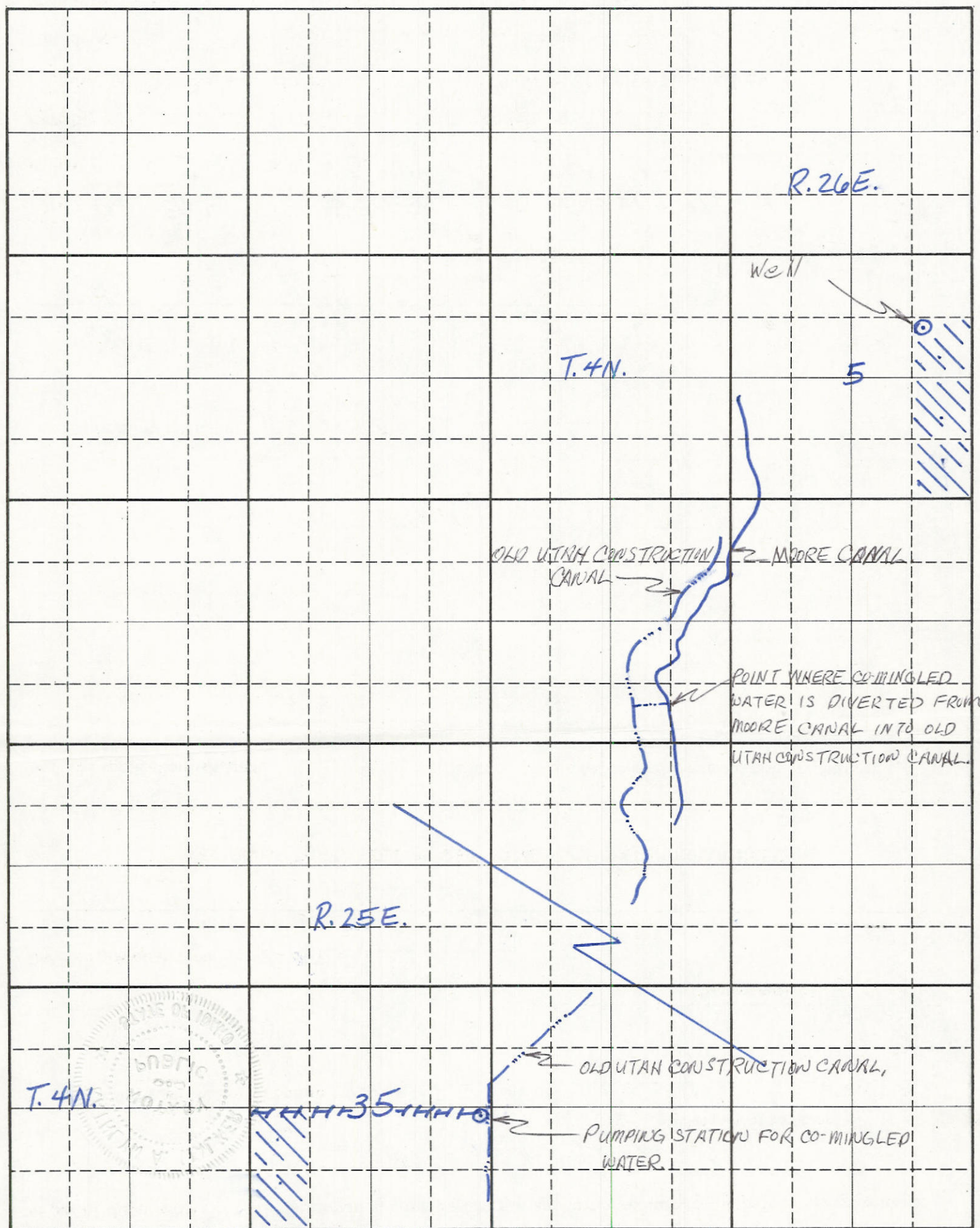


3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PUBLIC NOTICE
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

SORENSEN, MICHAEL D.
 AT 190X 43 MOORE RD 83255
 SOURCE: GROUNDWATER
 Date filed: 05/10/1980
 Amount: 8.34 CFS
 Division Point: SEWE Sec 05 T 4N R 26E BUTTE COUNTY
 Use: IRRIGATION - 18.34 CFS
 from 0401 to 1101
 Place of Use: NEW NW 1/4 SWNW SE 34 SW 35 T 4N R 26E
 25E FOR 200 ACRES
 Division: MEADOWS, WELL 5

RECEIVED
 JUL 7 1980
 Department of Water Resources
 Eastern District Office

*I protest application in 34-7247
 No. 34-2428*

*for the following reasons
 #34-7247. I believe there is too much
 water now being taken from under
 ground. This is affecting the wet meadows
 land in the valley where all the wetlands
 now. The moving water of the lower
 end of the valley that the pumpator
 just was for the lower end so all that
 water is gone.*

*#34-2428 I protest this application
 because this water transfer would
 take more water out of the valley
 I believe when this well was
 drilled it was only to be a
 supplemental source of water for
 land above stated and was for that
 land only and only when the
 record water was available to
 irrigate the lower end of the valley.*

PUBLIC NOTICE
NOTICE OF PROTEST
 CHANGE OF WATER RIGHT
 NO. 34-2428 34-2428
 Notice is hereby given that
 Mitchell Sorenson, Moore, Idaho,
 has applied to the Department of
 Water Resources for a change in
 the place of use of the waters of
 groundwater source. The right
 sought to be changed is evidenced
 by license No. 342428 and is
 recorded as follows:
 AMOUNT: 18.34 CFS
 PRIORITY: June 25, 1961
 POINT OF DIVERSION:
 SEWN SW 34 SW 35 T 4N R 26E
 G.M. Butte Co.
 The water is used to irrigate 192.5
 acres from April 1 to Nov 1 with
 the Sorenson, Moore, Idaho,
 license No. 342428, Sec. 5, T. 4N, R. 26E
 AS FOLLOWS
 The water will be used to irrigate
 192.5 acres within the SEWN
 SW 34 SW 35 T 4N R 26E
 G.M.
 Any protest against approval of
 the above proposed change of water
 right must be filed with the Idaho
 Department of Water Resources
 1515 Lincoln Road, Idaho Falls,
 Idaho, before July 7, 1980
 C. STEPHEN ALLRED
 Director
 Published in the Arco Advertiser
 6/19 & 6/26/80

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

1. Right number 34-2428 Applicant Acor
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☐ Priority ☐ Amount ☐ Purpose ☐ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☐ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) License 34-2426 comes From same PD
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☐ No
If yes, what district? N/A groundwater

copy to
SO 3/13
KW

LDFP
4/6

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

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

RECEIVED
DEC 28 1981

Department of Water Resources

4. By Ernest Carlson Date Dec. 21, 1981

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 34-2428 IN THE NAME)
ORDER TO OF MITCHELL SORENSEN)

CEASE AND DESIST

The Director of the Department of Water Resources (department), being charged with the duties of protecting vested water rights, enforcing specific statutes of the State of Idaho and the rules promulgated by the department, and being authorized to order the cessation of violations or attempted violations of the provisions of the law relating to all aspects of the appropriation and distribution of water, makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Mitchell Sorensen (applicant) has submitted the above captioned application for transfer proposing to change the place of use of the water right for the irrigation of land within the Big Lost River Drainage.
2. The Director of the department has not completed the processing of the application for transfer and has not authorized diversion and use of water as proposed in the application.
3. The applicant has used the water upon the land proposed as the new place of use on the application for transfer.

CONCLUSIONS OF LAW

1. Section 42-351, Idaho Code, provides as follows:

If the director of the department of water resources finds, on the basis of available information, that a person is diverting water from a natural watercourse or from a ground water source without having obtained a valid right to do so or is applying water not in conformance with the conditions of a valid water right, then the director of the department of water resources may file an action seeking injunctive relief or may issue an order directing the person to cease and desist the activity or activities alleged to be in violation of applicable law or of any existing water right.

2. Section 42-108, Idaho Code, provides in part that:

... no person shall be authorized to change the period of use or nature of use, point of diversion or place of use of water unless he has first applied for and received approval of the department of water resources under the provisions of section 42-222, Idaho Code.

3. The unauthorized change in the place of use of the public waters of the state of Idaho must be stopped or mitigated to prevent injury to other water rights.

4. Section 42-352, Idaho Code, provides that:

Any person who wilfully violates any cease and desist order issued under chapter 3, title 42, Idaho Code, after the same has been served on that person shall be subject to a civil penalty to be imposed by the director of the department of water resources not to exceed one hundred dollars (\$100) per diversion for each calendar day or any part of a calendar day following service of the cease and desist order in which the illegal diversion or use of water occurs.

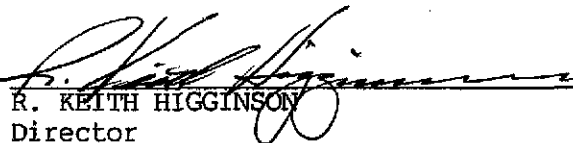
5. Illegal diversion from each well or illegal application of water constitutes a separate, individual diversion and if used without a valid water right constitutes a separate violation of Section 42-351, Idaho Code.

6. Issuance of a Cease and Desist Order by the Director is appropriate to assure that diversion and use of water does not occur as proposed in the above captioned application for transfer in violation of the provisions of Section 42-351, Idaho Code.

ORDER

IT IS HEREBY ORDERED, that the applicant CEASE AND DESIST the irrigation of all lands for which the right to irrigate does not exist until such approval is received from the Director for the irrigation of the lands.

DATED this 19th day of December, 1989.


R. KEITH HIGGINSON
Director

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	ORDER ISSUING
TRANSFER OF WATER RIGHT NO. 34-02428	)	PROPOSED MEMORANDUM
IN THE NAME OF MITCHELL SORENSEN	)	DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by this appointee, Bobby D. Fleenor, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,
2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and
3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

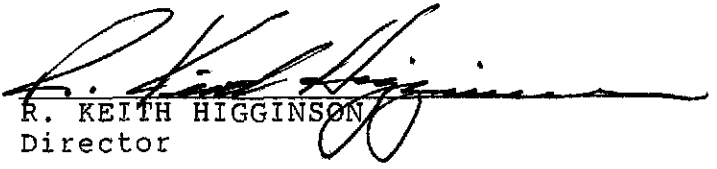
All exceptions, briefs, requests for oral argument and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 3rd day of August, 19 89.


R. KEITH HIGGINSON
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER OF WATER RIGHT NO. 34-02428)

MITCHELL SORENSEN,)

Applicant;)

LARMAN D. ANDERSON, JAY F. PEARSON,)
GERALD STEWART, VIRGIL HAIL, LEWIS)
ROTHWELL, JOE SMITH, MRS. JESSE W.)
JENSEN, NED R. WALKER & REUBEN BABCOCK,)
BILL HARALSON, RICHARD TAYLOR, DAVID)
BLEAK, LOIS M. BLEAK, AND CHRIS BLEAK;)

Protestants.)

Source: Groundwater

County: Butte

PROPOSED MEMORANDUM DECISION AND ORDER
DENYING APPLICATION FOR TRANSFER

BY HEARING OFFICER BOBBY D. FLEENOR

Mitchell Sorensen, (applicant) having filed with the Department of Water Resources (department) an application for transfer (application) of licensed water right No. 34-02428; protests having been raised and a hearing having been held, the department finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On May 30, 1980, Mitchell Sorensen submitted an application for transfer to the department to change the place of use of 75.5 acres of the 192.5 acres licensed under right No. 34-02428. The application did not propose a change in the location of the point of diversion, however, the conveyance of the water to the proposed new place of use would be changed. Water diverted at the well in the SE1/4NE1/4, Section 5, Township 4 North, Range 26 East would be discharged into the Moore Canal, then into the old Utah Construction Canal, then pumped from the canal to sprinkle irrigate 75.5 acres in the W1/2SW1/4, Section 35, Township 4 North, Range 25 East.

2. Notice of the application was published in the Arco Advertiser on June 19 and 26, 1980.

3. Protests against approval of the application for transfer were received from Larman D. Anderson, Jay F. Pearson, Gerald Stewart, Virgil Hail, Lewis Rothwell, Joe Smith, Mrs. Jesse W. Jensen, Ned R. Walker, Reuben Babcock,

Richard Taylor, Bill Haralson, David Bleak, Lois Bleak, and Chris Bleak.

4. A conference/hearing on the proposed application for transfer was held in Arco on March 14, 1988. The applicant was present and represented himself. Protestants Ned Walker, David Bleak, Lois Bleak, Larman Anderson, Jay Pearson, Gerald Stewart, Virgil Hail, Lewis Rothwell, Joe Smith and Mrs. Jesse Jensen were present and represented themselves.

5. The protestants raised the following objections to the proposed transfer:

- (a) The change in place of use would constitute an enlargement of the supplemental groundwater right.
- (b) Groundwater pumping injures senior surface water rights by lowering the groundwater level.
- (c) The application conflict^s with the local public interest because water is being transferred to land outside of the boundaries of the Big Lost River Irrigation District.

6. License No. 34-02428 was issued for the diversion of 3.85 cubic feet per second from a well in the SE1/4NE1/4, Section 5, Township 4 North, Range 26 East for the irrigation of 192.5 acres located in the SE1/4NE1/4, E1/2SE1/4, Section 5, N1/2NW1/4, Section 9, Township 4 North, Range 26 East.

7. Department records for right No. 34-02428 show that the use of right No. 34-02428 has been to provide supplemental irrigation water to the 192.5 acres shown on the right.

8. The application proposes to change the place of use of 75.5 acres of right No. 34-02428 from the N1/2NW1/4, Section 9, Township 4 North, Range 26 East to the W1/2SW1/4, Section 35, Township 4 North, Range 25 East.

9. A portion of decreed water right No. 34-00692 is appurtenant to the N1/2NW1/4, Section 9, Township 4 North, Range 26 East. This right, numbered 446, in the case of Utah Construction Company vs. John F. Abbott et al, was decreed to a W. H. Sorensen for the diversion of water from the Big Lost River with a priority date of July 15, 1884.

10. There are no water rights appurtenant to the 75.5 acres in the W1/2SW1/4, Section 35, Township 4 North, Range 25 East which is proposed as the new place of use on the transfer.

CONCLUSIONS OF LAW

1. Section 42-222, Idaho Code, (para. 1) (1988 supplement) states in part:

. . . the director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole or in part or upon conditions provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right and the change is in the local public interest as defined in Section 42-203A, Idaho Code.

2. The use of two water rights on the same property over an extended period of time establishes one as the primary right and the other as the supplemental or secondary right. An enlargement in use of the secondary right occurs when a supplemental right is transferred to land which does not have an existing (primary) right. Enlargement occurs since the secondary right becomes the primary right resulting in more water being diverted and consumptively used.

3. Under the proposed transfer, a portion of license No. 34-02428 would be changed from a supplemental or secondary right to a primary right. The total number of acres irrigated under rights 34-00692 and 34-02428 would be increased by 75.5 acres.

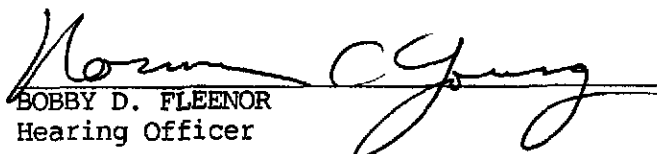
4. The increase in the number of acres irrigated and a change from secondary to a primary right constitutes an enlargement in use for a portion of right No. 34-02428.

5. The application for transfer should be denied.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Transfer of License No. 34-02428 is DENIED.

Dated this 1st day of AUGUST, 1989.


BOBBY D. FLEENOR
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this the 3rd day of August, 1989 true and correct copies for the ORDER ISSUING PROPOSED DECISION and PROPOSED MEMORANDUM DECISION AND ORDER were mailed, postage prepaid to:

Michael Sorensen
Rt. 1 Box 63
Moore, ID 83255

Gerald Stewart
Box 59
Moore, ID 83255

Lewis Rothwell
Rt. 1 Box 405
Arco, ID 83213

Mrs. Jesse W. Jensen
Moore, ID 83255

Ned R. Walker
Arco, ID 83213

David Bleak, Lois Bleak
Chris Bleak
Rt. 1 Box 27
Moore, ID 83255

Larman D. Anderson
Moore, ID 83255

Jay F. Pearson
Rt. 1, Box 47
Moore, ID 83255

Virgil Hail
Box 454
Moore, ID 83255

Joe Smith
Rt. 1 Box 22
Moore, ID 83255

Ruben Babcock
Moore, ID 83255

Richard Taylor
Moore, ID 83255

Bill Haralson
Arco, ID 83213



RITA L. FLECK

Secretary/Records Manager

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Mitchell Sorensen Phone None

Post office address Rt. #1, Box 63 Moore, ID 83255

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name) _____
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)

b. License No. 34-2428 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water Groundwater tributary to _____
4. Date of priority June 25, 1961
5. Water is used for the following purposes:

amount 3.85 for Irrigation purposes from April 1 to Nov. 1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day -- both dates inclusive)
6. Total amount of water under right: a. 3.85 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SE ¼ of NE ¼ of Section 5
Township 4N Range 26E, B.M., in Butte County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	26E	5				39									39			39	117
		9						38											75.5

Total number of acres to be irrigated 192.5

9. Describe any other water rights used for the same purposes as described above groundwater permit applied for

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 3.85 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE ¼ NE ¼, Section 5 Township 4N
Range 26E, B.M., Butte County _____
Additional points _____
- c. Description of diverting works well and pump
- d. Describe the reasons for applying for a change in the point(s) of diversion property in
Sec. 9 was sold and water right withheld in sale (see copy of quit claim deed)

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	26E	5				39									39			39	117
4N	25E	35									37.5	38							75.5

Total number of acres to be irrigated 192.5

4. Remarks _____

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

Michael Brown
(Signature of applicant)

Subscribed and sworn to before me this 30 day of May, 19 80.

Kathlyna Walker
(Notary public)

My commission expires 2/15/83

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 ____.

FOR DEPARTMENT USE ONLY

Received by EMC Date 5-30-80

Prelim. check by SM Fee 35.

Receipted by KW Date 5/30/80 # 14827

Published in Arco Advertiser

Pub. dates 6/19 & 6/26/80

Watermaster recommendation requested on _____

_____ rec'd. 6-27-80

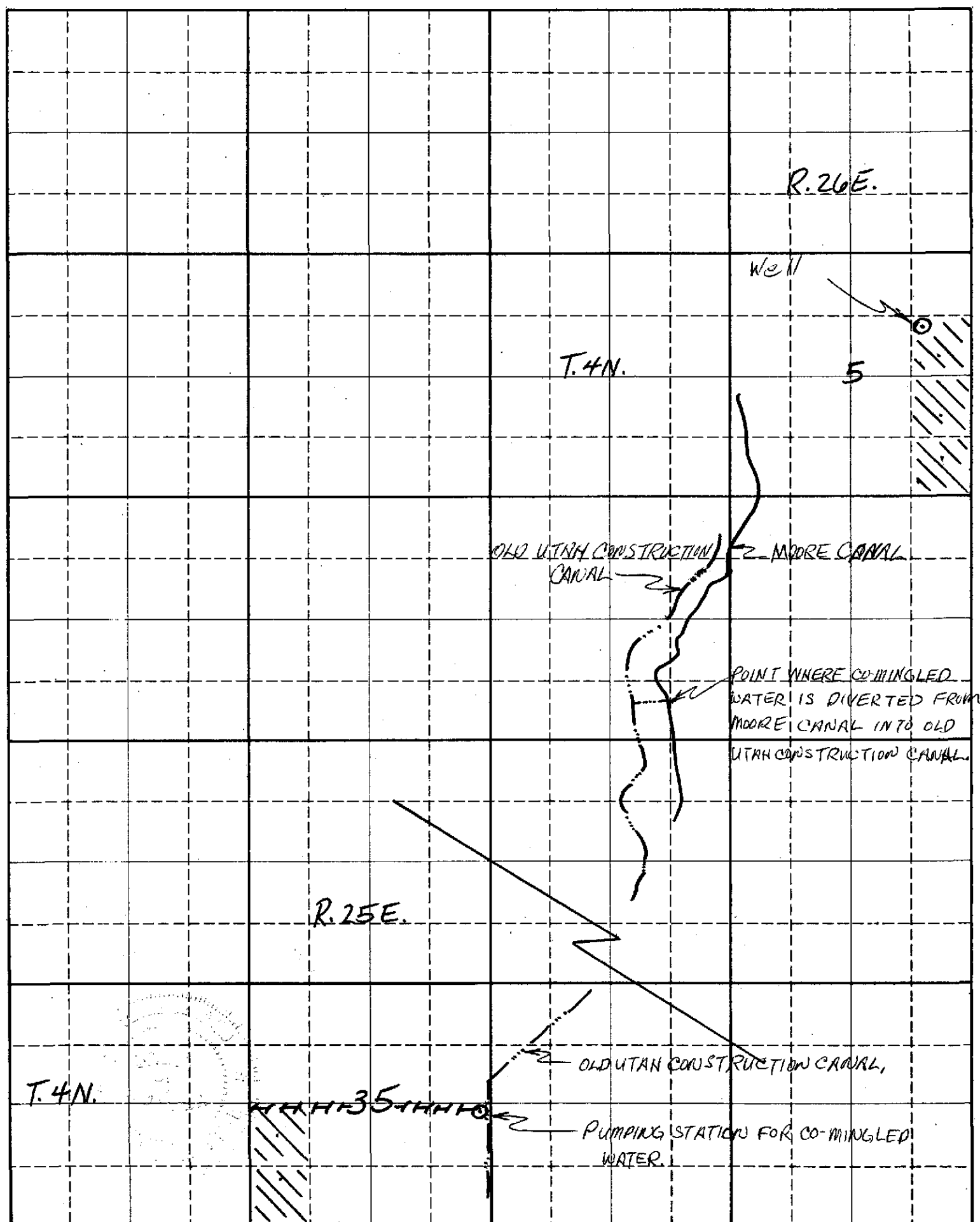
Protest filed by *(Spies & Chris Bleak)*
Harmon, Anderson, Bill Jacobsen,
Richard Taylor, Ray Pearson,
David Stewart, David Fale, Joe Smith,
Lewis Pothazil, Max Jorgensen,
And Walker, Kenner Barak, [unclear]
Copies of protest forwarded by aw

Hearing held by _____ Date _____

Recommended for _____ approval _____ denial _____

by _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Affidavit of Publication

I, Le Ella Connors
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco,
Idaho, since March, 1909, do solemnly swear that
a copy of this notice, per clipping attached, was
published weekly in the regular and entire issue
of said newspaper, and not in any supplement
thereof,

for 2 consecutive weeks, commencing with

the issue dated 6-19-80

and ending with the issue dated 6-26-80

Le Ella Connors

Subscribed and sworn to before me this

1st day of July, 1980

R. E. Sorensen

Notary Public

Residence: Arco, Idaho.

