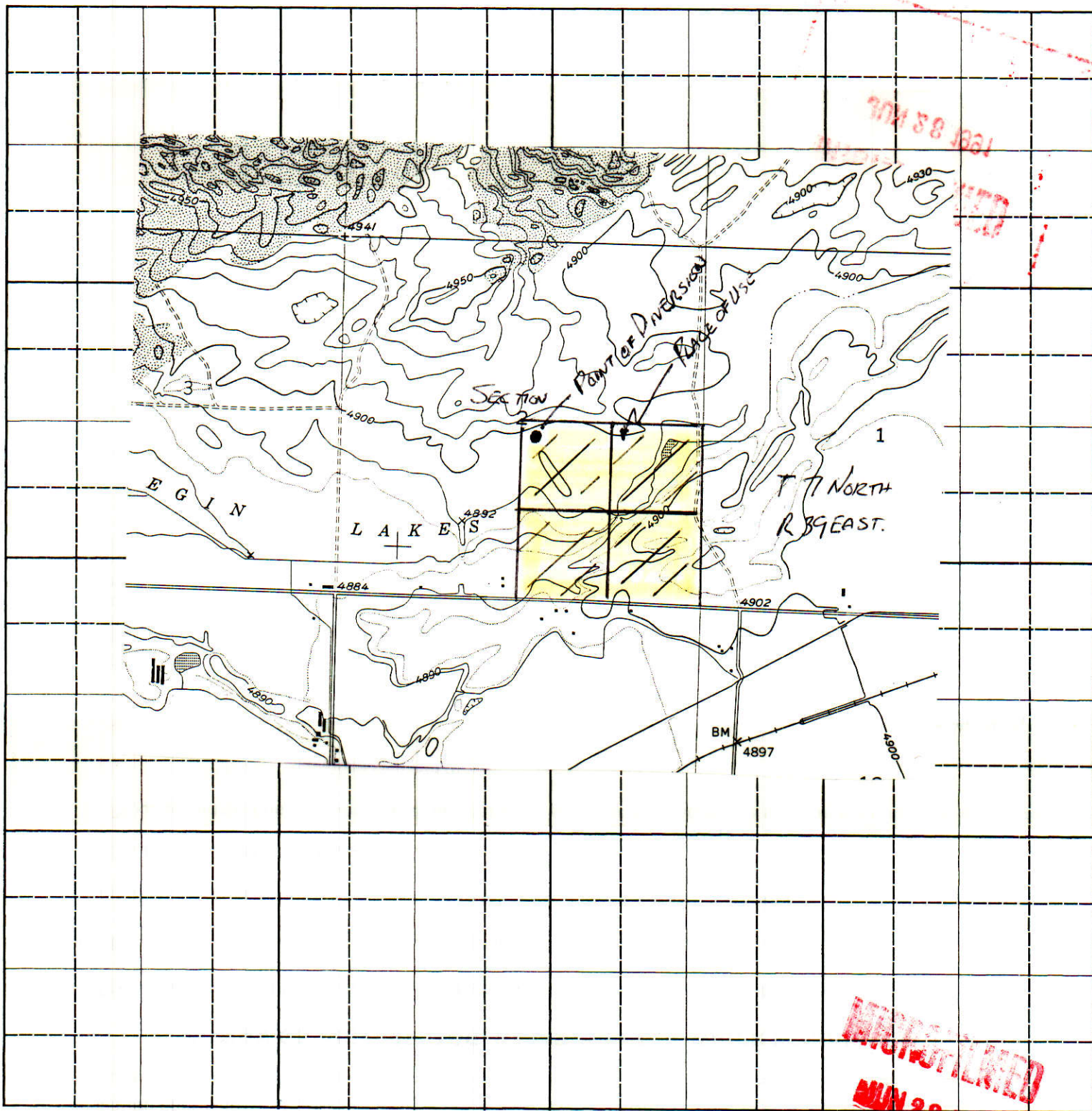


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Bob Jones
(Applicant)

St. Anthony, Id
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry T. Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the NOTICE OF APPLICATION
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for TWO consecutive issues, the
first publication having been made on
MAY 2, 1991
and the last publication having been
made on MAY 9, 1991
Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

21-07376

YANCEY, BOYD
518 EAST 2nd NORTH ST.
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diversión Pt: NWSE Sec 2 T 07N R 39E
Use: IRRIGATION (3.200 CFS) Total
Diversión: (3.200 CFS)

Date Filed: 3/1/1988
In: T07N R39E S02 NESE NWSE
SWSE SESE 160.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203A, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, Statehouse Mail,
Boise, Idaho 83720 on or before MAY 20,
1991.

R. KEITH HIGGINSON
Director

Publ. May 2 and 9, 1991HC.

