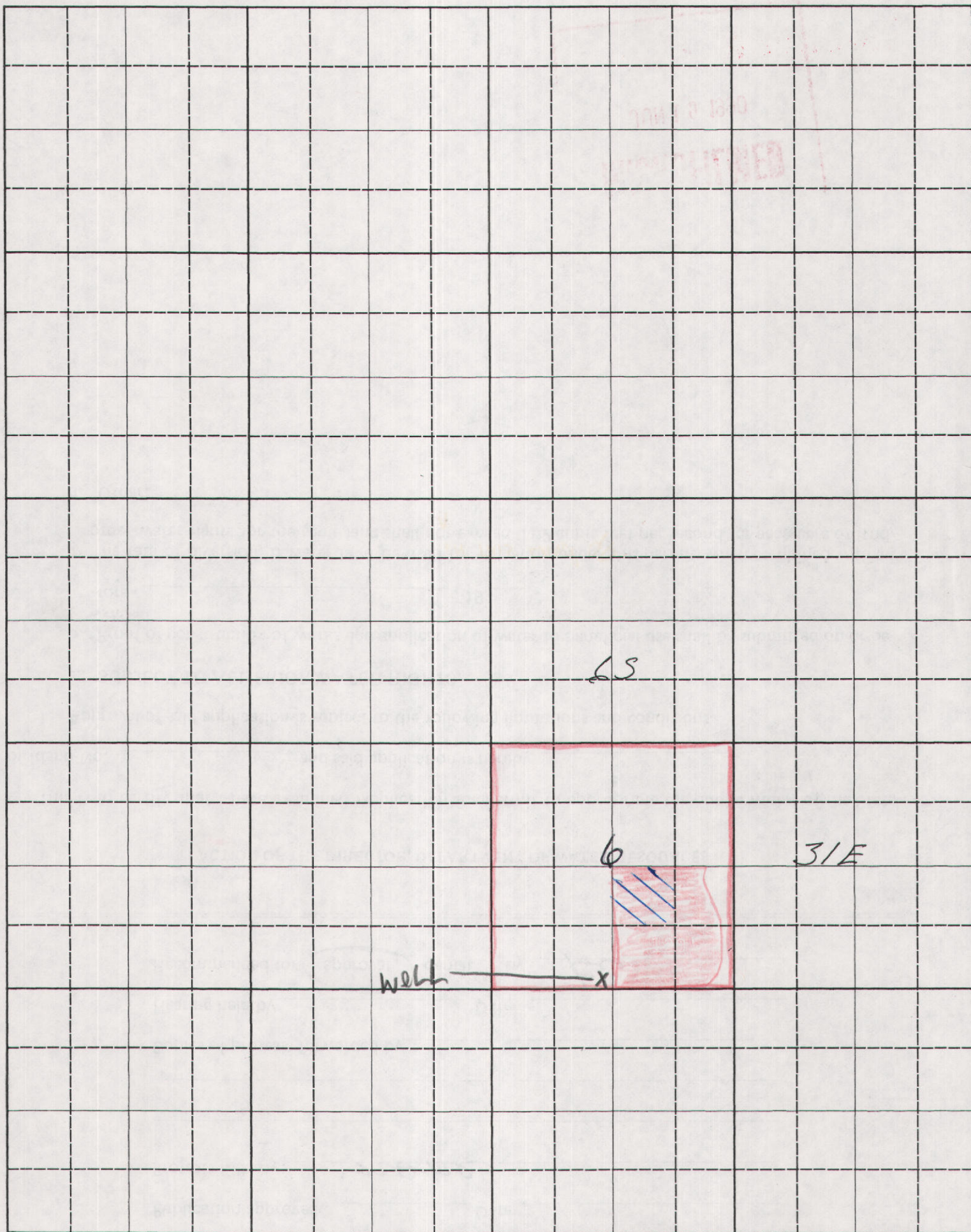


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

JUN 19 1990

Judith A. Dvorak
(Applicant)

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	35 8805	JUDITH A DVORAK,	GROUND WATER	06S31E6													25		40	30	95
Rec	35 2236	JUDITH A DVORAK,	GROUND WATER	06S31E6									40	37	37	40		40			194
Rec	35 7619B	KENNETH HORSCH, DWIGHT HORSCH,	GROUND WATER	06S31E6							6			17							23
Right	35 2236	CLARA A NOWELS,	GROUND WATER	06S31E6									40	40	34	40		40			194
Right	35 2370	JOHN L TOEVS, F L WENGER,	GROUND WATER	06S31E6	14																14
Right	35 8805	JUDITH A DVORAK,	GROUND WATER	06S31E6													10		39	19	68
Right	1 297	ABERDEEN SPRINGFIELD CANAL CO,	SNAKE RIVER	06S31E6																	0
Right	35 2004	GEORGE W PARSONS,		06S31E6																20	20



T2423
4217 X

LOT 1

6

3
5.9

LOT 6

Fairview Rd.

