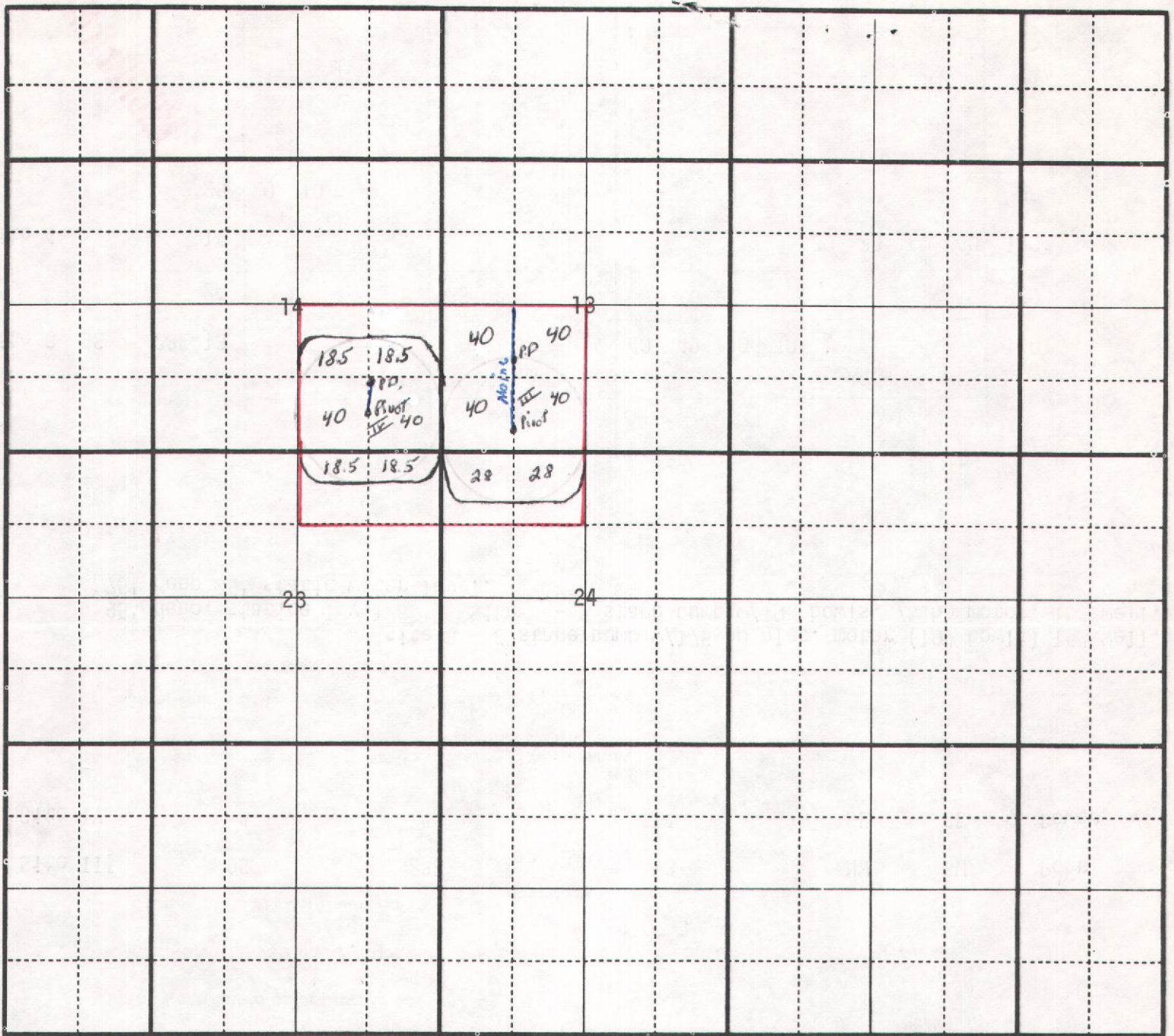
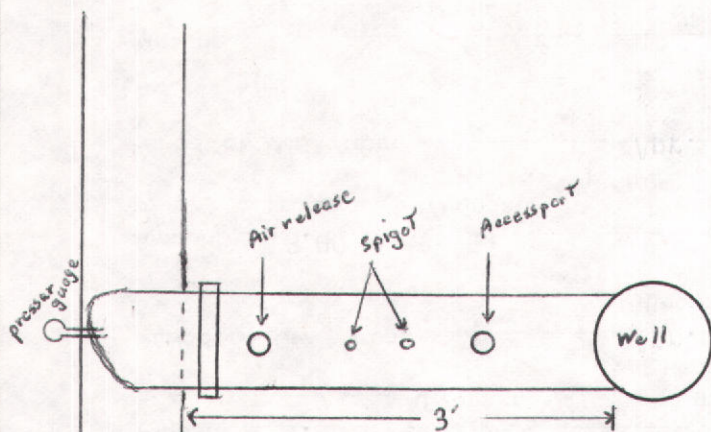
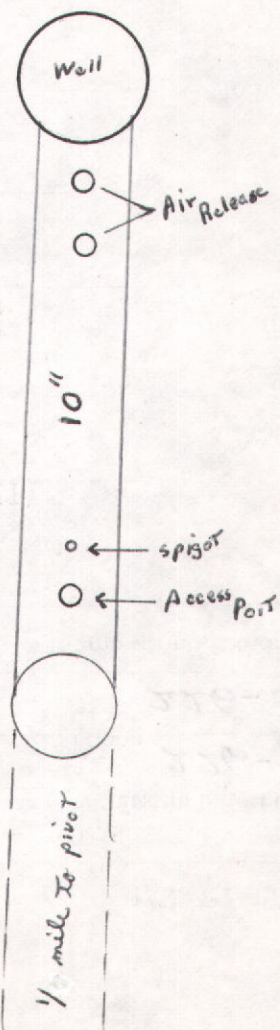


Diagram of System

Site III



Site IV



Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No 35-7491

T. # 3397

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Glen Duffin Phone 226-5188

Post Office address 456 Polk, American Falls, Id 83211

A. PURPOSE OF TRANSFER

- 1 ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Applicant desires to add a new point of diversion to the system with no change in the irrigated acreage. The new point of diversion will divert water to wheel lines. The existing wells will supply water to the two existing pivot systems. The pivot systems will be converted to low pressure. The total amount of water diverted from all three points is expected to be the same.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>35-7491</u>	<u>March 18, 1975</u>	<u>5.99</u>	<u>Irrigation</u>	<u>April 1 to Oct 31</u>
					to _____
					to _____
					to _____

2. Total amount of water being transferred 5.99 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion.

Lot	¼	¼	¼	Sec	Twp	Rge.	County	Local name for diversion
		NW	SW	13	9S	28E	Power	(2 points, Northern point is new)
		SE	SE	14	"	"	"	

5. Lands irrigated or place of use: NO CHANGE

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S	28E	13									40	40	40	40					160
		14													19	18	40	40	117
		23	18	19															37
		24					28	28											56

370

Total acres _____

PART 1

6. General Information:

a. Description of diversion system
System will consist of 2 low pressure pivot systems (NW SW Sec 13 T.9S., R28E & SE Sec 14 T.9S., R.28E) and 1 well which will feed a wheel line system. (NW SW 13 T.9S, R.28E)

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No ☐ If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No Change

d. Remarks:
Applicant desires to add point of diversion to make the system more efficient.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No 35-7491
And said application is hereby APPROVED, subject to the following limitations and conditions

Witness my hand this 19th day of August, 1988

J. Munson
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a Decree No. _____ Decreed to _____
in case of _____ vs _____
dated _____ in _____ county of _____
- b License No. 35-7491 issued by the Idaho Department of Water Resources.
- c Claim No. _____ on file with the Idaho Department of Water Resources.
- d Transfer No. _____ which produced this right