OK T.J.L.
6-7-91

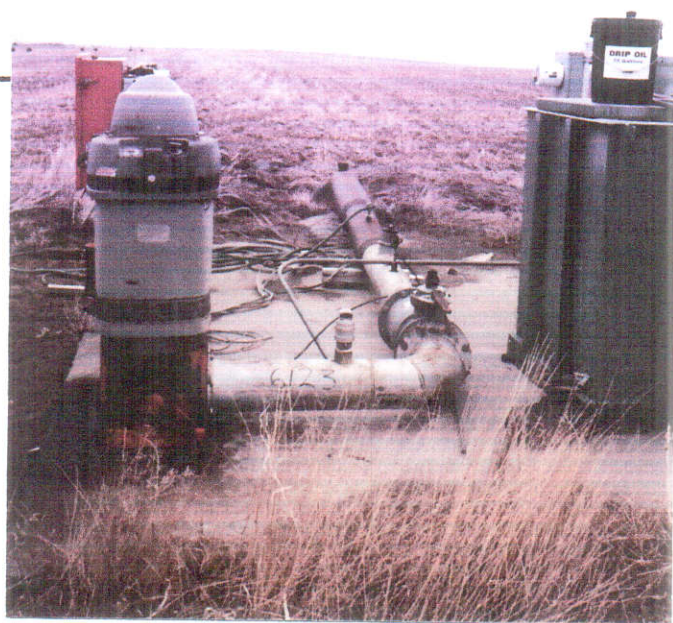
STATE OF IDAHO)
COUNTY OF MADISON)

On this 10TH day of MAY
in the year of 1991, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

MICROFILMED
JUN 28 1991

A0006123



PERMIT
NUMBER

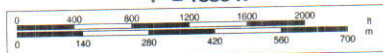
21-7376

21-7376 Sat Photos (2000-2001)



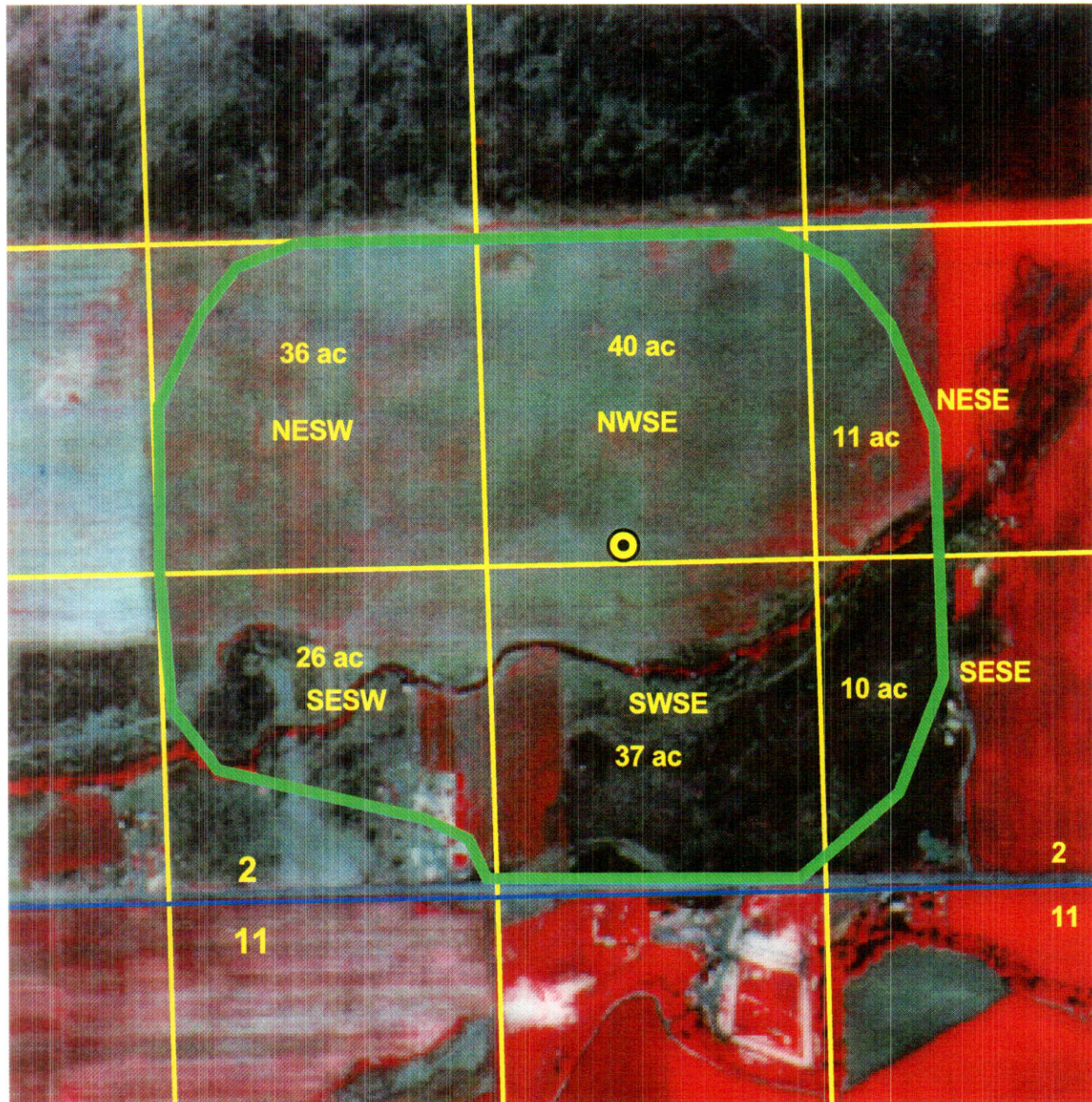
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www.delorme.com

