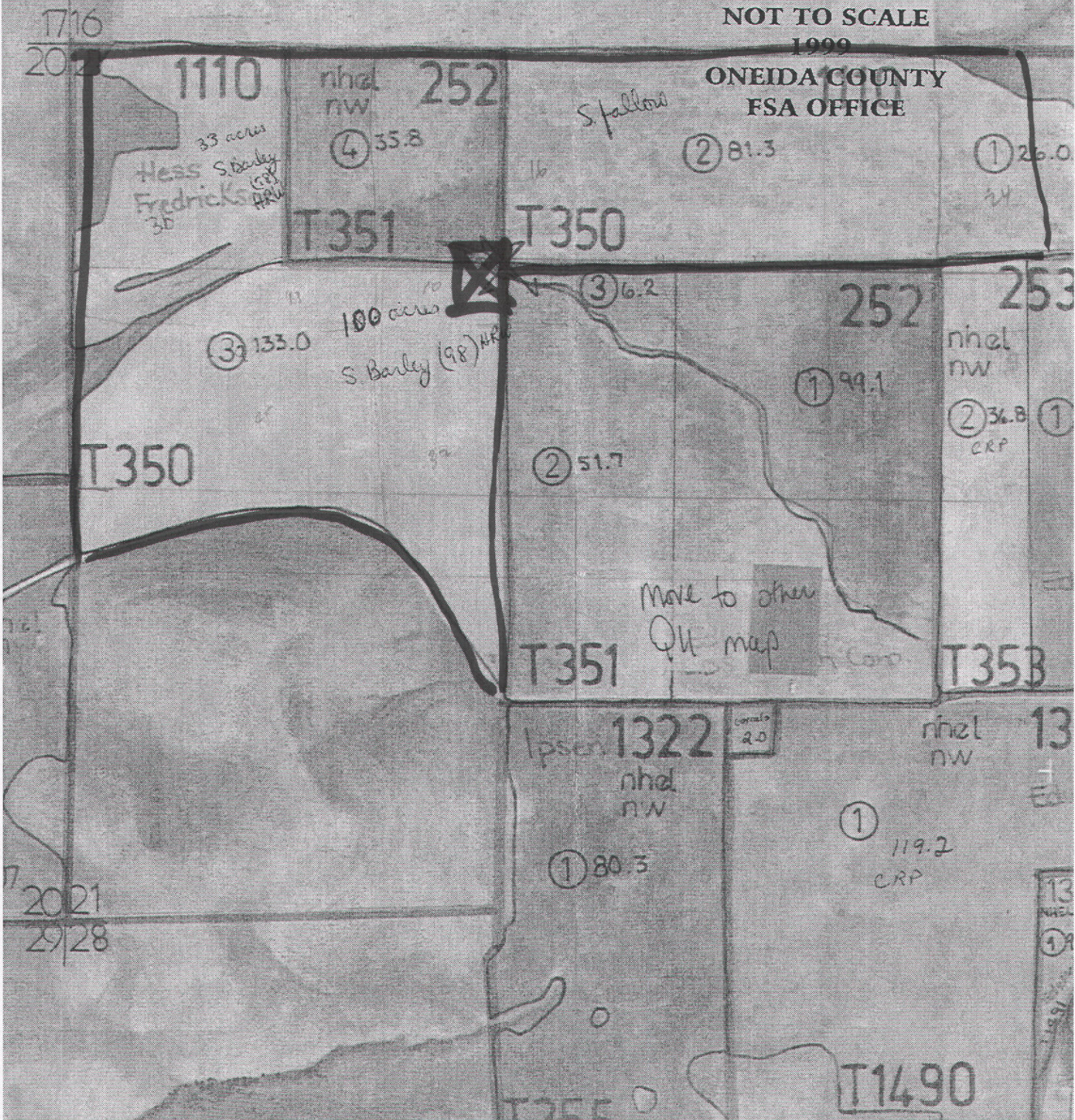


Q11

NOT TO SCALE

1999

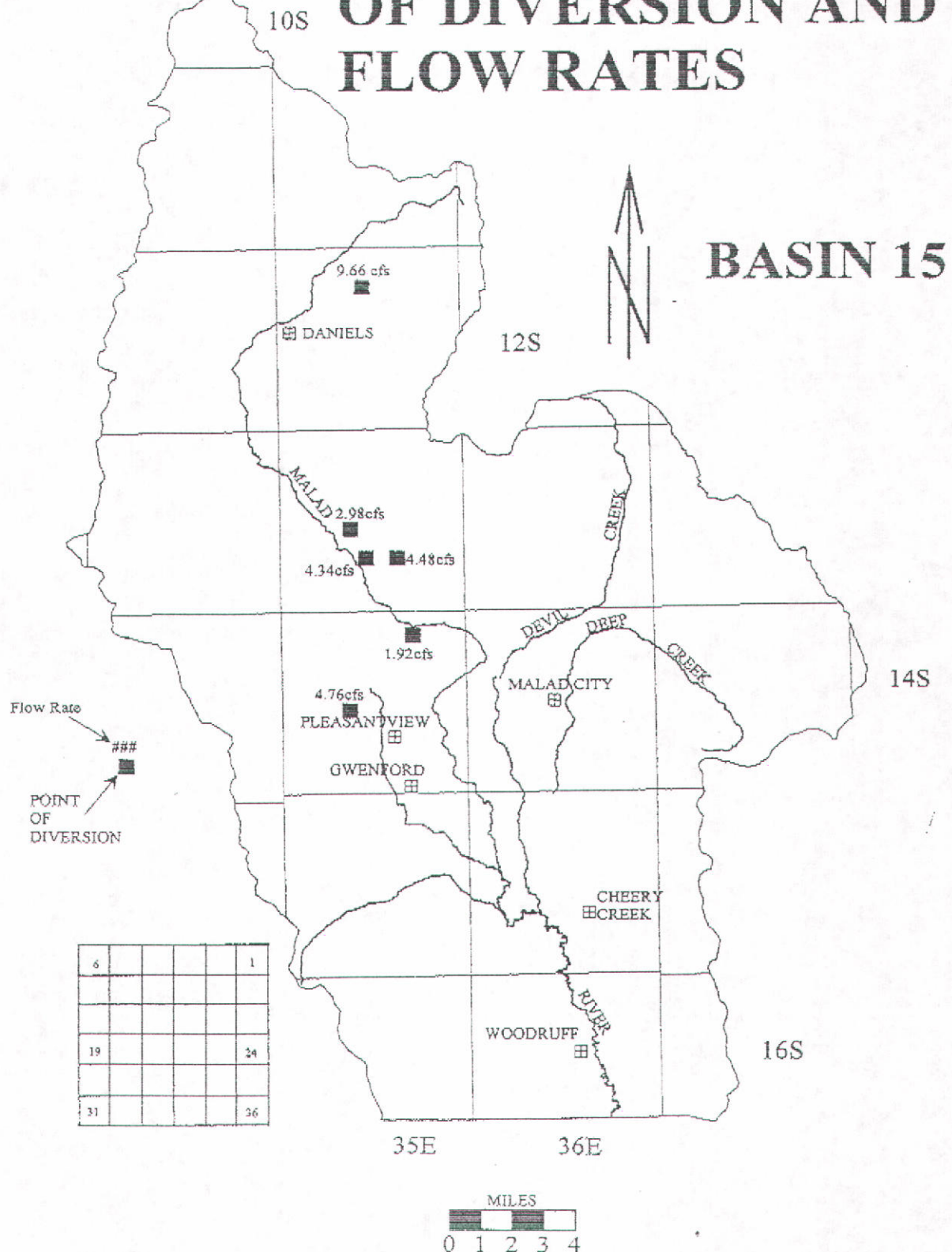
ONEIDA COUNTY
FSA OFFICE



MICROFILMED

SEP 08 2000