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership Label document as attachment A Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority March 18, 1975

5. Water is used for the following purpose.

amount 5.99 for Irrigation purposes from April 1 to Oct 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.99 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion
		NW	SW	13	9S	28E	Power	
		SE	SE	14	"	"	"	

8. Lands irrigated or place of use

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	
9S	28E	13									40	40	40	40					160
		14													19	18	40	40	117
		23	18	19															37
		24					28	28											56

Total acres 370

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

- 10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp.	Rge.	County	Local name for diversion

3 Lands irrigated or place of use

Twp.	Rge.	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

- 1 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2 Point(s) of Diversion

Lot	¼	¼	¼	Sec.	Twp	Rge.	County	Local name for diversion

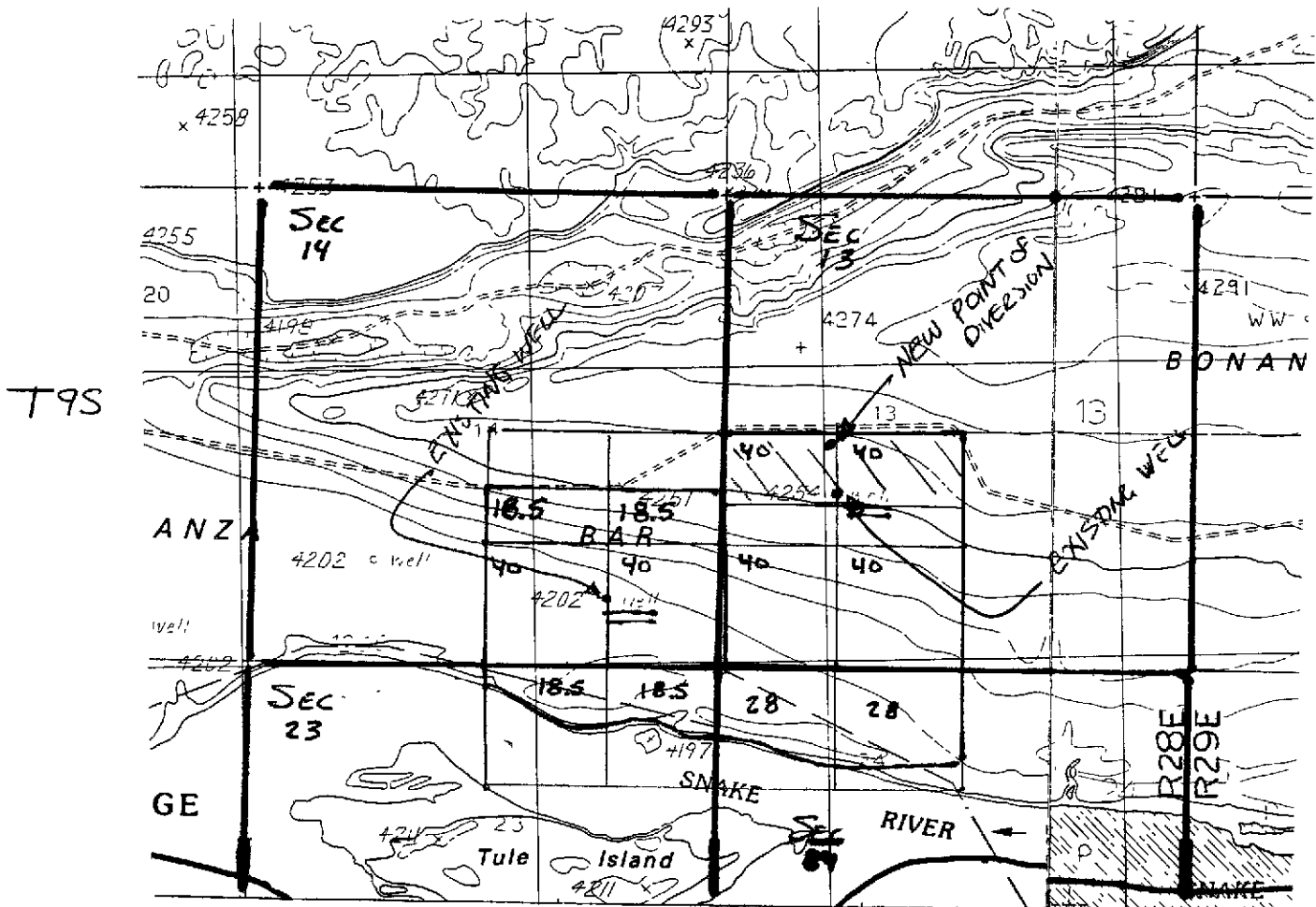
3 Lands irrigated or place of use:

Twp	Rge.	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SEP 26 1988

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
2.	Quantity and quality of return flows and location of discharge.			
3.	Describe effects on other water uses resulting from the proposed change			

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval

Subscribed and sworn to before me this _____ day of _____, 1988

(Signature of Applicant)

(Notary Public)