2909W

MAINLINE

POINT OF DIVERSION

LOT 7

ANDEL

19

TEL

4
8.0

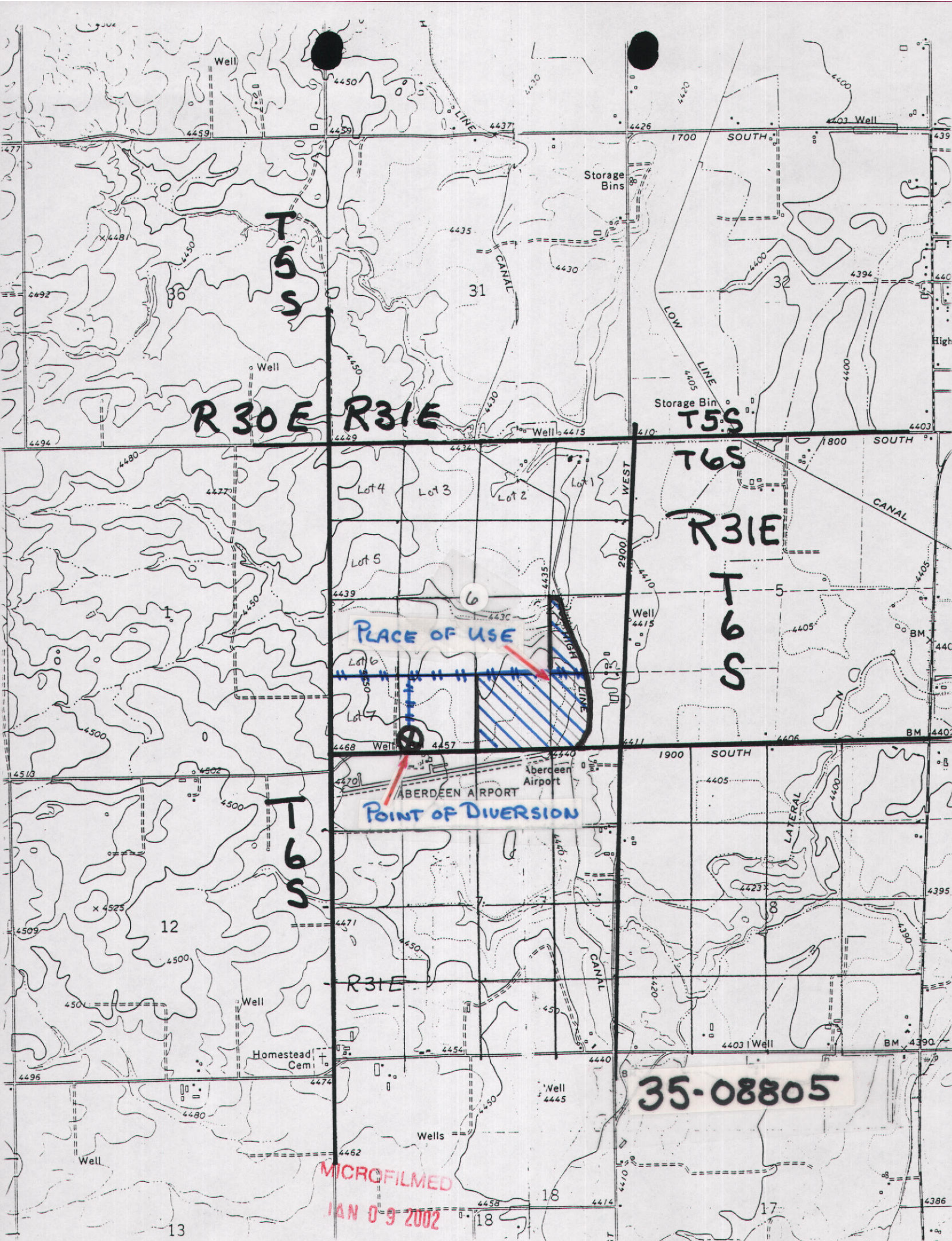
INELT 23618 X7
3826

35-08805

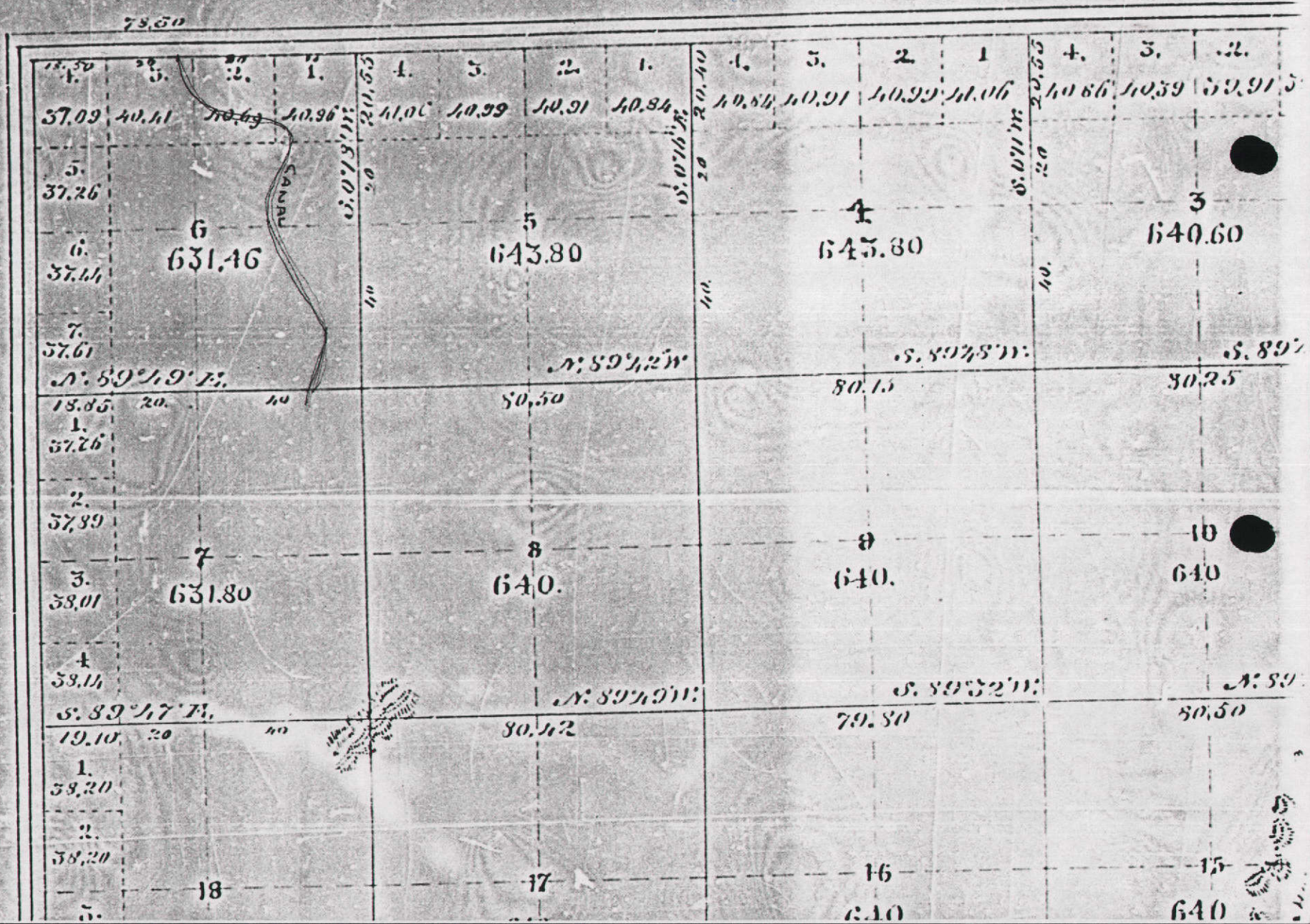
MAY 02 2002
3.7

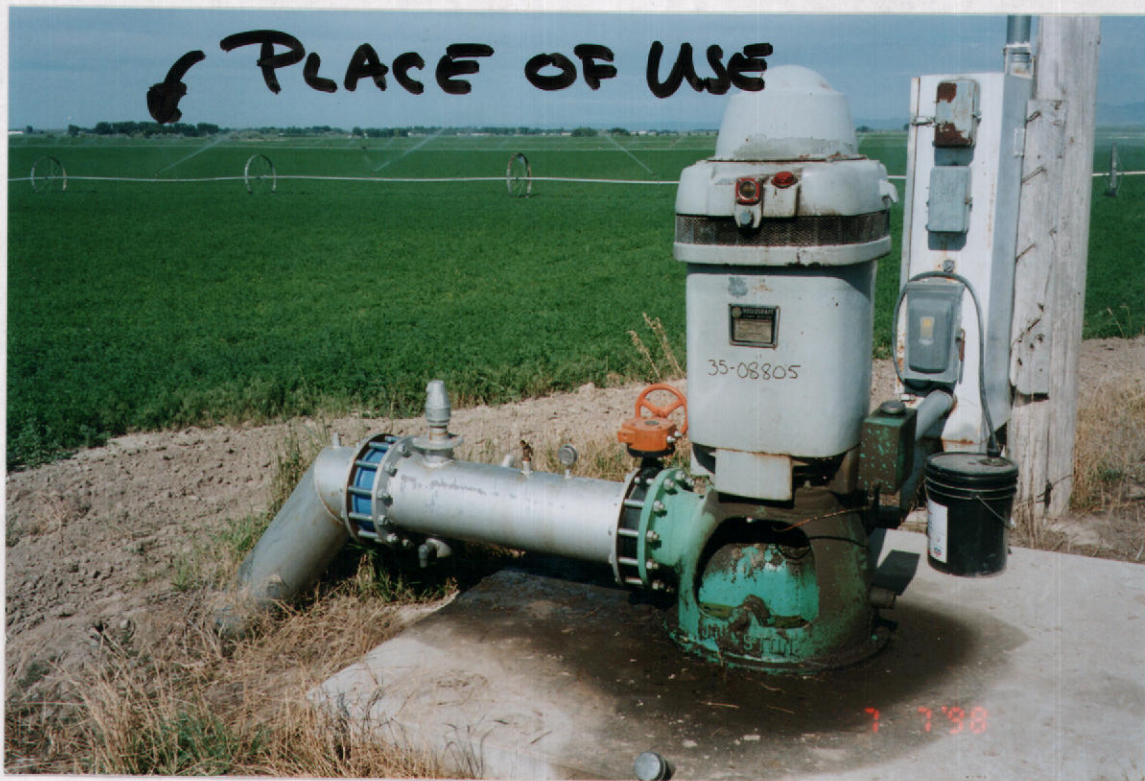
Aberdeen Airport

T25616 X
3826



FILE T-55





POINT OF DIVERSION

35-08805

MICROFILMED
JAN 09 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08805

Priority: June 30, 1989

Maximum Diversion Rate: 1.36 CFS
Maximum Diversion Volume: 272.0 AF

It is hereby certified that JUDITH A DVORAK
1876 S 2900 W
ABERDEEN ID 83210 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 30, 1989; and has
submitted Proof of Beneficial Use on May 6, 1992. An examination indicates that the works have a
diversion capacity of 4.94 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	1.36 CFS	272.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6, Twp 06S, Rge 31E, B.M. BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 31E 6													10.0		39.0	19.0	68.0

Total Acres: 68

CONDITIONS OF APPROVAL

1. Right 35-02236 is also diverted through the point of diversion described above.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 4TH day of JANUARY, 2002.

MICROFILMED
JAN 09 2002

Acting for


KARL J. DREHER
Director

RECEIVED

MAY 06 1992

OFFICE USE ONLY

Amt. of Fee \$ 125.00
Date 5-6-92
Receipt No. 0024050
Receipt by WRSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources**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. 35 8885 Telephone No. 208-397-4268
2. Name(s) of Permit Holder(s): Judith A. Dvorak
3. Mailing Address: 1876 So. 2900 W. Aberdeen, Idaho 83210
4. Source of Water: groundwater 6 S 31E sec. 6.
- If **GROUNDWATER**, Well Driller's Name: Prior to 7-1-87 Date Drilled: -

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation X 95 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted,
- 1.90
- cfs OR _____ acre/feet

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

Measuring device: Required? _____ Yes X No Installed? _____ Yes _____ NoOR
Flow Measurement Port: Required? _____ Yes X No Installed? _____ Yes _____ No

8. Fee Enclosed: \$
- 125.00
- (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.

Name Charles Klassen or Wallace Klassen Telephone No. 397-4527
397-4871
Address 1928 S. 2900 W. Aberdeen, Idaho

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.