PROPOSED POINTS OF DIVERSION AND FLOW RATES

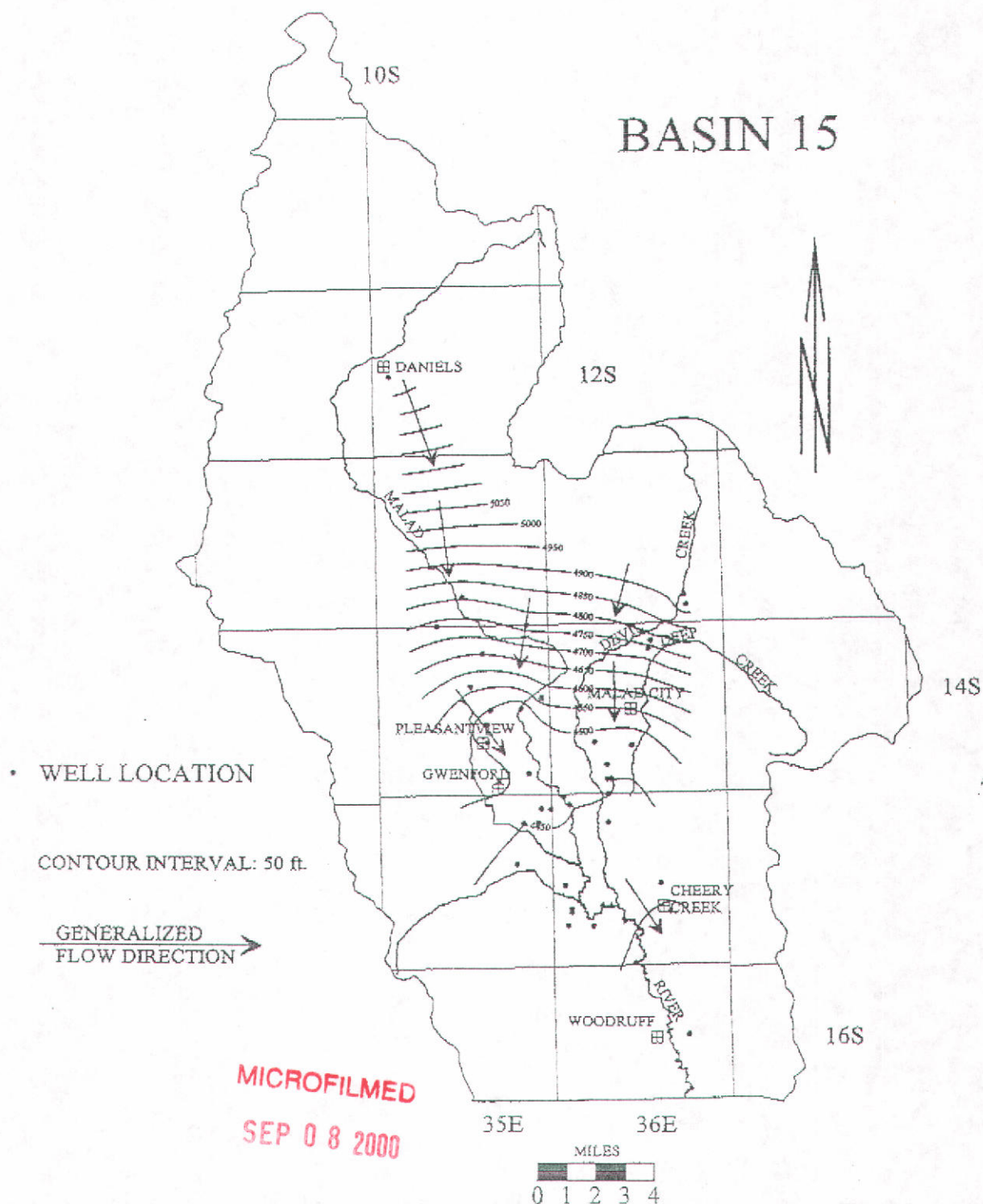


ATTACHMENT #1

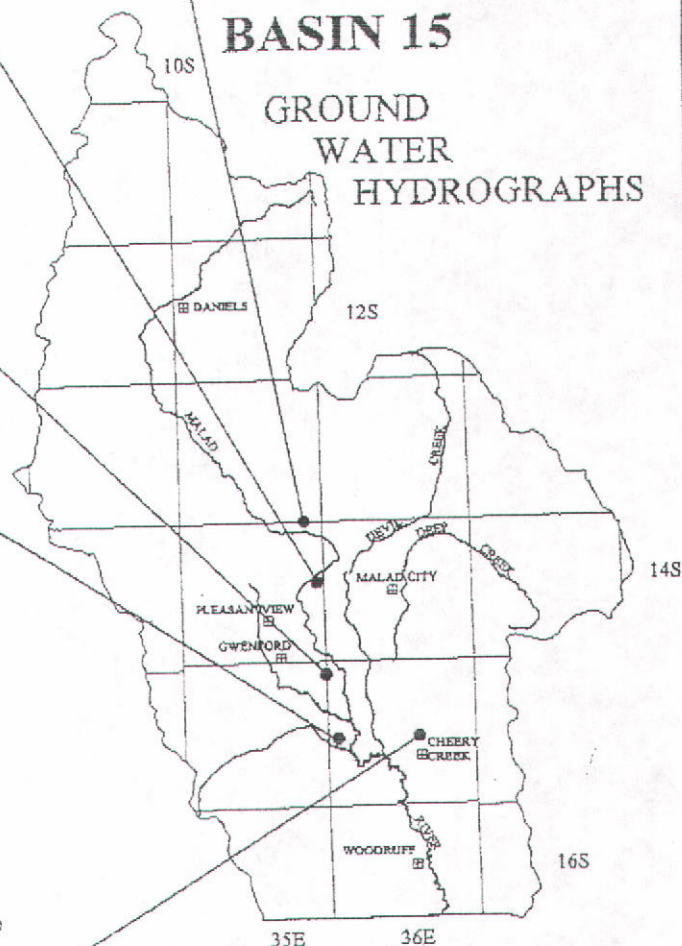
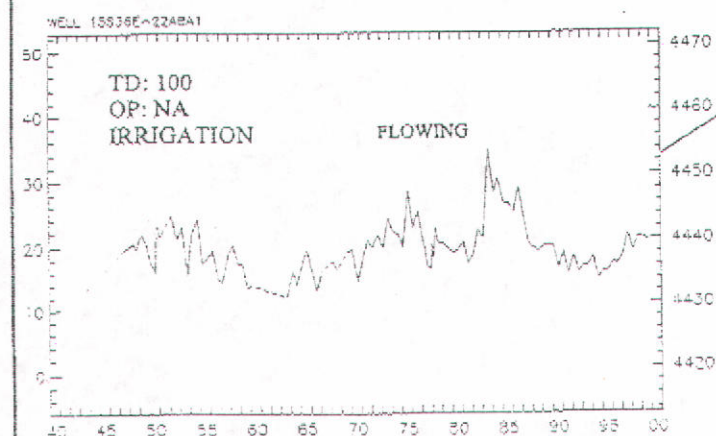