My commission expires 5/29/1991

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Fee \$50.00

Prelim check by _____ Date _____

Received by _____ Date _____

Published in _____ Pub dates _____

Watermaster recommendation requested on _____

Recommended for _____ ☒ approval ☐ denial

by _____ recd. _____

Copy of transfer sent to lien holder _____

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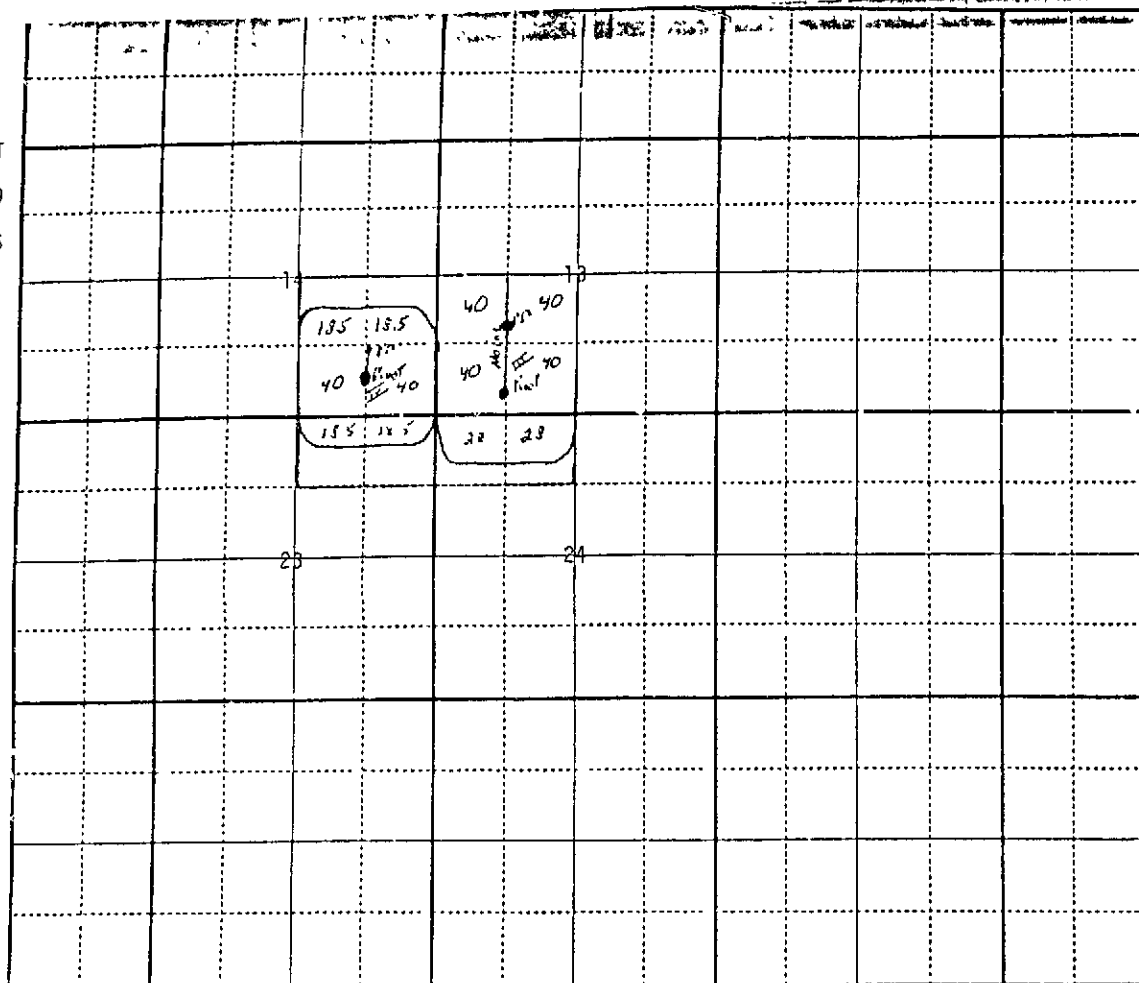
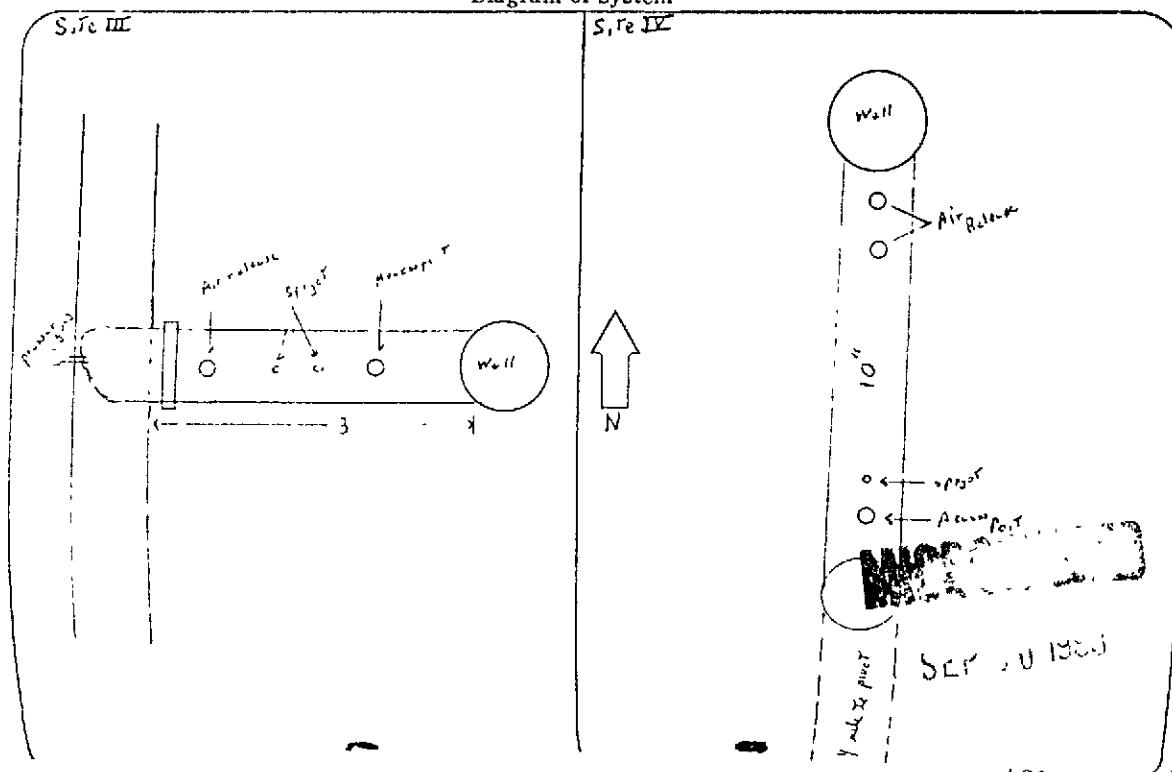


Diagram of System



Total V recommended 12.95 AF/An.

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

(None)

MEASUREMENT CALCULATION:

$$3.2 \text{ III } \frac{1.13}{1.13} \quad (9.731)^2 \frac{3.85 \sqrt{18}}{18} = 1546.79 \text{ An} = 3.45 \text{ Lts}$$

$$3.2 \text{ IV } 3.2 \text{ Lts} \quad (9.731)^2 \frac{3.85 \sqrt{18}}{18} = 1141.99 \text{ An} = \frac{2687.7}{2687.7} \div 448.8 = 5.99$$
$$W = 370 \text{ An} \times 3.5 \text{ AF/An} = 1295 \text{ AF/An} \quad 5.99 \text{ Lts} \times 1.9835 \text{ (AF/An)} \times 2134 \text{ yd} = 253 \text{ (AF/An)}$$

SYSTEM DESCRIPTION:

516 III & E. In field indicator meter ACE/An. In 11" class 6119 10" diameter 7-1/2" with 1/2" hole in
cut 1-10 feet diameter with some water
516 IV & 5 meter 2.5 m left pump 1.35 m meter in 134655 w/11" diameter vertical & 1/2" hole in
pump. In 11" 245915 a 9 feet pump with some water

REMARKS:

System shown & described by mobile office

No conflicting with 1141.

Examiner's Signature

John D. Carlson

Checked by

William A. Johnson

Approved by

[Signature]

Date

3/1/99

Date

1/20

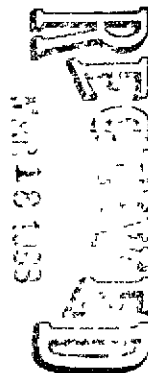
Date

5/24/01

SEP 20 1998

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF POWER



Erma Crompton being first, duly
sworn on oath, states: Department of Water Resources
Eastern District Office

That she is the publisher
of the Power county Press, a newspaper of
general circulation in Power County, Idaho,
published weekly at American Falls in said
county, that said newspaper has been pub-
lished in said county uninterruptedly and
continuously for over seventy-eight consec-
utive weeks, prior to the first publication
of the annexed notice or advertisement:

That the annexed notice or advertisement
was published as per clipping attached in
the regular and entire edition of said
newspaper and not in any supplement thereof
for two successive weekly issues thereof,
the date of the first publication being the
2nd day of March 19 88
and the date of last publication being the
9th day of March 19 88

(Signed) *Erma Crompton*
Subscribed and sworn to before me this 16th day of March 19 88
Notary Public, residing at
American Falls, Idaho
(SEAL)
My commission expires the
8th day of June 19 93

Notice of
change in
water right

Published in
The Power County Press
March 2 and 9, 1988
NO. 35-7491

NOTICE OF PROPOSED
CHANGE OF
WATER RIGHT

Notice is hereby given that Glen
Duffin, American Falls, Idaho, has
applied to the Department of Water
Resources for an additional point of
diversion of water from a ground-
water source. The right sought to be
changed is evidenced by License No.
35-7491 issued by the Idaho Depart-
ment of Water Resources and
recorded as follows:
AMOUNT: 5.99 cfs
PRIORITY: March 18, 1975
POINTS OF DIVERSION:
NW 1/4 SW 1/4, Sec. 13, SE 1/4 SE 1/4, Sec.
14 T. 9S, R. 28E, B.M., Power Coun-
ty;

The water is used to irrigate 370
acres within the SW 1/4, Sec. 13, SE 1/4,
Sec. 14, N 1/4 NE 1/4, Sec. 23,
N 1/4 NW 1/4, Sec. 24, T. 9S, R. 28E,
B.M.

TO BE CHANGED
AS FOLLOWS

An additional point of diversion
will be located within the NW 1/4 SW 1/4,
Sec. 13, T. 9S, R. 28E.
Any protest against approval of the
above proposed change of water right
must be filed with the Idaho Depart-
ment of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho
83402, on or before March 21, 1988.