MICROFILMED

MAY 15 1992

5-4-92
DateJudith A. Dvorak
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08805

Proposed Priority: June 30, 1989 Maximum Diversion Rate: 1.90 CFS

This is to certify, that JUDITH A. DVORAK
1876 S. 2900 W.
ABERDEEN, ID 83210

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	1.90 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SESW Sec. 6, Township 06S, Range 31E
BINGHAM 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>
06S	31E	6	NESE 25	SWSE 40	SESE 30	95

Total number of acres irrigated: 95

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1992.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. 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.
8. The maximum rate of diversion for irrigation purposes under this permit shall not exceed 1.9 cfs.

MICROFILMED

JUL 15 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08805

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

7 day of June, 1990.

for J. Glen Saylor
R. Keith Higginson, Director



MICROFILMED

JUN 19 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Judith A. Dvorak Phone 397-4268
Post office address 1876 South 2900 West, Aberdeen, Idaho 83210

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 6 Township 6 South
Range 31E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.9 cfs 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: *kw 3/20/90

a. 1.9 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well, pump, motor, panel

b. Height of storage dam n/a feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 120' feet.

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 — maximum 5 years).

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: _____ horsepower 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

JUN 19 1990

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	
6S	31E	6													25	0	40	30	95

Total number of acres to be irrigated 95

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

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

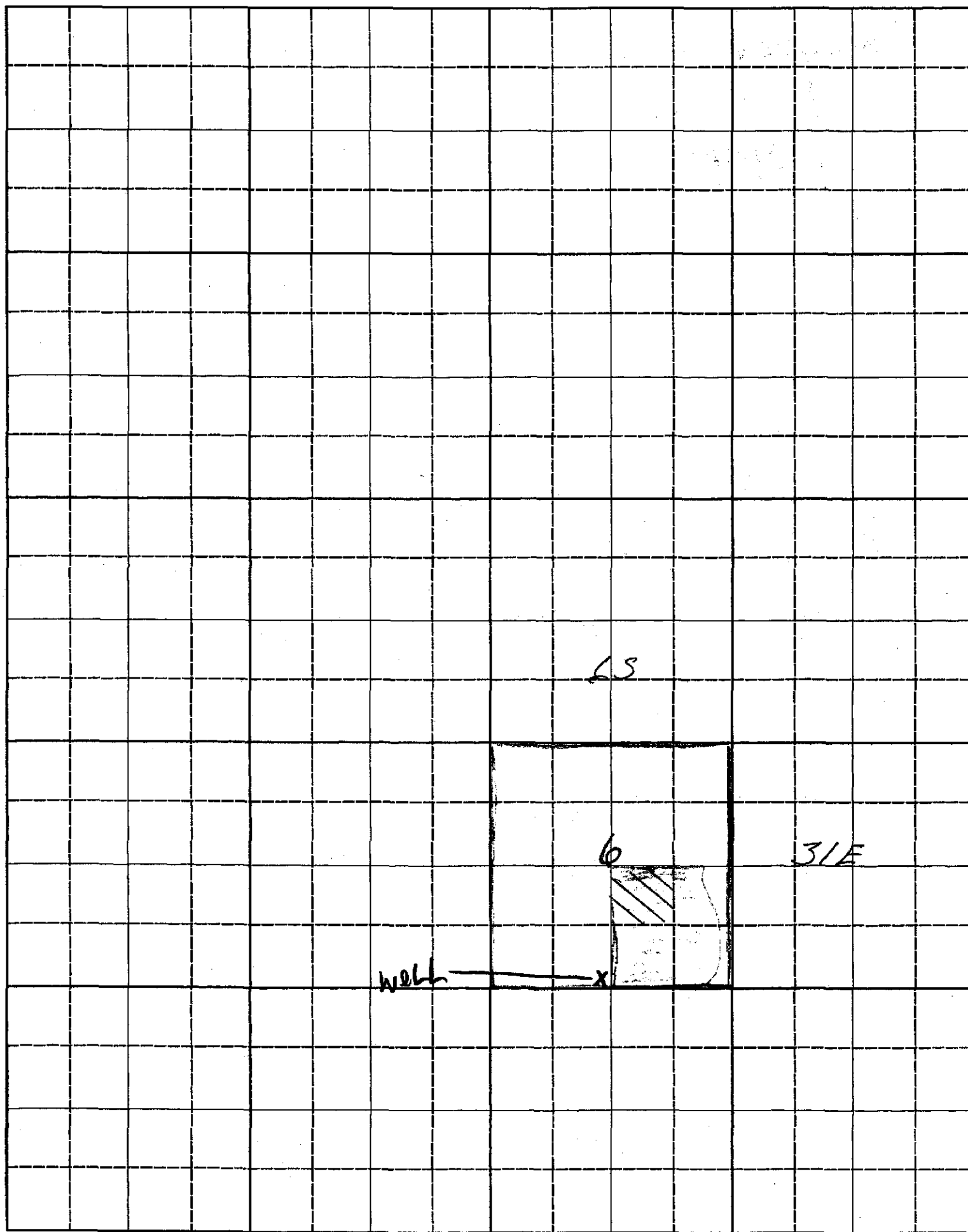
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks This filing is to secure a water right for lands to
which shares of water in the Aberdeen Springfield Canal Co.

are held but no longer used. ON THIS LAND It is intended that the canal water
will be supplemental to this right.

