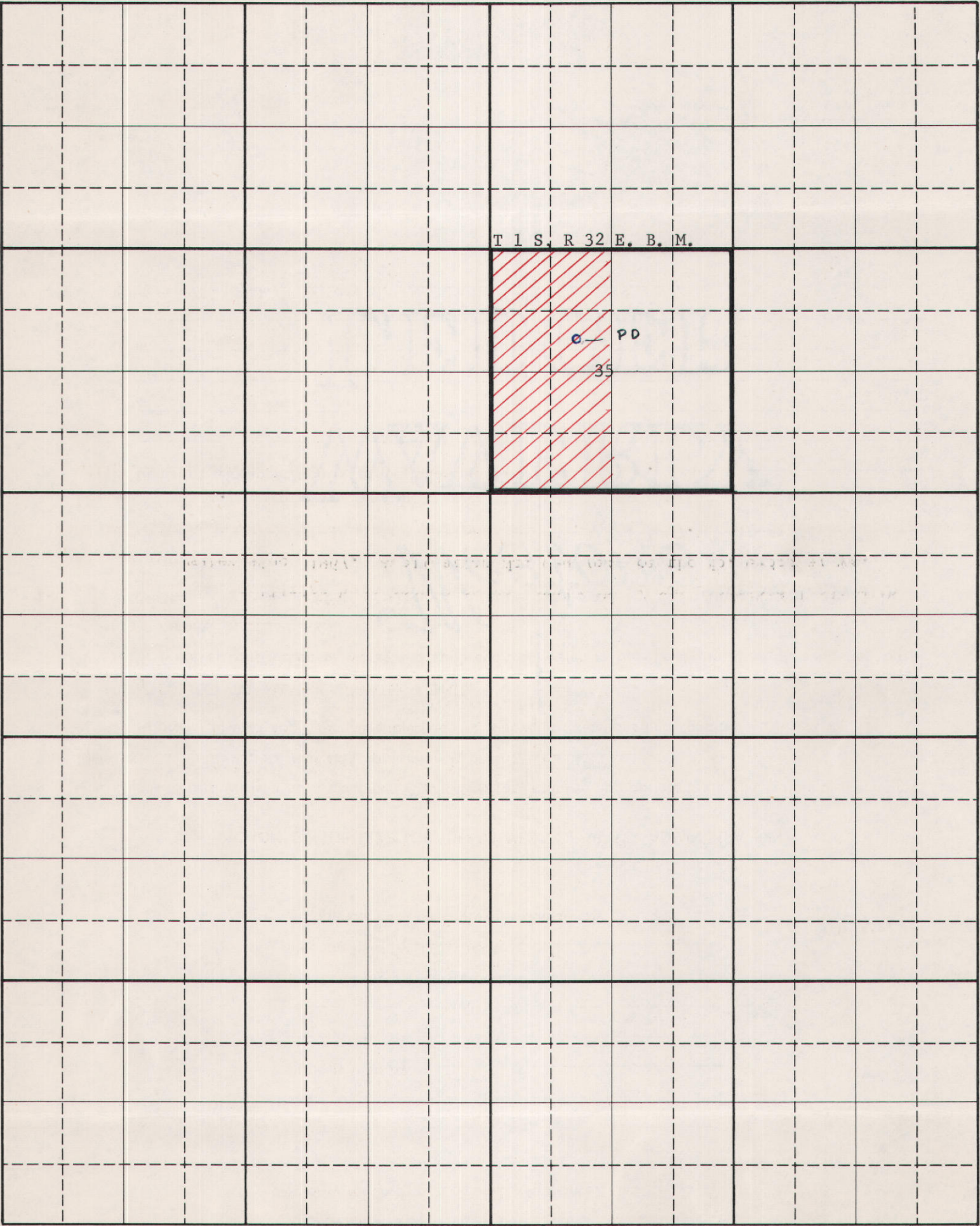


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

BAUER EQUIPMENT COMPANY

BY: James H. Bauer
(Applicant)

President

39 39

39 40

39 40

39 40

P.D. 3 5

Hand-drawn schematic diagram of a pump and booster system. A large circle on the right is labeled "Pump". A horizontal line connects it to a vertical line on the left. A horizontal line labeled "12''" extends from the vertical line to a smaller circle on the left labeled "Booster".