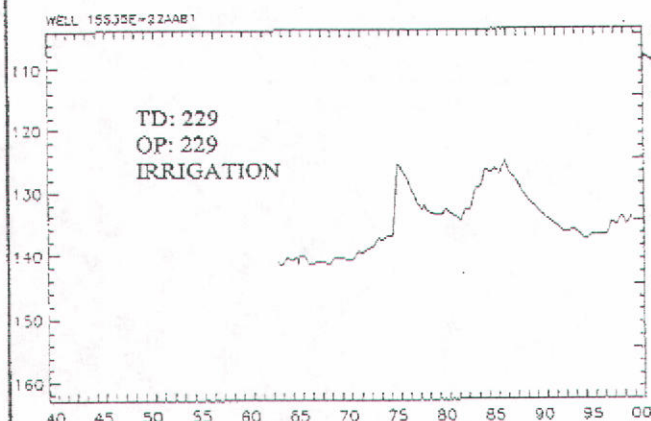
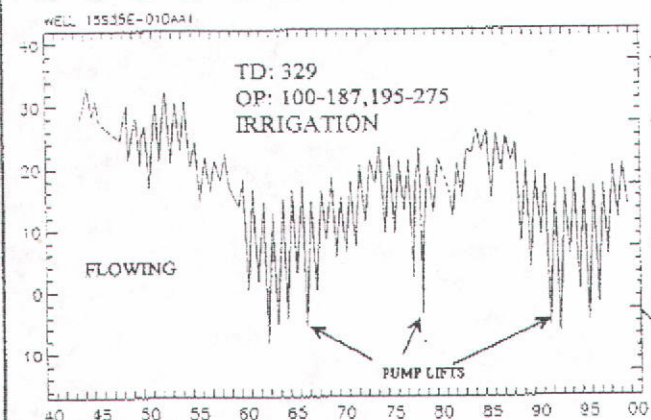
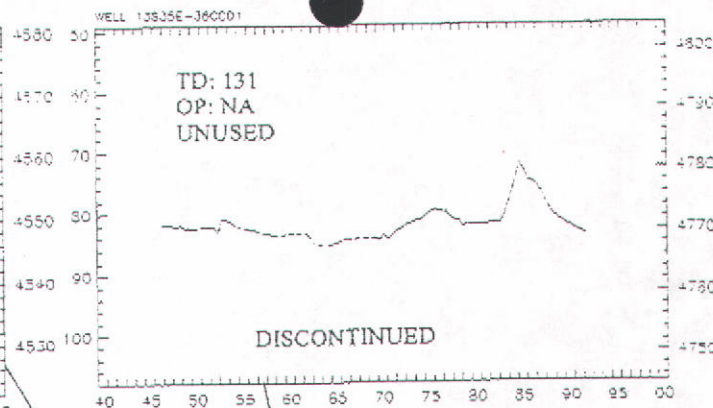
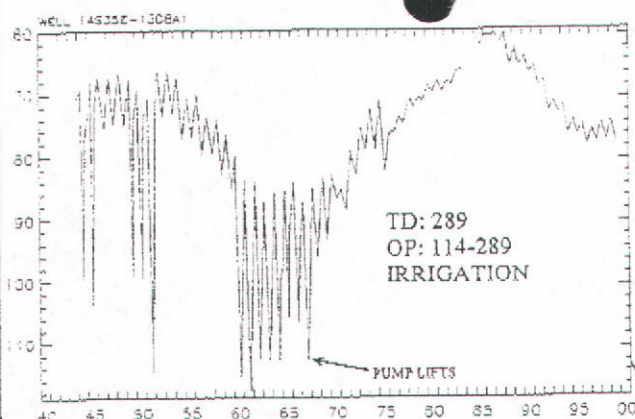
MICROFILMED