R. Keith Higginson
Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7491 Priority March 18, 1975 Amount 5.99 cfs

THIS IS TO CERTIFY, that Vern Duffin & Ben Cavaness
of American Falls, ID, has complied with the terms and conditions of Permit
No. 35-7491 issued pursuant to Application for Permit dated March 18, 1975,
and has submitted proof to the Department of Water Resources on January 20, 1977,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 5.99 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>October 31</u>	at <u>5.99</u> cfs and	<u>1295.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 5.99 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1295.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13;
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14; Twp. 9S, Rge. 28E in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	28E	13									40	40	40	40					160
		14													19	18	40	40	117
		23	18	19															37
		24					28	28											56

Total number of acres irrigated 370

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
September 81

RECEIVED
SEP 28 1981


Director

Identification No. 35 7491

Application No. _____

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

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

1 Name of applicant Vern Duffin & Ben Cavaness
post office address P.O. Box 70, American Falls, Idaho 83211

2. Source of water supply ground water which is a tributary of N/A

Unit I
3 a Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 13 Township 9S
Range 28 E B M Power County; additional points of diversion if any: _____
Site II - SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14, T 9S, R 28 E.B.M.

b If water is not consumed, it will be discharged into N/A 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.

Site ~~III~~ Amount 4.4 cfs for irrigation purpose from April 1 to October 31 (both dates inclusive)

Site ~~IV~~ Amount 3.0 cfs for irrigation purpose from April 1 to October 31 (both dates inclusive)

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

5. Total quantity to be appropriated:

a 7.4 cfs cubic feet per second and/or

b _____ acre feet per annum.

6 Proposed diverting works:

a Description of ditches, flumes, pumps, headgates, etc _____
Site I: 175 hp electric motor, Johnston pump, 14" bowls

b Height of storage dam N/A 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 16 inches, proposed depth of well is 98 feet SWL -64'

7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years

b Estimated construction cost is \$ 150,000.00

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 _____

RECORDED

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	
9S	28E	13								40	40	40	40	40					160
9S	28E	24					35	25											60
220 Site I																			220
9S	28E	14												20	20	40	40		120
9S	28E	23																	30
150 Site II																			150

Total number of acres to be irrigated 370

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

9. a. Who owns the property at the point of diversion Walt Schodde & Henry Schodde

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

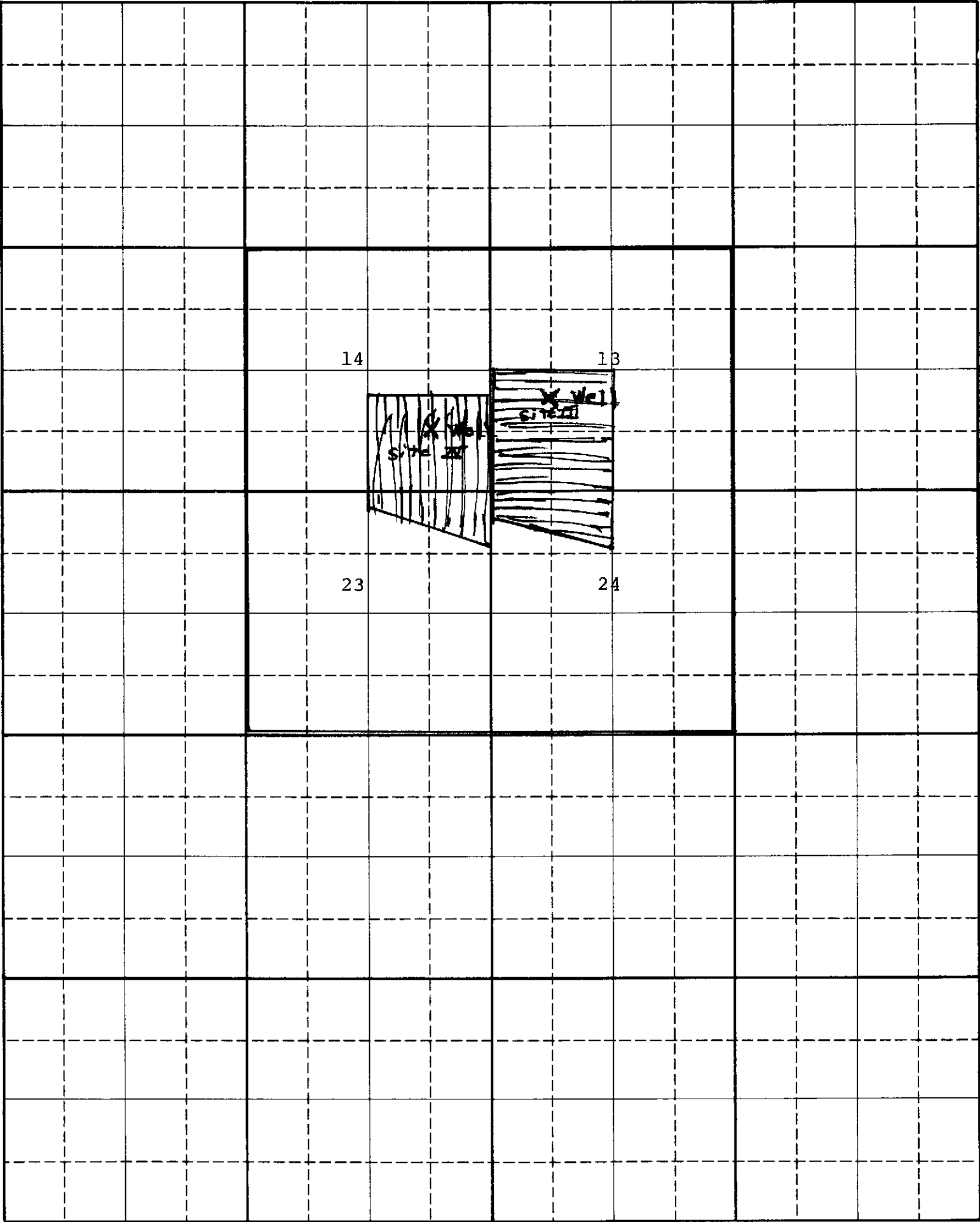
applicant to make this filing Applicant has drilled wells at above sites

pursuant to option to purchase - Will purchase ground on

contract by May 15, 1975

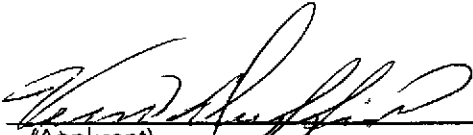
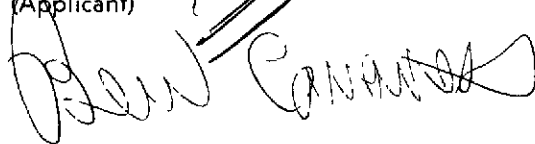
10. Remarks

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



Scale. 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


(Applicant)


Received by Mr. [Signature] Date 3-18-75 Time 11:35 AM
Preliminary check by ROC Fee \$ 95.00
Received by Mr. [Signature] Date 3-18-75 # 4419
Publication prepared by Mr. [Signature] Date 3-21-75
Published in Idaho County News
Publication dates March 17 & April 3, 1975
Publication approved by Mr. [Signature] Date 4-09-75
Priority reduced to _____ Reason _____
Protests filed by _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval/denial by ROC YH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7491, 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 July 1, 19 77.

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 26 day of June, 19 75.

[Signature]
Director

Affidavit of Publication

STATE OF IDAHO
COUNTY OF POWER } S.S.

.....~~Phyllis Dine~~..... being first duly sworn
on oath, states:

That she..... is the principal clerk of the printer
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2.....
successive weekly issues thereof, the date of the first publica-
tion being the 27th..... day of March....., 19.....75

the date of last publication being the

.....3rd..... day of April....., 19.....75.