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7444 Priority September 30, 1974 Amount 4.0 cfs

THIS IS TO CERTIFY, that TWO RIVERS LAND & LIVESTOCK COMPANY
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7444 issued pursuant to Application for Permit dated September 30, 1974,
and has submitted proof to the Department of Water Resources on March 21, 1975,
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 4.0 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>4.0</u> cfs and	<u>1103</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 4.0 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
1103 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 1S,
Rge. 32E, B.M. in the County of Bingham

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 $\frac{1}{4}$	
1S	32E	35					39	39	39	40	40	39	39	40					315

Total number of acres irrigated 315

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
March, 19 79.

Director

State of Idaho

Department of Water Administration

RECEIVED

MAR 21 1975

ASSIGNMENT OF PERMIT

Department of Water Resources

Eastern District Office

I, Bauer Equipment Co., hereby assign to Two Rivers Land and Livestock Co.

of 420 S. University Blackfoot, Idaho,
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 35-7444
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 list-
ing 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 16 day of October, 19 74.

Bauer Equipment Co.

Samuel Bauer
Permit Holder President

Spouse of Permit Holder

State of Idaho)
County of Bingham) ss.

On this 16 day of October, 19 74, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Blair H. Archibald
Notary Public residing at

Blackfoot, Idaho

My commission expires: 8-6-74

MICROFILMED

35 7444

Identification No. _____

Application No. _____

STATE OF IDAHO

ASSIGNED TO: TWO RIVERS LAND DEPARTMENT OF WATER ADMINISTRATION

& LIVESTOCK CO.

3/21/75

420 S. University

Blackfoot, ID

APPLICATION FOR PERMIT**To Appropriate the Public Waters of the State of Idaho**

(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Bauer Equipment Company,
post office address 626 South Fisher Avenue, Blackfoot, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35 Township 1 South
Range 32 E. B.M. Bingham County; additional points of diversion if any: None
- 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 5 cfs. for irrigation purpose from April 1 to October 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 5.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. deep well pumped into buried mainlines
and then into aluminum lateral lines
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$64,000.00.
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: _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 S.	32 E.	35					40	40	40	40	40	40	40	40					320 Acres