SEP 08 2000

GROUND WATER ELEVATIONS



ATTACHMENT #2

**LEGEND**

TD: TOTAL DEPTH
OP: INTERVAL AT WHICH THE WELL IS PERFORATED OR OPEN TO THE AQUIFER.
WATER USE
LEFT SIDE: DEPTH TO WATER
RIGHT SIDE: WATER ELEVATION
BASE: YEAR
ALL MEASUREMENTS IN FEET
CURRENT TO FALL 1999

MICROFILMED

SEP 08 2000

ATTACHMENT #3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED
APR 21 2005
DEPARTMENT OF
WATER RESOURCES

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 15-7184
Name(s) of Permit Holder: David + Alice Edwards
Address: 310 S. 5800 W. City Malad State ID Zip 83258
Telephone No. 766-2613 Date Proof is Due: June 1st 2005

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

None

we did not get the property + permit until Oct of 2004
and have been working with the Utah Power Co. to
get electricity there because of the distance it is
going to be. Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Permit holder(s) request an extension to June 1st, 2006 07 do per telephone
Alice Edwards call with Alice 9/8/05
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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

APPROVED and the time within which to submit proof of beneficial use is extended
to June 1, 2007.

Signed this 9th day of June, 2005

Gary Spackman
GARY SPACKMAN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale — storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**).

A non-refundable filing fee of \$50.00 must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 15-07184

Priority: April 17, 2000

Maximum Diversion Rate:

4.76 CFS

This is to certify, that JOHN F FREDRICKSON CO
C/O LOYD BRIGGS
PO BOX 5
MALAD CITY ID 83252

has applied for a permit to appropriate water from: GROUND WATER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 10/31

4.76 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENENW , Sec. 21, Township 14S, Range 35E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	35E	21	NENE 40.0	NWNE 40.0	NWNW 33.0	NESW 16.0	
			SWNW 35.0	SENE 40.0			
			NWSW 8.0				212.0
		22	NWNW 26.0				26.0

Total number of acres irrigated:

238.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before June 1, 2005.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. This parcel is known as Deschamps.

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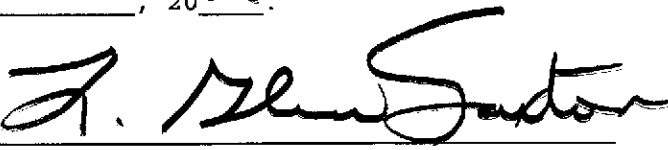
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 15-07184

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

19 day of June, 2000.


for Karl J. Dreher, Director



MICROFILMED
SEP 08 2000

15-07184

RECEIVED

JUN 9 - 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 17 2000

Department of Water Resources
Eastern Region

1. Name of Applicant JOHN F. FREDRICKSON Co. Phone (208) 766-2598
Mailing address c/ Loyd Briggs, Mgr., PO Box 5, Malad City, ID 83252
2. Source of water supply deep water well (Groundwater) which is a tributary of
3. Location of point of diversion is Township 14S Range 35E Sec. 21 in the SE 1/4,
NE 1/4, NW 1/4, Govt. Lot , B.M., Oneida County;
additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 4.76 cfs for crop irrigation purposes from 3/15 to 11/15 (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)
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) 4.76 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source deep water well turbine pump and
mainline
 - b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet
 - c. Proposed well diameter is n/a inches; proposed depth of well is n/a feet
 - d. Is ground water with a temperature of greater than 85°F being sought? no
 - e. If well is already drilled, when? ; Drilling firm ;
Well was drilled for (well owner) ; Drilling Permit No.
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.
 - e. Other; describe fully.

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

use below. See instructions for standard symbols.

[illegible]

Total number of acres to be irrigated 238

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

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

၂။ ငွေပျံ့နှံ့မှု

12. Remarks: Permit application for parcel known as Deschamps, currently in either CRP or

dry land agriculture

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

of the State of Idaho as herein set forth.

JOHN F. FREDRICKSON Co.
by Peter F. Jacoby, Vice President/Treasurer

Signature of Applicant (and title, if applicable)

Signature of Applicant (and title, if applicable)

Received by TLF Fee \$ 180.00
Publication prepared by _____
Publication approved _____

Date 4-18-00 Time 1

Received by -

Date 5/4 & 5/11/00

Published in

Date: _____

Fees \$ 180.00

5

54

DSH

E025757

Date _____

475-00

Preliminary check by

Time

0081-17

15

142

11

SEP 08 1988
MICROFILMED
President/Treas

SEP 08 2009

JOHN F. FREDRICKSON COMPANY

PO Box 5
185 South Main
Malad City, ID 83252

RECEIVED

APR 17 2000

Department of Water Resources
Eastern Region

April 12, 2000

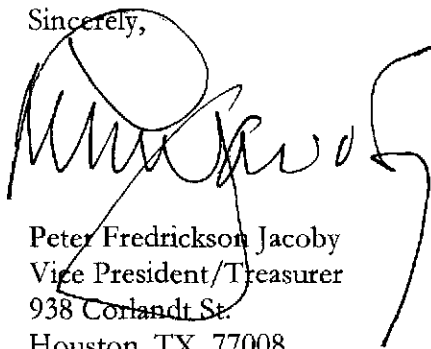
Idaho Department of Water Resources
Eastern Region
900 N. Skyline Dr.
Idaho Falls, ID 83401

Dear Sirs:

Please find attached applications and fees for water drilling permits in Oneida County on lands owned and operated by the John F. Fredrickson Co., an S-Corporation duly registered under the laws of the State of Idaho.

Also attached is a listing of corporate officers and directors. Should you have questions regarding any of these applications, please contact our local manager, Mr. Loyd Briggs, listed on the forms or me at my Texas address.

Sincerely,



Peter Fredrickson Jacoby
Vice President/Treasurer
938 Corlandt St.
Houston, TX 77008
(713) 880-8055

PFJ/

Encls.