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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.

MICROFILMED

JUN 19 1990

Judith A. Dvorak
(Applicant)

Received by OW Date 6-30-89 Time 1:10 P.
OW 6-02-89 11:30
Preliminary check by SMD Fee \$ 65⁰⁰
Receipted by RB Date 6-30-89 E002355
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by KW

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. Other:

MICROFILMED

JUN 19 1990

DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.
Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

27-07485

JOHNSTON, James S.
P.O. Box 698
Blackfoot, Id. 83221
Source: GROUNDWATER
Diverson Pt: NENWNE, Sec. 35, T. 02S,
35E.
Use: IRRIGATION (.800 CFS)
DOMESTIC (.350 CFS)
Total Diverson: (1.000 CFS).
Date Filed: 8/2/1989.
In: T02S, R35E, S35, NENE, NWNW
SWNE.
40.0 ACRES TOTAL.

27-07486

MALM, Wallace E.
MALM, Barbara
349 N. 100 E.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diverson Pt: SWNE, Sec. 19, T. 02S, R.
36E.
Use: IRRIGATION (1.940 CFS).
Total Diverson: (1.940 CFS).
Date Filed: 10/4/1989.
In: T02S, R36E, S19, SWNE, SENE,
NESW, NESE, NWSE.
97.0 ACRES TOTAL.

35-08154

LEBRECHT, Wulf
Sterling, Id. 83279
Source: GROUNDWATER
Diverson Pt: NESW, Sec. 27, T. 03S, R.
31E.
Use: IRRIGATION (3.200 CFS).
Total Diverson: (3.200 CFS).
Date Filed: 6/13/1983.
In: T03S, R31E, S27, NESW, SESW,
NWSE, SWSE.
160.0 ACRES TOTAL.

35-08160

YANCEY, Brice Orley
1264 S. 2700 W.
Aberdeen, Id. 83210
Source: GROUNDWATER
Diverson Pt: NESE, Sec. 4, T. 05S, R. 31E.
Use: IRRIGATION (1.700 CFS).
Total Diverson: (1.700 CFS).
Date Filed: 6/14/1983.
In: T05S, R31E, S04, SWNE, SENE,
SWNW, SENW, NESW, NESE, NWSE.
280.0 ACRES TOTAL.

35-08225

HAROLDSEN, James
79 N. 2200 W.
Pingree, Id. 83262
Source: GROUNDWATER
Diverson Pt: NWNW, Sec. 33, T. 02S, R.
32E.
Use: IRRIGATION (1.700 CFS).
Total Diverson: (1.700 CFS).
Date Filed: 11/7/1983.
In: T02S, R32E, S33, NENW, NWNW,
SWNW, SENW.
160.0 ACRES TOTAL.

35-08790
MARTIN, Wayne J.
P.O. Box 149
Moreland, Id. 83256
Source: GROUNDWATER
Diverson Pt: NENE, Sec. 4, T. 02S, R. 34E.
Use: IRRIGATION (1.400 CFS).
Total Diverson: (1.400 CFS).
Date Filed: 5/26/1989.
In: T02S, R34E, S04, NENE, SENE, NESE,
SESE.
70.0 ACRES TOTAL.

35-08791

NEUMAN, Estate of John
NEUMAN, Sam
2033 S. 2900 W.
Aberdeen, Id. 83210
Source: GROUNDWATER
Diverson Pt: NWNW, Sec. 17, T. 06S, R.
31E.
Use: IRRIGATION (1.600 CFS).
Total Diverson: (1.600 CFS).
Date Filed: 6/2/1989.
In: T06S, R31E, S17, NWSW, SWSW.
80.0 ACRES TOTAL.

35-08797

GIBBS, Marjorie M.
P.O. Box 127
Springfield, Id. 83277
Source: GROUNDWATER
Diverson Pt: SWSWNW, Sec. 12, T. 04S,
R. 32E.
Use: IRRIGATION (2.400 CFS).
Total Diverson: (2.400 CFS).
Date Filed: 6/19/1989.
In: T04S, R32E, S11, NENE, SENE, S12,
NWNW, SWNW, NESW, NWSW.
120.0 ACRES TOTAL.

35-08799

BRENT STOLWORTHY FAMILY
LTD. PARTNERSHIP
3669 S. Holmes
Idaho Falls, Id. 83404
Source: GROUNDWATER
Diverson Pt: SENWNW, Sec. 23, T. 01N,
R. 36E.
Use: IRRIGATION (2.640 CFS).
Total Diverson: (2.640 CFS).
Date Filed: 6/9/1989.
In: T01N, R36E, S23, NENW, NWNW,
SWNW, SENW.
132.0 ACRES TOTAL.

35-08800

BRENT STOLWORTHY FAMILY
LTD. PARTNERSHIP
3669 S. Holmes
Idaho Falls, Id. 83404
Source: GROUNDWATER
Diverson Pt: SENWSW, Sec. 14, T. 01N,
R. 36E.
Use: IRRIGATION (3.000 CFS).
Total Diverson: (3.000 CFS).
Date Filed: 6/9/1989.
In: T01N, R36E, S15, NESW, NWSW, SWSW, SESW, S15 NESE,
SESE.
168.0 ACRES TOTAL.

35-08801

WILLIAMS, J. Stanley
WILLIAMS, Nancy
1286 W. 200 S.
Pingree, Id. 83262
Source: GROUNDWATER
Diverson Pt: NESWSE, Sec. 16, T. 03S, R.
34E.
Use: IRRIGATION (.780 CFS).
Total Diverson: (.780 CFS).
Date Filed: 8/19/1989.
In: T03S, R34E, S16, NWSE, SWSE.
39.0 ACRES TOTAL.

RECEIVED
APR 27 1990

Department of Water Resources

RECEIVED

MAY - 2 1990

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Ted Townsend do
solemnly

swear that I am the Publisher of
The Morning 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: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks

the first publication having been made on the

5th day of April, 1990;

and the last publication having been made on the
12th day of April, 1990;
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.

On this 23rd day of April, in
the year 1990, before me a Notary Public of said State,
personally appeared

Ted Townsend
known or identified to me to be the person whose
name is 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 ex-
ecuted the same.

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee..... \$5.00

35-0884

WEBB, Jr., Edward M.
134 S. 1900 W.
Pingree, Id. 83262
Source: GROUNDWATER
Diversión Pt: NESE, Sec. 10, T. 03S, R.
32E.
Use: IRRIGATION (1.240 CFS).
Total Diversión: (1.240 CFS).
Date Filed: 7/3/1989.
In: T03S, R32E, S10, SWNE, SENE, NESE,
NWSE, SWSE, SESE.
200.0 ACRES TOTAL.