Scale 1 : 16,000
1" = 1330 ft



21-07376

07N 39E SEC. 2



POINT OF DIVERSION



PLACE OF USE

RECEIVED

JUN 21 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 125.00
Date 6-21-93
Receipt No. C022909
Receipt by [Signature]

PROOF OF BENEFICIAL USE

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

1. Permit No. 21-07376 Telephone No. 208-624-7391

2. Name(s) of Permit Holder(s): Boyd Yancey

3. Mailing Address: 518 E. 2nd. N. St Anthony ID 83445

4. Source of Water: Underground

If **GROUNDWATER**, Well Driller's Name: Unknown Date Drilled: 7/1/87

OPTIONAL:

Pump horsepower: 100 Pressure (psi): 60 Dynamic pumping level (ft.): 70

5. Extent of Use (as authorized by the permit):

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

Irrigation 160.0 (No. of acres) Other

6. Total rate and/or volume for which proof is submitted 3.20 cfs OR acre/feet

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

Measuring device: Required? Yes X No Installed? Yes No

OR

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

8. Fee Enclosed: \$ 175.00 (See License Fee Schedule on back of Instruction Sheet)

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

Ralph Miller 208-624-7371
Name Telephone No.

2032 E 600 North St Anthony Idaho 83445
Address

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

5/18/93
Date

[Signature]
Signature (and title, if on behalf of a company or organization)

JUN 29 1993

RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 21-07376

IN THE NAME OF BOYD YANCEY

)
) ORDER OF
) REINSTATEMENT
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before June 1, 1993; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

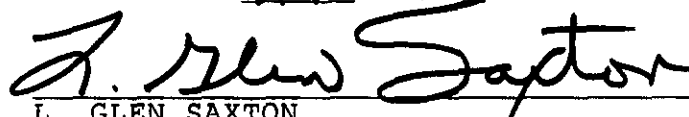
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on June 21, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 21-07376 be REINSTATED with an advance in priority to March 21, 1988.

Dated this 24th day of June, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

JUN 29 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 21-07376

Proposed Priority: March 1, 1988 Maximum Diversion Rate: 3.20 CFS

This is to certify, that **BOYD YANCEY**
518 E. 2ND N.

ST. ANTHONY, ID 834450000

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	3.20 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSE Sec. 2, Township 07N, Range 39E
FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	39E	2	NESE 40	NWSE 40	SWSE 40	160
			SESE 40			

Total number of acres irrigated: 160

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

FILED
JUN 28 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

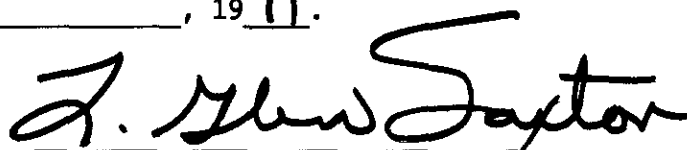
NO. 21-07376

CONDITIONS/REMARKS:

9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

20th day of June, 1991.

for 
R. Keith Higginson, Director

RECEIVED

JUN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 21-7376

To appropriate the public waters of the State of Idaho

1. Name of applicant Boyd Yancey Phone 624-3988 ⁻⁷³⁹¹

Post office address 518 East 2nd North, St. Anthony, ID 83445

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

3. Location of point of diversion is _____ ¼ of NW ¼ of SE ¼, Govt. Lot _____

Sec. 2 Township 7N Range 39E B.M. Fremont County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.20 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or ~~acre-feet per annum~~)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 3.20 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump & sprinkler system.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 10 inches; proposed depth of well is 120 feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

JUN 28 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	39E	2													40	40	40	40	160