My commission expires....., 19.....

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that
Mitchell Sorensen, Moore, Idaho,
has applied to the Department of
Water Resources for a change in
the place of use of the waters of
groundwater source. The right
sought to be changed is evidenced
by License No. 34-2428 and is
recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
B.M., Butte Co.

The water is used to irrigate 192.5
acres from April 1 to Nov. 1 within
the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5;
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E,
B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate
192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E;
W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E,
B.M.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho, 83401 on or before July 7,
1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80.

ok kw
7/21/80

RECEIVED

JUL 14 1980

Department of Water Resources
Eastern District Office

TL

THIS INDENTURE, made this _____ day of _____, 1979,
 between Ronald W. Sorensen, a single man,
 of Moore, County of Butte, State of Idaho,
 the party of the first part and Mitchell D. Sorensen and Elaine R. Sorensen,
 husband and wife of Rte 1 Box 63, Moore,
 County of Butte, State of Idaho, the party of the second part,

WITNESSETH, that the party of the first part, for and in consideration of the sum of

Ten Dollars and No/100----- Dollars

lawful money of the United States of America

to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged,
 does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to
 party of the second part's heirs and assigns, forever, all the following described ~~real estate~~ ^{water right}, situated in
 _____, County of Butte, State of Idaho. to-wit:

3.85 cfs of ground water under the State of Idaho
 Water License No. 29837/34-2428 with a priority of
 June 25, 1961. It is understood that the intent of
 the conveyance is to convey all of Grantor's right,
 title and interest in and to the water right under
 said license and that the place of use of said water
 will be transferred, but that the point of diversion
 will remain the same and that the Grantees will have
 all rights to the use of said water right, including
 access to the point of diversion presently owned by
 Grantors.

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or
 in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits
 thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the
 said party of the second part, and to party of second part's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and
 year first above written.

Ronald W. Sorensen
 Ronald W. Sorensen

STATE OF IDAHO,

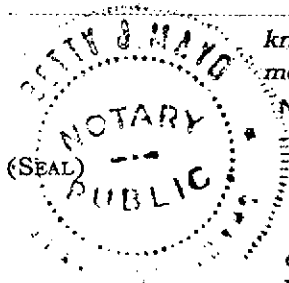
County of Butte } ss.

On this 11 day of June in the year 1979, before me

Ronald W. Sorensen

known to me to be the person whose name is subscribed to the within instru-
 ment, and acknowledged to me that he executed the same.

No. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official
 seal the day and year in this certificate first above written.



JUN 12 1979

9:00 AM BUTTE COUNTY

Betty J. Mack
 Notary Public for the State of Idaho,
 Residing at Arco, Idaho.

No. M 8090

QUITCLAIM DEED

(Form No. 301)

RONALD W. SORENSEN

TO

MITCHELL D. SORENSEN

ELAINE R. SORENSEN

Dated June 12, 1979

STATE OF IDAHO,

County of Butte } ss.

I hereby certify that this instrument
 was filed for record at request of

Ronald W. Sorensen

at 9 minutes past 9:00

o'clock A.M., this 12 day of

June, 1979, in my

office, and duly entered in Book

of Deed's

at page M 8090

By *Shirley R. MacCaffrey*
 Office Recorder
 Fees, \$ 1.00

Mail to

AFTER RECORDING RETURN TO

Entered	...
Compared	...

Before

R26E

T4N

5

39
39
39

3.85 ac → 192.5 ac

38 37.5

9

After

R26E

T4N

5

39
39
392
2

R25E

T4N

35

37.5
38

problem with
suppl. exams
being w/o
to hold w/o
to primary at

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 29837/34-2428 Priority June 25, 1961 Amount 3.85 cfs
(late proof)

THIS IS TO CERTIFY, that WILLARD H. SORENSEN & SONS
of Moore, Idaho, has complied with the terms and conditions of Permit
No. 29837/34-2428 issued pursuant to Application for Permit dated June 19, 1961,
and has submitted proof to the Department of Water Administration on June 27, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 8.34 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 3.85 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

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

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

Subject, however, to the condition that no more than 3.85 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, Twp. 4 N, Rge. 26 E, B. M.

in the county of Butte; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 577.5 acre feet per year or _____
3.0 acre feet per acre.

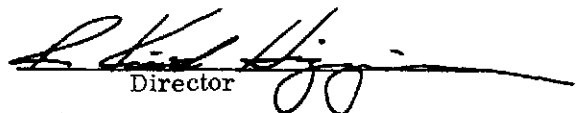
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	26 E	5				39									39				117.0
		9					37.5	38											75.5

Total number of acres irrigated 192.5

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of
October, 19 72.


Director

34 2428

34-2428

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37849
Permit No. G- 29837
District No.

1. Name of Applicant: Willard H. Sorensen & Sons (by Weldon J. Sorensen)
Postoffice address: Moore County: Butte State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 4.0 or Idaho
Miners' inches 200 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Drilled irrigation well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5
Twp. 4 N , Rge. 26 E , B.M., County of Butte
5. Water is to be used for: farm irrigation (supplimental supply)
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B. M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B. M.
7. Kind of works: Well, pump
8. Estimated cost of works: \$ 9,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: in the Big Lost River Irrigation District
 - (a) 200 ~~(cubic feet per second, inches or gallons per minute)~~ of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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.

s/ Willard H. Sorensen & Sons *Applicant.*

By Weldon J. Sorensen *Agent.*

Date of first receipt at Department of Reclamation: 8:00 A.M. June 19, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29837

Recorded in Book 105 Page 29837 Approved June 21, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before December 21, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before June 21, 1966

Witness my hand this 21st day of June, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 21st day of June, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
4 N	26 E	5				40	40	40							40			40	120
		9																	80
																		TOTAL	200

LICENSE NO. 3.85 SEC. 17.
LISENCE NO. 30.

● **SENDER:** Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Albert Babcock
Moore, ID 83255

4. Article Number

138621

Type of Service:

- | | |
|---------------------------------------|--|
| ☐ Registered | ☐ Insured |
| ☐ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X *Albert C Babcock*

6. Signature — Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address and ZIP in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN

TO



Print Sender's name, address, and ZIP Code in the space below.

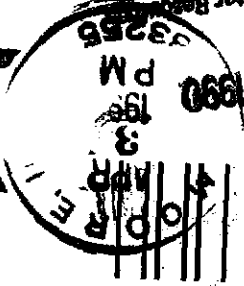
DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

PENALTY FOR PRIVATE

USE, \$300



RECEIVED

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

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1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Virgil L. Hail
Moore, ID 83255

4. Article Number

138622

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X *Virgil L. Hail*

6. Signature — Agent

X

7. Date of Delivery

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" and attach to number 1.



PENALTY FOR PRIVATE
USE, \$300

RETURN

TO

Print sender's name, address, and ZIP Code in the space below.

APR 9 1990

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

George Wheeler
Moore, ID 83255

4. Article Number

138623

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X *George Wheeler*

6. Signature — Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete Items 1, 2, 3 and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

APR 5 1990

Department of Water Resources



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

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1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Gerald Stewart
Box 59
Moore, ID 83255

4. Article Number

138624

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

APR 3-96

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

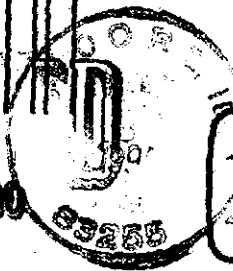
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RECEIVED

APR 9 1990



Department of Water Resources

PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

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1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Lewis Rothwell
Rt. 1, Box 405
Arco, Id 83213

4. Article Number

138625

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and **DATE DELIVERED.**

5. Signature — Address

X

6. Signature — Agent

X

Lewis Rothwell

7. Date of Delivery

4-3-70

8. Addressee's Address (ONLY if
requested and fee paid)

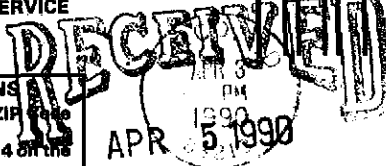
UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



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1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Michael Aikele
Box 63D
Moore, ID 83255

4. Article Number

138626

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

4-13-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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RECEIVED
APR 16 1990



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

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1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Larman D. Andersen
Rt. 1, Box 52
Moore, ID 83255

4. Article Number

138627

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

4-6-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

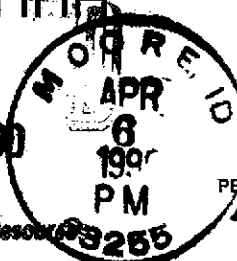
SENDER INSTRUCTIONS

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RECEIVED

APR 9 1990



PENALTY FOR POSTAGE
DEFICIENCY \$300

Department of Water Resources

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

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1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Jack A. Jensen
Rt. 1 Box 32
Moore, ID 83255

4. Article Number

138628

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt
for Merchandise

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

4/3/90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

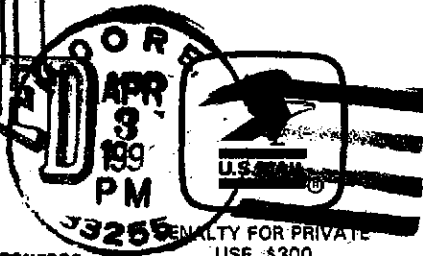
Print your name, address and ZIP Code in the space below.

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RECEIVED

APR 5 1990

Department of Water Resources



**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Jay F. Pearson
Rt. 1 Box 47
Moore, ID 83255

4. Article Number

138629

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature - Address

* Mrs Jay Pearson

6. Signature - Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

RECEIVED

5 1990

SENDER INSTRUCTIONS

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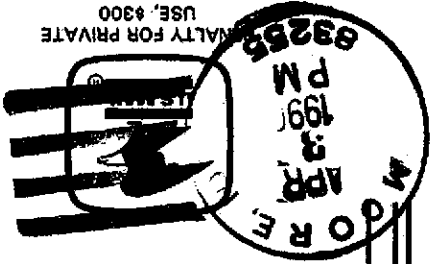
RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

QUALITY FOR PRIVATE
USE, #300



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

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1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Betty Sowards
Moore, ID 83255

4. Article Number

138630

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

4-4-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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RECEIVED

APR 6 1990

Department of Water Resources



PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

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1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

W. T. & Leota Sowards
Moore, ID 83255

4. Article Number

138634

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

4-4-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below:

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



PENALTY FOR PRIVATE
USE, \$300

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Robin Roy Pearson
Rt. 1 Box 40
Moore, ID 83255

4. Article Number

138602

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

Robin A. Pearson

7. Date of Delivery

4-5-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

APR 6 1990



PENALTY FOR PRIVATE
USE, \$300

Department of Water Resources

RETURN

TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Rodney A. Pearson
Elida S. Pearson
Rt. 1 Box 38
Moore, ID 83255

4. Article Number

138603

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

4-4-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

APR 6 1990

Department of Water Resources



PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Rodney S. Pearson
Rt. 1 Box 63-B
Moore, ID 83255

4. Article Number

138604

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and **DATE DELIVERED.**

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Reuben H. Babcock
Moore, ID 83255

4. Article Number

138605

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X *Reuben H. Babcock*

6. Signature — Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if
requested and fee paid)

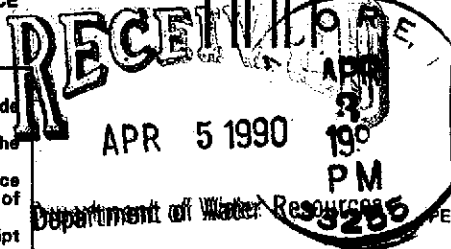
UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Ned R. Walker
Arco, ID 83213

4. Article Number

138606

Type of Service:

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

APR 4 1990

8. Addressee's Address (ONLY if requested and fee paid)

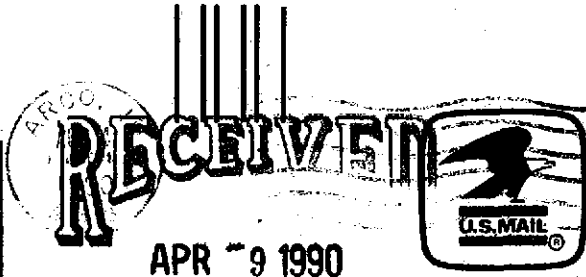
UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**



**PENALTY FOR PRIVATE
USE, \$300**

Department of Water Resources

Print Sender's name, address, and ZIP Code in the space below:

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Bill Haralson
Arco, ID 83213

4. Article Number

138607

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt
for Merchandise

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature - Address

X *Billy L. Haralson*

6. Signature - Agent

X

7. Date of Delivery

APR 5 1990

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



**PENALTY FOR PRIVATE
USE, \$300**

**RETURN
TO**

RECEIVED

APR 9 1990

Print Sender's name, address, and ZIP Code in the space below.

Department of Water Resources

DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Lawrence Babcock
Moore, ID 83255

4. Article Number

138608

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt
for Merchandise

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X *Camille Babcock*

6. Signature — Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

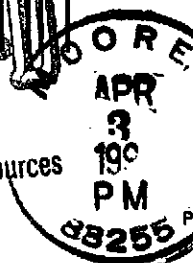
DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

APR 5 1990

Department of Water Resources



PENALTY FOR PRIVATE
USE, \$300



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Norman K. Sorenson
707 E. 50 S.
Provo, UT

4. Article Number

138609

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

4/4/90

8. Addressee's Address (*ONLY if
requested and fee paid*)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

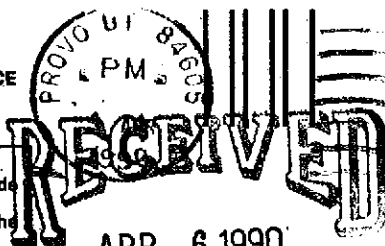
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



PENALTY FOR PRIVATE
USE, \$300



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Joe Smith
Moore, ID 83255

4. Article Number

138610

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature -- Address

X

6. Signature -- Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise attach to return article.
- Endorse article "Return Receipt Requested" adjacent to number.

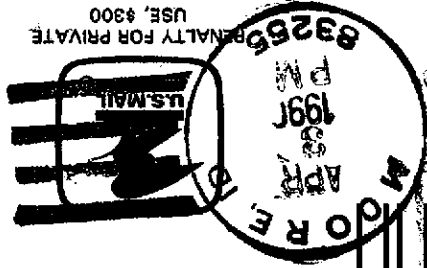
RETURN



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

83255 PENALTY FOR PRIVATE USE, \$300



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Don S. Hymas
Moore, ID 83255

4. Article Number

138611

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X *Don S. Hymas*

6. Signature — Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

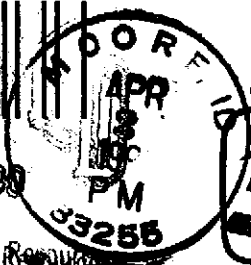
SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

APR 5 1990



Department of Water Resources

PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



- **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

David B. Bleak
Moore, ID 83255

4. Article Number

138612

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO** 

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

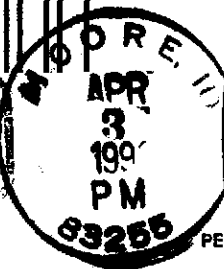
STATEHOUSE

BOISE, IDAHO 83720



RECEIVED

5 1990



PENALTY FOR PRIVATE
USE, \$300

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Gary Slette
Nelson, Rosholt, Robertson,
Tucker and Tolman
P. O. Box 1906
Twin Falls, ID 83303-1906

4. Article Number

138613

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt
for Merchandise

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (*ONLY if
requested and fee paid*)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

APR 4 1990



Department of Water Resources

PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83725

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Mitchell Sorensen
Rt. 1 Box 63
Moore, ID 83255

4. Article Number

138614

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X *Elaine R. Sorensen*

6. Signature — Agent

X

7. Date of Delivery

4-3-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

APR 9 1990

APR 3 1990

PM

3255



PENALTY FOR PRIVATE
USE, \$300

Department of Water Resources

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Kent W. Foster
West One Bank Building
P. O. Box 50130
Idaho Falls, ID 83405

4. Article Number

138615

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

APR 03 1988

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RECEIVED

APR 5 1990



PENALTY FOR PRIVATE
USE, \$300

Department of Water Resources

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Everett Acor, Jr.
Box 13
Moore, ID 83255

4. Article Number

138616

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature - Address

X *Everett J. Acor, Jr.*

6. Signature - Agent

X *L. Scouten*

7. Date of Delivery

April 3, 1990

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

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Department of Water Resources

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DEPARTMENT OF WATER RESOURCES
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3. Article Addressed to:

4. Article Number

138617

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

4/6/90

8. Addressee's Address (ONLY if requested and fee paid)

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DEPARTMENT OF WATER RESOURCES

Department of Water Resources

STATEHOUSE

BOISE, IDAHO 83720

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1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Jesse W. Jensen
Moore, ID 83255

4. Article Number

138619

Type of Service:

- | | |
|---------------------------------------|--|
| ☐ Registered | ☐ Insured |
| ☐ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

4-4-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

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Department of Water Resources

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STATEHOUSE
BOISE, IDAHO 83720



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1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Fred Burt
Moore, ID 83255

4. Article Number

138620

Type of Service:

- | | |
|---------------------------------------|--|
| ☐ Registered | ☐ Insured |
| ☐ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X 

6. Signature — Agent

X

7. Date of Delivery

4-4-90

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
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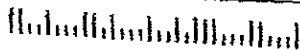


Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



REC-115

APR 6 1990



Department of Water

PENALTY FOR PRIVATE
USE, \$300



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1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Juel Aikele
Rt. 1
Moore, ID 83255

4. Article Number

138618

Type of Service:

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|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X 

6. Signature - Agent

X

7. Date of Delivery

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8. Addressee's Address (ONLY if requested and fee paid)

UNITED STATES POSTAL SERVICE
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SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article Department of Water Resources permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
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**RETURN
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Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
MARIE T. FEELEY
ROBERT M. FOLLETT

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)
R. VERN KIDWELL, OF COUNSEL

March 1, 1990

RECEIVED
MAR 5 1990

Mr. Norman C. Young
IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

RE: Big Lost River Combined Hearing

Dear Norm:

We feel compelled to respond to Gary Slette's letter of February 28, 1990. While Gary was kind enough to call me late in the afternoon of the 27th and advise he would be sending such a letter, now that we have had an opportunity to read what he has written, we feel a need to make certain our position is not misrepresented or misunderstood.