35-08841

TURPIN, Donald Bruce
907 W. 275 S.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: SESE, Sec. 16, T. 03S, R.
34E.
Use: IRRIGATION (.460 CFS).
Total Diversión: (.460 CFS).
Date Filed: 7/24/1989.
In: T03S, R34E, S16, SESE.
23.0 ACRES TOTAL.

35-08842

JOHNSON, L. Dean
619 W. Highway 26
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: NENWNE, Sec. 25, T. 02S, R.
34E. NWNWNE, Sec. 25, T. 02S, R. 34E.
Use: IRRIGATION (.200 CFS).
COMMERCIAL (.340 CFS).
Total Diversión: (.540 CFS).
Date Filed: 5/26/1989.
In: T02S, R34E, S25, NWNNE.

10.0 ACRES TOTAL.

35-08845

CIRCLE H. FARM
c/o Ralph Henderson
5118 Whitaker
Chubbuck, Id. 83202
Source: GROUNDWATER
Diversión Pt: SESE, Sec. 11, T. 04S, R.
33E.
Use: IRRIGATION (1.040 CFS).
Total Diversión: (1.040 CFS).
Date Filed: 9/6/1989.
In: T04S, R33E, S11, NESE, SWSE, SESE.
52.0 ACRES TOTAL.

35-08869

BURKMAN, Doug
285 W. 450 N.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: SENW, Sec. 10, T. 02S, R.
35E.
Use: IRRIGATION (.140 CFS).
Total Diversión: (.140 CFS).
Date Filed: 12/12/1989.
In: T02S, R35E, S10, NENW.
7.0 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 APRIL 23, 1990.

R. KEITH HIGGINSON
Director

(745)
Pub.: 4/5, 12

35-08801

VANORDEN, Larry E.
VANORDEN, Paula T.
1054 W. 125 S.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: LOT 2 (NWNENW), Sec. 20,
T. 03S, R. 34E.
Use: IRRIGATION (.600 CFS).
Total Diversión: (.600 CFS).
Date Filed: 6/20/1989.
In: T03S, R34E, S20, Lot 8 (NWNE), Lot 9,
(SWNE).
30.0 ACRES TOTAL.

35-08805

DVORAK, Judith A.
1878 S. 2900 W.
Aberdeen, Id. 83210
Source: GROUNDWATER
Diversión Pt: SESW, Sec. 10, T. 00S, R.
31E.

Use: IRRIGATION (1.900 CFS).
Total Diversión: (1.900 CFS).
Date Filed: 6/30/1989.
In: T06S, R31E, S02, NESE, SWSE, SESE.
95.0 ACRES TOTAL.

35-08834

WEBB, Jr., Edward M.
134 S. 1900 W.
Pingree, Id. 83262
Source: GROUNDWATER
Diversión Pt: NENE, Sec. 10, T. 03S, R.
32E.
Use: IRRIGATION (1.500 CFS).
Total Diversión: (1.500 CFS).
Date Filed: 7/3/1989.
In: T03S, R32E, S10, NENE, NWNE,
SWNE, SENE, S11, NWNW, SWNW.
180.0 ACRES TOTAL.

35-08837

BARTAUŠKY, Ed
1037 W. 200 N.
Blackfoot, Id. 83221
Source: GROUNDWATER
Diversión Pt: SWNE, Sec. 29, T. 02S, R. 34E.
Use: IRRIGATION (1.600 CFS).
Total Diversión: (1.600 CFS).
Date Filed: 7/3/1989.
In: T02S, R34E, S29, NWNE, SWNE.
80.0 ACRES TOTAL.

35-08838

PIEPER, George G.
P.O. Box 1174
Pocatello, Id. 83201
Source: GROUNDWATER
Diversión Pt: SWSWNW, Sec. 11, T. 03S,
R. 33E.
Use: IRRIGATION (1.300 CFS).
Total Diversión: (1.300 CFS).
Date Filed: 7/3/1989.
In: T03S, R33E, S10, SENE, NESE, S11,
SWNW, NWSW, SWSW.
188.0 ACRES TOTAL.

35-08839

WEBB, Jr., Edward M.
134 S. 1900 W.
Pingree, Id. 83262
Source: GROUNDWATER
Diversión Pt: SENE, Sec. 11, T. 03S, R.
32E.
Use: IRRIGATION (.680 CFS).
Total Diversión: (.680 CFS).
Date Filed: 7/3/1989.
In: T03S, R32E, S11, NENE, NWNE,
SWNE, SENE, NENW, SENW.
238.0 ACRES TOTAL.

JUN 18 1990

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 7, 2002

JUDITH A DVORAK
1876 S 2900 W
ABERDEEN ID 83210

RE: License No. 35-8805 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

JAN 09 2002

CERTIFICATE OF MAILING

I hereby certify that on January 7, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8805

**JUDITH A DVORAK
1876 S 2900 W
ABERDEEN ID 83210**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
JAN 09 2002**

**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).

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.

LICENSE REVIEW CHECKLIST

Permit No. 35-8805

Date: 12-28-2001

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1.9 cfs
Fee Limit 2.0 cfs
Measured 4.94 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 1.36

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 1.36 cfs 272 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
Total 1.36 cfs 272 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

1.36 cfs x 1.9835 x 214 days = 577.3 af (vs) 18 acres x 4.0 (FHR) = 272 af
3.0(con)

Remarks: 048, W36, R64, 050

Additional Conditions

Watermaster Control _____
GW Measurement/Measuring Device _____
Other _____
Trust R55 - remove 051 _____
Non-trust (048) _____

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? _____ yes _____ no If yes, explain why below.

SRBA Claim?

NO - not req'd

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

canal water not used on this property per Judith Droeak 1/2/2002 KW

no capacity limit needed

P/D on W/35-2236

Aberdeen-Springfield Canal (per Archie)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-2236 V1

WATER RIGHT NUMBER: 35-2236 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUDITH A DVORAK 1876 S 2900 W ABERDEEN, ID 83210 (208)397-4268

Priority Date: 08/04/1952

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to	10/31	2.900 CFS	776.00 AF
	<u>Total Diversion:</u>		2.900 CFS	776.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4	Sec. 6,	Twp 06S,	Rge 31E, B.M.
BINGHAM County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
06S	31E	6									40.0	37.0	37.0	40.0					40.0	194.0
											L 6	L 7								

Total Acres: 194

Conditions of Approval:

- C12 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:
WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
- E02 USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN SPRINGFIELD CANAL CO.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 35-2236 V1

Comments:

1. AJU10-EC 11/19/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 3502236
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned: SARA C DENISTON
Date Filed: 6/2/1999 Objection Status: Active
Date Filed: 6/2/1999 Objection Status: Active
Date Filed: 11/30/2001 Objection Status: Active

MAR 22 1999

Department of Water Resources
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Permit No. 35-08805