Total number of acres to be irrigated 160

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

11. a. Who owns the property at the point of diversion? Applicant

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

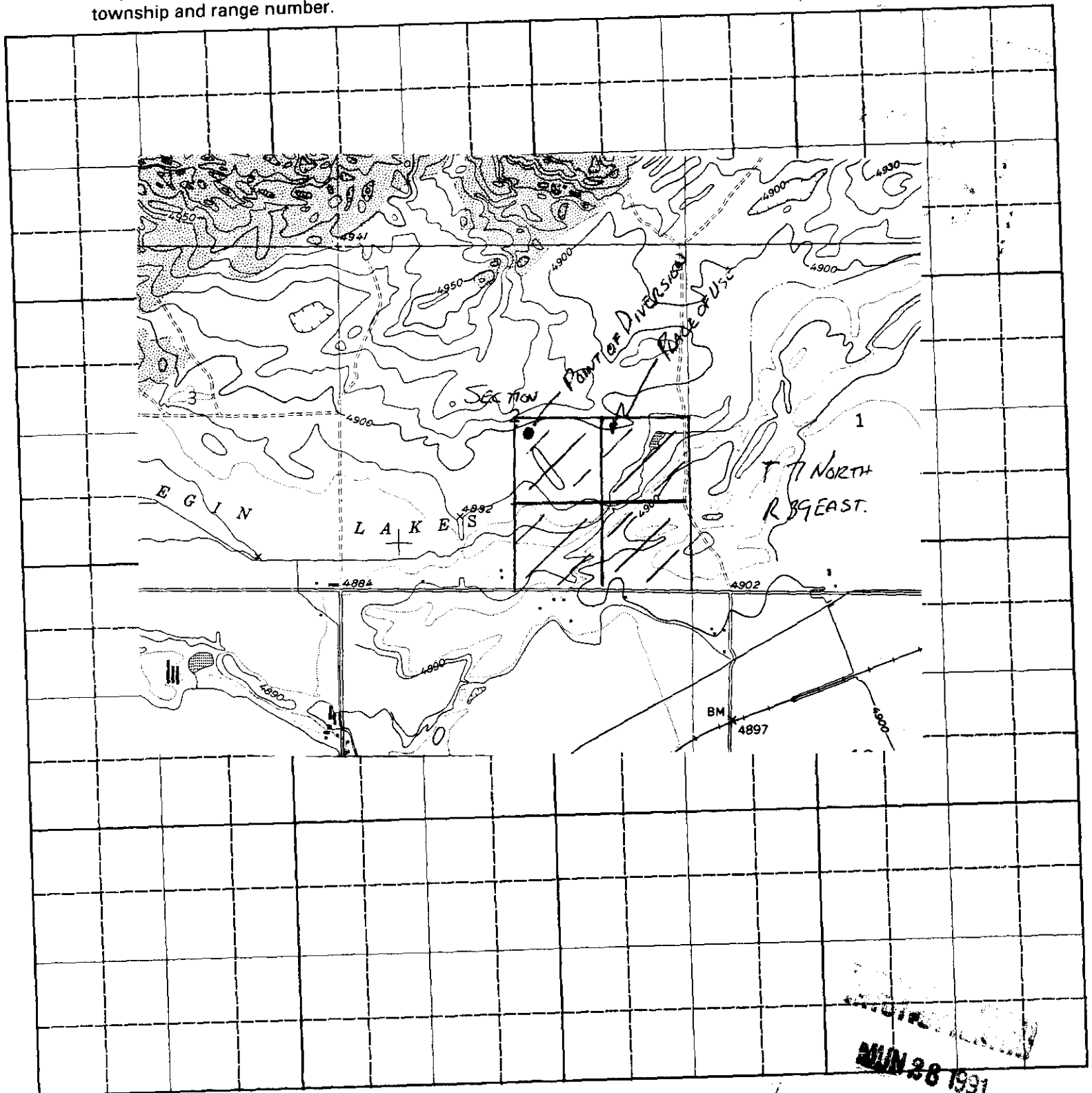
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: well was drilled in 1983.

RECEIVED

JUN 28 1991

13. 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.

Bob J. [Signature]
(Applicant)

MUN 28 1991

assisted by SM

Received by dg Date 3-1-88 Time 3:05 Preliminary check by AWJ

Fee \$ 105⁰⁰ Receipted by dg # 46456 Date 3-1-88

Publication prepared by BLM Date 4-24-91 Published in Serald Chronicle

Publication approved TJH Date 6-7-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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 _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED
JUN 28 1991

St. Anthony, Id
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry T. Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the NOTICE OF APPLICATION
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for TWO consecutive issues, the
first publication having been made on
MAY 2, 1991

and the last publication having been
made on MAY 9, 1991

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

21-07376
YANCEY, BOYD
518 EAST 2nd NORTH ST.
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diversi on Pt: NWSE Sec 2 T 07N R 39E
Use: IRRIGATION (3.200 CFS) Total
Diversi on: (3.200 CFS)
Date Filed: 3/1/1988
In: T07N R39E S02 NESE NWSE
SWSE SESE 160.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203A, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, Statehouse Mail,
Boise, Idaho 83720 on or before MAY 20,
1991.

R. KEITH HIGGINSON
Director

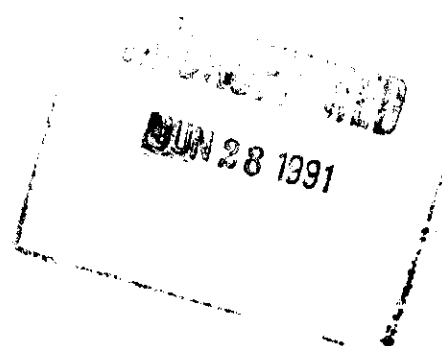
Publ. May 2 and 9, 1991HC.