(Signed) *[Signature]*

Subscribed and sworn to before me this

.....5..... day of April....., 19.....75

[Signature]
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of , 19

Notary Public
Residing at Am Falls, Idaho
My Commission Expires
July 15, 1977

Legal Notice

} Published in the Power
County Press, American Falls,
Idaho on March 27 and April 3,
1975

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Vern Duffin & Ben Cavaness,
American Falls, Idaho have on
3-18-75 submitted Application
No. 35-7491 for a permit to
appropriate 7.4 cubic feet per
second of water from ground-
water sources by means of
wells and pumps within the
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, SE $\frac{1}{4}$ -
SE $\frac{1}{4}$, Sec. 14, T. 9S. R. 28E.
B.M., Power County; to be
used from Apr. 1 to Oct. 31 for
the irrigation of 370 acres
within the SW $\frac{1}{4}$, Sec. 13,
SE $\frac{1}{4}$, Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec.
23, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 24, T. 9S,
R. 28E. 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 Depart-
ment of Water Resources,
1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or be-
fore April 14, 1975.

R. KEITH HIGGINSON
Director

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

1. Applicant Glen Duffin
2. Address 456 Polk, American Falls, Idaho 83211
- (X) Well Owner () Well Operator () Other, specify _____
3. Water right permit no. 35-7491; Injection well permit no. _____
4. Proposed well location NE 1/4 NW 1/4 SW 1/4, or Gov't lot No. _____,
Sec. 13, Twp. 9 South, Rge. 28 East, County Power,
Lot, block and subdivision _____
5. Proposed use of well: (Check all that apply)
() Domestic () Stockwater () Monitoring
(X) Irrigation () Industrial () Municipal
() Injection () Other, Specify _____
6. Well construction information:
(X) New well () Deepen () Replace
Proposed surface diameter 16 " Proposed depth 90 feet
Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
7. Anticipated construction start date As soon as possible.
8. Well Driller (if known) Gary Vollmer 383
Address _____
Date 2-12-88 Applicant's signature [Signature]
Title _____

* After other pre-requisite approvals have been obtained.

SEP 20 1988

Approved

() Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

DATE ISSUED 19th day of August, 1988
 Signed J. Glen Garton
 Title Chief, Oper. Bur.

Received by Sh Fee \$100⁰⁰ Date 2-12-88
 Receipt No. 46422 Construction start date _____
 Construction start extension to _____
 Extension approved by _____

OFF 20 000



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 24, 1988

RE: Transfer of Water Right No. 35-7491

Glen Duffin
456 Polk
American Falls, ID 83211

Dear Mr. Duffin:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3397). Also enclosed is a copy of the approved drilling permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures



SEP 20 1988

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

1. Applicant Glen Duffin
2. Address 456 Polk, American Falls, Idaho 83211

☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Water right permit no. L35-7491; Injection well permit no. _____
4. Proposed well location NE 1/4 NW 1/4 SW 1/4, or Gov't lot No. _____,
Sec. 13, Twp. 9 South, Rge. 28 East, County Power,
Lot, block and subdivision _____
5. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
6. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 16 " Proposed depth 90 feet
Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
7. Anticipated construction start date As soon as possible.
8. Well Driller (if known) Gary Vollmer
Address _____
Date 2-12-88 Applicant's signature Glen Duffin
Title _____

* After other pre-requisite approvals have been obtained.

☒ Approved☐ Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

Dated this 19th day of August, 1988
Signed J. Glen Saxon
Title Chief, Oper. Bur.

Received by SM Fee \$100⁰⁰ Date 2-12-88 **RECEIVED**
Receipt No. 46422 Construction start date SEP 20 1988
Construction start extension to _____
Extension approved by _____

FROM Ernest

DATE 21 March 88.

TO Ran

SUBJECT I recommend the requirement for a field inspection be waived for this ~~matter~~ application. There is no proposed change in p.o.u. and the licensing field inspection was completed in 1980 so there is no question about the land being irrigated. The licensed diversion rate is 0.016 cfs/acre which is plenty for sprinkler irrigation of the licensed p.o.u.

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

1. Right number 35-7491 Applicant Glen Duffin
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - af. ☒ Check for correct signature, notarization, and fee.
 - g. ☐ Check proof of ownership of right &/or land from which water is transferred.
Need evidence of ownership
 - h. ☒ Check for expansion in use of right. Comments NA
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NA
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 2/11/88 Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By RPC Date 4/4/88

RECEIVED

APR 11 1988

Department of Water Resources

Jim 5-30-88
* All uses within Watermaster Districts require special conditions.

copy to ~~Robert~~ Roberta - ds



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

March 4, 1988

Glen Duffin
456 Polk
American Falls, Idaho 83211

RE: Transfer Application No. 35-7491

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your transfer application. Please refer to the application number above in all further correspondence.

This office is currently in the process of advertising the application in the Power County Press. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlsen
Water Rights Supervisor

EC/dg

RECEIVED

SEP 20 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 24, 1988

Power County Press
174 Idaho Street
American Falls, Idaho 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 21, 1988.

Yours truly,

Deena Green
Office Secretary

MICROFILMED

Encl.

SEP 20 1988

**Notice of
change in
water right**

Published in
The Power County Press
March 2 and 9, 1988

**NOTICE OF PROPOSED
CHANGE OF
WATER RIGHT**

NO. 35-7491

Notice is hereby given that Glen Duffin, American Falls, Idaho, has applied to the Department of Water Resources for an additional point of diversion of water from a ground-water source. The right sought to be changed is evidenced by License No. 35-7491 issued by the Idaho Department of Water Resources and is recorded as follows:
AMOUNT: 5.99 cfs
PRIORITY: March 18, 1975
POINTS OF DIVERSION
NW 1/4 SW 1/4, Sec. 13, SE 1/4 SW 1/4, Sec. 14 T 9S, R. 28E, Power County;

The water is used to irrigate 370 acres within the SW 1/4, Sec. 13, SE 1/4, Sec. 14, N 1/4 NE 1/4, Sec. 23, N 1/4 NW 1/4, Sec. 24, T. 9S, R. 28E, B M

**TO BE CHANGED
AS FOLLOWS**

An additional point of diversion will be located within the NW 1/4 SW 1/4, Sec. 13, T 9S, R. 28E

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before March 21, 1988

R. Keith Higginson
Director

RECORDED
SEP 20 1988

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 35-7491

Notice is hereby given that Glen Duffin, American Falls, Idaho, has applied to the Department of Water Resources for an additional point of diversion of water from a groundwater source. The right sought to be changed is evidenced by License No. 35-7491 issued by the Idaho Department of Water Resources and is recorded as follows:

AMOUNT: 5.99 cfs PRIORITY: March 18, 1975

POINTS OF DIVERSION: NW1/4SW1/4, Sec. 13, SE1/4SE1/4, Sec. 14, T. 9S, R. 28E, B.M., Power County;

The water is used to irrigate 370 acres within the SW1/4, Sec. 13, SE1/4, Sec. 14, N1/2NE1/4, Sec. 23, N1/2NW1/4, Sec. 24, T. 9S, R. 28E, B.M.

TO BE CHANGED AS FOLLOWS

An additional point of diversion will be located within the NW1/4SW1/4, Sec. 13, T. 9S, R. 28E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before March 21, 1988.