It is true that in an effort to be candid, we have advised both you and Gary that we have been considering the possible effects of the relatively new statutes, Idaho Code §42-1416(2), passed in 1985, and Idaho Code §42-1416A, passed in 1989, upon our clients' diversions and uses of water. We first attempted to discuss the possible ramifications of these code sections on the pending matter with IDWR personnel last fall. You have all been quite consistent in not disclosing whether IDWR has formed a position with respect thereto or what such position might be. We advised Gary in January that we were considering it and would be doing some research and analysis of the issues to be able to advise our clients. We have, in fact, been engaged in that research and analysis effort and have discovered that there may be a host of complex issues if it becomes necessary to litigate. However, we have not yet advised our clients of what we believe their legal options to be and no decision has been made to withdraw the pending applications at this time. No intent has yet been formed as to whether to withdraw any or

Mr. Norman C. Young
March 1, 1990
Page 2

all of the pending applications, much less the proper time to do so. If such a decision is made, we will certainly encourage our clients to do so as promptly as is consistent with their best interests.

As we understand it, this combined hearing is presently postured to consider some five applications for permit and four applications for transfer. We have been advised that there are a total of five wells and two surface rights involved. We have heard from the Department that there are more than 350 wells in the Big Lost River Basin and of course that basin has now experienced four consecutive years of serious drouth. The total impact of these particular five wells upon surface flows in the Big Lost River or the general water table in the basin cannot be more than an insignificant fraction of all combined impacts. No expert hydrogeologist has yet suggested that there is any injury to any surface or groundwater right in the basin from the continued operation of the five wells or the use of the two surface water rights. We are surprised at the urgency expressed in Gary's letter and do not believe it is warranted. To shut off five wells in panic during this drouth will clearly not result in a benefit to anyone. Our clients would have essentially everything to lose and Gary's clients would have virtually nothing to gain.

The relatively small amount of development dependent upon the five wells and the two surface rights subject to this combined proceeding has been in place for many years, as long as twelve years for much of it. The circumstances under which it came into existence, and the reliance upon those circumstances by the farmers who have invested a substantial amount of their lives and resources and are greatly dependent upon it ought to give pause. Careful consideration and caution must prevail.

We and our clients have applauded and attempted to assist in the efforts of Mr. Higginson, the Director of the Department of Water Resources, in forming a local committee to try to find ways to manage what is potentially an adequate water resource in a manner which will permit the full economic development of the water resources in the basin. Providing for all landowners to adequately satisfy their legitimate water needs may not be the objective of Gary's clients, but we will continue to encourage the efforts by the Director to bring about this result.

Mr. Norman C. Young
March 1, 1990
Page 3

It was gracious of Gary to juggle his schedule to permit him to attend a hearing on March 12th. However, we will be unable to agree to that time. We had originally asked our experts to prepare for a time near the end of March. When Gary advised us sometime ago that he had a conflict at that time and that his expert had a conflict the first week of April, we advised our experts that there would be additional time to prepare. We are still unavailable the second week of April, and we have now received a setting in another matter before IDWR on April 17th and 18th. Realistically, the hearing cannot be scheduled before the week of April 23rd through 27th.

We cannot, of course, presume to instruct the Department on whether to seek immediate injunctive relief, but in light of the pending Cease and Desist Orders and the status of the present proceedings before the Department, it certainly seems to us that such action would be premature and precipitous.

Yours very truly,


Kent W. Foster

#7166.00/srr

cc: Governor Cecil Andrus
Gary D. Slette
Keith Higginson
Phil Rassier
Mitchell Sorenson
M. Todd Perkes
Juel Aikele
Don Aikele
Mike Aikele
Herman Aikele

NELSON, RSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

THOMAS G. NELSON
JOHN A. RSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY R. McDANIEL
GARY D. SLETTE
F. BRUCE COVINGTON
JERRY JENSEN
CAROLYN M. MINDER
BRUCE M. SMITH
G. RICHARD BEVAN
GARY L. QUIGLEY
TIM J. WILLIAMS
SHARON F. DUNKIN
JUSTIN R. SEAMONS

Boise Office
1020 MAIN ST., SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6014

February 28, 1990

Mr. Norman C. Young
State of Idaho
Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, ID 83720

RECEIVED
MAR 1 1990

Department of Water Resources

RE: Big Lost River Combined Hearing

Dear Norm:

I am writing this letter in response to your letter of February 16, 1990. In that letter, you asked whether a hearing date during the first week of April was acceptable to my clients and me. While it would be acceptable to us, it has come to my attention that Dr. Charles Brockway will be in Guam during that week. The following week would be acceptable to us, however, Kent Foster informs me that he will be unavailable during that week. You have asked for an alternative week in March in which we could accomplish this hearing prior to the start of the irrigation season. I have juggled my calendar, and have made the week of March 12 available to accommodate this hearing. Like you and Keith Higginson, I am concerned that this hearing take place prior to the start of the irrigation season.

I believe the time has also come to be candid and forthright regarding this very serious proceeding. It is no secret that Kent Foster, on behalf of the applicants, has indicated to both you and me that he intends to withdraw the applications on the day prior to the hearing. He has communicated that his reasoning behind this is to further his clients' interest by avoiding the impact of the cease and desist orders which are tied to the numbered applications. If the permits are withdrawn, and numbered applications no longer pertain to the wells, he believes that the cease and desist orders are without any force or effect. While I do not particularly agree with his logic, he contends that his clients may then pump those wells and start the irrigation of a crop during the present year. He believes, and perhaps rightly so, that it is unlikely that any court will then order his clients to cease pumping those wells once a crop has started growing. The problem is apparent--the junior priority wells start

Mr. Norman C. Young
Page 2
February 28, 1990

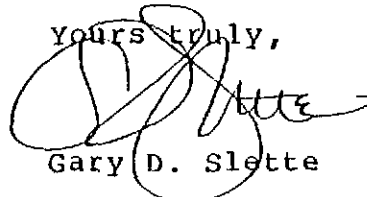
pumping and the senior priority surface water rights once again suffer a loss of their water as they have during the past few years. The junior priority groundwater pumpers are not likely to be deterred by a civil penalty of \$100.00 per day that may be imposed according to Idaho Code §42-352.

What is apparent is that this matter is going to be resolved in a judicial forum rather than in a departmental hearing. My clients and I believe that the time has come for the Department to file for injunctive relief pursuant to Idaho Code §42-351(1). Members of your Department have already determined that withdrawal of groundwater in the Big Lost River Basin affects the present and future use of prior surface water rights. (See, e.g., the memorandums and deposition of Steve Baker). The director of the Department of Water Resources is empowered, pursuant to Idaho Code §42-237(a)(f) to commence actions to enjoin the illegal use of water from wells. As unsavory as that task may be, the holders of those prior surface water rights deserve to be protected in accordance with the appropriation doctrine adopted in the Constitution and statutes of the State of Idaho.

I urge you to take the immediate and decisive action of seeking injunctive relief that is necessary to bring this matter to a head. We have all danced around the flame because we knew there was a potential for someone to be injured if we got too close. However, the only injuries that have manifested themselves in the past years have accrued to those holders of the prior surface water rights, and such injury runs contrary to the stated priority doctrine of our state. There is no need to wait until mid-April to undertake that which is apparent and imminent. The time to act is now, and I pledge the support of my clients and myself in what will undoubtedly be a difficult undertaking.

I would appreciate your earliest response to this letter.

Yours truly,



Gary D. Slette

GDS:mw/47891

cc: Governor Cecil Andrus
Keith Higginson
Kent Foster
Phil Rassier
Lew Rothwell
Larry Reynolds
Dale Smith
Lawrence Babcock

RECEIVED
JAN 8 1990

Kent W. Foster, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES

In Re:)
)
Water Right Hearings--Big Lost)
River Drainage, Application)
for Permit Nos. 34-7247, 34-7296,)
34-7410, 34-7483, 34-7486, and)
Applications for Transfer Nos.)
34-0496/0692/T921, 34-2417,)
34-2419 and 34-2428.)
)

LIST OF EXHIBITS
AND WITNESSES

COME NOW applicants, Mitchell D. Sorensen, M. Todd Perkes,
Juel Aikele, Mike Aikele and Don Aikele, by and through Holden,
Kidwell, Hahn & Crapo, their attorneys of record, and hereby
submit the following list of exhibits and witnesses:

A. LIST OF EXHIBITS

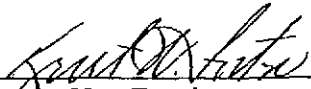
Applicants do not at this time contemplate utilizing any
exhibits other than those listed on the protestant's list of
exhibits except to the extent any reports or data may be
prepared and produced by Jack A. Barnett and Don Barnett.

B. LIST OF WITNESSES

In addition to the witnesses named by protestants, applicants contemplate that the following may be called as witnesses:

1. Jack and Don Barnett
2. Mitchell D. Sorensen
3. Juel Aikele
4. Don Aikele
5. Mike Aikele
6. M. Todd Perkes

DATED this 5 day of January, 1990.



Kent W. Foster

CERTIFICATE OF SERVICE

I hereby certify that I am a duly licensed attorney in the State of Idaho, resident of and with my office in Idaho Falls, Idaho; that I served a copy of the following described pleading or document on the attorneys listed below by hand delivering or by mailing, with the correct postage thereon, a true and correct copy thereof on this 5 day of January, 1990.

Document Served:

LIST OF EXHIBITS AND WITNESSES

Individuals Served:

Idaho Department of Water Resources (MAIL)
ATTENTION: Norm Young
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

Gary D. Slette, Esq. (MAIL)
NELSON, ROSHOLT, ROBERTSON,
TOLMAN & TUCKER
P.O. Box 1906
Twin Falls, Idaho 83303-1906



Kent W. Foster
HOLDEN, KIDWELL, HAHN & CRAPO

5679h/srr

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3. Article Addressed to:

Mitchell Sorensen
Rt. 1 Box 63
Moore, Id 83255

4. Article Number

Type of Service:

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☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

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5. Signature — Address

X *Blaine B. Sorensen*

6. Signature — Agent

X

7. Date of Delivery

12-22-89

8. Addressee's Address (ONLY if requested and fee paid)

34-2428

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- Endorse article "Return Receipt Requested" adjacent to number.



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USE, \$300

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TO



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DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

Attn: Return





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 19, 1989

138952
CERTIFIED MAIL

Mitchell Sorensen
Rt. 1 Box 63
Moore, ID 83255

RE: APPLICATION FOR TRANSFER NO. 34-2428

Mr. Sorensen,

Department files show that the above referenced application for transfer of water right have been protested and are pending in department files. The department has determined that a change in place of use has occurred even though the related application for transfer has not been approved. The department wants to advise you against using water under the application for transfer until either the application has been approved or a conditional approval has been issued by the department.

As you know, on October 3, 1989, the department conducted a conference with the owners of several water right applications and applications for transfer in the Big Lost River drainage who have proceeded with development even though their pending applications have not been approved. The purpose of the conference was to determine issues and to establish a schedule to conduct a hearing in connection with the contested matters. The hearing is tentatively scheduled in March 1990 in Arco, Idaho.

On October 12 and 19, 1989, the department published a legal notice in the Challis Messenger and in the Arco Advertiser to provide the opportunity to parties who wished to intervene in the matter of the protested applications and applications for transfer to petition the department in compliance with Practice and Procedure Rule 6. The department did not receive any requests for intervention.

Since completion of the administrative process in connection with the pending applications for transfer will be time consuming, the department is willing to consider granting a qualified approval for the use of water under the pending transfers as described below. Such qualified approvals are offered in the interest of allowing the applicants an opportunity to continue farming operations while the protested matters are being administratively considered.

Mr. Sorensen

-2-

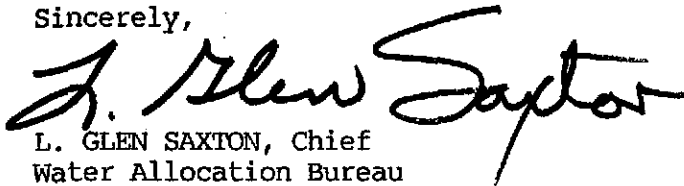
December 19, 1989

Applications for transfer deal with existing water rights as compared to applications for permit which seek to develop a new water right. The department can approve transfers provided among other considerations there is no enlargement in use.

The rights sought to be transferred have been used as "supplemental" or "secondary" rights and are now proposed as "primary" rights. Such a change in place of use can not be on an acre for acre basis, since the total amount of water diverted would be enlarged. If, however, the applicants can clearly show the volume of water originally pumped when the rights were used as supplemental sources, the department can consider granting a conditioned approval to allow the diversion of the same volume of water at the new place of use. Such an approval will require the installation of totalizing measuring devices by the applicants.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." and last name "Saxton" clearly distinguishable.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region
Kent Foster

1 Gary D. Slette
2 NELSON, ROSHOLT, ROBERTSON,
3 TOLMAN & TUCKER
4 P. O. Box 1906
5 Twin Falls, Idaho 83303-1906
6 Telephone: (208) 734-0700
7 1536p/mw/12-12-1989

RA
RECEIVED
DEC 18 1989

Department of Water Resources

8 BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

9 * * * * *

10 In re:)
11)
12 Water Right Hearings--Big Lost)
13 River Drainage)
14 Application for Permit)
15 Nos. 34-7247, 34-7296, 34-7410,)
16 34-7483, 34-7486, and)
17 Applications for Transfer)
18 Nos. 34-0496/0692/T921, 34-2417,)
19 34-2419 and 34-2428)
20)
21)

LIST OF EXHIBITS
AND WITNESSES

22 * * * * *

23 COME NOW certain of the protestants in the
24 above-captioned matter, by and through their counsel of record,
25 Gary D. Slette of Nelson, Rosholt, Robertson, Tolman & Tucker,
26 and provide the following information with regard to the
27 hearing of this matter.

28 A. List of Exhibits

The protestants may utilize any and all of the following as exhibits in the hearing of this matter:

1. Water Resources in the Big Lost River Basin, South-Central Idaho by E. G. Crosthwaite, C. A. Thomas, and K. L. Dyer (1970).

1 2. Review of Ground-Water Conditions in the Big Lost
2 River Valley, Idaho Department of Water Resources, Open-File
3 Report (1989).

4 3. Maps of the Big Lost River area, including, but
5 not limited to, maps of irrigated area over time and maps
6 depicting recharge potential in the Big Lost River Basin area.

7 4. Run-off charts of Big Lost River.

8 5. Updated groundwater charts depicting the levels
9 of USGS observation wells.

10 6. Well driller's logs and reports.

11 7. Memoranda dated June 23, 1989, and July 14, 1989,
12 from Steve Baker to Glen Saxton and Norm Young, respectively.

13 8. Written communications sent to and received from
14 the Idaho Department of Water Resources, which communications
15 were sent or received by certain of the protestants.

16 9. Idaho Statutes, IDWR Rules and Regulations of
17 Practice and Procedure, and IDWR Rules and Regulations of Water
18 Appropriation.

19 10. Plan of Operation for the Big Lost River
20 Irrigation District filed with the Department of Reclamation
21 April 3, 1935.

22 11. Water diversion records.

23 12. Historical weather data.

24 13. Any new USGS model data.

25 14. Drillers' logs of individual wells.

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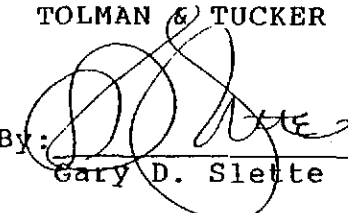
B. • List of Witnesses

The protestants may call any or all of the following witnesses:

1. Dr. Charles Brockway
2. Jack Barraclough
3. Keith Higginson
4. Lewis Rothwell
5. Larman Anderson
6. Dale Smith
7. Lawrence Babcock
8. Larry Reynolds
9. Richard Rothwell
10. Glenn Guthrie
11. Lester Braswell
12. J. Edward Techick
13. Ned Walker
14. Gerald Stewart
15. Doug Rosencratz
16. Ferrell Winger

DATED this 15th day of December, 1989.

NELSON, ROSHOLT, ROBERTSON,
TOLMAN & TUCKER

By: 
Gary D. Slette

CERTIFICATE OF MAILING

I hereby certify that on this 15th day of December, 1989, I served the original and a copy of the foregoing LIST OF EXHIBITS AND WITNESSES on the Director of the Idaho Department of Water Resources, and a copy of the same on all other named individuals, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Attn: Keith Higginson
1301 North Orchard
Statehouse Mail
Boise, ID 83720

Idaho Department of Water Resources
Attn: Norm Young
1301 North Orchard
Statehouse Mail
Boise, ID 83720

Kent Foster
Holden, Kidwell, Hahn & Crapo
P.O. Box 50130
Idaho Falls, ID 83405



Gary D. Slette



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 1, 1989

Kent Foster
P. O. Box 50130
Idaho Falls, ID 83402

Dear Mr. Foster:

Re: WATER RIGHT HEARINGS - BIG LOST RIVER DRAINAGE - 34-7247,
34-7296, 34-7410, 34-7483, 34-7486 AND APPLICATIONS FOR
TRANSFER NOS. 34-0496/0692/T921, 34-2417, 34-2419 AND
34-2428.

The purpose of this letter is to remind you that December 15, 1989, is one of the dates identified in the conference conducted on October 3, 1989, in Arco as the date for compiling and distributing exhibit and witness lists. The attorneys for the parties are responsible for this activity.

The next date of significance identified in the conference was February 1, 1990, which is the discovery cutoff date.

Please provide the department with a copy of the exhibit and witness lists.

If you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Norman C. Young".

NORMAN C. YOUNG
Hearing Officer



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 28, 1989

Kent Foster
P. O. Box 50130
Idaho Falls, ID 83402

RE: APPLICATIONS FOR PERMIT NOS. 34-7247, 34-7296, 34-7410,
34-7483, 34-7486, AND APPLICATIONS FOR TRANSFER NOS.
34-0496/0692/T921, 34-2417, 34-2419 AND 34-2428.

Dear Applicant or Protestant:

On October 3, 1989, the Department of Water Resources (department) conducted a conference at Arco, Idaho, to determine a procedure and a schedule to conduct a combined hearing in connection with the above referenced protested water right applications for permit and applications for transfer. One of the activities identified at the conference was for the department to identify relevant issues and the parties by November 15, 1989.

The issues identified thus far are as shown on the enclosed Pre-hearing Conference Memorandum. The parties, however, have the opportunity to refine and augment the issues in accordance with the schedule.

The applicants and protestants associated with the above referenced filings are as follows:

Applicants:

34-0496/0692/T921 - Norma K. Sorenson
34-2428 - Mitchell Sorenson
34-2417 - Juel and Bret Aikele
34-2419 - Juel Aikele
34-7247 - Mitchell D. Sorenson
34-7296 - Michael or Juel Aikele
34-7410 - Mitchell Sorenson
34-7483 - Everett Acor, Jr.
34-7486 - Marshall Todd Perkes

Protestants:

Larman D. Andersen
Albert C. and Mary G. Babcock
Lawrence Babcock
Reuben Babcock
David and Lois M. and Chris Bleak
Virgil Hail
Bill Haralson
Jack A. Jensen
Mrs. Jesse W. Jensen
Jay F. Pearson
Donald L. Rittenhouse
Lewis Rothwell
Joe Smith
Gerald Stewart
Betty Sowards
Leota Sowards
W.T. Sowards
Richard Taylor
Ned R. Walker

The department will also notify the list of applicants shown on the attachment to the pre-hearing conference memorandum of the combined hearing which is tentatively scheduled in March 1990.

Please feel free to contact the department if you have questions.

Sincerely,



for NORMAN C. YOUNG
Hearing Officer

Encl: 1



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 11, 1989

Kent W. Foster
West One Bank Building
P. O. Box 50130
Idaho Falls, ID 83405

Dear Kent:

Enclosed is a draft of a Pre-hearing Conference Memorandum for your review and comment. I will appreciate your expedited review and comment on the draft. The department is proceeding to keep the schedule shown on the memorandum.

The department is preparing Cease and Desist Orders to be sent to the applicants in the Big Lost River drainage. The purpose of the orders is to provide early notice that diversions and use of water under the applications are not authorized until the applications are approved by the department.

Please recognize that a Cease and Desist Order relates to use of water on the land proposed by the application. If there are other existing rights for the same land, irrigation of the land could still legally occur under the other rights.

If you have questions, please feel free to contact me.

Sincerely,

for NORMAN C. YOUNG
Administrator

Enclosure

D R A F T

D R A F T

BEFORE THE DIRECTOR
OF THE
DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATIONS)
FOR PERMIT AND APPLICATIONS FOR)
TRANSFER NOS. 34-7247, 34-7296,))
34-7410, 34-7483, 34-7486,)
34-0496/0692/T921, 34-2428,)
34-2417 AND 34-2419.)