OK T.J.L.
6-7-91

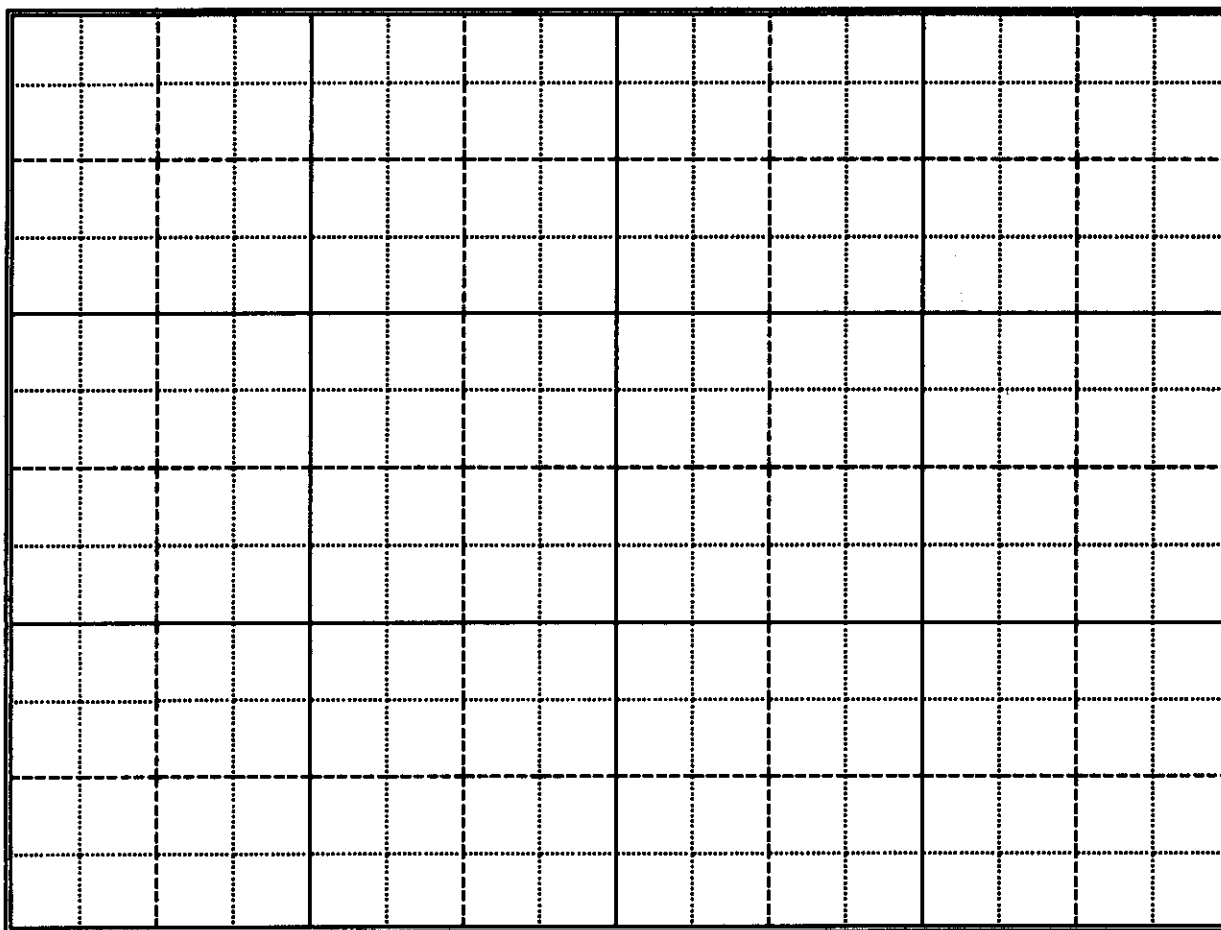
Terry T. Weatherston
STATE OF IDAHO)
COUNTY OF MADISON)

On this 10TH day of MAY
in the year of 1991, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Stephen L. Keith
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993



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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Elect MOTORS	100	T035LT-DR08	R-11 DEMPSTER	90L2444

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 1296 gpm Bryce C.
448.83 2.89 CFS

A0006123



PERMIT
NUMBER

21-7376

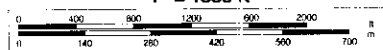
21-7376 Sat Photos (2000-2001)