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SEP 08 2000

JOHN F. FREDRICKSON COMPANY

PO Box 5
185 South Main
Malad City, ID 83252

Officers and Directors as of April 1, 2000

President: Mr. J. Michael Jacoby
33000 Stagecoach Dr.
Evergreen, CO 80439
(303) 674-6745
email: jmjacoby@earthlink.com

Vice President/
Treasurer: Mr. Peter Fredrickson Jacoby
938 Cortlandt St.
Houston, TX 77008
(713) 880-8055
email: pfj@quik.com

FAX
713-880-5897

Secretary: Mr. Christopher Jacoby
33000 Stagecoach Dr.
Evergreen, CO 80439
(970) 522-6827

Directors: Mr. J. Michael Jacoby
Mr. Peter F. Jacoby
Mr. Christopher Jacoby
Mrs. J. Michael Jacoby

MICROFILMED

SEP 08 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 10, 2005

DAVID EDWARDS
ALICE EDWARDS
310 S 5800 W
MALAD ID 83252

RE: PERMIT NO. 15-7184

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the proof due date to **June 1, 2007**. Please note that the department granted this extension based on evidence of **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed, since the department may not be able to grant an additional extension request based on this category.

Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Additionally, these forms can be found on our website at:
<http://www.idwr.idaho.gov>

If you have any questions regarding this matter, contact me at (208) 287-4942.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office
Western Ag Credit FLCA

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 15-7184

Reviewed By: dgibson

Date: June 9, 2005

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:	C077584		Has the permit been involved in litigation?		
Name and signature same as permit?		X	Is supporting documentation needed to support the file?		
Is address same as permit?		X	Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	04/21/2005	New proof due date	06/01/2007
Date proof due	- 06/01/2005		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 04/17/2000		
New priority date	= 04/17/2000		

Action Taken

Acknowledge request for extension and grant extension for filing proof to 6/1/2007.

March 31, 2005

DAVID EDWARDS
ALICE EDWARDS
310 S 5800 W
MALAD CITY, ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-7184

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 01, 2005. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

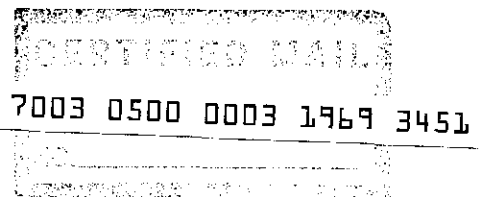
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

cc: WESTERN AG CREDIT FLCA





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 20, 2000

JOHN F FREDRICKSON CO
C/O LOYD BRIGGS
PO BOX 5
MALAD CITY ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07184

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

MICROFILMED
SEP 08 2000

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

Sincerely,

Sharla Curtis

for Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

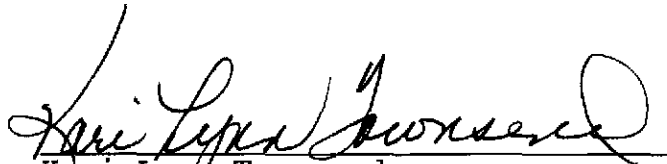
MICROFILMED
SEP 08 2000

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of June, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 15-07184

JOHN F FREDRICKSON CO
C/O LOYD BRIGGS
PO BOX 5
MALAD CITY ID 83252


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 08 2006

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

SEP 08 2000

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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SEP 08 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 6/14/00

No. 15-07184 Name: Fredrickson Co Corp. Officers ✓ Ad ok Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA ~~TRUST/NON-TRUST~~

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 3 - 084 (if necessary)
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70's only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 6/01/2005

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
In-stream development - P52
WD - P04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd -- meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

IRR VOLUME/ACRE 3.5

OTHER CONDITIONS/REMARKS Parcel known as Deschamps

COMMENTS

June 6, 2000

MEMORANDUM

To: Jeff Peppersack
Through: Bob Sutter
From: Shane Bendixsen & Bill Ondrechen
Subject: Large Scale Ground Water Development in the Malad Basin; Applications 15-07180 through 1507185.

It is our understanding that six new permits to divert ground water in the Malad Basin (Basin 15) have been applied for. Attachment #1 presents the points of diversion and corresponding flow rates. The total diversion rate for the combined six new permits is 28.14 cfs to irrigate 1,407 acres. Based upon the agreed upon depletion rate of 1.18 acre feet per acre (AF/A) by the Bear River Compact, this amounts to a total ground water depletion of 1,660 acre feet per year (AF/Y).

Attachment #2 presents ground water elevations and flow directions based on various measurements since 1950. No mass measurement has been recorded so measurements over time were combined to provide enough data. While only a generalization, it is seen the flow direction is south out of the basin into Utah.

Attachment #3 presents ground water hydrographs. Four are currently monitored by the USGS and one was discontinued in 1992. As presented, ground water levels fluctuate seasonally and with dry and wet periods, but are still are at approximately the same level as they were in the mid 1940's.

Pluhowski (1968), estimated that approximately 100,000 acre feet of surface and ground move into the basin each year as recharge. Burnham and others (1969), showed that while the limited amount of data prevents a precise estimate, this was a good estimate. Burnham and other's also stated that approximately 50,000 acre feet was ground water left the basin as underflow. This was based on Darcy's equation with an assumed transmissivity and gradient.

Kramber and others (1993), estimated that approximately 52,177 acres was being irrigated with surface and ground water. Assuming the depletion rate of 1.18 AF/Y, the total depletion is approximately 62,000 AF/Y. If it is assumed that the majority of water leaving the basin is underflow, Pluhowski's 100,000 AF/Y estimate of recharge and

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Burnham and others estimate of 50,000 AF/Y leaving the basin as underflow closely fits the total depletion rate of 62,000 AF/Y.

The added depletion of 1,660 AF/Y therefore amounts to an increase of approximately two to three percent total depletion (1,660 divided by 62,000). Burnham and others (1968) also estimated that water in storage in the upper 300 feet of the aquifer was 1.8 million acre feet. Therefore the increased depletion to aquifer storage will not be measurable.

Based on our discussions with the State of Utah concerning delivery of natural and stored flow across the state line in the main Bear River, the topic of Idaho's use in the Malad has never been a concern to Utah. Both the surface and ground water in the Utah portion of the Malad Basin become more saline as you move south, and they have stated there is limited use of those waters. Most use is made of the relatively cleaner Bear River water.

In closing, ground water levels are approximately the same as they were in the early 1940's. Recharge to the basin is approximately 100,000 AF/Y. Approximately half is lost to evapotranspiration and the other half leaves as underflow. The added two to three percent increase in total depletion will not be significant relative to the overall Malad Basin water supply.