Total number of acres to be irrigated 320 Acres

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

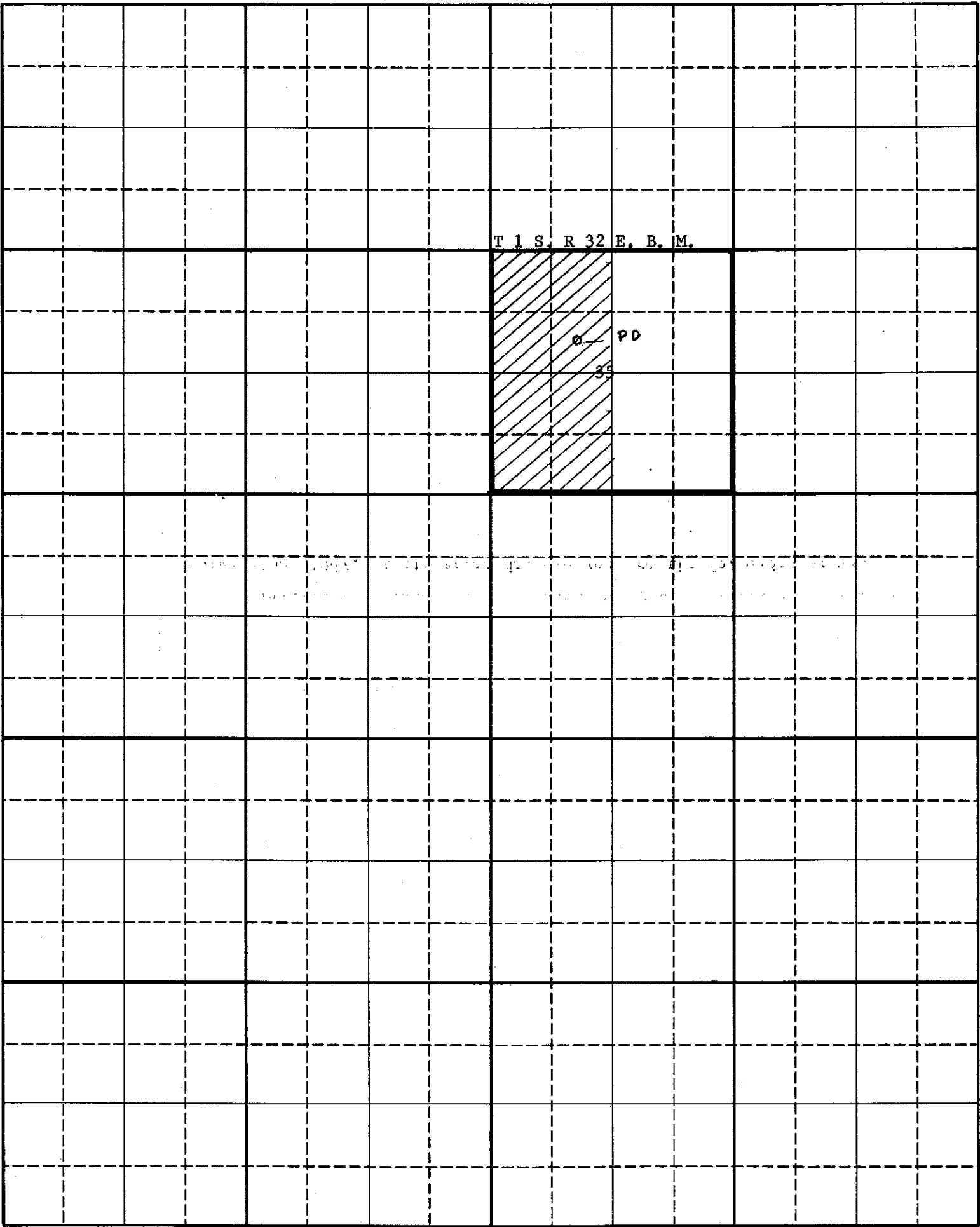
9. a. Who owns the property at the point of diversion Applicant

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 These facilities have been used to supply the above described lands with irrigation water since 1967. Application No. G-41762 (Permit No. G-33524) was approved by the State Reclamation Engineer on March 22, 1967. This application lapsed in 1972. However, water has been applied to beneficial use in accordance with the application permit continuously since that time.

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.

BAUER EQUIPMENT COMPANY
James H. Bauer
(Applicant) President

Proposed Priority 9-30-1974

Received by MB Date 9-30-74 Time 11:20 A.
Preliminary check by LF Fee \$ 65.00
Receipted by MB Date 9-30-74 # 13081
Publication prepared by MB Date 10-4-74
Published in The Blackfoot News
Publication dates Oct 10 & 17, 1974
Publication approved MB Date 10-23-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by W D A

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. 35-7444, 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 December 1, 1975.
- 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 5 day of November 19 74.