R. Keith Higginson

Director

Published March 3 & 10, 1988

RECEIVED

SEP 20 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

October 1, 1981

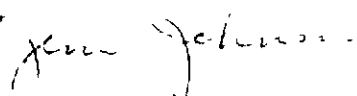
RE: Permit No. 35-7491

Vern Duffin & Ben Cavaness
P.O. Box 70
American Falls, ID 83211

Gentlemen:

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

Sincerely,


JIM JOHNSON
Water Distribution Supervisor

Enclosure

RECEIVED
OCT 1 1981
WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

September 11, 1981

RE: Permit No. 35-7491

Vern Duffin & Ben Cavaness
P.O. Box 70
American Falls, ID 83211

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 35-7491, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 5.99 cfs Source: a groundwater source

The maximum quantity diverted shall not exceed 1295.0 acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; Twp. 9S, Rge. 28E,
Power County

Beneficial use: Irrigation of 370 acres within the SW $\frac{1}{4}$, Sec. 13; SE $\frac{1}{4}$, Sec. 14;
NE $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$, Sec. 24; Twp. 9S, Rge. 28E

Priority date established: March 18, 1975

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

RECEIVED
SEP 15 1981

TOTAL ACREAGE 370

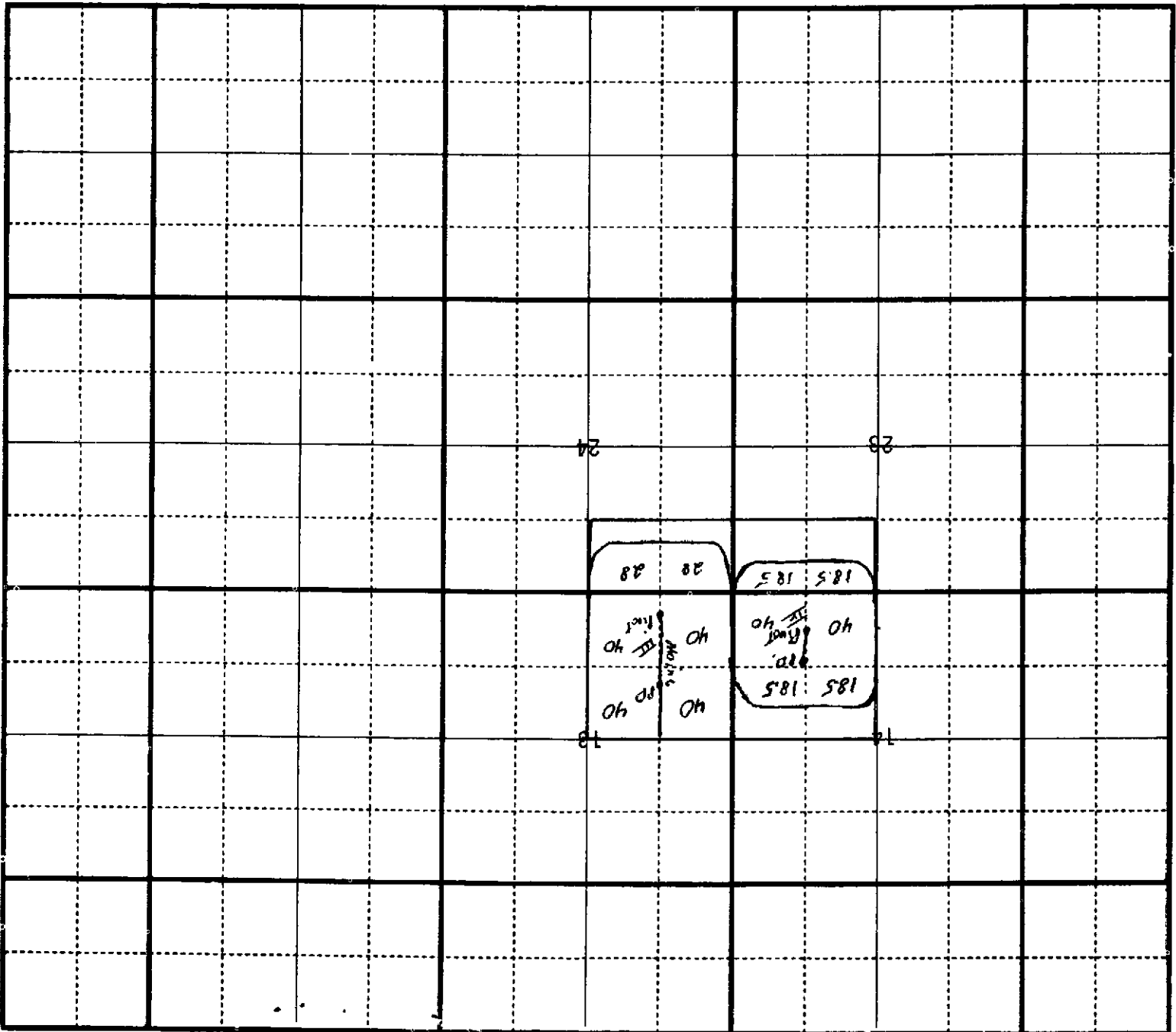
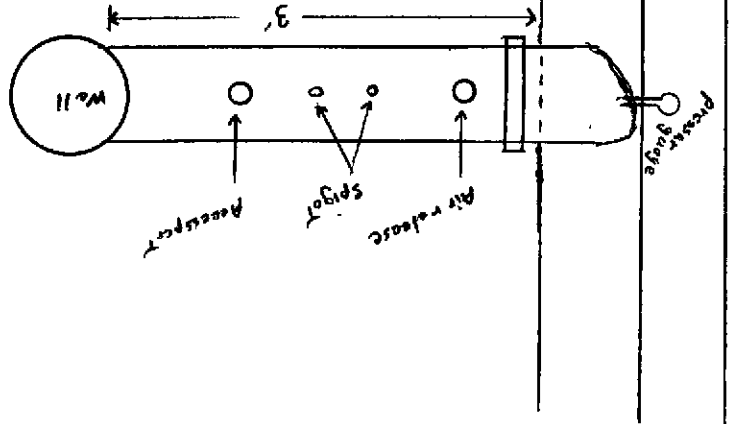
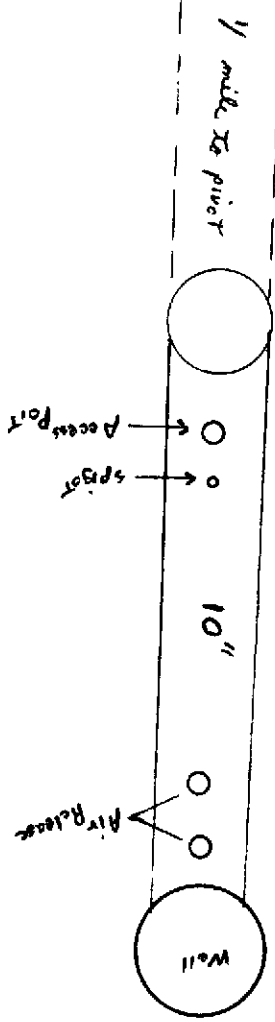


Diagram of System
Site IV

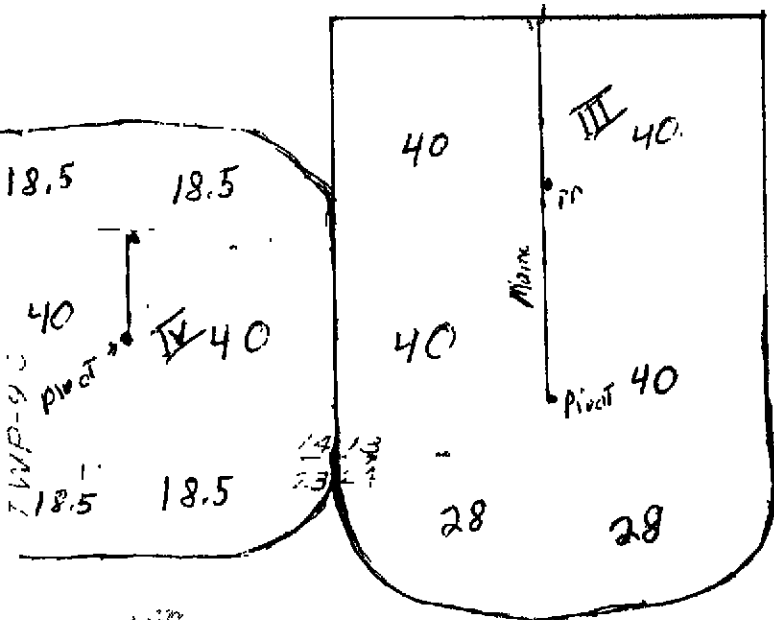
Site III



MIGHT FILMED



1/2 mile to pivot



$$\begin{array}{r} 13 \ 8 \\ 24 \ 19 \end{array}$$



DATE OF EXAM 6/7/79

ACREAGE
Found 3.70 Ac ✓
Recommended 3.70 Ac ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 5.99 c.f.s. ✓ V = 1295 ✓ AF/Ann. from April 1 to Oct. 31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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