REFERENCES

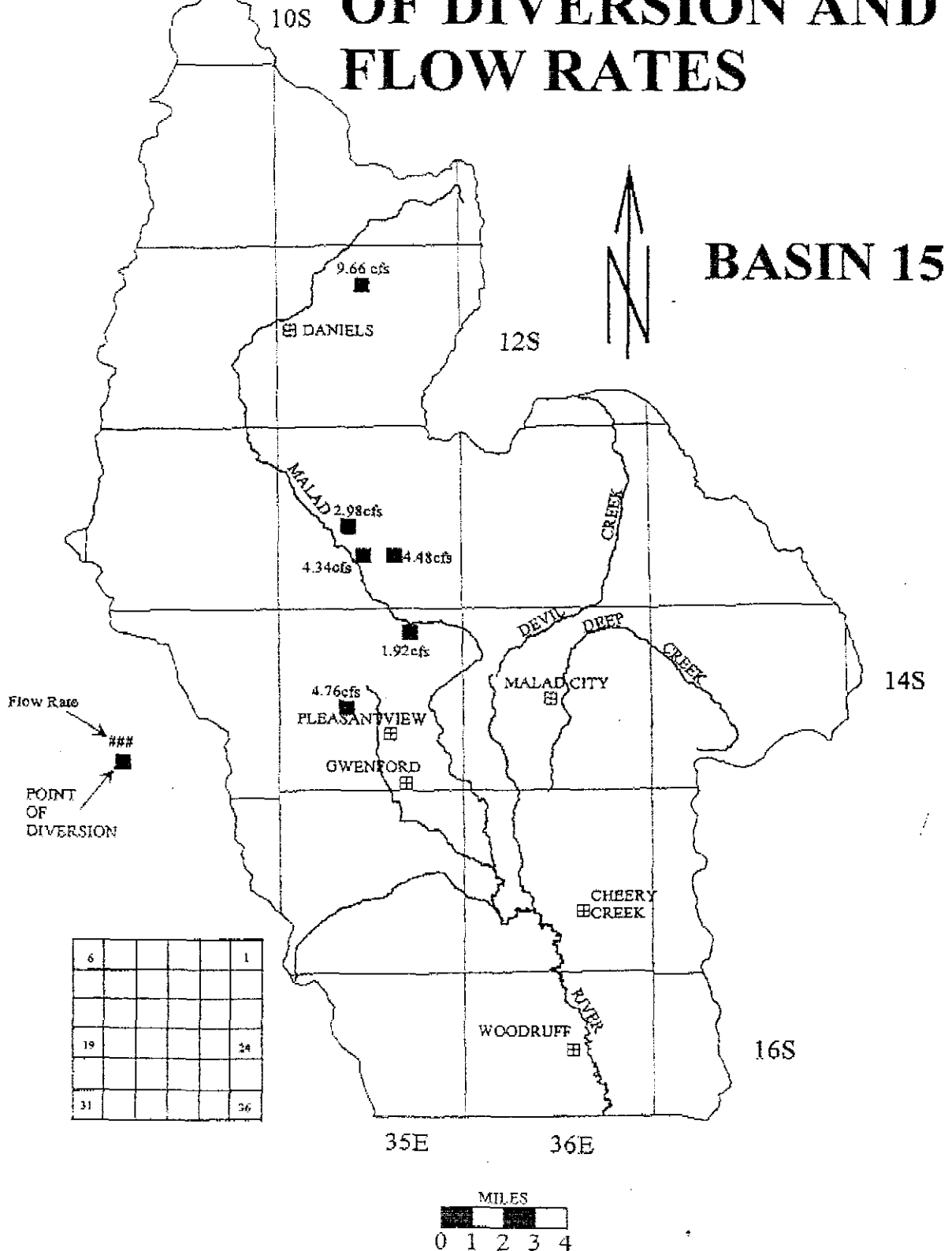
- Burnham, W.L., Harder, A.H., and Dion, N.P. Dion, 1969, Availability of Ground Water for Large Scale Use in the Malad Valley-Bear River Areas of Southeaster Idaho, An Initial Assessment: U.S. Geological Survey Open File Report.
- Hill, H.W., et al. 1989 Duty of Water Under the Bear River Compact: Field Verification of Empirical Methods for Estimating Depletion. Research Report 125. Utah Agricultural Experiment Station, Utah State University, Logan Utah.
- Kramber, W.J., and others, 1993, Idaho's System of Water Use in the Bear River Basin, published in Geo Info Systems , May 1993, p.48.
- Pluhowski, E.J., 1968, Hydrology of the Upper Malad River, Southeastern Idaho: U.S. Geological Survey open file report.