1. Owner: Judith A Dvorak

Phone No. ⁽²⁰⁸⁾ 397-4268

Current Address: 1876 S 2900 W Aberdeen Id 83210

2. Accompanied by: Charles & Kevin Klassen

EXAM. DATE: 7-7-1998

Address: 1948 S 2900 W, Aberdeen Id 83210

Phone No. ⁽²⁰⁸⁾ 397-4524

Relationship to Permit Holder: Leasor

221-4524

3. Source: GROUNDWATER tributary to

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE

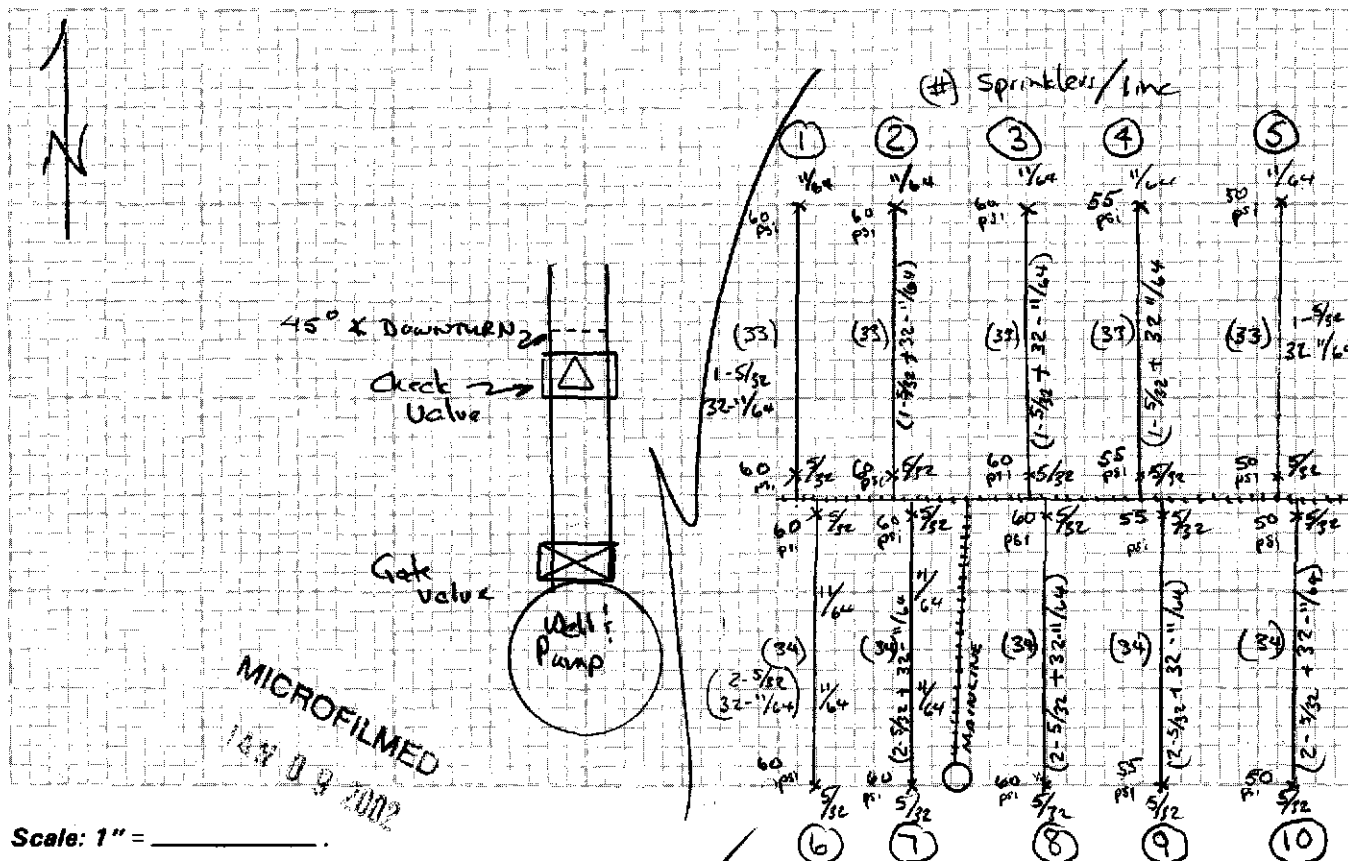
☐ Copies Attached

2. Other water rights with same point of diversion: 35-02236

☐ **Copies Attached**☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

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

System Description (continued)

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

Well pump mainline to 10 wheel lines

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S. Motors	200	C1516-01-4454 84-10915	Johnston	10.74" od

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

- 5. Point(s) of Diversion:**

[illegible]

- 6. Place(s) of Use:**

Indicate Method of Determination ON SITE TGA ANAL

[illegible]

Do not use this space
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JAN 05 2002

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Pressure @ Pump 71psi

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = 2218.05 \text{ gpm} = 4.94 \text{ cfs} \quad Q_{\text{LIMITED TO } 0.02 \text{ cfs/ac}} = 68 \times 0.02$$

2. Alternate Method for Checking Purposes:

$$Q = 1.36 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 68 \text{ ac} \times 4 = 272 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.36 (214) 1.9835 = 577.3$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 272 \text{ af}$$

2. Volume Calculations for Other Uses:

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1990 03 2002

[illegible]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	1.36 cfs	272 afa
		Totals:	1.36 cfs	272 afa

☐ 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

Authentication

Field Examiner's Name KEITH C. WILSON

Signature Keith C. Wilson

Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

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

MICROFILMED
JAN 03 2002

Pipe
 Material = CARBON
 OD = 10.745 inches
 WT = 0.158 inches
 ID = 10.429 inches
 Sound Vel. = 10597 FPS
 Roughness = 0 Ft
 Liner
 Material = NONE
 Thickness = 0.000 inches
 Sound Vel. = 0 FPS
 Roughness = 0 Ft
 Fluid
 Type = WATER
 Sound Vel. = 4863 FPS
 Viscosity = 1.13
 Transducer
 Type = S
 Mounting = U
 Flow
 Scale Fact = 0.9700
 Offset = 0.00 GPM
 Damping = 30 secs
 Max Range = 8520.12 GPM
 Min Range = -10.00 GPM
 Cutoff
 Low Flow = 0.00
 Low Signal = 0.00 %
 Flow = 2139.36 GPM
 Vel = 0.04 FPS
 Net 3317 x16Gal
 Pos 3317 x16Gal
 Neg 0 x16Gal
 SigStr = 9.5%
 Cutoff = 0.0%
 Reynolds = 539561
 Factor = 0.947000
 SigStr = 9.5%
 Margin = 106%
 DeltaT = 478.85 ns
 Speed = 4714.44 FPS
 4-20mA = 20.00 mA

35-08805

DCT MEASUREMENT NOT
 USED BECAUSE SIGNAL
 STRENGTH WAS SO LOW

Flow = 2173.30 GPM
 Neg 0 x16Gal
 Flow = 2563.28 GPM
 Neg 0 x16Gal
 SigStr = 8.7%
 Margin = 106%

SigStr = 17.7%
 Margin = 103%
 Flow = 1742.56 GPM
 Neg 0 x16Gal

Flow = 1825.19 GPM
 Neg 0 x16Gal
 SigStr = 16.6%
 Margin = 104%

Flow = 1884.33 GPM
 Neg 0 x16Gal
 SigStr = 18.9%
 Margin = 106%

35-08805

FLOW MEASUREMENT TAPE
35-08805

NOZZLES		50 PSI	55 PSI	60 PSI
	5/32	5.15	5.39	5.65
	11/64	6.19	6.48	6.80

GPM/NOZZLE

	AVG. PRESSURE	# 11/64" NOZZLES	# 5/32" NOZZLES	FLOW
Line ①	60 PSI	32 (6.80)	+ 1 (5.65)	= 223.25
②	60 PSI	32 (6.80)	+ 1 (5.65)	= 223.25
③	60 PSI	32 (6.80)	+ 1 (5.65)	= 223.25
④	55 PSI	32 (6.48)	+ 1 (5.39)	= 212.75
⑤	55 PSI	32 (6.48)	+ 1 (5.39)	= 212.75
⑥	60 PSI	32 (6.80)	+ 2 (5.65)	= 228.84
⑦	60 PSI	32 (6.80)	+ 2 (5.65)	= 228.84
⑧	60 PSI	32 (6.80)	+ 2 (5.65)	= 228.84
⑨	55 PSI	32 (6.48)	+ 2 (5.39)	= 218.14
⑩	55 PSI	32 (6.48)	+ 2 (5.39)	= 218.14