Director

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

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) LH 9-30-74 In form to receipt
- (2) " " NA Send Copies to:
Idaho State Health Department
Idaho Fish and Game Department
Bureau of Land Management
- (3) " " NA Request Special Use Permit from U.S.F.S.
Request Easement from B.L.M.
Request Information from Applicant
- (4) " " In form for advertising
- (5) " " Platted on Map No. _____
- (6) " " Located within Water District No. _____
- (7) " " Critical groundwater area: yes _____ no ☒
- (8) " " Groundwater levels:
Declining, ☒ Stable, _____ Increasing
(comment) -2 T2Cdu1 T1S R33E.
- (9) " " Other rights on the same place of use NA
- (10) " " Comments: Lapsed Permit 35-2872 Covers
Same Ground.
- (11) MB 10/23/74 Affidavit of Publication received (date) Oct 23, 1974
- (12) RDC 10/29/74 Final date for protests October 29, 1974
Protests received: yes _____ no _____
- (13) " " All requested information received from agencies or applicant: yes _____ no _____
- (14) " " Action recommended:
☒ Approve _____ Deny _____
7/30/77 Proposed Priority
Reason for Reduction _____
☒ Measuring device required
See attached sheet for other conditions of approval
No special conditions for approval
- (15) District E By RDC Date 10/29/74

RECEIVED

OCT 29 1974

Department of

MICROFILMED

[Handwritten signature]

AFFIDAVIT of PUBLICATION

County of Bingham }
State of Idaho } ss.

I, David Mark Brown do solemnly

swear that I am the Publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive weeks, the first publication having been made on the 10th day of October, 1974,

and the last publication having been made on the 17th day of October, 1974; that said

notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

David Mark Brown

Subscribed and sworn to before me this 22nd

day of October, 1974

Patricia H. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1975

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bauer Equipment Company, 626 South Fisher Ave., Blackfoot, Idaho, has on 9-30-74, submitted Application No. 35-7444, for a permit to appropriate 5.0 cubic feet per second of water from a ground water source by means of well and pump within the SE 1/4 N. W 1/4, Sec. 35, T. 1S, R. 32E, B.M., Bingham County; to be used from Apr. 1 to Oct. 31 for the irrigation of 320 acres within the W 1/2, Sec. 35, T. 1S, R. 32E, 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 October 29, 1974.

R. KEITH HIGGINSON
Director

(4007)
Pub.: 10-10, 17



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

March 29, 1979

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

Re: Water Right No. 35-7444

Bauer Equipment Company
Route #5, Box 112
Blackfoot, Idaho 83221

Dear Mr. Bauer:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

March 15, 1979

Re: Permit No. 35-7444

Bauer Equipment Company
Route #5, Box 112
Blackfoot, Idaho 83221

Dear Mr. Bauer:

We received the proof of beneficial use affidavit submitted in connection with this permit.

However, proof has been submitted for the permit by you on March 21, 1975, along with an assignment where you assigned this permit to Two Rivers Land and Livestock Company. On August 28, 1975, Bill Rhoads of our Eastern Region Office conducted a field examination of this system and we forwarded a letter to the Two Rivers Land and Livestock Company on February 26, 1979, informing them of his findings. A copy of that letter is enclosed. We are presently in the process of issuing this license.

Also enclosed is the proof affidavit you submitted as proof. It is no longer necessary as stated above.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosures



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

February 23, 1979

Re: Permit No. 35-7444

Two Rivers Land & Livestock Co.
420 S. University
Blackfoot, Idaho 83221

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 35-7444 on July 9, 1975, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 4.0 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1103 acre feet per
year.

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 1S, Rge. 32E, B. M.

Beneficial use: Irrigation of 315 acres within the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 35,
Twp 1S, Rge. 32E, B. M.

Priority date established: September 30, 1974

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,

JAN GROVER
Water Rights Supervisor

JG/kw

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

IDAHO FALLS, IDAHO 83401

July 10, 1975

RECEIVED

JUL 25 1975

Department of Water Resources
Eastern District Office

RE: Permit No. 35-7444

Two Rivers Land & Livestock Company
420 S. University
Blackfoot, Idaho 83221

Gentlemen:

On July 9, 1975 personnel from this office visited the well under your Permit No. 35-7444. This examination was to finalize the water permit and collect data required for the licensing of the well.

The examination indicated that the system was being operated as you stated in your proof of beneficial use except for the fact that a measuring device approved by this Department has not been installed at the point of diversion. Because of this non-compliance where the measuring device is concerned, the priority date that you have established for this ground-water source may be in jeopardy.