PRE-HEARING
CONFERENCE MEMORANDUM

This matter having come before the Department of Water Resources (department) as a result of a conference scheduled by the department on October 3, 1989 at Arco, Idaho, the following schedule and issues were determined with the assistance and input of the applicants and protestants.

SCHEDULE

Action	Completion Date
1. Prepare pre-hearing conference memorandum	10-10-89
2. Publish legal notice - Opportunity for other applicants to intervene in the hearing to be scheduled (IDWR)	10-11-89 and 10-18-89
3. Identification of Parties (IDWR)	11-15-89
Identification of Issues (IDWR)	11-15-89
4. Compile and distribute witness and exhibit list (Parties)	12-15-89
5. Discovery cutoff date	02-01-90
6. Pre-hearing motion cutoff date	03-01-90
7. Pre-hearing brief cutoff date (Parties)	03-10-90
8. HEARING	03-30-90

- | | | |
|--|--------|---------------------------------------|
| 9. Proposed decision issued | (IDWR) | 04-20-90 |
| 10. Deadline for exceptions to be filed
and requests for briefing or oral
argument before the director (Parties) | | 15 days after
proposed
decision |
| 11. Final decision issued | (IDWR) | ----- |

The following issues were identified as being common or generic to further appropriation of ground water in the basin:

Applications for Permit

1. Injury to other water rights
 - surface water flows
 - domestic and other shallow wells
 - Practicality of well construction and location to avoid injury
 - Practicality of mitigating injury
2. Adequacy of water supply
 - Practicality of appropriating ground water outflow
3. Local Public interest
 - Economic impact
 - 42-203C, Idaho Code, issues for trust water filings
 - Environmental issues
 - Minimum stream flow
 - Fish and wildlife
 - Riparian vegetation

Applications for transfer

1. Expansion in use
2. Injury to other rights
3. Local public interest
4. Implications of Sections 42-1416 and 42-1416A, Idaho Code.

Issues of Law

1. Enlargement theory
2. Equitable estoppel

- Applicable in action against the state?
- Can department rule on this issue?

3. Effect of Sections 42-1416 and 42-1416A, I.C.

The parties have the opportunity to refine and augment issues in accordance with the schedule.

GENERAL

1. The issues herein identified as "generic" are relevant to all pending applications to appropriate water for irrigation and other consumptive purposes. The proceeding will be expanded to include all such applications pending in the basin. Other issues relevant only to particular applications will be considered in separate proceedings as necessary. Attached is a list of applications to be added to the proceeding pursuant to Practice and Procedure Rule 9,7. Applicants will be given written notice of the proceeding.

2. Appropriate advertisement will appear in both the Arco and Challis newspapers to provide more thorough notice.

3. The parties agreed that for the duration of the proceedings to hear and act upon the pending applications for permit and applications for transfer, the department can stay action on the request to issue a moratorium.

4. The department has issued proposed decisions in connection with the following water right filings:

34-7247 - Mitchell D. Sorenson
34-7296 - Michael or Juel Aikele
34-0496/0692/T921 - Norma K. Sorenson
34-2428 - Mitchell Sorenson

Exceptions have been filed for each decision. The department's response to the exceptions included the pre-hearing conference conducted in Arco on October 3, 1989 and will include the conduct of a hearing to allow the creation of a record.

Dated this _____ day of _____, 1989.

NORMAN C. YOUNG
Hearing Officer

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Oct 12 1989 and ending with the issue dated Oct 19 1989.

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 19th day of October in the year of 1989, before me, a Notary Public,

personally appeared Margaret Parks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Errol M. Peck
Notary Public for Idaho
Residing at Challis
My commission expires: 3-21-92

RECEIVED

OCT 24 1989

Department of Water Resources
Eastern District Office

NOTICE OF HEARING

Notice is hereby given that at 10:00 a.m. on March 15, 1990, at the Butte County Courthouse, Arco, ID, the Department of Water Resources intends to conduct a water right hearing in connection with the following protested water right applications and applications for transfer:

34-7247 - Mitchell D. Sorenson
34-7296 - Micheal or Juel Aikele

34-7410 - Mitchell Sorenson
34-7483 - Everett Acor, Jr.
34-7486 - Marshall Todd Perkes

34-0496/0692/T921 - Norma K. Sorenson
34-2428 - Mitchell Sorenson
34-2417 - Juel and Bret Aikele
34-2419 - Juel Aikele

Parties wishing to intervene in this matter are hereby notified that requests for intervention pursuant to Practice and Procedure Rule 6, may be submitted to the department through October 31, 1989.

Additional information or details concerning the nature of the applications or the hearing may be obtained from the department. (This hearing is not connected with the ongoing Snake River Adjudication).

R. KEITH HIGGINSON,
Director

Pub: October 12 & 19, 1989.

RECEIVED

NOV 9 1989

Department of Water Resources

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for ... 2 ... consecutive weeks, commencing with
the issue dated ... Oct. 12, 1989
and ending with the issue dated

... Oct. 19, 1989
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 23 day of October
in the year of 1989, before me, a Notary Public,
personally appeared

Colleen Babcock

known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he
executed the same.

Thomas D. Cannon
Notary Public for Idaho

Residing at Arco, Id.

My commission expires: 12-17-91

10-06-89

The following legal notice is intended to provide notice to applicants and the opportunity to intervene in a water right hearing involving some existing applications for permit and applications for transfer in the Big Lost River valley.

NOTICE OF HEARING

Notice is hereby given that at 10 a.m. on March 15, 1990, at the Butte County Courthouse, 326 Grand Avenue, Arco, ID, the Department of Water Resources intends to conduct a water right hearing in connection with the following protested water right applications and applications for transfer:

34-7247 - Mitchell D. Sorensen
34-7296 - Michael or Juel Aikele
34-7410 - Mitchell Sorensen
34-7483 - Everett Acor, Jr.
34-7486 - Marshall Todd Perkes
34-0496/0692/1921 - Norma K. Sorenson
34-2428 - Mitchell Sorensen
34-2417 - Juel and Bret Aikele
34-2419 - Juel Aikele

Parties wishing to intervene in this matter are hereby notified that requests for intervention pursuant to Practice and Procedure Rule 6, may be submitted to the department through October 31, 1989.

Additional information or details concerning the nature of the applications or the hearing may be obtained from the department. (This hearing is not connected with the ongoing Snake River Adjudication).

R. Keith Higginson

Director

Pub. 10/12-19/89

RECEIVED

OCT 25 1989

Department of Water Resources
Eastern District Office

RECEIVED

NOV 9 1989

Department of Water Resources

06-Oct-1989

The Arco Advertiser
P.O. Drawer C
Arco, ID 83213

Gentlemen:

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 notices 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.

Respectfully submitted,

Rita Bodell
Office Secretary

Enclosure

10-06-89

The following legal notice is intended to provide notice to applicants and the opportunity to intervene in a water right hearing involving some existing applications for permit and applications for transfer in the Big Lost River valley.

NOTICE OF HEARING

Notice is hereby given that at 10 a.m. on March 15, 1990, at the Butte County Courthouse, (Address), Arco, ID, the department of Water Resources intends to conduct a water right hearing in connection with the following protested water right applications and applications for transfer:

- 34-7247 - Mitchell D. Sorenson
- 34-7296 - Michael or Juel Aikele
- 34-7410 - Mitchell Sorenson
- 34-7483 - Everett Acor, Jr.
- 34-7486 - Marshall Todd Perkes
- 34-0496/0692/T921 - Norma K. Sorenson
- 34-2428 - Mitchell Sorenson
- 34-2417 - Juel and Bret Aikele
- 34-2419 - Juel Aikele

Parties wishing to intervene in this matter are hereby notified that requests for intervention pursuant to Practice and Procedure Rule 6. may be submitted to the department through October 31, 1989.

Additional information or details concerning the nature of the applications or the hearing may be obtained from the department. (This hearing is not connected with the ongoing Snake River Adjudication).

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser October 12 & 19, 1989.

OK

06-Oct-1989

Custer Publishing Co.
P.O. Box 405
Challis, ID 83226

Gentlemen:

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 notices 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.

Respectfully submitted,

Rita Bodell
Office Secretary

Enclosure

10-06-89

The following legal notice is intended to provide notice to applicants and the opportunity to intervene in a water right hearing involving some existing applications for permit and applications for transfer in the Big Lost River valley.

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Notice is hereby given that at 10 a.m. on March 15, 1990, at the Butte County Courthouse, (Address), Arco, ID, the department of Water Resources intends to conduct a water right hearing in connection with the following protested water right applications and applications for transfer:

34-7247 - Mitchell D. Sorenson
34-7296 - Michael or Juel Aikele
34-7410 - Mitchell Sorenson
34-7483 - Everett Acor, Jr.
34-7486 - Marshall Todd Perkes
34-0496/0692/T921 - Norma K. Sorenson
34-2428 - Mitchell Sorenson
34-2417 - Juel and Bret Aikele
34-2419 - Juel Aikele

Parties wishing to intervene in this matter are hereby notified that requests for intervention pursuant to Practice and Procedure Rule 6. may be submitted to the department through October 31, 1989.

Additional information or details concerning the nature of the applications or the hearing may be obtained from the department. (This hearing is not connected with the ongoing Snake River Adjudication).

R. KEITH HIGGINSON
Director

Published in the Custer Publishing Co. October 12 & 19, 1989.

OK



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KETH HIGGINSON

DIRECTOR

September 21, 1989

Dear Interested Party:

RE: IN THE MATTERS OF:

APPLICATION FOR PERMIT 34-7247 - MITCHELL D. SORENSON ✓
APPLICATION FOR PERMIT 34-7296 - MICHAEL OR JUEL AIKELE ✓
APPLICATION FOR PERMIT 34-7410 - MITCHELL SORENSON ✓
APPLICATION FOR PERMIT 34-7483 - EVERETT ACOR JR.
APPLICATION FOR PERMIT 34-7486 - MARSHALL TODD PERKES
APPLICATION FOR TRANSFER 34-0496/0692/T921 - NORMA K. SORENSON
APPLICATION FOR TRANSFER 34-2428 - MITCHELL SORENSON
APPLICATION FOR TRANSFER 34-2417 - JUEL AND BRET AIKELE
APPLICATION FOR TRANSFER 34-2419 - JUEL AIKELE

The department has scheduled a conference (not a hearing) on October 4, 1989, at 9:00 a.m. in the Magistrate Court Room, Memorial Building, 326 W. Grand St., Arco, Idaho to discuss future disposition of the above referenced filings which are pending before the department. The conference date has been changed to October 3, 1989 at 9:00 a.m. at the same location.

If you have any questions concerning these matters, please feel free to contact this office.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

C: Certificate of Service

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

NOTICE OF CONFERENCE

IN THE MATTERS OF:

APPLICATION FOR PERMIT 34-7247 - MITCHELL D. SORENSON
APPLICATION FOR PERMIT 34-7296 - MICHAEL OR JUEL AIKELE
APPLICATION FOR PERMIT 34-7410 - MITCHELL SORENSON
APPLICATION FOR PERMIT 34-7483 - EVERETT ACOR JR.
APPLICATION FOR PERMIT 34-7486 - MARSHALL TODD PERKES
APPLICATION FOR TRANSFER 34-0496/0692/T921 - NORMA K. SORENSON
APPLICATION FOR TRANSFER 34-2428 - MITCHELL SORENSON
APPLICATION FOR TRANSFER 34-2417 - JUEL AND BRET AIKELE
APPLICATION FOR TRANSFER 34-2419 - JUEL AIKELE

The department has scheduled a conference (not a hearing) on October 4, 1989, at 9:00 a.m. in the Magistrate Court Room, Memorial Building, 326 W. Grand St., Arco, Idaho to discuss future disposition of the above referenced filings which are pending before the department.

The conference will be held in accordance with provisions of Chapter 2, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Water Appropriation Rules and Regulations.

The purpose of the conference is to establish a schedule for the hearing, to brief the issues, to arrange for the exchange of proposed exhibits or prepared expert testimony, to obtain admissions of facts and of documents to avoid unnecessary proof, and such other matters which may expedite orderly conduct and disposition of the proceedings. Even though some of the matters have been discussed in prior conferences and proposed decisions have been issued on some of the matters, the establishment of a record likely will be to the benefit of all parties for potential appeal by any party of the decision reached by the department.

The department wishes to combine the above referenced filings into one administrative proceeding because the issues are similar and the protestants are generally common to most of the matters.

Please feel free to contact the department if you have questions.

Dated this 13th day of September, 1989.


L. GLEN SAXTON, Chief
Water Allocation Bureau

CERTIFICATE OF SERVICE

On September 13, 1989, the Notice of Conference scheduled for October 4, 1989 in Arco, Idaho regarding applications filed in the Big Lost River area was sent to:

Juel & Bret Aikele
Rt. 1
Moore, ID 83255

Kent W. Foster
West One Bank Bldg.
P. O. Box 50130
Idaho Falls, ID 83405

Lewis Rothwell
Rt. 1, Box 405
Arco, ID 83213

Everett Acor, Jr.
Box 13
Moore, ID 83255

Mitchell Sorensen
Rt. 1 Box 63
Moore, ID 83255

Gerald Stewart
Box 59
Moore, ID 83255

Todd Perkes
Rt. 1 Box 110
Arco, ID 83213

Gary Slette
NELSON, RSHOLT, ROBERTSON,
TUCKER AND TOLMAN
P. O. Box 1906
Twin Falls, ID 83303-1906

Bill Haralson
Arco, ID 833213

Jesse W. Jensen
Moore, ID 83255

Richard Taylor
Moore, ID 83255

Lawrence Babcock
Moore, ID 83255

Fred Burt
Moore, ID 83255

David B. Bleak
Moore, ID 83255

Betty Sowards
Moore, ID 83255

Albert Babcock
Moore, ID 83255

Don S. Hymas
Moore, ID 83255

W. T. & Leota Sowards
Moore, ID 83255

Virgil L. Hail
Moore, ID 83255

David Tweedie
Moore, ID 83255

George Wheeler
Moore, ID 83255

Joe Smith
Moore, ID 83255

Norma K. Sorenson
707 E. 50 S.
Provo, UT

Rueben H. Babcock
Moore, ID 83255

Rodney S. Pearson
Rt. 1 Box 63-B
Moore, ID 83255

Elida S. Pearson
Rodney S. Pearson
Rt. 1 Box 38
Moore, ID 83255

Robin Ray Pearson
Rt. 1 Box 40
Moore, ID 83255

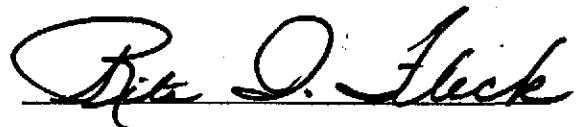
Ned & Reva W. Walker
Moore, ID 83255

Michael Aikele
Route 1
Moore, ID 83255

Jack A. Jensen
Rt. 1 Box 32
Moore, ID 83255

Larman D. Andersen
Rt. 1 Box 52
Moore, ID 83255

Jay F. Pearson
Rt. 1 Box 47
Moore, ID 83255



RECEIVED

AUG 17 1989

Department of Water Resources
Eastern District Office

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF	)	EXCEPTION TO PROPOSED
	)	MEMORANDUM DECISION
APPLICATION FOR TRANSFER OF	)	AND ORDER
WATER RIGHTS NO. 34-02428,	)	
_____	)	
MITCHELL D. SORENSEN,	)	
	)	
Applicant;	)	
	)	
LARMEN D. ANDERSON, JAY F.	)	
PEARSON, GERALD STEWART, VIRGIL	)	
HAIL, LEWIS ROTHWELL, JOE SMITH,	)	
MRS. JESSE W. JENSEN, NED R.	)	
WALKER & REUBEN BABCOCK, BILL	)	
HARALSON, RICHARD TAYLOR, DAVID	)	
BLEAK, LOIS M. BLEAK, AND	)	
CHRIS BLEAK;	)	
	)	
Protestants.	)	
_____	)	

This exception is taken from the Proposed Memorandum Decision and Order Denying Application for Transfer in the above entitled matter dated August 1, 1989. Specifically, applicant takes exception to Findings of Fact Nos. 9 and 10, Conclusions of Law Nos. 2, 3, 4 and 5, and the Proposed Order.

The Proposed Memorandum Decision and Order Denying Application for Transfer raises novel legal theories relating to the issue of enlargement which requires substantial research and thorough briefing. Applicant requests a reasonable period of time in which to complete such research and to specifically address the legal theories upon which the proposed decision is based.

DATED this 17th day of August, 1989.



Kent W. Foster of the law firm of
HOLDEN, KIDWELL, HAHN & CRAPO
Attorneys for Mitchell D. Sorensen

CERTIFICATE OF SERVICE

I hereby certify that I am a duly licensed attorney in the State of Idaho, resident of and with my office in Idaho Falls, Idaho; that I served a copy of the following described pleading or document on the attorneys listed below by hand delivering or by mailing, with the correct postage thereon, a true and correct copy thereof on this 17th day of August, 1989.

Document Served:

EXCEPTION TO PROPOSED MEMORANDUM
DECISION AND ORDER

Individuals Served:

Idaho Department of
Water Resources
1301 North Orchard
Boise, Idaho 83720

Mr. David Bleak, Lois Bleak
and Chris Bleak
Route 1, Box 27
Moore, Idaho 83255

Mr. Mitchell Sorensen
Route 1 Box 63
Moore, Idaho 83255

Mr. Jay F. Pearson
Route 1 Box 47
Moore, Idaho 83255

Mr. Lewis Rothwell
Route 1 Box 405
Arco, Idaho 83213

Mr. Gerald Stewart
Box 59
Moore, Idaho 83255

Mrs. Jesse W. Jensen
Moore, Idaho 83255

Mr. Larman D. Anderson
Moore, Idaho 83255

Mr. Ned R. Walker
Arco, Idaho 83213

Mr. Ruben Babcock
Moore, Idaho 83255

Mr. Richard Taylor
Moore, Idaho 83255

Mr. Bill Haralson
Arco, Idaho 83213



Kent W. Foster
HOLDEN, KIDWELL, HAHN & CRAPO

2284h/srr



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 30, 1989

Kent W. Foster
West One Bank Building
P. O. Box 50130
Idaho Falls, ID 83405

Dear Kent:

L. Glen Saxton has advised me of his telephone discussion with you today concerning the pending protested transfers and applications for permit in the Big Lost River Drainage.

I am most anxious to schedule a conference (not a hearing at this point) in connection with the protested matters in order to establish a schedule for a hearing, identify and simplify issues, determine parties and to generally establish a procedure to pursue the pending matters. Glen has advised that you are seeking to locate an expert witness on behalf of your clients and for that reason have needed additional time.

The "push" to get on with resolution of these protested matters is coming partly from your clients who have recently contacted me about getting on with the matter. Since testimony will not be taken at a conference, perhaps the conference can be scheduled even though you have not located an expert.

Please advise me at your earliest convenience of a date satisfactory for a conference. I need to provide sufficient notification to the protestants in order that they can plan to attend the conference.

As you know, my objective is to proceed with the matters of protest in a timely enough fashion that the parties (both applicants and protestants) will be in a position to pursue their respective positions, in court if necessary, before another irrigation season is upon us.

I will appreciate a call relative to the conference scheduling.

Sincerely,


NORMAN C. YOUNG
Administrator

c: Juel Aikele
Everett Acor, Jr.
E. Region
protestants

Mitchell Sorenson
Todd Perkes
Gary Slette

List of parties Aug. 30th letter sent to Kent Foster was sent to.
Protestants to Aikele filings.