DELORME

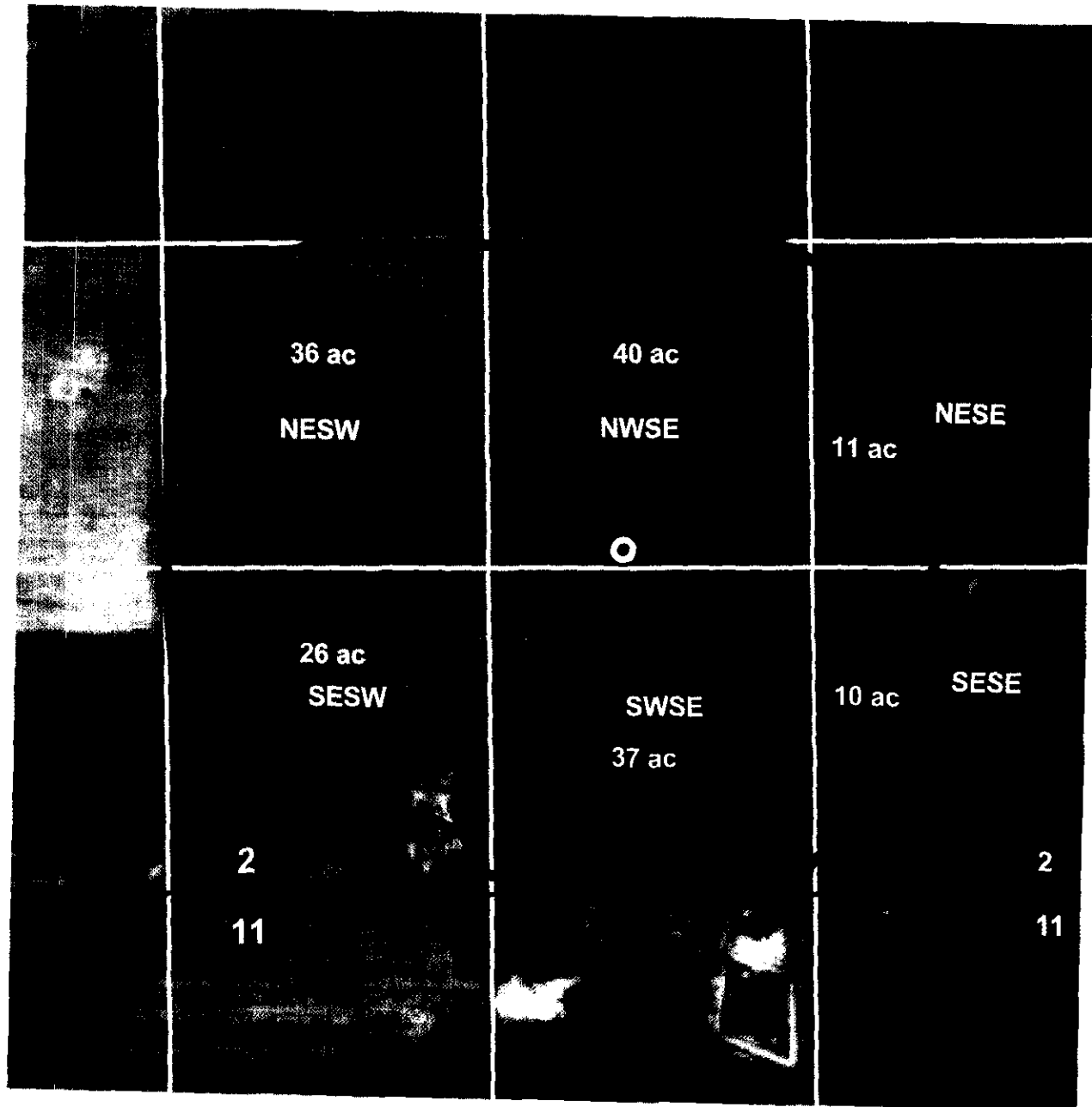
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www.delorme.com

Scale 1 : 16,000
1" = 1330 ft



21-07376

07N 39E SEC. 2



○ POINT OF DIVERSION



PLACE OF USE

10 # 456

Ralph Miller ✓

WATER MEASUREMENT DISTRICT
FIELD REPORT

2032E 600N

St Anthony 624-7371

DISTRICT EastRECORD NUMBER 200604

SITE DATA:

EXAMINER (inv_name) B ContorEXAM DATE 4/7/98 (site_visit) DIVERSION NAME Section 2 Well (div_name)GPS FILE C040716B (gps_filnam) SITE TAG NUMBER A0006123 (site_tagno)GPS OFFSET (offset) 4' Above wellTAG LOCATION (tag_locat) on post w/ kWh meterPOD LEGAL (pod) T 7 N S, R 39 E, Sec 2, NW SE

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)

COLLINS (c) PYGMY (p)

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2) HOUR METER (7) IRR. FLOWMETER (1)

ALTERNATE (3) OTHER FLOWMETER (8) CRP (9)

AMEND CLAIM (A) OPEN CHANNEL DEVICE (D)

SUITABLE FOR PCC even if other method selected (pcc_ok) YES NOTRACKING will be required (trkng_reqd) YES NOWell has ACCESS PORT for water level meas. (wl_access) YES NOFLOWMETER installation poss. w/o major change (qmtr_ez) YES NOFOLLOW-UP DATE (folup_date) 1999

OWNER/OPERATOR INFORMATION

OWNER (name) Ralph Miller

PHONE _____

ADDRESS 456

CEL PHONE _____

OPERATOR (contact) _____

PHONE _____

ADDRESS _____

CEL PHONE _____

Determination of Power Consumption Coefficient

Kilowatts of Energy Consumed

$$KW = 3.6 \times Kh \times \text{Multiplier} \times \text{No. of revolutions}(N) \div \text{Time}(T) \text{ in seconds per } N$$

Cond.#1 N = 7 (No. of Disc Rev) Time (sec) = (42.08) + (42.19) + (42.03) / 3 = 42.10 Ave

$$3.6 \times \underline{3.6} (Kh) \times \underline{40} (\text{Mult}) \times \underline{7} (N) \div \underline{42.10} (T) = \underline{86.2} \text{ KW}$$

Cond.#2 N = _____ (No. of Disc Rev) Time (sec) = (_____) + (_____) + (_____) / 3 = _____ Ave

$$3.6 \times \underline{\hspace{1cm}} (Kh) \times \underline{\hspace{1cm}} (\text{Mult}) \times \underline{\hspace{1cm}} (N) \div \underline{\hspace{1cm}} (T) = \underline{\hspace{1cm}} \text{ KW}$$

Cond.#3 N = _____ (No. of Disc Rev) Time (sec) = (_____) + (_____) + (_____) / 3 = _____ Ave

$$3.6 \times \underline{\hspace{1cm}} (Kh) \times \underline{\hspace{1cm}} (\text{Mult}) \times \underline{\hspace{1cm}} (N) \div \underline{\hspace{1cm}} (T) = \underline{\hspace{1cm}} \text{ KW}$$

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by the "standard" water measurement meter in GPM, and discharge pressure measured in PSI. Attach documentation to support data such as notes, printout tapes etc.