Total flow = 2218.05 gpm

$$Q_{TOTAL} = 4.94 cfs$$

PERMIT # 35-08805

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{dfs} = [(Hp) (8.814) (Eff)] \div [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{200} \\ Eff &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ &\text{Static Water Level} = \underline{86} \text{ ft.} \\ &\text{Assumed Draw down} = + \underline{14} \text{ ft.} \\ &\text{Lift} = \underline{100} \end{aligned}$$

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 65 psi

$$Q_{cfs} = \left[\frac{200}{Hp} \times 8.814 \times \frac{0.70}{Eff} \right] \div \left[\frac{100}{Lift} + \left(\frac{65}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{1233.96} \right] \div \left[\underline{250.02} \right]$$

$$Q_{cfs} = \underline{4.94} \text{ cfs}$$

MICROFILMED
JAN 09 2002

PERMIT NO. _____

1800S

6 T101
42.17

LOT 4

LOT 3

LOT 2

LOT 1

LOT 5

NHAE

74.9

R31E

T6S

6

LOT 6

POINT OF DIVERSION

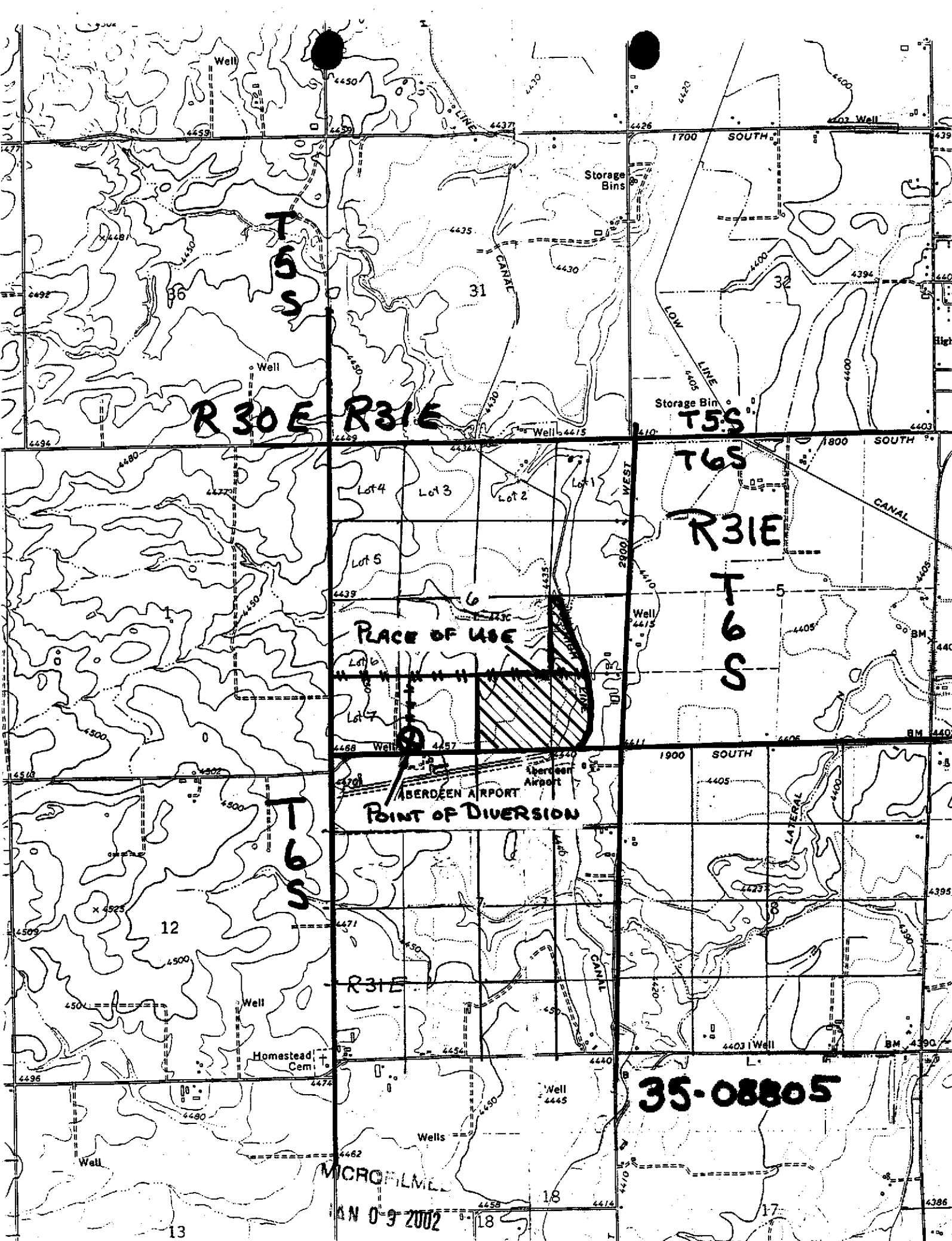
LOT 7

35-08105

MICROFILM

0 3 2002

3 T 3 HE



T5S

R30E R31E

T5S

T6S
R31E

T6S

T6S

PLACE OF USE

POINT OF DIVERSION

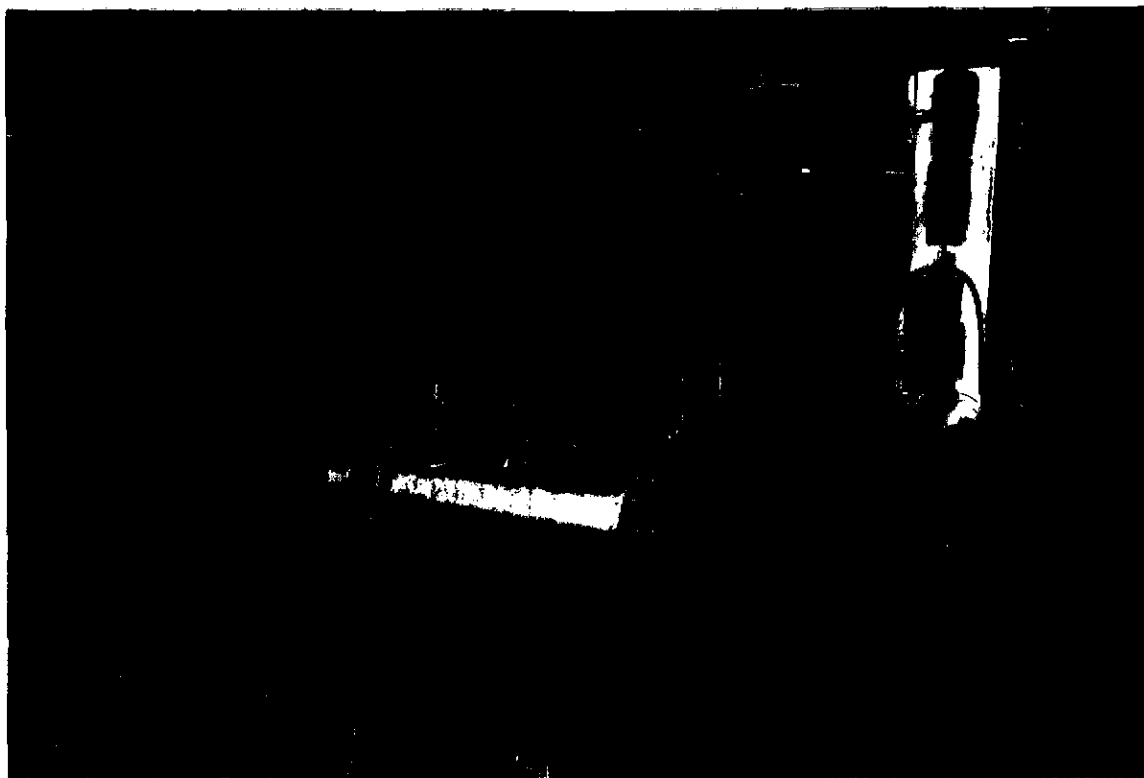
35-08805

MICROFILM

N 0-9-2002

Township 100 South, Range No 31 E

1	2	3	4	5	6	7	8	9	10	11	12
3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40	3761 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40 5720 20.40



POINT OF DIVERSION

MICROFILMED

JAN 09 2002

35-08805

May 11, 1992

JUDITH A. DVORAK
1876 S. 2900 W.
ABERDEEN ID 83210

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08805

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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

MICROFILMED

MAY 15 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08805

Reviewed by Klg Date 5/6/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

irrigate-95
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?
125.40 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
✓ Installed?
✓ Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date ✓

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

Proof Made 5/6/92
5/11/92 Klg

April 30, 1992

JUDITH A. DVORAK
1876 S. 2900 W.
ABERDEEN ID 83210

PROOF DUE NOTICE

RE: PERMIT NO. 35-08805

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 July 1, 1992. (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

CERTIFIED MAIL

NO.

138848

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. P35-08805
Name(s) of Permit Holder(s): Judith A. Dvorak
Post Office Address: 1876 South, 2900 West
Aberdeen Idaho 83210 Tel. No. 392-4268

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on April 1, 1970 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

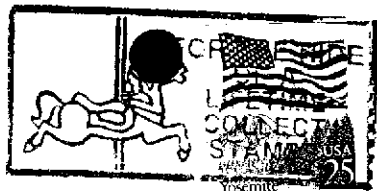
*Note: A financing difficulty is not an acceptable reason.

Date

Signature of Permit Holder

Judith A. Dvorak

Jud, Th DATAK
1896 South, 2800, West
Aberdeen, Idaho 1998 3210



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MAY 15 1992



RECEIVED

JUL 18 1990

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

Department of Water Resources

BOISE, IDAHO 83720



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 7, 1990

JUDITH A. DVORAK
1876 S. 2900 W.
ABERDEEN, ID 83210

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08805

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the

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JUN 19 1990

permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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JUN 19 1990

Form No. 202a
4/87

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

Judith A. Serak
NON-TRUST
thp

INITIAL REVIEW BY Debra Dunn DATE 21 August APPLICATION NUMBER 35 8805

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 subdivisions, 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
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) 35-02004
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ 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 ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ 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 *Flow Task Force Memo*
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. *01-P05*
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended *6-30-1989*
By _____ Date _____

STATE OFFICE REVIEW *P05, P2.3 P17 2648 49 46 28 (irrig. 1.9) cfs*
See below for additional information
By *KW* Date *5-30-90*

ADDITIONAL INFORMATION