This office will hold the field report until August 10, 1975. At that time we will submit our findings to the State Office in Boise. Hopefully, before that time you will contact this office and indicate that the measuring device has been purchased and/or installed. We would then be willing to do a re-exam to submit to the State Office.

Compliance with the conditions of your permit is the only way a license can be issued pursuant to the Idaho Code for your water right development and the land included under the above referenced permit.

Also, it appeared from the examination that the ground listed in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, had been irrigated at one time, but at present is not under irrigation. Would you please notify this office if you are planning on irrigating this ground within the near future.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

Bill Rhoads

BILL RHOADS
Sr. Water Resource Agent

BR:CW

7-25-75

*Agriculture Service of Blackfoot has
installed a measuring device and
we are going to irrigate the SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec 35*

James P. Burt

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

APR 4 1975

1. Name of permit holder Two Rivers Land & Livestock Co.
Post office address 420 S. University, Blackfoot, ID Phone Department of Water Resources
Eastern District Office
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 5 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 35-7444
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 5 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 1S N/S, Range 32E E/W, B.M., Section 35, Subdivision SE $\frac{1}{4}$ NW $\frac{1}{4}$, Bingham
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision $\frac{1}{4}$ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision $\frac{1}{4}$ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: Deep well pumped into buried mainline & lateral lines --
200 hp elec. motor, 18" hole, 340' deep.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or 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 $\frac{1}{4}$	
1S	32E	35					40	40	40	40	40	40	40	40					320

TOTAL ACREAGE

320

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[illegible]

DATE OF EXAM July 9, 1975

ACREAGE
Found 315
Recommended 315

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 4.0 c.f.s. V = 1102.5 ^{1103 acre feet} AF/Ann. from Apr 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 _____

Name source: Lin # 35-2872 (Lapsed)
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

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

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

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

Total Q measured 4.0 cfs Method of measurement In Line Meter

Total Q recommended 4.0 cfs Meter No. 11887 Type Rockwell Condition New

Total V recommended 1102.5 AF/Ann

Recommended Amendments: 1103 acre feet

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

MEASUREMENT CALCULATION:

$Q = 1800 \text{ gal/min} = 4.0 \text{ cfs}$
 $V = 315 \text{ Ac} \times 3.5 = 1102.5 \text{ AF/Ann.}$

SYSTEM DESCRIPTION:

U.S. MOTORS 200 Hp Ser# 1404884
Layne & Bowler Ser# 44390
Booster: UNICLOSED 60 Hp Ser# JK16251
Peerless Pump Ser 32942
12 hand & wheel lines

REMARKS:

System and land shown by Tony Bauer

Examiner's Signature Bill Rhoads Date Aug 28, 1975

Checked by Ernest McCasland Date Oct. 22, 1976

Approved by _____ Date _____

April 2, 1975

Re: Permit No. 35-7444

Two Rivers Land & Livestock Co.
420 S. University
Blackfoot, ID 83221

Gentlemen:

We acknowledge receipt of the assignment submitted conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed. We also acknowledge receipt of the affidavit submitted as proof of beneficial use for this permit.

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

If you have any questions concerning the field exam, please contact our Eastern District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

MAR 21 1975

Department of Water Resources
Eastern District Office

1. a) Name of Permit Holder Bauer Equipment Co.
b) Post Office Address 626 S. Fisher Avenue Blackfoot, Idaho
2. Permit Number 35-7444
3. Date of Priority that you are prepared to establish 9-24-74
4. a) Source from which water was appropriated Ground Water
b) Location of the point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35
Township 18, Range 32 Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:
amount 5 c.f.s. for irrigation purposes from April 1 to Oct 31 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 5 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: measurement made by Pump Co in 1967 and well has been used for irrigation continuously since that date.
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) Deep well pumped into buried mainline and lateral lines-- 200 H.P. electric motor-- 18 inch hole-- 340 ft deep
b) Describe the type and size of measuring device which you have installed at your point of diversion: 10 in. Rockwell
c) Give well drillers name and address and date the well was completed Well driller--Unknown
Well was completed in 1967