GPM Cond. #1 1296.0 #2 _____ #3 _____

PSI Cond. #1 59 #2 _____ #3 _____

DISTRICT

Power Consumption Coefficient (PCC) = KW × 5431 ÷ GPM

$$\text{PCC Cond. \#1} = \underline{86.2} (\text{KW}) \times 5431 \div \underline{1296.0} (\text{gpm}) = \underline{361.2} (\text{kWh/ac.ft})$$

Percent of seasonal use 100

$$\text{PCC Cond. \#2} = \underline{\hspace{1cm}} (\text{KW}) \times 5431 \div \underline{\hspace{1cm}} (\text{gpm}) = \underline{\hspace{1cm}} (\text{kWh/ac.ft})$$

Percent of seasonal use _____

$$\text{PCC Cond. \#3} = \underline{\hspace{1cm}} (\text{KW}) \times 5431 \div \underline{\hspace{1cm}} (\text{gpm}) = \underline{\hspace{1cm}} (\text{kWh/ac.ft})$$

Percent of seasonal use _____

Is the system operator required to track and report changes in system operation? Yes / No
(see form PCC3)

Water Level Data

Does the well have access to measure water levels? Yes / No

Static Water Level _____ ft Pumping Water Level _____ ft (at condition # _____)
Date _____ Date _____

E. NARRATIVE/REMARKS/COMMENTS

21-2173 was a temporary transfer according to Ralph Miller.

Well/pump to pivot with swing ARM, covers more than a quarter mile.

Ralph Miller owns the water right. leases the ground from Yancy.

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

F. FLOW CALCULATIONS

Measured Method:

Sonic meter

Additional Computation Sheets Attached

$$\frac{1296 \text{ gpm}}{448.83} = 2.89 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 160 \times 3.5 = 560 \text{ AF/A}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.89(214)1.9835 = 1226.$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 560 \text{ AF/A}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRR	4/01	10/31	2.89 cfs	560 AF/A
Totals:			2.89 cfs	560 AF/A

2. Recommended Amendments

☐ Change P.D. as reflected above☐ Add P.D. as reflected above☐ None☐ Change P.U. as reflected above☒ Add P.U. as reflected above☐ Other**I. AUTHENTICATION**

Field Examiner's Name

DAVE CARLSON

Date

4/23/2002

Reviewer

[Signature]

Date

4-25-02

SEAL

East ESPA Water Measure. District
900 N. Skyline Dr.
Idaho Falls, ID 83402

Statement

DATE

7/4/97

2107376

BILL TO

BOYD YANCEY

454

518 E 2nd N

St. Anthony, ID 83445

Ralph Miller

2032 E 600N

St. Anthony, ID 83445

AMOUNT DUE

AMOUNT ENC.

\$145.00

DATE

DESCRIPTION

AMOUNT

BALANCE

02/28/97 Balance forward
03/06/97 INV #427

145.00

0.00

145.00

Shelly Keen -

Permit needs assignment form mailed!

to Boyd Yancey.

9.18.97

Ret

Jo

RECEIVED

SEP 09 1997

Department of Water Resources
Eastern Region

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	AMOUNT DUE
0.00	0.00	0.00	0.00	145.00	\$145.00

June 25, 1993

BOYD YANCEY
518 E. 2ND N.
ST. ANTHONY ID 834450000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07376

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

21-07376-0001

JUN 29 1993

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 21-07376

Reviewed by Klg

Date 6/23/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

irrigate -160
yes Correct Uses?

SOURCE OF WATER

 Surface water source

✓ Ground water source

NA Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

175 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

yes Installed?

no Waiver requested?

PRIORITY CALCULATION

Date proof received 6/21/93 172

Date proof due 6/1/93 - 152

No. of days late = 20

Priority Date 3/1/88 + 60

New Priority Date 3/21/88 80

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs an order

DATA ENTRY

New Address

Proof Made 6/24/93
6/25/93 Klg

The ground this well applies to was for sale in 1984. A prospective buyer made an offer and before the deal was completed drilled the well. The sale was not completed and the well was not used until 1990 when a water right was transferred from magic valley. At the time the well was drilled the prospective land buyer assured me that a permit had been issued. When the adjudication process was going on and I applied for water rights is when I found the well had been drilled with out a permit. The well driller is unknown.