cc Norm Young
Glenn Saxton

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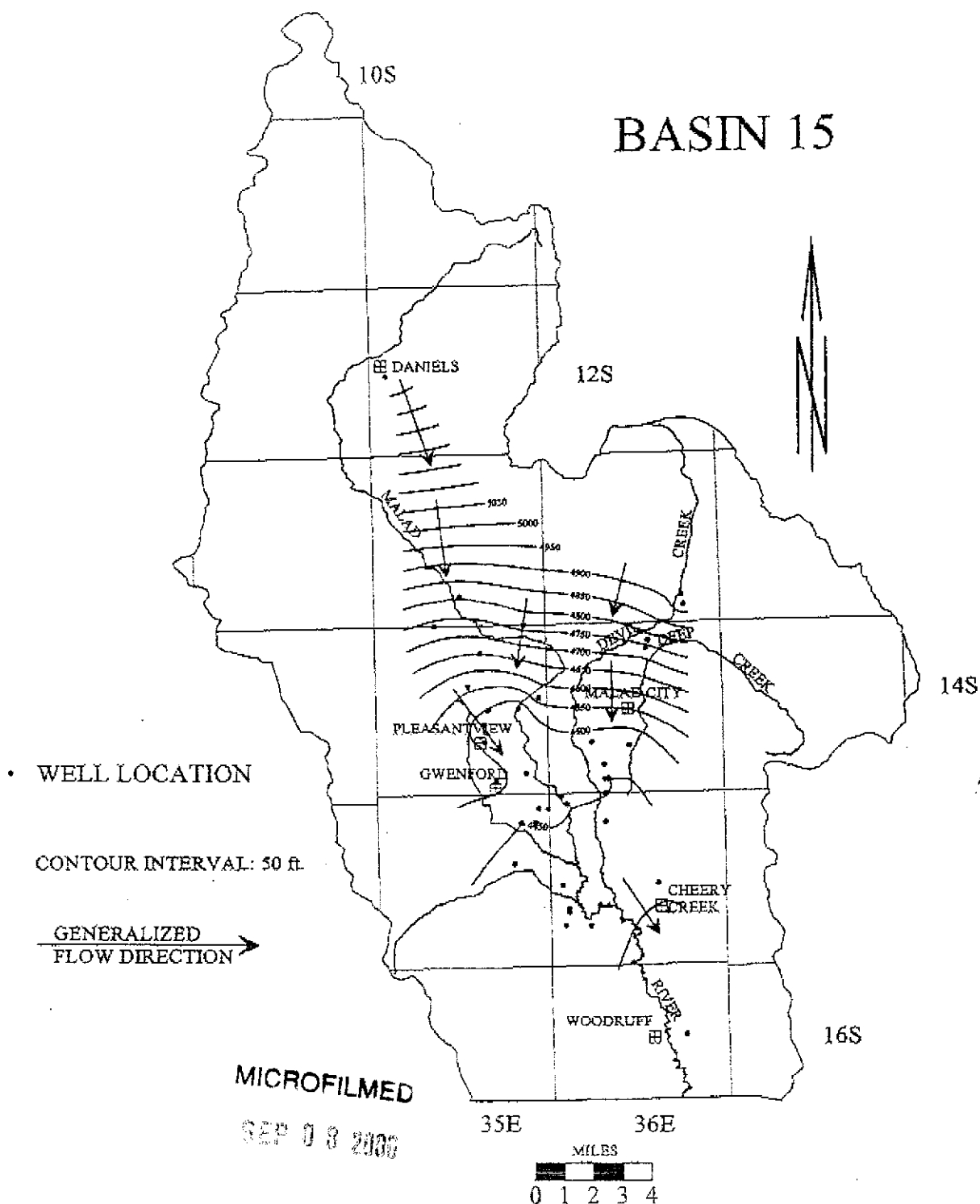
PROPOSED POINTS OF DIVERSION AND FLOW RATES



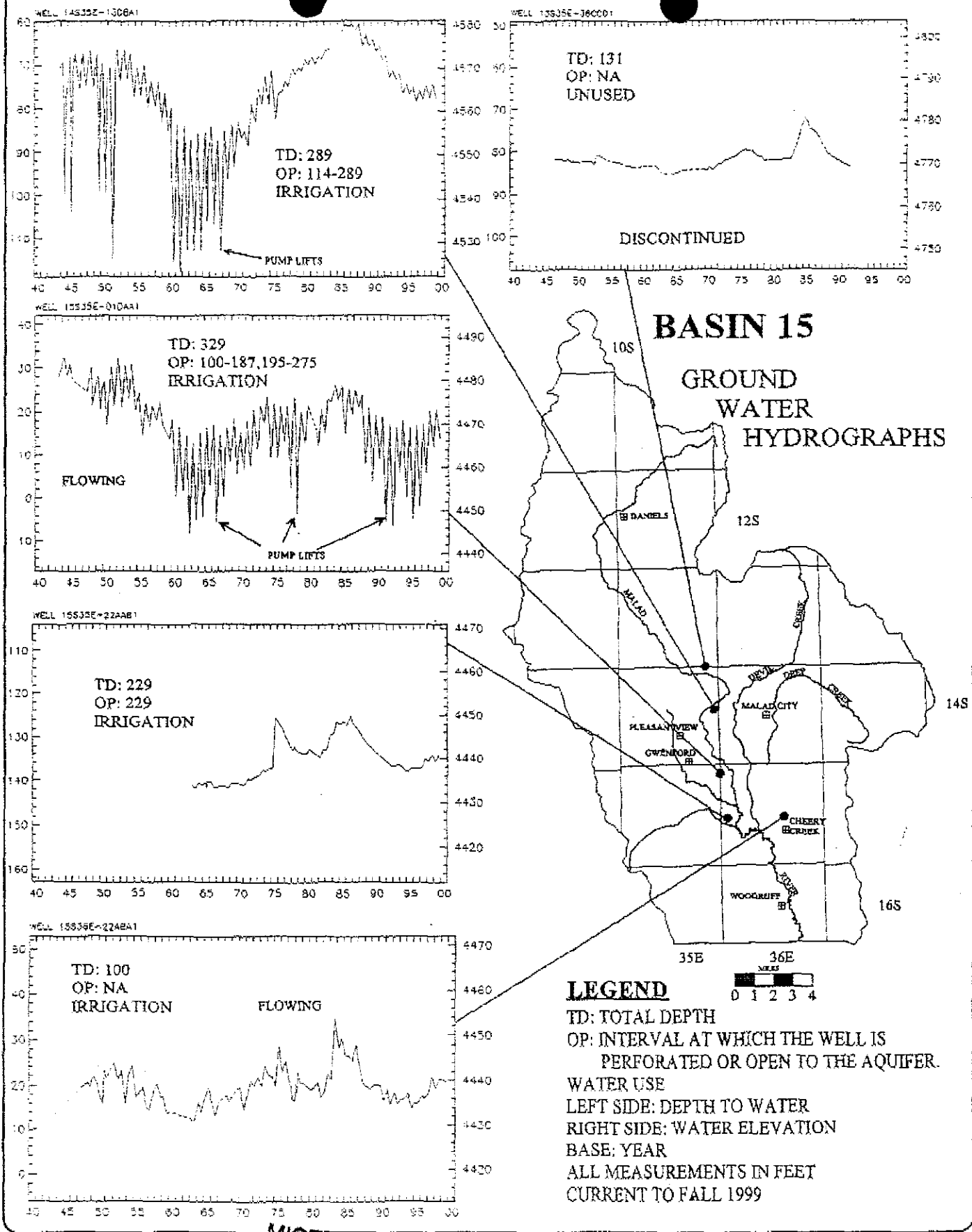
ATTACHMENT #1
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GROUND WATER ELEVATIONS



ATTACHMENT #2



MICROFILMED ATTACHMENT #3
SEP 08 2000

RECEIVED

JUN 3 - 2000

Department of Water Resources

Need Signature

Dist for Staffing
Submitted for advertising 4-19-00

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

Frederickson Co
INITIAL REVIEW BY DM DATE 4-18-2000 APPLICATION NO. 15-07184

REQUIRED INFORMATION:

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map - Map is not accurate
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☒ Yes _____ No* In form to receipt

ADDITIONAL INFORMATION:

- _____ Overlapping place of use (Describe source & relationship to present application on the back)
_____ Overlapping point of diversion
_____ Yes _____ No Critical groundwater area
_____ Yes _____ No Groundwater management area
_____ Yes _____ No Send dam safety information
_____ Yes _____ No Send fish farm requirement letter
_____ Yes _____ No Power residency affidavit
_____ Yes _____ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
_____ Yes _____ No Public Water System
_____ Yes _____ No Planning section review
_____ Yes _____ No Moratorium Hold file
_____ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

_____ Date Requested _____

PROCESSING:

- ☒ Yes _____ No In form for advertising
☒ Yes _____ No Statewide advertising
☒ Yes _____ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- _____ Id Dept of Health & Welfare
_____ Id Dept of Fish & Game
_____ Id Dept of Lands
_____ Adjudication Bureau Unit
_____ U.S. BLM
_____ U.S. Forest Service
_____ Water District
_____ Other _____

FINAL REGIONAL PROCESSING REVIEW:

☒ Yes	☐ No	Affidavit of publication received
☒ Yes	☐ No	Application published correctly. If not, record action taken
☒ Yes	☐ No	Publication dates & paper, recorded on application
☐ Yes	☒ No	Protests received
		Final date for protest _____
☐ Yes	☐ No	Protests, dates, resolution of protest, recorded on application
☐ Yes	☐ No	Recommendations attached
☐ Yes	☐ No	Measuring device required
☐ Yes	☐ No	Access port required
☐ Yes	☐ No	Will water be delivered by watermaster? If yes, what District _____
☐ Yes	☐ No	Special conditions of approval or cover letter below.

Date of priority recommend

4-18-00

By: HWA

Date: 6-5-00

STATE OFFICE REVIEW:

By: _____

Date: _____

ADDITIONAL INFORMATION: _____

LOCAL PUBLIC INTEREST:

Comments received from:

☐ City	☐ Id Fish & Game	☐ Irrigation District
☐ County	☐ Id Health & Welfare	☐ Canal Company
☐ Reservations	☐ Div. Of Environment	☐ Other _____

Project impacts/implications report

COMMENTS

What about

POU IN NENW

21-145-35E?

MAP SHOWS IT AS

PART OF POU

Should P/D BE SENEW

PER APP OR NENEW PER MAP?

2639

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF ONEIDA)

Kristine D. Smith, begin duly sworn, deposes and says:
That she is the publisher of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 27 consecutive weeks in the regular and entire issue of said newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with the issue of 5-4-2000, and ending with the issue of 5-11-2000

Kristine D. Smith

STATE OF IDAHO)
)
COUNTY OF ONEIDA)

On this 1 day of June in the year of 2000
before me, Susan J. Wittman, a Notary Public,
personally appeared Kristine D. Smith, 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 she
executed the same.

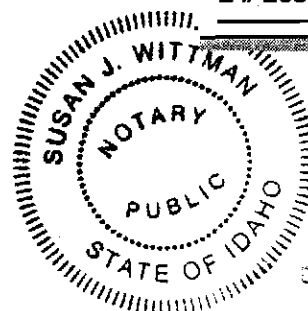
Susan J. Wittman
Notary public for Idaho
Residing at Malad, Idaho
My commission expires: 2-9-2006

15-07184
JOHN F FREDRICKSON CO
C/O LOYD BRIGGS, MGR
PO BOX 5
MALAD CITY, ID 83252
Source: GROUNDWATER
Diversion Pt: SENENW Sec 21 T
14S R 35E in ONEIDA County.
Use: IRRIGATION (4.760 CFS)
Total Diversion: (4.760 CFS)
Date Filed: 4/17/2000
In: ONEIDA County
T14S R35E S21 NENE NWNE
NWNW SWNW SENW NESW
NWSW
S22 NWNW
238.0 ACRES TOTAL

15-07185
JOHN F FREDRICKSON CO
C/O LOYD BRIGGS, MGR
PO BOX 5
MALAD CITY, ID 83252
Source: GROUNDWATER
Diversion Pt: SENWNE Sec 27 T
13S R 35E in ONEIDA County.
Use: IRRIGATION (4.480 CFS)
Total Diversion: (4.480 CFS)
Date Filed: 4/17/2000
In: ONEIDA County
T13S R35E S27 NENW
NWNW SWNW SENW
NESW NWSW SWSW SESW
S28 NENE SENE
224.0 ACRES TOTAL

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls Id 83402, together with a protest fee of \$25.00 on or before MAY 22, 2000. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Published: 5/4/2000 & 5/11/2000
L # 2639 5/4-5/11/2000-2T



RECEIVED
JUN 05 2000

Department of Water Resources
Eastern Region

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

April 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN F FREDRICKSON CO
C/O LOYD BRIGGS, MGR
PO BOX 5
MALAD CITY ID 83252

RE: Applications for Permit #15-07180, 15-07181, 15-07182, 15-07183, 15-07184 and 15-07185

Dear Applicant:

This office is currently in the process of advertising the applications in the Idaho Enterprise on May 4 and 11, 2000. The advertisement will be published once a week 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

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SEP 08 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 25, 2000

Legal Notices Department
THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

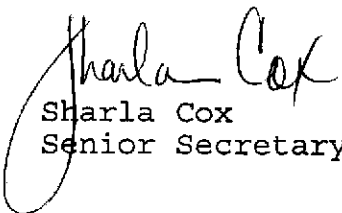
Dear Legal Dept.:

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 22, 2000.

Yours truly,


Sharla Cox
Senior Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

15-07184

JOHN F FREDRICKSON CO
C/O LOYD BRIGGS, MGR
PO BOX 5
MALAD CITY, ID 83252

Source: GROUNDWATER

Diversion Pt: SENENW Sec 21 T 14S R 35E in ONEIDA County.

Use: IRRIGATION (4.760 CFS)
Total Diversion: (4.760 CFS)

Date Filed: 4/17/2000

In: ONEIDA County				
T14S R35E S21	NENE	NWNE	NWNW	SWNW
	SENE	NESW	NWSW	
S22	NWNW			

238.0 ACRES TOTAL

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before MAY 22, 2000. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 5/ 4/2000 & 5/11/2000

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