There is a 10 acre overlap in the SESE of Section 6, 6S, 31E between 35-02004 and this application
App. in NON-TRUST area-
OK to allow 2 yrs. to develop-

	Remarks
	No Remarks found.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 35-02004

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - - +

+ - - - - Decree Defendant - - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields -

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 07/18/1983
Decree Date - 00/00/0000

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 07/01/1985
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 01
Transfer/Amended -

JUN 19 1990
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

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

MARCH 27, 1990

The Morning News
Box 70
Blackfoot, ID 83221

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 APRIL 23, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

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JUN 19 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-08805

DVORAK, JUDITH A.
1876 S. 2900 W.
ABERDEEN, ID 83210

Source: GROUNDWATER

Diversion Pt: SESW Sec 6 T 06S R 31E

Use: IRRIGATION (1.900 CFS)
Total Diversion: (1.900 CFS)

Date Filed: 6/30/ 1989

In: T06S R31E S06 NESE SWSE SESE

95.0 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 APRIL 23, 1990.

Published 4/ 5/1990 & 4/12/1990

R. Keith Higginson, Director

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JUN 19 1990

Cavaness & Boomer

BEN CAVANESS
HENRY R. (Hank) BOOMER

ATTORNEYS-AT-LAW
P.O. Box 70 — 376 Roosevelt
American Falls, Idaho 83211

Telephone
(208) 226-2562

June 28, 1989

RECEIVED

JUN 30 1989

Department of Water Resources
Eastern District Office

Harold Jones
Appropriation Examiner
Idaho Dept. of Water Resources
150 Shoup
Idaho Falls, ID 83401

Re: Re: Bingham County Claims and Application Amendments

Dear Skip:

Enclosed is the original of the Application of Melvin and/or Roberta Schritter for 330 acres of land which was earlier forwarded to your Dept. and returned to us due to two water licenses with the same priority date being placed on the same claim. Pursuant to our recent discussion, I am enclosing the claim as it was originally submitted with no change, since under the rules, two licenses with the same priority date which join can be combined into one claim.

Also enclosed is a Claim which was earlier filed and reviewed by Dennis Dunn, which applied for more water than was permitted which has been amended down to the allowed amount. Also enclosed is a check for the required filing fee for both the claim and the amended permit.

I am also enclosing the original Claim of Judy Dvorak which was earlier submitted, which had an error in the number of acres actually allowed under the earlier license of six acres to reduce the amount of land by the required six acres to make it coincide with the license and to reduce the cfs down to the statutory allowed amounts as adjusted by the subject license. I have also amended the second filing of Mrs. Dvorak for the Section 1 property in a like manner and have also filled in the total consumptive use section as directed.

Additionally, I am submitting an Application for Mrs. Dvorak for the property that she is now irrigating out of well that was previously irrigated by the Canal Co. and have shown the Canal Co. water to be supplemental to the ground water and have amended the cfs requirement and the completion of works requirement as requested in your letter. The checks are also enclosed in the required amounts for all three of these filings.

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JUN 19 1990

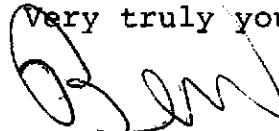
Harold Jones
Page -2-
June 28, 1989

I am also enclosing two Claims for John Duffin to break out the licenses that he has for the same priority dates for two separate claims, since the property is not adjoining and the water systems do not intertie. I am enclosing his original check in the amount of \$450 and an additional check in the amount of \$50 required due to the separation of this into two separate claims.

Please review these filings and if you find the same to be in proper form, place the same with the other filings for Bingham County.

I trust that all of the foregoing has been modified to your satisfaction and if you have any additional problems, please let me know.

Very truly yours,



Ben Cavaness

BC:mh

Encl.

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JUN 19 1990