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

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

Total Q measured 5.99 cfs Method of measurement Annubar

Total Q recommended 5.99 Meter No. 10" Type Annubar Condition New

Total V recommended 1295 AF/Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION

Site III NW 1/4 Sec 13 $(9.731)^2 3.85 \sqrt{18} = 1546.7 \text{ gpm} = 3.45 \text{ cfs}$
Site IV SE 1/4 Sec 14 $(9.731)^2 3.85 \sqrt{9.8} = 1141 \text{ gpm} = 2.54 \text{ cfs}$
 $2687.7 \div 448.8 = 5.99$
 $V = 370 \text{ Ac} \times 3.5 \text{ AF/Ann.} = 1295 \text{ AF/Ann.}$
 $5.99 \text{ cfs} \times 1.9835 \text{ cfs/AF/dy} \times 213 \text{ dy} = 2530 \text{ AF/Ann.}$

SYSTEM DESCRIPTION:

Site III 1/2 H.P. 3 phase induction motor 200 hp. Ser # C42326119 10" mainline 4-1/4 mile wheel line
and 1-10 tower center pivot with center catchers
Site IV 1/2 H.P. 3 phase induction motor 105 hp. Ser # 1341655 w/a Berkeley vertical turbine
pump. Ser # C4591T a 9 tower pivot with center catchers

REMARKS:

System shown + described by Mark Duffin.

No conflicting water rights

Miner's Signature John D. Carlson Date 3/19/80

Checked by Anthony R. Kozlowski Date 4-7-80

Approved by [Signature] Date 8/28/81

35-7535 - Overlap Review attached

Overlap Review for 35-7491

35-7535 Carey Act (still in App)
Stage

Same tracts in Sec 14 but
different acres

No Overlap
RC 8/28/81

MICROFILMED

A. SECRET DIRM
XXXXXXXXXXXX

April 21, 1981

Cavaness, Beebe & Glarborg
Attorneys at Law
P. O. Box 70
American Falls, Idaho 83211

RE: Permit No. 35-7491

Dear Mr. Cavaness,

Enclosed are two Assignments of Permit on the above referenced permit. I am returning them because Parcel # 3-A, on Exhibit A was not attached. When a permit holder assigns part of a water right our office must know what point of diversion, place of use and amount of water is being assigned.

If you have any questions, please contact me at 334-4123.

Sincerely,

ROBYN HAMPE
Chief Clerk

RH:mr
Enclosure

BEN CAVANESS
MARK BEEBE
JAMES GLARBORG

Cavaness, Beebe and Glarborg

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

Telephone
(208) 226-2562

March 30, 1981

Idaho Dept. of Water Resources
Eastern Idaho District Office
150 Shoup Ave.
Idaho Falls, Idaho 83401

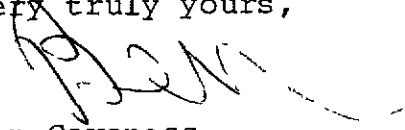
Re: Permits No. 35-7492, 35-7740, 35-7616, 35-7491

Gentlemen:

Enclosed for your processing are the above referenced
Assignments of Permit.

If you have any questions, please contact me.

Very truly yours,


Ben Cavaness

BC:mh

Encl.

RECEIVED

MAR 31 1981

Department of Water Resources
Eastern District Office

February 23, 1977

Lawrence H. Duffin
1202 Overland Ave., Box 188
Burley, Idaho 83318

Dear Mr. Duffin:

Your February 10 letter raised the question of the well drilled by Vern Duffin and Ben Cavaness on the north side of Lake Walcott actually taking water from the lake.

Your letter was referred to our groundwater hydrology section but they have no specific information on the groundwater movement in that area. They did suggest, however, that the United States Bureau of Reclamation has been involved in test drilling in that general area.

We regret that we do not have the specific information that you requested.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

RECEIVED

RECEIVED

10 17 77

Lawrence H. Duffin

ATTORNEY AT LAW

1202 OVERLAND AVE SECOND FLOOR

Burley, Idaho 83318

February 10, 1977

Department of Water Resources

POST OFFICE
BOX 188

TELEPHONE
878-0404

20-114 87.
.. 7472
20-7768

Department of Water Resources
Statehouse, Annex 2
Boise, Idaho 83707

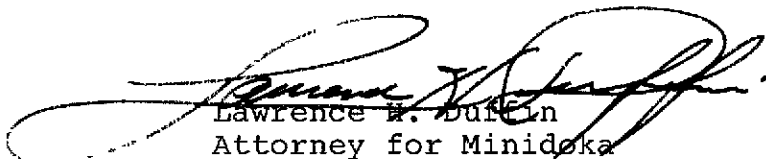
Attention: Mr. Bobby D. Fleenor

Dear Mr. Fleenor:

The Board of Directors of the Minidoka Irrigation District has requested me to inquire of you as to whether or not there is any evidence that the four wells drilled by Vern Duffin and Ben Cavaness on the north side of Lake Walcott in Section 13, 14 and 15 of Township 8 South, Range 28 East, Boise Meridian, are pumping water from Lake Walcott storage. We understand that these wells are relatively shallow and that there is a strong probability that the water being pumped from them is water from Lake Walcott that is infiltrating through the porous lava.

We will appreciate your advice as to this request.

Very truly yours,



Lawrence H. Duffin
Attorney for Minidoka
Irrigation District

LHD-ce

MICROFILMED

Bob,

2/16/77

To the best of my knowledge we have no specific information on the area in question; although Mr Duffin may very well be right. Gordon Haskett of the U.S.B.R.

(384-1050) may have some thoughts to contribute since he has been involved in test drilling in the general area.

Paul



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Kerth Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

MEMORANDUM

TO: Paul Castelin
FROM: Bob Fleenor *Bob*
DATE: February 14, 1977

Do you have any information concerning this specific area and the possible intertie between Lake Walcott and these existing wells.

MEMORANDUM

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder VERN DUFFIN & BON CAVANESS
b) Post Office Address P.O. Box 70 American Falls, Idaho 83211
2. Permit Number 35-7491
3. Date of Priority that you are prepared to establish 3/18/75
4. a) Source from which water was appropriated GROUND WATER
b) Location of the point of diversion: Site #3 NW 1/4 SW 1/4, Section 13
Township 9 South, Range 24 East Boise Meridian, Other points of diversion:
Site #14 SE 1/4 SE 1/4 SECTION 14, Township 9 South, Range
25 E.D.M.
5. a) The amount of water and use to which the water has been applied:
Amount Site #3 - 44 cfs for IRRIGATION purposes from April 1 to November 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount Site #4 30 cfs for IRRIGATION purposes from April 1 to November 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By applicants who took into account the size of the pump, motor, pressure, flowmeter, etc
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
N/A
b) Describe the agreement or understanding by which you take water from the works:
N/A
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Site #3 - 6 stage ~~Belkley~~ ^{Johnson} pump - 75hp elec GE motor (w/ 10" bowls) - 16" well - 95' deep - static level 65'
Site #4 - 6 stage Belkley pump w/ 10" bowls - 75hp electric GE motor - 16" well - 75' deep - 35' static level
b) Describe the type and size of measuring device which you have installed at your point of diversion:
oil spray field gaging 3/27/75
- c) Give well driller's name and address and the date the well was completed:
PAUL VALLMEY & SON Site #3 completed 3/15/75
P.O. Box B Site #4 completed 5/20/75
Abundant, Idaho 83210
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
N/A

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	28E	13									40	40	40	40					160
9S	28E	24					35	25											60
9S	28E	14													20	20	40	40	120
9S	28E	23	21	11															32

Total number of acres irrigated 372

10. Remarks: _____

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

1/19/77
(Date)

Ben Cavanis
(Signature)

State of Idaho)
County of Power) ss.