MICROFILMED

Exam typed 4/2/75 by js

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:

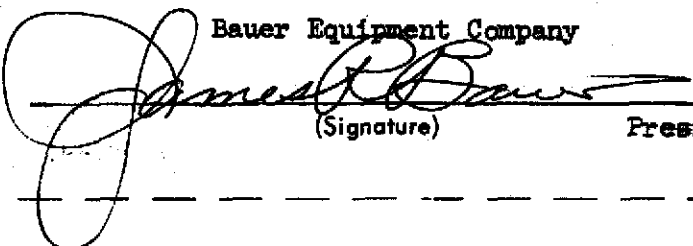
TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1S	32E	35					40	40	40	40	40	40	40	40					320 Acres

Total number of acres irrigated 320 Acres

10. Remarks: These facilities have been used to supply the above described lands with irrigation water since 1967. Application No. G-41762 (Permit No. G-33524) was approved by the State Reclamation Engineer on March 22, 1967. This application lapsed in 1972. However, water has been applied to beneficial use in accordance with the application permit continuously since that time.

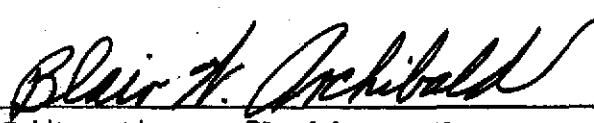
The above information is a true statement of the extent to which the above numbered permit has been developed.

10-11-74
(Date)

Bauer Equipment Company

(Signature) President

State of Idaho)
County of Bingham) ss.

On this 11 day of October, 19 74, 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 Blackfoot, Idaho

My commission expires 8-6-76

November 8, 1974

Re: Permit No. 35-7444

Bauer Equipment Company
626 South Fisher Avenue
Blackfoot, Idaho 83221

Gentlemen:

Enclosed is a copy of your approved Application for Permit No 35-7444 . 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

XXXXXXXXXXXXXXXXXXXXX RESOURCES

October 4, 1974

Re: Application for Permit No. 35-7444 Bauer Equip.
" " " No. 35-7445 Harder

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

Gentlemen:

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

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

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

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

Bill submitted 10-23-74 by MB

RDC:MB

Enc: Legal Notices (2)

UNRECORDED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Bauer Equipment Company, 626 South Fisher Ave., Blackfoot, Idaho, has on 9-30-74, submitted Application No. 35-7444, for a permit to appropriate 5.0 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ N-W $\frac{1}{4}$, Sec. 35, T. 1S, R. 32E, B.M., Bingham County; to be used from Apr. 1 to Oct. 31 for the irrigation of 320 acres within the W $\frac{1}{2}$, Sec. 35, T. 1S, R. 32E, 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 October 29, 1974.

R. KEITH HIGGINSON
Director

(4007)

Pub.: 10-10, 17

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bauer Equipment Company

626 South Fisher Ave, Blackfoot, Idaho

has on 9-30-74 submitted Application No. 35-7444

for a permit to appropriate 5.0 cubic feet per second ~~above first open channel~~

of water from a ground-water source

by means of well and pump

within the SE 1/4, Sec. 35, T. 1S, R. 32E, B.M., Bingham County;

to be used from Apr. 1 to Oct. 31

for the irrigation of 320 acres

within the W 1/2, Sec. 35, T. 1S, R. 32E, 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 October 29, 1974.

R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho

on October 10 and October 17, 1974

Be-H
CB-H
MB-H

XXXXXXXXXXXXXXXXXXXXX RESOURCES

October 1, 1974

Re: Application for Permit No. 35-7444 Bauer Equipment Company

Mr. Michael K. Ferrin
Stufflebeam & Ferrin
Attorneys at Law
156 West Judicial Street
Blackfoot, Idaho 83221

Dear Mr. Ferrin:

Attached herewith is departmental receipt No. 13081 in the amount of \$65.00 for the above referenced application which you submitted on behalf of Bauer Equipment Company.