Juel Aikele
Rt. 1
Moore, ID 83255

Kent W. Foster
West One Bank Building
P. O. Box 50130
Idaho Falls, ID 83405

Reuben H. Babcock
Moore, ID 83255

Everett Acor, Jr.
Box 13
Moore, ID 83255

Mitchell Sorensen
Rt. 1 Box 63
Moore, ID 83255

Rodney S. Pearson
Rt. 1 Box 63-B
Moore, ID 83255

Todd Perkes
Rt. 1 Box 110
Arco, ID 83213

Gary Slette
NELSON, ROSHOLT, ROBERTSON,
TUCKER AND TOLMAN
P. O. Box 1906
Twin Falls, ID 83303-1906

Rodney A. Pearson
Elida S. Pearson
Rt. 1 Box 38
Moore, ID 83255

Jesse W. Jensen
Moore, ID 83255

Richard Taylor
Moore, ID 83255

Robin Roy Pearson
Rt. 1 Box 40
Moore, ID 83255

Fred Burt
Moore, ID 83255

David B. Bleak
Moore, ID 83255

Ned R. Walker
Moore, ID 83255

Albert Babcock
Moore, ID 83255

Don S. Hymas
Moore, ID 83255

Virgil L. Hail
Moore, ID 83255

David Tweedie
Moore, ID 83255

George Wheeler
Moore, ID 83255

Joe Smith
Moore, ID 83255

RECEIVED
AUG 18 1989

Department of Water Resources

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF
APPLICATION FOR TRANSFER OF
WATER RIGHTS NO. 34-02428,

MITCHELL D. SORENSEN,

Applicant;

LARMEN D. ANDERSON, JAY F.
PEARSON, GERALD STEWART, VIRGIL
HAIL, LEWIS ROTHWELL, JOE SMITH,
MRS. JESSE W. JENSEN, NED R.
WALKER & REUBEN BABCOCK, BILL
HARALSON, RICHARD TAYLOR, DAVID
BLEAK, LOIS M. BLEAK, AND
CHRIS BLEAK;

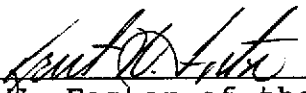
Protestants.

EXCEPTION TO PROPOSED
MEMORANDUM DECISION
AND ORDER

This exception is taken from the Proposed Memorandum Decision and Order Denying Application for Transfer in the above entitled matter dated August 1, 1989. Specifically, applicant takes exception to Findings of Fact Nos. 9 and 10, Conclusions of Law Nos. 2, 3, 4 and 5, and the Proposed Order.

The Proposed Memorandum Decision and Order Denying Application for Transfer raises novel legal theories relating to the issue of enlargement which requires substantial research and thorough briefing. Applicant requests a reasonable period of time in which to complete such research and to specifically address the legal theories upon which the proposed decision is based.

DATED this 17th day of August, 1989.


Kent W. Foster of the law firm of
HOLDEN, KIDWELL, HAHN & CRAPO
Attorneys for Mitchell D. Sorensen

CERTIFICATE OF SERVICE

I hereby certify that I am a duly licensed attorney in the State of Idaho, resident of and with my office in Idaho Falls, Idaho; that I served a copy of the following described pleading or document on the attorneys listed below by hand delivering or by mailing, with the correct postage thereon, a true and correct copy thereof on this 17th day of August, 1989.

Document Served:

EXCEPTION TO PROPOSED MEMORANDUM
DECISION AND ORDER

Individuals Served:

Idaho Department of
Water Resources
1301 North Orchard
Boise, Idaho 83720

Mr. David Bleak, Lois Bleak
and Chris Bleak
Route 1, Box 27
Moore, Idaho 83255

Mr. Mitchell Sorensen
Route 1 Box 63
Moore, Idaho 83255

Mr. Jay F. Pearson
Route 1 Box 47
Moore, Idaho 83255

Mr. Lewis Rothwell
Route 1 Box 405
Arco, Idaho 83213

Mr. Gerald Stewart
Box 59
Moore, Idaho 83255

Mrs. Jesse W. Jensen
Moore, Idaho 83255

Mr. Larman D. Anderson
Moore, Idaho 83255

Mr. Ned R. Walker
Arco, Idaho 83213

Mr. Ruben Babcock
Moore, Idaho 83255

Mr. Richard Taylor
Moore, Idaho 83255

Mr. Bill Haralson
Arco, Idaho 83213



Kent W. Foster
HOLDEN, KIDWELL, HAHN & CRAPO

2284h/srr

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

1. Right number 34-2928 Applicant Mitchell Sorenson

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments _____

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

j. ☐ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? Big Lost R. Irr Dist.

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☐ Yes ☐ No

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve

2. ☐ Deny

3. Conditions* _____

4. By _____ Date _____

1/1 copy to
SO 6/17

March 23, 1988

RE: Application for Transfer Nos. 34-0496/0692 & No. 34-2428
NORMA K. SORENSEN & MITCHELL D. SORENSEN

Mr. Bill Haralson
Rt. 1, Box 450
Arco, Idaho 83213

Dear Mr. Haralson:

This letter is to acknowledge receipt of your withdrawal of protest against the above referenced applications.

If you have any questions, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Water Rights Supervisor

EC:CW

March 22, 1988

RE: Application for Transfer No. 34-0496/0692 & No. 34-2428

Mitchell Sorensen
Norma K. Sorensen
Rt. 1, Box 63
Moore, ID 83255

Dear Applicants:

This letter is to advise you that Bill Haralson has withdrawn his protest against the above referenced applications.

If you have any questions, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:CW

Big Lost River

Department of Water Administration
APPLICANT'S

Exhibit #1

Date Admitted 14 March 88 EMC

① WATER Conservation Review Feb 1955
by USDA Soil Conservation Service

② WATER Quality Management plan
by BUTTE Soil Conservation Dist.

③ WATER RESOURCES
by E. G. Crosthwaite, C. A. Thomas,
and K. L. Dyer. 1970

④ CONSIDERATIONS FOR WATER USE and
Management A. Supplemental Report
by E. G. Crosthwaite, C. A. Thomas,
and K. L. Dyer 1970

⑤ SEDIMENTATION IN MURPHY RESERVOIR 1981
by USDA BLM Salmon District
Paul J. Krupin
AND by IDAHO HEALTH and WELFARE
Division of Environment Eastern Division Pocatello
John Moeller & Craig Shepherd.

(6)(7)(8)(9) WATERSHEDS (4) Reports 1962
by S.C.S.

⑩ Big Lost River 208 Project
by Jack Jensen
BUTTE Soil Conservation District 1982

⑪ Streambank Critical Area treatment measure
High Country Road project
by U.S.D.A. Soil Conservation Service
Nov. 1981

Big Lost River

Department of Water Administration
APPLICANT'S

Exhibit #1

Date Admitted 14 March 88 EWC

(12)

STREAMFLOW MEASUREMENTS IN IDAHO

U.S.D. of The Interior

Geological Survey water resources

by Idaho Department of water Administration

Each year plus miscellaneous

(13)

Comprehensive water plan for Butte County

Butte County planning resource board

by Forgyren, Perkins and Associates, Inc.

Consulting Engineers

(14)

situations and problems. Butte County

by Aaron York Extension Agent 1977

(15)

Erosion, Channel Change, and Sediment Transport

by Rhea P. Williams and Paul Kruppin

U.S. GEOLOGICAL SURVEY 1982

with maps.

(16)

Mackay Reservoir Storage Capacity

measured by U.S. Geological Survey

(17)

State water plan Part one

water resource Board

June 1974

(18)

Earthquake Changes Oct 28 1983

by R.L. Whitehead, R.W. Harper, and H.G. Sisco

U.S. Geological Survey Boise Report 1984

(19)

Probable Hydrologic Effects of a "22050
HYPOTHETICAL FAILURE OF MACKAY DAM

U.S. Geological Survey

by Terry Drustel, Gloria J. Stith, and

Thomas N. Kober.

For U.S. Department of Energy ^{STP.} 1979

(20)

Hydrologic Conditions at INEL. 22055

U.S. Geological Survey 1981

by Jack T. Barrachough, Barney D. Lewis and

Rodger G. Jensen.

in cooperation with U.S. Department of Energy

(21)

WASTE DATA INEL. 22066

1971 - 1973 AT Mackay Enr Office

(22)

USGS Erosion Study report 84-4147

1984 by Rhea Williams and Paul J. Krupin

AT Mackay Enr Dist Office

(23)

Flood Insurance Rate Maps. w/INDEX

by Fed Emergency Management Agency

BUTTE County.

Annual Big Lost River Runoff

^{START}
1904

by Enr Dist

(25)

Surface Water Supply

by Geological Survey

1954

(26)

Compilation of Surface Water records

1950 Geological Survey

(27) Supply surface water U.S. 1952

water supply paper 1947

Geological survey.

(28) GROUND WATER

U.S.G.S

(29) Big Lost River Post Flood Report

1967 AT Mackay Irr Dist

by U.S. Army Engineer Dist. Walla Walla

(30) Ground Water Quality in East Central

81-1011 U.S. Geological Survey (Mackay Irr ^{dist})

(31) OUTDOOR RECREATIONAL DEVELOPMENT

Appraised as potentials

by County Technical Action panel

THIS INSTRUMENT, made this 7 day of June, 1979, between Norma K. Sorensen, a widowed woman, of Provo, County of Utah, State of Utah, the party of the first part and Mitchell D. Sorensen and Elaine R. Sorensen, husband and wife, of Rte 1 Box 63, Moore County of Butte, State of Idaho, the party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten Dollars and No/100----- Dollars lawful money of the United States of America, to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to party of the second part's heirs and assigns, forever, all the following described water right, real estate, situated in -----, County of Butte, State of Idaho. to-wit:

3.85 cfs of ground water under the State of Idaho Water License No. 29837/34-2428 with a priority of June 25, 1961. It is understood that the intent of the conveyance is to convey all of Grantor's right, title and interest in and to the water right under said license and that the place of use of said water will be transferred, but that the point of diversion will remain the same and that the Grantees will have all rights to the use of said water right, including access to the point of diversion presently owned by Grantors.

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to party of second part's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Norma K. Sorensen
Norma K. Sorensen

UTAH
STATE OF IDAHO
County of Utah } ss.
On this 9th day of June in the year 1979, before me *Robert A. Nelson* Notary Public in and for said State, personally appeared Norma K. Sorensen, a widowed woman

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

No. 8089

FILED

(SEAL)

JUN 12 1979

9:00 A.M. P.M.

BUTTE COUNTY RECORDER

Charles W. Smith

Entered	...
Completed	...
Index	...

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Robert A. Nelson
Notary Public for the State of Idaho
Residing at *Provo, Utah, Idaho*

No. M. 8089

QUITCLAIM DEED

(Form No. 301)

NORMA K. SORENSEN

TO

MITCHELL D. SORENSEN

ELAINE R. SORENSEN

Dated June 12, 1979

STATE OF IDAHO,

County of Butte

I hereby certify that this instrument was filed for record at request of

Ronald W. Sorensen

at 0 minutes past 9:00

o'clock A.M., this 12 day of

June, 1979 in my

office, and duly entered in Book

of Deed's

at page M 8089

By *Charles W. Smith* Office Recorder

Fees \$ 1.00

Mail to

AFTER RECORDING RETURN TO

IN THE MATTER OF APPLICATION
FOR PERMIT 34-7247 & APPLICATIONS
FOR TRANSFER #34-2428 & 34-0496/0692
IN THE NAME OF MITCHELL D.
SORENSEN & NORMA K. SORENSEN,
RESPECTIVELY.

STIPULATION.

We the undersigned hereby agree to follow the
Department of Water Resources to reach a ^{PROPOSED} decision in this
matter based on the information presented at the conference,
the records of the Dept. & the findings of the Department's
study on ground water availability in the Big Lost River
Drainage.

We under stand this does not waive our right to
appeal the decision back to the Dept. or to the

District Court.

David P. Gentry
W. E. H. Walker
M. G. Babcock
W. E. H. H. H. H.
L. G. Stewart
Craig Stewart

W. E. H. H. H. H.
W. E. H. H. H. H.
W. E. H. H. H. H.
W. E. H. H. H. H.
W. E. H. H. H. H.

T 34-0496/0692 & T 34-2428 SORENSEN

Courtroom, Butte County Courthouse, Arco, Idaho
Monday, March 14, 1988 - 1:00 p.m.

ROSTER OF ATTENDANCE

Hearing Officer: Bob Fleenor, Ernest Carlsen.

Name	Representing	Address
~~Mitchell Sorenson~~	self.	Rt 1 Box 63C-1 Moore Idaho 83255
~~Lewis Rothwell~~	self	Rt. 1 Box 405 Arco Idaho 83213
~~Harold Harold Batool~~		
✓ NED R. WALKER	-	Box 32 Arco, Idaho 83213
✓ Joe Smith	- Rt #1	Box 22 Moore, Idaho 83255
Dale Smith	- Rt #1	Box 22 Moore, Idaho 83255
George Wheeler	Rt. 1	Box 89 Moore Idaho
Lt. Wm. Henday	Big Hart Lumber Co. W. Mackay	
✓ Lois Bleah	self	Rt 1 Box 27 Moore, ID
✓ David Bleah	self	Rt 1 Box 27 Moore ID
✓ Virgil J Hail	self	Box 454 Moore Idaho
✓ Gene H. Jones	self.	Box 26 Moore, Idaho
✓ Gerald Stewart	RT 1	Box 59 Moore ID.
Albert C Babcock	RT. #1	Box 76 Moore Idaho
John A Wainstrom	Rt 1	Box 117 Moore, Idaho
✓ Jay H Pearson	Rte. 1	Box 47 Moore, Idaho
✓ Garman J. Anderson	Rt 1	Box 52 Moore, Idaho.
Doug Downkneave	RT 1	Mackay Idaho
E. Doyle Jensen	Rt Box 43	Moore Idaho
Stephen King	Rt 1 Box 107A	MOORE, ID
Stephen B King	Rt 1 Box 105	MOORE, ID

Rt. 1, Box 450
Arco, Idaho 83213

8 March 1988

Department of Water Resources
Eastern District Office
150 Shoup - Suite 15
Idaho Falls, Idaho 83402

Re: In the matter of applications
for transfer nos. 34-0496/0692
in the name of Norma K. Sorenson
and no. 34-2428 in the name of
Mitchell D. Sorenson

Dear Sirs:

With regard to the above mentioned applications, I, Bill
Haralson, withdraw my protest.

Yours truly,



Bill Haralson

RECEIVED

MAR 9 1988

Department of Water Resources
Eastern District Office

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address.

2. ☐ Restricted Delivery.

3. Article Addressed to:

Mitchell R. Sorensen
Rt 1 Box 63
Moore Id. 83255

4. Article Number

0149

Type of Service:



Registered



Insured



Certified



COD



Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature — Addressee

X

Clair R. Sorensen

6. Signature — Agent

X

for Mitchell Sorensen

8. Addressee's Address (*ONLY if requested and fee paid*)

7. Date of Delivery

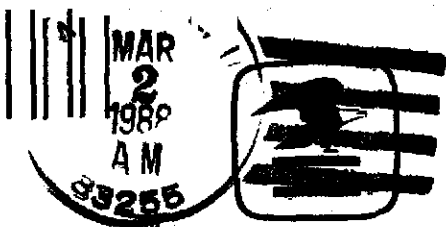
3-2-88

**UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS**

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE. \$300

**RETURN
TO**



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHOUP AVE.

#15

IDAHO FALLS, IDAHO 83401

RECEIVED

MAR 3 1988

Department of Water Resources
Eastern District Office

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
 2. ☐ Restricted Delivery. 1A

3. Article Addressed to:

*Norma K. Lorensen
 77 East 50 South
 Provo, UT 84601*

4. Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

0136

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature - Addressee

X

Norma K. Lorensen

6. Signature - Agent

X

GM

7. Date of Delivery

3/17

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

34 - 2428 / 34 - 0496

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits.
- Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
PENALTY FOR PRIVATE USE \$300

RETURN

TO



150 SHoup AVE. #15
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

RECEIVED

MAR 6 1988

(City, State, and ZIP Code)

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

163 SHOUF AVE.

IDAHO FALLS, IDAHO 83401

NAME AND
ADDRESS
OF SENDER



Indicate type of mail

☐ Registered

☐ Insured

□ EOD

☒ Certified

☐ Express Mail

Check appropriate block for

Registered Mail:

☐ With Postal Insurance☐ Without Postal Insurance

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

[illegible]

**Total Number of Places
Listed by Sender**

Total Number of Pieces Received at Post Office

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR	)	
TRANSFERS NOS. 34-0496/0692 IN THE	)	NOTICE OF COMBINED
NAME OF NORMA K. SORESENSEN AND NO.	)	HEARING &/OR CONFERENCE
34-2428 IN THE NAME OF MITCHELL	)	
D. SORESENSEN	)	

On May 30, 1980, Norma K. Sorensen and Mitchell D. Sorensen filed with the Department of Water Resources applications to transfer the public waters of the State of Idaho. On June 26, 1980, the Department received a protest against approval of said applications from David B., Chris, and Lois M. Bleak. The Department received additional protests from Richard Taylor, Larman D. Anderson, Bill Haralson, Jay F. Pearson, Gerald Stewart, Virgil Hail, Lewis Rothwell, Joe Smith, Mrs. Jesse W. Jensen, Ned R. Walker, Reuben Babcock, and the Big Lost River Irrigation District.

The Department has set the matter of protests for conference and/or hearing for 1:00 p.m., Monday, March 14, 1988, in the Court Room, Butte County Courthouse, Arco, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67 of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 29th day of February, 1988.

MICROFILMED

JUN 16 1988



RONALD D. CARLSON
Eastern Regional Manager

CONVERSATION MEMORANDUM

DATE September 17, 1985

FILE 34-2428 & 34-0496/0692

NAME OF PARTY Kent Foster

EMPLOYEE Ernie Carlsen

RE: _____

Spoke with Kent Foster about the status of Mitchell Sorensen's applications. I indicated we understood Mitchell wanted to make sure his ground-water application for the original place would be approved before actually transferring the decreed water. Therefore, administrative action on the transfer applications had been postponed while the Department developed a policy on ground-water appropriation in the Big Lost River Drainage.

Kent will contact his client and then advise us if the Department is to proceed with administrative action on the transfer applications.

December 14, 1981

RE: Application for Permit No. 34-7247
Application for Transfer No. 34-2428

Mitchell D. Sorensen
Rt. #1, Box 63
Moore, Idaho 83255

Dear Mr. Sorensen:

This is to advise you that the Big Lost River Irrigation District has withdrawn their protest against approval of the above referenced applications.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

December 14, 1981

RE: Application for Permit No. 34-7247
Application for Transfer No. 34-2428

J. Doyle Jensen
Chairman of the Board
Big Lost River Irrigation District
P.O. Box 205
Mackay, Idaho 83251

Dear Mr. Jensen:

This is to acknowledge receipt of your withdrawal of protest
against approval of the above referenced applications.

If you have any questions concerning this matter, please feel
free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

J. DOYLE JENSEN
President
Division No. 2, Moore

RICHARD C. ROTHWELL
Secretary - Treasurer
Division No. 4, Leslie

VERNON E. WARNER
Director
Division No. 5, Leslie

JAMES S. BABCOCK
Director
Division No. 3, Moore

WILLARD O. BELL
Director
Division No. 1, Arco

Big Lost River Irrigation District

Phone 588-2231 — P. O. Box 205

Mackay, Idaho 83251

December 8, 1981

PAID
DEC 10 1981

Department of Water Resources
Eastern District Office

Department of Water Resources
150 Shoup Avenue
Idaho Falls, 83401

Attn: Ron Carlson

re: application 34-7247 and 34-2423
Sorensen

Dear Ron:

The Board of Directors wish to withdraw the protest that was entered in regard to the above referenced applications. The Sorensens have made an agreement with the Irrigation District to use the canals in question for a period of 20 years.

Yours truly,

J. Doyle Jensen
J. Doyle Jensen
Chairman of the Board

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT }
NO. 34-7247 AND APPLICATION FOR TRANSFER }
NO. 34-2423 IN THE NAME OF MITCHELL D. }
SORENSEN AND APPLICATION FOR TRANSFER }
NO. 34-0496/34-0692 IN THE NAME OF }
NORMA K. SORENSEN }

NOTICE OF COMBINED HEARING
AND/OR CONFERENCE

On May 30, 1980, Norma K. Sorensen and Mitchell D. Sorensen filed with the Department of Water Resources applications to transfer the waters of the State of Idaho. On said date Mitchell D. Sorensen also filed with the Department an application to appropriate the public waters of the State of Idaho. On June 26, 1980, the Department received a protest against approval of said applications from David B. and Lois M. Bleak. The Department received additional protests from Richard Taylor, Larman D. Anderson, Bill Haralson, Jay F. Pearson, Gerald Stewart, Virgil Hail, Lewis Rothwell, Joe Smith, Mrs. Jesse W. Jensen, Ned R. Walker, Reuben Babcock, and the Big Lost River Irrigation District.

The Department has set the matter of protest for hearing for Wednesday, December 16, 1981, at 2:00 p.m. in the Memorial Building, Arco, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

In accordance with Idaho Code, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?

3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

In accordance with Idaho Code, Section 42-222, the following issues are involved in the consideration of the applications for transfers and protests:

1. Are other water right injured by the transfers?
2. Does the change constitute an enlargement in the use of the original right?

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the

district court.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 4th day of December, 1981.

A handwritten signature in cursive script, appearing to read "Ronald D. Carlson", written over a horizontal line.