On this 19th day of JANUARY, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Walter Hapenny
Notary Public residing at Hamleton Falls,
Idaho

My commission expires 5-17-79

RECEIVED

JUL 22 1975

Department of Water Resources
Eastern C.
STATE OF IDAHO Office

Identification No. 35 7491

Permit No. _____

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Vern Duffin & Ben Cavaness
b) Post Office Address P.O. Box 70 American Falls, Idaho 83211
2. Permit Number 35-7491
3. Date of Priority that you are prepared to establish March 18, 1975 (SITE III)
4. a) Source from which water was appropriated groundwater
b) Location of the point of diversion: Site III NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13
Township 9S, Range 28 E. Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied
Amount 4.4 cfs for irrigation purposes from April 1 to Nov 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By applicant Vern Duffin who took into account the pump size, motor size, number of lines, pressure, size of orifices etc.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder.
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use.
Not applicable
b) Describe the agreement or understanding by which you take water from the works:
not Applicable
7. a) Briefly describe the works for diverting and conveying the water to the place of use. (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well, if from surface water, give brief description of diversion structure and/or canal or ditch) 4 stage pump (Johnston) w/ 10" bowls, 200 hp elec G.E. motor, 16" well, 95' deep, pumping level 70'
b) Describe the type and size of measuring device which you have installed at your point of diversion: McCrometer Flow meter
c) Give well driller's name and address and the date the well was completed: Paul Vollmer & Sons Well Drilling c/o Paul Vollmer Aberdeen, Idaho Well completed March 15, 1975
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: None

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

SITE III only

[illegible]

Total number of acres irrigated ~~160~~

SITE III

10. Remarks: Site IV on original application will be developed this
Fall, a proof of application to beneficial use will be filed on this
site at a later date, following development.

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

July 16, 1975

(Date)

(Signature)

State of Idaho)
) ss.

County of Power

County of Power

On this 16th day of July, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at _____

5-17-79

My commission expires 5 17 79

July 28, 1975

Re: Permit No. 35-7491

Vern Duffin & Ban Cavaness
Box 70
American Falls, Idaho 83211

Gentlemen:

You recently sent us the proof of beneficial use form for Permit No. 35-7491.

On that form you indicated that your project has only been partially developed, and that you wish to continue with the development of the remaining land covered by this permit.

The filing of a proof of beneficial use is a statement that the project is complete and no more development is anticipated under that permit. Since that does not appear to be the situation in this instance, we are returning your proof of beneficial use of water application to you. The proof should be submitted when Site No. 4 of your project is developed or no later than July 1, 1977.

If you have any questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosure

INTER-DEPARTMENT MEMO — 1

FROM Ron Carlson

DATE June 23, 1975

TO Bob Fleenor

SUBJECT APPLICATIONS FOR PERMITS NO. 35-7491 and 35-7492

In April, Loren wrote letters to Mr. Cavaness telling him that we could not complete processing until we had received a purchase agreement for the property described in the applications. Mr. Cavaness has not responded but he does indicate in Item 9 that he does have a purchase agreement. Since there is no federal ground involved, I feel this should be adequate and we should wait no longer for Mr. Cavaness to respond.

We should take final action on the applications

DDF

RDC/MB

SIGNATURE

June 30, 1975

Re: Permit No. 35-7491

Vern Duffin & Ben Cavaness
P. O. Box 70
American Falls, ID 83211

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. **35-7491**. 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

BDF:jfr

Enclosures

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSTS -

Item Initial Date

Application No. _____

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

(1) RDC 3/18/75

In form to receipt YES

(2) 11 11

Send Copies to:

- _____
Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) 11 11

- ☒ COPY OF PURCHASE AGREEMENT

Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

(4) 11 11

In form for advertising YES

(5) 11 11

Platted on Map No. _____

(6) 11 11

NA Located within Water District No. _____

(7) 11 11

Critical groundwater area: yes _____ no ☒

(8) 11 11

Groundwater levels:

Declining, ☒ Stable, _____ Increasing

(comment) WIB #27 +1-1+2/18 bad 1-3

(9) 11 11

Other rights on the same place of use _____

(10) _____

Comments: NO PLATS OF 9529E ON FILE

(11) MB 4-9-75

Affidavit of Publication received (date) April 9

(12) MB 4-14-75

Final date for protests April 14, 1975

Protests received: yes _____ no ☒

(13) RDC 6/23/75

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

(14) 11 11

Action recommended:

☒ Approve _____ ☐ Deny

3/18/75 Proposed Priority

Reason for Reduction

☒ Measuring device required

☒ MEMO
See attached ~~sheet~~ for other conditions of approval

No special conditions for approval

(15) District E By RDC Date 6/23/75

April 15, 1975

RE: Application for Permit No. 35-7491
" " " No. 35-7492

Mr. Vern Duffin
Mr. Ben Cavaness
P.O. Box 70
American Falls, ID 83211

Gentlemen:

We have completed preliminary processing of the above referenced applications and no protests have been received. However, before final action can be taken, it will be necessary for you to furnish this office with a copy of your purchase agreement covering the property described in the applications.

If you have any further questions, please contact this office.

Very truly yours,

LOREN O. HOLMES
Assistant to the
District Engineer

LOH:mb

bc: IDWR - State

MICROFILMED

Disregard
per BDF
JH

March 21, 1975

RE: Application for Permit No. 35-7491 Duffin & Cavaness
" " " No. 35-7492 " "

Power County Press
174 Idaho St.
American Falls, ID 83211

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 4-7-75 by MB

RDC:MR

Enc: Legal Notices (2)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Vern Duffin & Ben Cavaness,
American Falls, Idaho

have ~~has~~ on 3-18-75 submitted Application No. 35-7491
for a permit to appropriate 7.4 cubic feet per second ~~acre feet per annum~~
of water from ground-water sources
by means of wells and pumps
within the NW $\frac{1}{4}$, Sec. 13, SE $\frac{1}{4}$, Sec. 14, T. 9S, R. 28E, B.M.,
Power County;

to be used from Apr. 1 to Oct. 31
for the irrigation of 370 acres

within the SW $\frac{1}{4}$, Sec. 13, SE $\frac{1}{4}$, Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 24, T. 9S,
R. 28E, 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 14, 1975.

R. KEITH HIGGINSON

Director

Published in the Power County Press, American Falls, Idaho
on March 27 and April 3, 1975

*aw-h
aw-d*

March 20, 1975

RE: Application for Permit No. 35-7491 & No. 35-7492

Mr. Vern Duffin
Mr. Ben Cavaness
P.O. Box 70
American Falls, ID 83211

Gentlemen:

Attached herewith are departmental receipts No. 4148 in the amount of \$45.00 and receipt No. 4149 in the amount of \$95.00 for the above referenced applications.

In Item 9a and 9b you have indicated that you do not own the property at this time. Therefore, we must receive a copy of the purchase agreement to complete the file.

If you have any questions, please contact us.

Very truly yours,

LOREN O. HOLMES
Assistant to the
District Engineer

LOH:MB

Attachments

RECEIVED