RECEIVED

JUN 29 1993

June 8, 1993

BOYD YANCEY
518 E. 2ND N.
ST. ANTHONY ID 834450000

LAPSE NOTICE

RE: PERMIT NO. 21-07376

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated March 31, 1993. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

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JUN 29 1993

CERTIFICATION OF MAILING

I hereby certify that on 6/8/93
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

March 31, 1993

BOYD YANCEY
518 E. 2ND N.
ST. ANTHONY ID 834450000

PROOF DUE NOTICE

RE: PERMIT NO. 21-07376

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

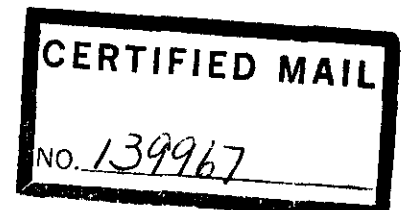
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
JUN 29 1993





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 21, 1991

BOYD YANCEY
518 E. 2ND N.
ST. ANTHONY, ID 834450000

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 21-07376

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of

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JUN 28 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

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JUN 28 1991

APPLICATION FOR PERMIT REVIEW

Application #: 21-7376
Date: 6-13-91

Reviewer: Pam Skaggs *PS*

Existing:

☒ No

- 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

☒ GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)

LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99

☒ Not included - 046-P23 (All GW, even existing wells)

Location:

☒ Water Districts

- WD No. 01

Surface water - 005, 005-01H-P01 (LT.2 w/pump)
005-01J-P08 (GT.2)

☒ Groundwater *Existing* - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

☒ Swan Falls Flag - 7 (1, Blank or Other)

☒ Trust - 051-052-053-P74 (Cons.), 041 (DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power - Use Power Review

Mining - 06A or 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

☒ Beneficial Use Due Date: - 06-01-1993
Other Conditions Recommended _____

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JUN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

APRIL 24, 1991

Herald Chronicle
Box 10
Rexburg, ID 83440

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 MAY 20, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

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JUN 28 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

21-07376

YANCEY, BOYD
518 EAST 2ND NORTH ST.
ST. ANTHONY, ID 834450000

Source: GROUNDWATER

Diversion Pt: NWSE Sec 2 T 07N R 39E

Use: IRRIGATION (3.200 CFS)
Total Diversion: (3.200 CFS)

Date Filed: 3/ 1/ 1988

In: T07N R39E S02 NESE NWSE SWSE SESE
160.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MAY 20, 1991.

R. Keith Higginson, Director

Published 5/ 2/1991 & 5/ 9/1991

RECEIVED

MAY 22 1991

RECEIVED

APR 22 1991

Department of Water Resources

April 21, 1991

Tim Luke
1301 North Orchard
Boise ID 83706

Dear Mr Luke

In the fall of 1983 an irrigation well was drilled on a piece of property in Sec 2 T7N R40. This well was drilled by an individual who was to purchase the ground. He watered one crop of potatoes and then the land deal was not completed. The well was not used again until 1987 when another party used the well and grew potatoes. At the time the well was first drilled I had assumed that the well had a permit and water had been filed on. After checking I discovered the driller had not filed for a permit. On 3-6-88 I filed for a permit under permit no 21-07376. In 1990 the well was used but a transfer of water from someone in Magic Valley was used to cover the usage.

I would appreciate concluding this matter. If there is something else that needs to be done please let me know.



Sincerely
Boyd Yancey
518 E 2nd N
St Anthony ID 83445

Note: Count all acreage as least acreage
BY
4-22-91

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JUN 28 1991

ACTION REQUIRED

FROM: Tim 4-3-91

TO: file 21-7376

on this date Mr. Yancy called me about the status of this filing. He explained that there had been prior development under this filing. I told him to forward documentation concerning prior development & that we would then decide whether to proceed w/ processing of the app.
P/D & P/V is outside of mwd lake area.

MEMORANDUM

TO: GLEN

FROM: TIM LUKE

DATE: November 28, 1990

RE: TRUST APPS. 21-7374, 21-7376 & 21-7377

=====

The above applications are now eligible for sequential trust water processing. You will notice that the points of diversion for these filings are very close to the Mud Lake study area boundary. All of the points of diversion and places of use are located between the Egin Bench and the Sand Dunes near Egin Lakes.

The boundary line appears to dissect section 3, T7N, R39E, which includes the POD for 21-7374. The points of diversion for the other two applications appear to lie just east of the boundary line. The boundary line in this area is somewhat arbitrary. On my map, I merely connected a 45 degree line between two points given in the order. As you may be more familiar with the groundwater study area, I wondered if you might have an opinion on how we should treat these applications.

Tim _____

*- I suggest we
hold these.*

*- They are all
so close
together that
common
treatment
appears to
be prudent.*

TLJ

11-28-90

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

APPLICATION NUMBER: 21-7376
YANCEY

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

SWAN LAWS HOLD FILE

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. (SWAP on St. Anthony Union Canal land list)
☒ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received. Date: _____
☐ Application published correctly. If not, record action taken: _____
☐ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended. _____
Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.
By: _____ Date: _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

21-7376

YANCEY, BOYD

518 EAST 2ND NORTH, ST. ANTHONY, ID 83445

Source: GROUNDWATER

Diversion Pt: NWSE Sec 02 T 07N R 39E

Use: IRRIGATION (3.2 CFS)

Date Filed: 03/01/1988

In: NESE NWSE SWSE SESE Sec 02 T 07N R 39E FOR 160 ACRES

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JUN 28 1991