RONALD D. CARLSON

Regional Supervisor



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

October 6, 1980

Re: Protested Application for Permit No. 34-7247
Protested Application for Transfer of Water Right No. 34-2428

Mitchell D. Sorensen
Route #1, Box 63
Moore, ID 83255

Dear Mr. Sorensen:

In response to the numerous protests concerning applications to appropriate groundwater, the Department is currently reviewing its records to determine the ground water availability in the Big Lost River Drainage. Until this review is finalized, no conference and/or hearing will be scheduled for considering a protested ground water application.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

July 16, 1980

RE: Application for Permit No. 34-7247
Application for Transfer of Right No. 34-2428
Application for Transfer of Rights Nos. 34-0496/34-0692 & T.921 - Norma Sorensen

Mitchell Sorensen
Route #1, Box 63
Moore, ID 83255

Dear Mr. Sorensen:

Enclosed herewith are copies of protests against the approval of the above referenced applications that you have filed with our Department.

Respectfully submitted,

ERNEST M. CARLSEN
Sr. Resource Analyst

EMC:kw
Enclosures

July 16, 1980

RE: Application for Transfer No. 34-2428
34-0496/34-0692

Big Lost River Irrigation District
P.O. Box 205
Mackay, Idaho 83251

Dear Mrs. Lundy:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principal items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDG:cw:kw

cc: IDWR - State Office

July 16, 1989

RE: Application for Transfer No. 34-2428
34-0496/34-0692

Reuben Babcock
Moore,
Idaho 83255

Dear Mr. Babcock:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:kw

cc: IDWR - State Office

July 16, 1980

RE: Application for Transfer No. 34-2428
No. 34-0496/34-0692

Ned R. Walker
Arco,
Idaho 83213

Dear Mr. Walker:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principal items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cs:kw

cc: IDWR - State Office

July 16, 1980

RE: Application for Transfer No. 34-2428
No. 34-0496/0692

Mrs. Jesse W. Jensen
Moora,
Idaho 83255

Dear Mrs. Jensen:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:lw

cc: IDWR - State Office

July 16, 1980

RE: Application for Transfer No. 34-2428
No. 34-0496/34-0692

Lewis Rothwell
Rt. #1, Box 405
Arco, Idaho 83213

Dear Mr. Rothwell:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:lw

cc: IDWR - State Office

July 16, 1980

RE: Application for Transfer No. 34-2428
No. 34-0496/34-0692

Joe Smith
Rt. #1, Box 22
Moore, Idaho 83255

Dear Mr. Smith:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:kw

cc: IDWR - State Office

July 16, 1980

RE: Application for Transfer No. 34-2428
No. 34-0696/34-0692

Virgil Hail
Box 454
Moore, Idaho 83255

Dear Mr. Hail:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:kw

cc: IDWR - State Office

July 16, 1980

RE: Application for Transfer No. 34-2428
No. 34-0496/34-0692

Gerald Stewart
Box 59
Moore, Idaho 83255

Dear Mr. Stewart:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:lw

cc: IDWR - State Office

July 16, 1980

RE: Application for Transfer No. 34-2428
No. 34-0496/34-0692

Jay F. Pearson
Rt. #1, Box 47
Moore, Idaho 83235

Dear Mr. Pearson:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:kw

cc: IDWR - State Office

July 16, 1980

RE: Application For Transfer No. 34-2428
No. 34-0496/34-0692

Bill Haralson
Arco,
Idaho 83213

Dear Mr. Haralson:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cwlw

cc: IDWR - State Office

July 16, 1980

RE: Application for Transfer No. 34-2428
No. 34-0496/34-0692

Mr. Larman Andersen
Moore,
Idaho 83255

Dear Mr. Andersen:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:kw

cc: IDWR - State Office

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

14-7247

SORENSEN, MITCHELL D.
RT. 1 BOX 43, MOORE, ID 83245
Source: GROUNDWATER
Date Filed: 05.10.1980
Amount: 8.34 CFS
Diversion Point: SE 1/4 Sec 05 T 44N R 26E, BUTTE COUNTY
Use: IRRIGATION - 8.34 CFS from 04.01 to 11.01
Place of Use: SE 1/4 Sec 05 T 44N R 26E, BUTTE COUNTY
SW 1/4 Sec 05 T 44N R 26E, BUTTE COUNTY
25E FOR 200 ACRES
Diversion Means: WELL & PUMP

If issued, the permit will be subject to all public water laws. Protests against the granting of a permit must be filed with the Director of the Idaho Department of Water Resources, 751 Lincoln Road, Idaho Falls, Idaho 83402, before JULY 1, 1980.

C. STEPHEN ALBERT

Published 5/19 & 5/26/80

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 8.34 CFS
PERMIT: 05.10.1980
POINT OF DIVERSION: SE 1/4 Sec 05 T 44N R 26E, BUTTE CO.
This water is used to irrigate 200 acres from April 1 to Nov. 1 with the following description: SW 1/4 Sec 05 T 44N R 26E, BUTTE CO.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 192.5 acres within the SE 1/4 Sec 05 T 44N R 26E, SW 1/4 Sec 05 T 44N R 26E, BUTTE CO.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 751 Lincoln Road, Idaho Falls, Idaho 83402, on or before July 1, 1980.

C. STEPHEN ALBERT
Director

Published in the Arco Advertiser 6/19 & 6/26/80

*I protest applications no. 34-7247
no. 34-2428*

for the following reasons

"34-7247. I believe there is too much water now being taken from under ground. This is affecting the soil irrigated land in the valley where all the wells are now. The rising water at the lower end of the valley that the Irrigation Dist. uses for the lower end is all but gone. I believe this is a problem."

"34-2428 I protest this application because this water transfer would take more water out of the valley. I believe when this well was drilled it was only to be a supplemental source of water for land above stated, and use for that land only, and only when the River water wasn't available to irrigate this parcel of ground."

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho

34-7247

SOERSEN, MICHAEL
PT. 1 BOX 63 MOORE, ID 87255
Source: GROUNDWATER
Date Filed: 6/30/1980
Amount: 24 CFS
Diversion from: SENECA CO. 34N R 26E B. 10 TO COUNTY
Use: IRRIGATION - 800 FEET
from 0401 to 1101
Place of Use: NENW NWNW
SWNW SENW SEW SW 35 T 4N R
25E FOR 200 ACRES
Diversion Means: WELL &
PUMP

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JULY 7, 1980.

C. STEPHEN ALLRED
Director

Published 6-19 & 6-26-80.

Dear Sir:

I am against any new well being drilled where the water from that well will be transferred out of our district. I am also against any transfer of water from a well that's already in use where that water leaves our district. If you continue to transfer the water out of this district, you are going to completely dry up this valley.

Yours truly,

Bill Hanson

WCH

July 7, 1980

RECEIVED

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2478

Notice is hereby given that Mitchell Sorenson, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by license No. 34-7247 and is recorded as follows:

AMOUNT: 24 CFS
PRIORITY: JUNE 2, 1961
POINT OF DIVERSION:
SE 1/4 Sec 5, T 4N, R 26E,
B.M. Butte Co.

The water is used on 200 acres from April 1 to 11/1/79 in the SE 1/4 Sec 5, T 4N, R 26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 192.5 acres within the SE 1/4 Sec 5, T 4N, R 26E, B.M. Butte Co.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JULY 7, 1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

34-7247

SORENSEN, MITCHELL D.
RT. 1 BOX 43, MOORE, ID 83255

Source: GROUNDWATER

Date Filed: 05-30-1980

Amount: 8.34 CFS

Diversion Point: SENE Sec 05 T
04N R 26E, BUTTE COUNTY.

Use: IRRIGATION - (8.34 CFS)
from 04-01 to 11-01

Place of Use: NENW NWNW
SWNW SENW SESW Sec 35 T 04N R
25E FOR 200 ACRES

Diversion Means WELL &
PUMP.

If issued, the permit will be
subject to all prior water rights.
Protests against the granting of any
permit must be filed with the
Director of the Idaho Department
of Water Resources, 1515 Lincoln
Road, Idaho Falls, Idaho 83401 on or
before JULY 7, 1980.

C. STEPHEN ALLRED
Director

Published 6-19 & 6-26-80.

7-5-80

Dear Sirs:

I am against any more wells being drilled in our district to take water out of our present water district to be put on our land outside of the district. There has already been too much of this water transferred onto nearly developed land out of our water district. The water table has been lowered to an extent that any of us on river bottom ground can no longer irrigate our farms with only the present allowed water of 1" to the acre. The past several years we have had to let some of our fields burn because we cannot get the water over the ground when the water table is lowered to the extent it has been.

I urge you not to grant any more permits to drill wells for irrigating outside district land.

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

Spencer Bailey

Joy F. Ransom
Rt 1 Box 47
Moore, Idaho
83255

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:

SE 1/4 NE 1/4, Sec. 5, T. 4N, R. 26E,
B.M., Butte Co.

The water is used to irrigate 192.5
acres from April 1 to Nov. 1 within
the SE 1/4 NE 1/4, Sec. 5;
NW 1/4 SW 1/4, Sec. 9; T. 4N, R. 26E,
B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate
192.5 acres within the SE 1/4 NE 1/4,
E 1/2 SE 1/4, Sec. 5, T. 4N, R. 26E,
W 1/2 SW 1/4, Sec. 35, T. 4N, R. 25E,
B.M.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho, 83401 on or before July 7,
1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80.

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NO. 2428

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of the groundwater source. The right sought to be changed is evidenced by License No. 2428 and is recorded as follows:

AMOUNT: 385 cfs
PRIORITY: June 25 1961
POINT OF DIVERSION: SE-1/4, Sec. 5, T. 4N, R. 26E
The water is used to irrigate 192.5 acres from April 1 to November 1. SW-1/4, Sec. 9, T. 4N, R. 26E
B.M.

TO BE CHANGED AS FOLLOWS:
The water will be used to irrigate 192.5 acres within the SE-1/4, E-1/2, Sec. 5, T. 4N, R. 26E
B.M.

A protest against approval of the above proposed change of water right must be filed with the Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before August 1, 1980.

C. STEPHEN KLEED
Director
Filed in the Arco Advertiser
July 6, 1980

July 7, 1980

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

I hereby wish to
express my opposition to the above application
because I sincerely believe we are not going into
an area of difficulty with this project.
These pumps are drawing down water supplies
in the valley, increasing our draft and
higher lifts that are working better
than ever.

PUBLIC NOTICE

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho

AT 1 BOX 63, MOORE, IDAHO
SOURCE: GROUNDWATER
Date Filed: 05-30-1980
Amount: 8.34 CFS
Division Point: SE-1/4, Sec. 5, T. 4N, R. 26E, BUTTE COUNTY, IDAHO

Use: IRRIGATION - 8.34 CFS
from 04-01 to 11-01
Place of Use: NEW NANA
SW-1/4, Sec. 9, T. 4N, R. 26E
25E FOR 200 ACRES
DIVISION MEANS: 454.8

PUMP
subject to all prior water rights
If issued, the permit will be
subject to all prior water rights
projects against the grant of water
permit must be filed with the
Director of the Idaho Department of
Water Resources, 1515 Lincoln Road,
Idaho Falls, Idaho 83401, on or before
August 1, 1980.

ALL RIGHTS RESERVED
ID-7140
JUL 6 1980

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

34-7247

SORENSEN, MITCHELL D.
RT. 1 BOX 43, MOORE, ID 83255
Source: GROUNDWATER
Date Filed: 05-30-1980
Amount: 8.34 CFS
Diversion Point: SENE Sec 05 T
04N R 26E, BUTTE COUNTY.
Use: IRRIGATION — (8.34 CFS)
from 04-01 to 11-01
Place of Use: NENW NWNW
SWNW SENW SESW Sec 35 T 04N R
25E FOR 200 ACRES
Diversion Means: WELL &
PUMP.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JULY 7, 1980.

C. STEPHEN ALLRED
Director

Published 6-19 & 6-26-80.

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 34-2428

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
B.M., Butte Co.

The water is used to irrigate 192.5 acres from April 1 to Nov. 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E; B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 7, 1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80.

*I protest to transferring the water
out on the desert. If they want
the water out there, let them
drill wells out there. They'll
be taking all our water out
there if we let them.*

Virgil F Hail

Moore Idaho Box 454

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Norma K. Sorensen, Provo, Utah, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the Big Lost River. Two of the rights sought to be changed are evidenced by decree to John W. Loveless (34-0496) and W. H. Sorensen (34-0692) in case of Utah Construction Co. vs. John F. Abbott et al. dated October 21, 1925 in U.S. District Court, Counties of Butte and Custer and are recorded as follows:

Right No. 34-0496

AMOUNT: 1.20 cfs

PRIORITY: June 1, 1896

DECEDED POINT OF
DIVERSION: SE¼, Sec. 4, T. 5N,
R. 26E, B.M., Butte County.

The water is used for the
irrigation of 60 acres from May 1 to
October 15 within the E¼SE¼, Sec.
5, T. 4N, R. 26E, B.M.

Right No. 34-0692

AMOUNT: 3.60 cfs

PRIORITY: July 15, 1884

DECEDED POINT OF
DIVERSION: SE¼, Sec. 4, T. 5N,
R. 26E, B.M., Butte County.

The water is used for the
irrigation of 180 acres from May 1
to October 15 within the SE¼NE¼,
Sec. 5; NW¼NE¼, Sec. 8; NW¼NW¼,
Sec. 9; T. 4N, R. 26E, B.M.

The third right sought to be
changed is evidenced by Transfer
No. 921 and is recorded as follows:

AMOUNT: 0.40 cfs

PRIORITY: July 15, 1884

POINT OF DIVERSION: SE¼,
Sec. 4, T. 5N, R. 26E, B.M., Butte
County.

The water is used for the
irrigation of 20 acres from May 1 to
October 15 within the SE¼SE¼,
Sec. 5, T. 4N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

Only 2.40 cfs, consisting of 1.20 cfs
of Right No. 34-0496, 0.80 cfs of
Right No. 34-0692 and 0.40 cfs of
Transfer No. 921, will be diverted in
the SE¼SE¼, Sec. 4, T. 5N, R. 26E,
B.M., Butte County and conveyed
through both the Moore Canal and
the Old Utah Construction Canal for
the irrigation of 120 acres from May
1 to October 15 within the NW¼,
Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho 83401 on or before July 14,
1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-26 & 7-03-80.

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 34-2428

Notice is hereby given that
Mitchell Sorensen, Moore, Idaho,
has applied to the Department of
Water Resources for a change in
the place of use of the waters of
groundwater source. The right
sought to be changed is evidenced
by License No. 34-2428 and is
recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE¼NE¼, Sec. 5, T. 4N, R. 26E,
B.M., Butte Co.

The water is used to irrigate 192.5
acres from April 1 to Nov. 1 within
the SE¼NE¼, E¼SE¼, Sec. 5;
NW¼NW¼, Sec. 9; T. 4N, R. 26E,
B.M.

TO BE CHANGED
AS FOLLOWS

The water will be used to irrigate
192.5 acres within the SE¼NE¼,
E¼SE¼, Sec. 5, T. 4N, R. 26E;
W¼SW¼, Sec. 35, T. 4N, R. 25E,
B.M.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho, 83401 on or before July 7,
1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80.

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the
following application has been
submitted for permit to appropriate
the public waters of the State of
Idaho:

34-7247

SORENSEN, MITCHELL D.

RT. 1 BOX 63, MOORE, ID 83255

Source: GROUNDWATER

Date Filed: 05-30-1980

Amount: 8.34 CFS

Diversion Point: SENE Sec 05 T

04N R 26E, BUTTE COUNTY.

Use: IRRIGATION — (8.34 CFS)

from 04-01 to 11-01

Place of Use: NENW NWNW

SWNW SENW SESW Sec 35 T 04N R

25E FOR 200 ACRES

Diversion Means: WELL &

PUMP.

If issued, the permit will be
subject to all prior water rights.
Protests against the granting of any
permit must be filed with the
Director of the Idaho Department
of Water Resources, 1515 Lincoln
Road, Idaho Falls, Idaho 83401 on or
before JULY 7, 1980.

C. STEPHEN ALLRED
Director

Published 6-19 & 6-26-80.

*It also interferes with our
Environment's Rights*

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

I wish to protect Applications 34-7247

34-2428

34-0496

34-0692

3rd right by transfer 921

*I feel we have all the wells that this valley can
handle right now. Our canals are full to capacity and no
arrangements made for use of some to land owners
who own ditch rights. The use of our canals should
have our permission.*

Lewis Potwell

Rt. 1 Box 405

Moore, Idaho 83255

Joe Smith

Rt# 1 Box 22

Moore, Idaho 83255

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Norma K. Sorensen, Provo, Utah, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the Big Lost River. Two of the rights sought to be changed are evidenced by decree to John W. Loveless (34-0496) and W. H. Sorensen (34-0692) in case of Utah Construction Co. vs. John F. Abbott et al. dated October 21, 1925 in U.S. District Court, Counties of Butte and Custer and are recorded as follows:

Right No. 34-0496

AMOUNT: 1.20 cfs

PRIORITY: June 1, 1896

DECREED POINT OF
DIVERSION: SE $\frac{1}{4}$, Sec. 4, T. 5N,
R. 26E, B.M., Butte County.

The water is used for the irrigation of 60 acres from May 1 to October 15 within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E, B.M.

Right No. 34-0692

AMOUNT: 3.60 cfs

PRIORITY: July 15, 1884

DECREED POINT OF
DIVERSION: SE $\frac{1}{4}$, Sec. 4, T. 5N,
R. 26E, B.M., Butte County.

The water is used for the irrigation of 180 acres from May 1 to October 15 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E, B.M.

The third right sought to be changed is evidenced by Transfer No. 921 and is recorded as follows:

AMOUNT: 0.40 cfs

PRIORITY: July 15, 1884

POINT OF DIVERSION: SE $\frac{1}{4}$,
Sec. 4, T. 5N, R. 26E, B.M., Butte
County.

The water is used for the irrigation of 20 acres from May 1 to October 15 within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

Only 2.40 cfs, consisting of 1.20 cfs of Right No. 34-0496, 0.80 cfs of Right No. 34-0692 and 0.40 cfs of Transfer No. 921, will be diverted in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 5N, R. 26E, B.M., Butte County and conveyed through both the Moore Canal and the Old Utah Construction Canal for the irrigation of 120 acres from May 1 to October 15 within the NW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before July 14, 1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-26 & 7-03-80.

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
B.M., Butte Co.

The water is used to irrigate 192.5 acres from April 1 to Nov. 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 7, 1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80.

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

34-7247

SORENSEN, MITCHELL D.

RT. 1 BOX 63, MOORE, ID 83255

Source: GROUNDWATER

Date Filed: 05-30-1980

Amount: 8.34 CFS

Diversion Point: SENE Sec 05 T

04N R 26E, BUTTE COUNTY.

Use: IRRIGATION — (8.34 CFS)

from 04-01 to 11-01

Place of Use: NENW NWNW

SWNW SENW SESW Sec 35 T 04N R

25E FOR 200 ACRES

Diversion Means: WELL &

PUMP.

If issued, the permit will be

subject to all prior water rights.

Protests against the granting of any

permit must be filed with the

Director of the Idaho Department

of Water Resources, 1515 Lincoln

Road, Idaho Falls, Idaho 83401 on or

before JULY 7, 1980.

C. STEPHEN ALLRED

Director

Published 6-19 & 6-26-80.

THE PEOPLE OF THE VALLEY BOUGHT THE UTAH
CONSTRUCTION OUT SO THEY COULD KEEP THE
WATER IN THE DISTRICT....WE DON'T FEEL
LIKE IT SHOULD BE TAKEN AGAIN FROM THE VALLEY..

*For irrigation wells - there are already
to many drilled!*

Mrs. June H. Jensen

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Norma K. Sorensen, Provo, Utah, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the Big Lost River. Two of the rights sought to be changed are evidenced by decree to John W. Loveless (34-0496) and W. H. Sorensen (34-0492) in case of Utah Construction Co. vs. John F. Abbott et al. dated October 21, 1925 in U.S. District Court, Counties of Butte and Custer and are recorded as follows:

Right No. 34-0496

AMOUNT: 1.20 cfs

PRIORITY: June 1, 1896

DECREED POINT OF
DIVERSION: SE $\frac{1}{4}$, Sec. 4, T. 5N,
R. 26E, B.M., Butte County.

The water is used for the
irrigation of 60 acres from May 1 to
October 15 within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
5, T. 4N, R. 26E, B.M.

Right No. 34-0492

AMOUNT: 3.60 cfs

PRIORITY: July 15, 1884

DECREED POINT OF
DIVERSION: SE $\frac{1}{4}$, Sec. 4, T. 5N,
R. 26E, B.M., Butte County.