Very truly yours,

LOREN O. HOLMES
Asst. to District Engineer

LOH:MB

Attachment

RECEIVED
FILMED

DWAIN H. STUFFLEBEAM
MICHAEL K. FERRIN

STUFFLEBEAM & FERRIN

Attorneys At Law
156 WEST JUDICIAL STREET
P. O. BOX 591
BLACKFOOT, IDAHO 83221

TELEPHONE 785-0320
AREA CODE 208

RECEIVED

SEP 30 1974

Department of Water Resources
Eastern District Office

September 27, 1974

State of Idaho
Department of Water Resources
District Office
1515 Lincoln Road
Idaho Falls, ID 83401

Gentlemen:

Enclosed is the completed application for permit in the name of Bauer Equipment Company. Also enclosed is our check for the statutory filing fee of \$65.00.

Please let me know if there is anything else we need to do.

Thank you.

Very truly yours,



Michael K. Ferrin
Attorney at Law

MKF:mh

Enclosures

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER ~~ADMINISTRATION~~ RESOURCES

EASTERN DISTRICT OFFICE

Cecil D. Andrus
Governor
R. Keith Higginson
Director

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



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources
Department of Water Resources
Eastern District Office

September 24, 1974

RECEIVED SEP 25

Mr. Michael K. Ferrin
Attorney at Law
P.O. Box 591
156 West Judicial
Blackfoot, ID 83221

Dear Mr. Ferrin:

We are in receipt of the Application for Permit in the name of Bauer Equipment Co., but we must return it together with your check No. 92-241 in the amount of \$65.00 for completion of Item 7. Since the original permit lapsed in 1972, this application must be given a new priority.

Please return the completed form with the statutory filing fee of \$65.00 and we will be happy to commence processing.

Very truly yours,

LOREN O. HOLMES
Asst. to District Engineer

LOH:mb

Enc: Check No. 92-241
App/permit

RECEIVED

XXXXXXXXXXXXXXXXXXXXX RESOURCES

September 24, 1974

Mr. Michael K. Ferrin
Attorney at Law
P.O. Box 591
156 West Judicial
Blackfoot, ID 83221

Dear Mr. Ferrin:

We are in receipt of the Application for Permit in the name of Bauer Equipment Co., but we must return it together with your check No. 92-241 in the amount of \$65.00 for completion of Item 7. Since the original permit lapsed in 1972, this application must be given a new priority.

Please return the completed form with the statutory filing fee of \$65.00 and we will be happy to commence processing.

Very truly yours,

LOREN O. HOLMES
Asst. to District Engineer

LOH:mb

Enc: Check No. 92-241
App/permit

DWAIN H. STUFFLEBEAM
MICHAEL K. FERRIN

STUFFLEBEAM & FERRIN

Attorneys At Law
156 WEST JUDICIAL STREET
P. O. BOX 591
BLACKFOOT, IDAHO 83221

TELEPHONE 785-0320
AREA CODE 208

September 21, 1974

RECEIVED
SEP 24 1974

Department of Water Resources
Eastern District Office

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

Re: Bauer Equipment Company

Gentlemen:

Enclosed is Bauer Equipment Company's application for permit to appropriate water and our check in the sum of \$65.00 for the application fee.

You will note under No. 10 that we attempted to explain that the existing well has been used to supply the lands with water since 1967 at which time an application was made and approved. However, the application lapsed in 1972 while owned by a prior owner. Water has been put to beneficial use on this land continually since 1967.

At first I considered making a claim for water but noticed under the statutes that a claim may not be made with a priority date prior to 1963. On the basis of the above, we feel that the priority date for this permit, should it be cleared, should date back to 1967.

If you know of any other way we can establish the 1967 priority, please let us know.

Thank you.

Very truly yours,



Michael K. Ferrin
Attorney at Law

MKF:mh

Enclosures

RECEIVED