The water is used for the
irrigation of 180 acres from May 1
to October 15 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 5; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 9; T. 4N, R. 26E, B.M.

The third right sought to be
changed is evidenced by Transfer
No. 921 and is recorded as follows:

AMOUNT: 0.40 cfs

PRIORITY: July 15, 1884

POINT OF DIVERSION: SE $\frac{1}{4}$,
Sec. 4, T. 5N, R. 26E, B.M., Butte
County.

The water is used for the
irrigation of 20 acres from May 1 to
October 15 within the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 5, T. 4N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

Only 2.40 cfs, consisting of 1.20 cfs
of Right No. 34-0496, 0.80 cfs of
Right No. 34-0492 and 0.40 cfs of
Transfer No. 921, will be diverted in
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 5N, R. 26E,
B.M., Butte County and conveyed
through both the Moore Canal and
the Old Utah Construction Canal for
the irrigation of 120 acres from May
1 to October 15 within the NW $\frac{1}{4}$,
Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho 83401 on or before July 14,
1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-26 & 7-03-80.

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 34-2428

Notice is hereby given that
Mitchell Sorensen, Moore, Idaho,
has applied to the Department of
Water Resources for a change in
the place of use of the waters of
groundwater source. The right
sought to be changed is evidenced
by License No. 34-2428 and is
recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
B.M., Butte Co.

The water is used to irrigate 192.5
acres from April 1 to Nov. 1 within
the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5;
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E,
B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate
192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E;
W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E,
B.M.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
1515 Lincoln Road, Idaho Falls,
Idaho, 83401 on or before July 7,
1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80.

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the
following application has been
submitted for permit to appropriate
the public waters of the State of
Idaho:

34-7247

SORENSEN, MITCHELL D.

RT. 1 BOX 63, MOORE, ID 83255

Source: GROUNDWATER

Date Filed: 05-30-1980

Amount: 8.34 CFS

Diversion Point: SENE Sec 05 T

04N R 26E, BUTTE COUNTY.

Use: IRRIGATION - (8.34 CFS)

from 04-01 to 11-01

Place of Use: NENW NWNW

SWNW SENW SESW Sec 35 T 04N R

25E FOR 200 ACRES

Diversion Means: WELL &

PUMP.

If issued, the permit will be

subject to all prior water rights.

Protests against the granting of any

permit must be filed with the

Director of the Idaho Department

of Water Resources, 1515 Lincoln

Road, Idaho Falls, Idaho 83401 on or

before JULY 7, 1980.

C. STEPHEN ALLRED

Director

Published 6-19 & 6-26-80.

This I Protest-

Neal R. Walker

July 5, 1980

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that Iorma K. Sorensen, Provo, Utah, as applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the Big Lost River. Two of the rights sought to be changed are evidenced by decree to John W. Lovelless (34-496) and W. H. Sorensen (34-0692) in case of Utah Construction Co. vs. John F. Abbott et al. dated October 21, 1925 in U.S. District Court, Counties of Butte and Custer and are recorded as follows:

Right No. 34-0496

AMOUNT: 1.20 cfs

PRIORITY: June 1, 1896

DECREED POINT OF

DIVERSION: SE $\frac{1}{4}$, Sec. 4, T. 5N, R. 26E, B.M., Butte County.

The water is used for the irrigation of 60 acres from May 1 to October 15 within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E, B.M.

Right No. 34-0692

AMOUNT: 3.60 cfs

PRIORITY: July 15, 1884

DECREED POINT OF

DIVERSION: SE $\frac{1}{4}$, Sec. 4, T. 5N, R. 26E, B.M., Butte County.

The water is used for the irrigation of 180 acres from May 1 to October 15 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E, B.M.

The third right sought to be changed is evidenced by Transfer No. 921 and is recorded as follows:

AMOUNT: 0.40 cfs

PRIORITY: July 15, 1884

POINT OF DIVERSION: SE $\frac{1}{4}$, Sec. 4, T. 5N, R. 26E, B.M., Butte County.

The water is used for the irrigation of 20 acres from May 1 to October 15 within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

Only 2.40 cfs, consisting of 1.20 cfs of Right No. 34-0496, 0.80 cfs of Right No. 34-0692 and 0.40 cfs of Transfer No. 921, will be diverted in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 5N, R. 26E, B.M., Butte County and conveyed through both the Moore Canal and the Old Utah Construction Canal for the irrigation of 120 acres from May 1 to October 15 within the NW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before July 14, 1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-26 & 7-03-80.

PUBLIC NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 34-2428

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E, B.M., Butte Co.

The water is used to irrigate 192.5 acres from April 1 to Nov. 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 7, 1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80.

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

34-7247

SORENSEN, MITCHELL D.

RT. 1 BOX 63, MOORE, ID 83255

Source: GROUNDWATER

Date Filed: 05-30-1980

Amount: 8.34 CFS

Diversion Point: SENE Sec 05 T

04N R 26E, BUTTE COUNTY.

Use: IRRIGATION - (8.34 CFS)

from 04-01 to 11-01

Place of Use: NENW NWNW

SWNW SENW SESW Sec 35 T 04N R

25E FOR 200 ACRES

Diversion Means: WELL &

PUMP.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JULY 7, 1980.

C. STEPHEN ALLRED
Director

Published 6-19 & 6-26-80.

I do protest this Application

Reuben W. Babcock

Reason

1. Too many pumps on west side of valley.

2. When Big Lost River 17m Dist.

Bought U.S. the water waste leave distinct

I do protest approval of this change.

Reuben W. Babcock

Reason

1. Because land is water with water transferred off

RECEIVED

JUL 7 1980

Department of Water Resources
Eastern District Office

To: Report amount of water resources

WILLARD O. BELL
Director
Division No. 1, Argonne

Mackay, Idaho 83251

RECEIVED

JUL 3 1980

Department of Water Resources
Eastern District Office

July 2, 1980

Dear Ron:

The Directors of the Big Lost River Irrigation District wish to enter their PROTEST against the applications submitted by Mitchell and Norma K. Sorensen. Copies of the applications are attached, there are three:
 permit 34-7247 published for 8.34 CFS by Mitchell Sorensen
 application of Mitchell Sorensen for 3.85 CFS
 application of Norma K. Sorensen for 1.20 CFS

The Board is protesting these applications because each of them involve the use of the Moore and the U/C (Blaine) canal and no long term arrangements have been made to use the District's facilities.

Yours truly,

Rita M. Lundy for the Board per their motion made on July 1, 1980
Assistant Secretary-treasurer

engl:

Big Lost River Irrigation District, established in 1936 — The Mackay Reservoir

[illegible]

Total number of acres to be irrigated **60**

9. Describe any other water rights used for the same purposes as described above Supplemental ground

water under License 34-2428 is in the process of being transferred to new lands.

July 2, 1980

RE: Application for Transfer No. 34-2428

Mitchell Sorensen
Rt. #1, Box 63
Moore, Idaho 83255

Dear Mr. Sorensen:

Enclosed please find a copy of the protests filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cv

Enclosure

cc: IDWR - State Office

C
O
P
Y

July 2, 1980

RE: Application for Transfer No. 3A-2428 SORENSEN

Richard Taylor
Moore,
Idaho 83255

Dear Mr. Taylor:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cv

cc: IDWR - State Office

July 2, 1980

RE: Application for Transfer No. 34-2428 SORENSEN

David B. Bleak, Lois M. Bleak,
Chris Bleak
Rt. #1, Box 27
Moore, Idaho 83255

Dear Postestants:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw

cc: IDWR - State Office

C
O
P
Y

In protest of these two items, for these reasons

PUBLIC NOTICE

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

34-7247

SORENSEN, MITCHELL D.
RT. 1 BOX 63, MOORE, ID 83255

Source: GROUNDWATER

Date Filed: 05-30-1980

Amount: 8.34 CFS

Diversion Point: SENE Sec 05 T
04N R 26E, BUTTE COUNTY.

Use: IRRIGATION — (8.34 CFS)
from 04-01 to 11-01

Place of Use: NENW NWNW
SWNW SENW SESW Sec 35 T 04N R
25E FOR 200 ACRES

Diversion Means: WELL &
PUMP.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JULY 7, 1980.

C. STEPHEN ALLRED
Director

Published 6-19 & 6-26-80.

PUBLIC NOTICE

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NO. 34-2428

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
B.M., Butte Co.

The water is used to irrigate 192.5 acres from April 1 to Nov. 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E, B.M.

**TO BE CHANGED
AS FOLLOWS**

The water will be used to irrigate 192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 7, 1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80.

No ①

A further study should be made of the ground water before any additional wells are drilled.

No ② Supplemental water is being taken out of the area that it is allocated for.

Richard Taylor

JUN 27 1980

RECEIVED

JUN 26 1980

Route 1, Box 27
Moose, Idaho
June 24, 1980

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

34-7247
SORENSEN, MITCHELL D.
RT. 1 BOX 63, MOORE, ID 83255
Source: GROUNDWATER
Date Filed: 05-30-1980
Amount: 8.34 CFS
Division Point: SENE Sec 05 T
04N, R 26E, BUTTE COUNTY,
USA: IRRIGATION — (8.34 CFS)
from 04-01 to 11-01
Place of Use: NENW NWNW
SWNW SENW SESEW Sec 35 T 04N R
25E FOR 200 ACRES
Diversion Means: WELL &
PUMP.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JULY 7, 1980.

C. STEPHEN ALLRED
Director

Published 6-19 & 6-26-80.

PUBLIC NOTICE

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs
PRIORITY: June 25, 1961
POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
B.M., Butte Co.

The water is used to irrigate 192.5 acres from April 1 to Nov. 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5;
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E,
B.M.

TO BE CHANGED
AS FOLLOWS

The water will be used to irrigate 192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E;
W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E,
B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 7, 1980.

C. STEPHEN ALLRED
Director

Idaho Dept. of Water Resources

1515 Lincoln Rd
Idaho Falls, Idaho 83401

Sir;

I protest the granting of this permit and I further protest the change of the place of use of water herein described, filed by Mitchell Sorensen.

The grounds are that the available water in this area is not sufficient to transfer to a different area. We believe that additional wells will result in the loss of ground water in this area.

Sincerely,

David B. Bleck

Tom M. Blank

Chris

Notice: All further permits will be protested until this issue is resolved.

JUN 27 1980

Identification No. _____

Transfer No. 34-2428

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Eugene H. Gabert, watermaster of Big Lost River,
of Water District No. #34, County of Butte & Custer, State of Idaho,
whose address is Box 206, Mackay, Idaho 83251,
have read the attached copy of the application for transfer of water right for
Mitchel Sorensen, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse Application for Transfer and recommend that the State
Reclamation Engineer approve the Transfer subject to the following conditions:

None

OR

B. I do not endorse approval of this Application for Transfer as requested
for the following reasons: _____

Dated at Mackay, Idaho, this 25 day of June, 1980.

Eugene H. Gabert
(Signature)

June 18, 1980

RE: Application for Transfer of Water Right No. 34-2428

Eugene Gabert
Watermaster
413 Elm
Mackay, ID 83251

Dear Mr. Gabert:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before July 7, 1980.

Thank you for your cooperation in this matter.

Very truly yours,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosures

RECEIVED

JUN 23 1980

Department of Water Resources
Eastern District Office

late

PUBLIC NOTICE

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 34-2428**

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
B.M., Butte Co.

The water is used to irrigate 192.5 acres from April 1 to Nov. 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E, B.M.

**TO BE CHANGED
AS FOLLOWS**

The water will be used to irrigate 192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 7, 1980.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser
6-19 & 6-26-80.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that Mitchell Sorensen, Moore, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of groundwater source. The right sought to be changed is evidenced by Licence No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E, B.M., Butte Co.

The water is used to irrigate 192.5 acres from April 1 to Nov. 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35, T. 4N, R. 25E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 7, 1980.

C. STEPHEN ALLRED

Director

Published in the Arco Advertiser 6/19 & 6/26/80.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Mitchell Sorensen Phone NonePost office address Rt. #1, Box 63 Moore, ID 83255**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 34-2428 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____4. Date of priority June 25, 1961

5. Water is used for the following purposes:

amount 3.85 for Irrigation purposes from April 1 to Nov. 1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day – both dates inclusive)

6. Total amount of water under right: a. 3.85 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 5Township 4N Range 26E, B.M., in Butte County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	26E	5				39									39			39	117
		9						38											75.5

MICROFILMED
JUN 16 1988

Total number of acres to be irrigated 192.59. Describe any other water rights used for the same purposes as described above groundwater permit
applied for

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion:

- a. Amount of water to be diverted 3.85 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE ¼ NE ¼, Section 5 Township 4N
Range 26E, B.M., Butte County
Additional points _____

- c. Description of diverting works well and pump

- d. Describe the reasons for applying for a change in the point(s) of diversion property in
Sec. 9 was sold and water right withheld in sale (see copy of quit claim deed)

2. Change in place of use

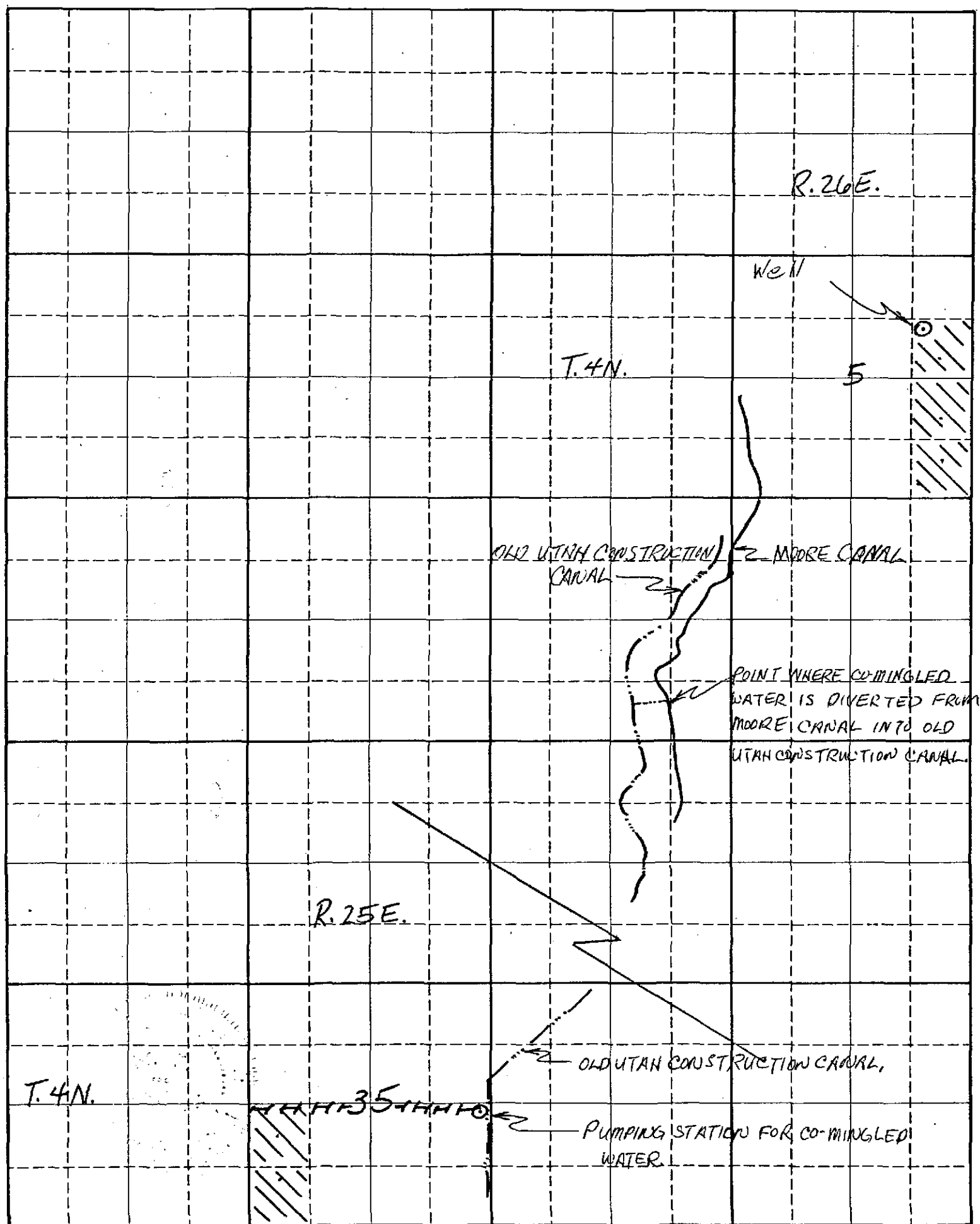
- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	26E	5				39									39			39	117
4N	25E	35									37.5	38							75.5

RECORDED
JUN 16 1988

Total number of acres to be irrigated 192.5

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

JUN 16 1988

4. Remarks _____

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

Michael Brown
(Signature of applicant)

Subscribed and sworn to before me this 30 day of May, 19 80.

Kathleen A. Walker
(Notary public)

My commission expires 2/15/83

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 ____.

RECEIVED

JUN 16 1988

FOR DEPARTMENT USE ONLY

Received by _____	Date _____	Protest filed by <u><i>David B. Black</i></u>
Prelim. check by _____	Fee <u>35.</u>	<u><i>Richard Taylor</i></u>
Received by <u><i>KW</i></u>	Date <u>5/30/80</u>	# <u>14827</u>
Published in <u>Arco Advertiser</u>	Copies of protest forwarded by _____	
Pub. dates <u>6/19 & 6/26/80</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for approval _____ denial _____	
_____ rec'd. <u>6-27-80</u>	by _____	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

1. Right number 34-2428 Applicant [redacted]
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☐ Priority ☐ Amount ☐ Purpose ☐ Period of use
 - b. ☒ Description of original point of diversion:
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☐ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) License 34-2426 comes from same PD
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☐ No
If yes, what district? N/A groundwater

copy to
SO 3/13
KW

LDFP
4/6

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

1. ☐ Approve Withdrawn
2. ☐ Deny
3. Conditions* _____
4. By Ernest Carls Date Dec 21, 1981

RECEIVED
DEC 28 1981
Department of Water Resources

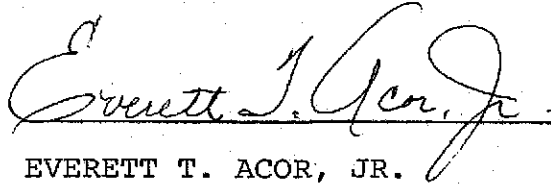
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 34-2428 IN)
THE NAME OF EVERETT T. ACOR, JR.)

WITHDRAWAL OF
TRANSFER

I hereby withdraw my application for transfer
of water right No. 34-2428 and request the Department of
Water Resources void it from their records.

Signed this 14th day of December, 1981.


EVERETT T. ACOR, JR.

MICROFILMED

JUN 16 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant EVERETT T. Acox, Jr. Phone 554-3561
Post office address Box 13, MOORE

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
 - b. License No. 34-2428 issued by the Idaho Department of Water Resources
 - c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
APPLICANT ACQUIRED RIGHT THRU PURCHASE OF PROPERTY
3. Source of water GROUNDWATER. tributary to _____
4. Date of priority 6/25/1961
5. Water is used for the following purposes:
amount 3.85 for Irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)
6. Total amount of water under right: a. 3.85 cubic feet per second
b. _____ &/or
acre feet per annum
7. Location of original point of diversion is SE ¼ of NE ¼ of Section 5
Township 4N Range 26E, B.M., in BUTTE County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>4N</u>	<u>26E</u>	<u>5</u>				<u>39</u>									<u>39</u>			<u>39</u>	<u>117</u>
		<u>9</u>							<u>37.5</u>	<u>38</u>									<u>75.5</u>

MICROFILMED
JUN 16 1988

Total number of acres to be irrigated 192.5

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

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 1.48 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 5 Township 4N
Range 26E, B.M., BUTTE County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	26E	9					57.5	76.5											74

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

74

1. Change in point of diversion

- a. Amount of water to be diverted 1.48 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28 Township 5N
Range 26E, B.M., BUTTE County
Additional points _____

c. Description of diverting works WELL, PUMP AND CANAL TO APPLICANTS LAND.

d. Describe the reasons for applying for a change in the point(s) of diversion _____

2. Change in place of use NO CHANGE

- a. Describe the lands or place of use to which the right will be transferred:

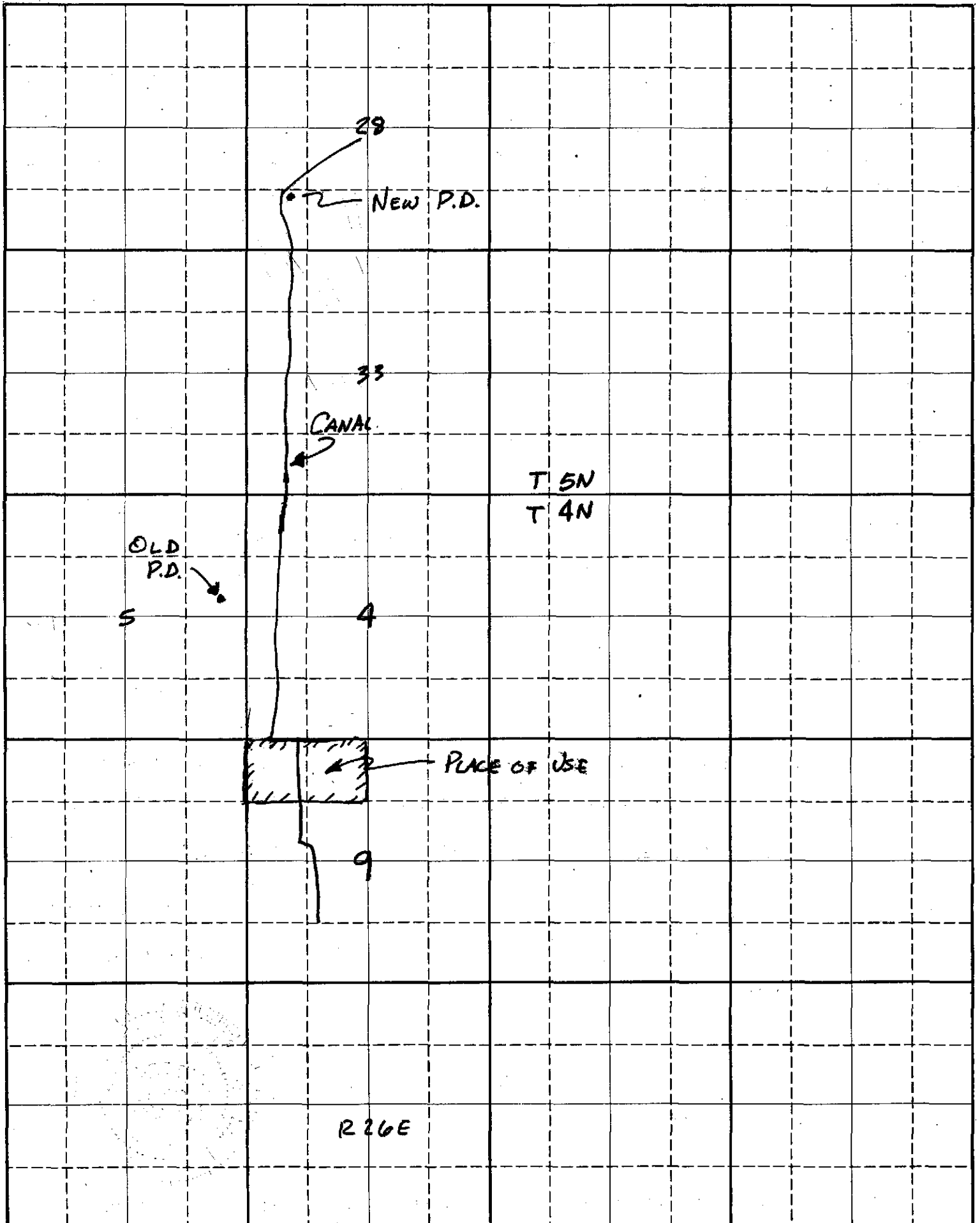
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

RECORDED

JUN 16 1988

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED
JUN 16 1988

4. Remarks _____

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

Ernest J. George
(Signature of applicant)

Subscribed and sworn to before me this 10 day of March, 1981.

Kathlyn A. Walker
(Notary public)

My commission expires 2/15/1983

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

MICROFILMED

JUN 16 1988

FOR DEPARTMENT USE ONLY

Received by SA Date 3/10/81

Prelim. check by HWS Fee 50.

Receipted by CW Date 3/10/81 # 17087

Published in The Arco Advertiser

Pub. dates 3/19 & 3/26/81

Watermaster recommendation requested on _____

_____ rec'd. _____

Protest filed by Withdrawn
Big Lost River
Alex. Dist., Mitchell Sorensen
Lamar Hunt, Jay F. Pearson,
Harmon W. Anderson
Copies of protest forwarded by RW

Hearing held by _____ Date _____

Recommended for Withdrawn approval _____ denial _____

by EMC

Affidavit of Publication

Lella Emmack.....
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco,
Idaho, since March, 1909, do solemnly swear that
a copy of this notice, per clipping attached, was
published weekly in the regular and entire issue
of said newspaper, and not in any supplement
thereof,

for...*2*... consecutive weeks, commencing with

the issue dated *3-19-81*.....

and ending with the issue dated *3-26-81*.....

Lella Emmack

Subscribed and sworn to before me this

10th day of *April*, 19*81*.

Quarsh R. Bailey
Notary Public

Residence: Arco, Idaho.
My commission expires *1-13-83*.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that Everett
T. Acor, Jr., Moore, Idaho, has ap-
plied to the Department of Water
Resources for a change in the point of
diversion of the waters of ground-
water source. The right sought to be
changed is evidenced by License No.
34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
Butte County.

The water is used to irrigate 192.5
acres from April 1 to November 1
within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9, T. 4N, R. 26E.

TO BE CHANGED AS FOLLOWS

Only 1.48 cfs of the water will be
diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
28, T. 5N, R. 26E, Butte County.

Any protest against approval of the
above proposed change of water right
must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, Idaho, 83401
on or before April 6, 1981.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser 3-
19 and 3-26-1981.

RECEIVED

APR 16 1981

Department of Water Resources
Eastern District Office

MICROFILMED
JUN 16 1988

December 17, 1981

RE: Application for Transfer No. 34-2428

Mr. Everett T. Acor, Jr.
Box 13
Moore, Idaho 83255

Dear Mr. Acor:

This letter is to acknowledge your withdrawal of the above referenced application for transfer. The Department will take no further action in this matter and has voided the application in our files.

If you have any questions, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cm

RECORDED

JUN 16 1988

December 17, 1981

RE: Application for Transfer No. 34-2428 EVERETT T. ACOR, JR.

Jay F. Pearson
Moore,
Idaho 83255

Dear Mr. Pearson:

This letter is to inform you that the hearing scheduled for December 16, 1981, at 11:00 a.m. has been cancelled. Mr. Acor has withdrawn the above referenced application for transfer. The department will take no further action in this matter and has voided the application in the files.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

JUN 16 1988

December 17, 1981

RE: Application for Transfer No. 34-2428 EVERETT T. ACOR, JR.

LaMar Hult
Rt. #1, Box 69
Moore, Idaho 83255

Dear Mr. Hult:

This letter is to inform you that the hearing scheduled for December 16, 1981, at 11:00 a.m. has been cancelled. Mr. Acor has withdrawn the above referenced application for transfer. The department will take no further action in this matter and has voided the application in the files.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

JUN 16 1988

December 17, 1981

RE: Application for Transfer No. 34-2428 EVERETT T. ACOR, JR.

Mitchell D. Sorensen
Moore,
Idaho 83255

Dear Mr. Sorensen:

This letter is to inform you that the hearing scheduled for December 16, 1981, at 11:00 a.m. has been cancelled. Mr. Acor has withdrawn the above referenced application for transfer. The department will take no further action in this matter and has voided the application in the files.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

JUN 16 1988

December 17, 1981

RE: Application for Transfer No. 34-2428 EVERETT T. ACOR, JR.

J. Doyle Jensen
Chairman
Big Lost River Irrigation District
P.O. Box 205
Mackay, Idaho 83251

Dear Mr. Jensen:

This letter is to inform you that the hearing scheduled for December 16, 1981, at 11:00 a.m. has been cancelled. Mr. Acor has withdrawn the above referenced application for transfer. The department will take no further action in this matter and has voided the application in the files.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

JUN 16 1988

December 17, 1981

RE: Application for Transfer No. 34-2428 EVERETT T. ACOR, JR.

Mr. Larman D. Andersen
Rt. #1, Box 52
Moore, Idaho 83255

Dear Mr. Andersen:

This letter is to inform you that the hearing scheduled for December 16, 1981, at 11:00 a.m. has been cancelled. Mr. Acor has withdrawn the above referenced application for transfer. The department will take no further action in this matter and has voided the application in the files.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

JUN 16 1988

DATE December 11, 1981FILE 34-2428 TransferNAME OF PARTY Everett T. Acor, Jr.EMPLOYEE Ernie Carlsen EMCRE: Application for Transfer No. 34-2428

Mr. Acor advised me this a.m. via telecon that he intends to withdraw the above captioned application for transfer since he does not want to pursue questions of ownership in the courts. Our records indicate an application for transfer of the same right has previously been filed by Mitchell Sorensen. However, since Mr. Acor was in the office during that time when we were moving into the new State Office Building, the Sorensen application was overlooked. In view of these circumstance, I indicated to Mr. Acor we would apply the \$50.00 fee previously paid to the new fee on any application that he may file.

MICROFILMED

JUN 16 1988

December 8, 1981

RE: Application for Transfer No. 34-2428

Everett T. Acor, Jr.
Box 13
Moore, Idaho 83255

Dear Mr. Acor:

This is to advise you that the Big Lost River Irrigation District has withdrawn their protest against approval of the above referenced application.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

JUN 16 1988

December 8, 1981

RE: Application for Transfer No. 34-2428 ACOR

J. Doyle Jensen
Chairman
Big Lost River Irrigation
P.O. Box 205
Mackay, Idaho 83251

Dear Mr. Jensen:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

JUN 16 1988

J. DOYLE JENSEN
President
Division No. 2, Moore

RICHARD C. ROTHWELL
Secretary - Treasurer
Division No. 4, Leslie

VERNON E. WARNER
Director
Division No. 5, Leslie

JAMES S. BABCOCK
Director
Division No. 3, Moore

WILLARD O. BELL
Director
Division No. 1, Arco

Big Lost River Irrigation District

Phone 588-2231 — P. O. Box 205

Mackay, Idaho 83251

December 7, 1981

RECEIVED

DEC 8 1981

Department of Water Resources
Eastern District Office

Department of Water Resources
The State Dept.
Idaho Falls, 83401

Attn: Ron Carlson:

Re: application transfer #- 34-2428
E.T.Acor Jr.

Dear Ron:

Please consider this letter a withdrawal of the letter of protest we sent to you dated March 21, 1981 regarding the above referenced transfer of E.T.Acor Jr. Since that letter was written Mr. Acor has requested and received for temporary use of the stated canal by reason of a "Transport Agreement"

"Protest withdrawn by agreement of the Board of Directors".

Yours truly,

J. Doyle Jensen
J. Doyle Jensen
Chairman of the Board

MICROFILMED

JUN 16 1988

34-2428 - EVERETT T. ACOR, JR.

MEMORIAL BUILDING, ARCO, IDAHO

Wednesday, December 16, 1981 (11:00 a.m.)

ROSTER OF ATTENDANCE

Hearing Officer _____

Name	Address	Representing
------	---------	--------------

MICROFILMED

JUN 16 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER NO. 34-2428 IN THE NAME
OF EVERETT T. ACOR, JR.

STIPULATION

BY THIS STIPULATION, the undersigned parties to the above-captioned case waive compliance with the requirements of Idaho Code, Section 67-5211, including the right to a proposed decision, to file exceptions to a proposed decision and to present briefs and oral arguments to the Director of the Department of Water Resources and agree that the Director may render a final decision in this case without first submitting a proposed decision.

Dated this _____ day _____, 19____.

(Notary Subscription)

MICROFILMED
JUN 16 1988

December 8, 1981

Arco Memorial Building
William G. Carlson
Arco, Idaho 83213

Dear Sir:

This is to confirm the use of the Memorial Building for conference and/or hearing to be held by this Department beginning at 11:00 a.m., December 16 and 9:00 a.m., December 17, 1981.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

JUN 16 1988

Returned Receipts

34-2428

34-2428

1. **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space
reverse.

2. The following service is requested (check one):
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
☐ Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
☐ Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES)

3. **ARTICLE ADDRESSED TO:**
 100 Bay 805
 Mackay, Md.

4. **ARTICLE DESCRIPTION:** REGISTERED NO. 83255
 INSURED NO. 12817

5. I have received the article described above.
 SIGNATURE [Signature] ADDRESS [Address] AUTHORIZED agent

6. DATE OF DELIVERY JUN 16 1988
 POSTMARK

7. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

8. RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

9. GPO : 1979-288-848

34-2428

34-2428

1. **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space
reverse.

2. The following service is requested (check one):
☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....
☐ RESTRICTED DELIVERY
☐ Show to whom and date delivered.....
☐ RESTRICTED DELIVERY.
☐ Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES)

3. **ARTICLE ADDRESSED TO:**
 Bay 13
 Mackay, Md 83255

4. **ARTICLE DESCRIPTION:** REGISTERED NO. 12817
 INSURED NO. 12817

5. I have received the article described above.
 SIGNATURE [Signature] ADDRESS [Address] AUTHORIZED agent

6. DATE OF DELIVERY JUN 16 1988
 POSTMARK

7. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

8. RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

9. GPO : 1979-288-848

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



RETURN TO
RECEIVED

DEC 14 1981

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RETURN TO
RECEIVED

DEC 8 1981

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

34-2428

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" section.

1. The following service is requested (check one):
- ☒ Show to whom and date delivered.....
- ☐ Show to whom, date and address of delivery.....
- ☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
- ☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery: _____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

James Street
Apt #1 Box 69
Miami FL 33255

3. ARTICLE DESCRIPTION: REGISTERED NO. CERTIFIED NO. INSURED NO.

12820

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

[Signature]

RECEIVED
JUN 16 1988

5. ADDRESS (Complete only if return)

JUN 16 1988

6. UNABLE TO DELIVER BECAUSE:

DESPITE
ATTEMPTS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

3811, Jan. 1979

GPO : 1979-288-846

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

**DEC
1981**

83255



**RETURN
TO**



RECEIVED

DEC 8 1981

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHOUP AVE.

IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

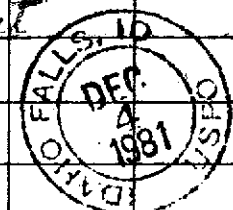
**Department of Water Resources
Eastern District Office**

(City, State, and ZIP Code)

ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

PS Form 3877, Sept. 1979

NAME AND ADDRESS OF SENDER		DEPARTMENT OF WATER RESOURCES EASTERN DISTRICT OFFICE 150 SHOUP AVE. IDAHO FALLS, IDAHO 83401		Indicate type of mail ☐ Registered ☐ Insured ☐ COD ☒ Certified		I certify that we have ☐ Commercial Insurance ☐ A deductible clause of \$		Affix stamp here if issued as certificate of mailing of for additional copies of this bill. POSTMARK AND DATE OF RECEIPT				
No.	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.O. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
✓	12809	Shoe Ranch, Box 97, Titonia, Id.	20	75								22-7575
✓	12810	Mary Smith, 30 S 2nd W, Kelburg										"
✓	12811	Neil Palmer, Sugar City, Id.										"
✓	12812	Kessel Wedding, Sugar City										"
✓	12813	Kyle J. Thompson, Sugar City										"
✓	12814	Dary Parkinson, Sugar City										"
✓	12815	Brent Darrud, Sugar City										"
✓	12816	Gremont Madison, P.O. Box 5, St. Anthony										"
✓	12817	Lucille J. May, Jr. Box 13, More										34-2428
✓	12818	Mitchell R. Pearson, Rt #1 Box 7, More										"
✓	12819	G. R. Pearson, P.O. Box 205 Mackay										"
✓	12820	Robert R. Kull, Rt #1 Box 7, More										"
✓	12821	Jay E. Pearson, More	37									34-7297
✓	12822	Arman D. Anderson, Rt #1 Box 52, More	37									34-7297
✓	12823	Rita Pender, P.O. Box 205 Mackay										34-7297
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.						
15		15		PC								



MAILED
JUN 16 1981

NAME AND ADDRESS OF SENDER

EASTERN DISTRICT OFFICE
 150 SHOUP AVE.
 IDAHO FALLS, IDAHO 83401

Indicate type of mail:
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have:
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

LINE	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	12824	Kimberly Babcock, Miss	37	75				34-7296	34-7296			34-7296
2	12825	Ned Walker, Arco, Id.	37	7				34-7296	34-7296			"
3	12826	Mrs. J. W. Jensen, Miss, Id.	20									"
4	12827	James Rethwell, Rt #1, Box 405, Arco	20									"
5	12828	Mr. Smith, Rt #1, Box 122, Miss	37					34-7296	34-7296			34-7292
6	12829	Virgil Hall, Box 454, Miss	20					34-7296	34-7296			"
7	12830	Gerald Stewart, Box 59, Miss	37									"
8	12831	Bill Johnson, Arco, Id.	20									"
9	12832	Richard Taylor, Miss	37	15				34-7296	34-7296			34-7297
10	12833	David Blair, Rt #1, Box 27, Miss	37					34-7296	34-7296			"
11	12834	Theresa F. Jensen, 707 E. 5th, Provo, Ut.	20									"
12	12835	Emberlin L. Jensen, Miss, Id.	37									34-7296 34-7297
13	12836	Donna L. Jensen, Box 53-C, Miss	20									34-7295
14	12837	Lynda M. Affee, Rt #1, Arco	20									34-7295
15	12838	John McAlister, Arco, Id.	20									34-7295

TOTAL NUMBER OF PIECES LISTED BY SENDER

15

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

15

POSTMASTER, PER (Name of receiving employee)

[Signature]

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

RECEIVED

JUN 16 1988



BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 34-2428 IN THE NAME)
OF EVERETT T. ACOR, JR.)

NOTICE OF HEARING
AND/OR CONFERENCE

On March 10, 1981, Everett T. Acor, Jr. filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. On March 25, 1981, the Department received a protest against approval of said application from the Big Lost River Irrigation District. Additional protests were received on March 31st from Mitchell Sorensen; on April 6th from LaMar Hult; and on April 7th from Jay F. Pearson and Larman D. Andersen.

The Department has set the matter of protest for hearing for Wednesday, December 16, 1981, at 11:00 a.m. in the Memorial Building, Arco, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

In accordance with Idaho Code, Section 42-222, the following issues are involved in the consideration of the application and protest(s):

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped recording of the proceedings will be maintained for the appeal period.

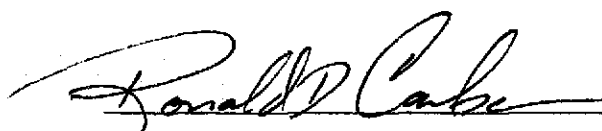
MICROFILMED
JUN 16 1988

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 4th day of December, 1981.



RONALD D. CARLSON

Regional Supervisor

MICROFILMED
JUN 16 1988

DATE August 20, 1981

FILE _____

EMPLOYEE Ronald Carlson

On May 30, 1980, Mitchell Sorenson applied to the Department to transfer water appurtenant to the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9, T. 4N, R. 26E. The application was subsequently protested and the Department has taken no further action on this request. On March 10, 1981, Mr. Acor Applied to the Department to transfer water appurtenant to the same land under the same right to a new point of diversion. His application has been protested by Mitchell Sorenson who claims Everett Acor has no interest in the above referenced license. However, in my conversation with Mr. Acor, he claims to have purchased the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9, from Ronald Sorenson and all appurtenant water rights.

MICROFILMED

~~JUN 16 1988~~

April 13, 1981

RE: Application for Transfer No. 34-2428

Everett T. Acor, Jr.
Box 13
Moore, Idaho 83255

Dear Mr. Acor:

Enclosed please find copies of additional protests filed against the above referenced application.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:cw:kw

Enclosures

MICROFILMED

JUN 16 1988

April 13, 1981

RE: Application for Transfer No. 34-2428 ACOR

Larman D. Andersen
Rt. #1, Box 52
Moore, Idaho 83255

Dear Mr. Andersen:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

MICROFILMED

JUN 16 1988

April 13, 1981

RE: Application for Transfer No. 34-2428 ACOR

Jay P. Pearson
Moore,
Idaho 83255

Dear Mr. Pearson:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

MICROFILMED

JUN 16 1988

April 13, 1981

RE: Application for Transfer No. 34-2428 ACOR

Lamar Hult
Rt. #1, Box 69
Moore, Idaho 83255

Dear Mr. Hult:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

MICROFILMED

JUN 16 1988

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NO. 34-2428

Notice is hereby given that Everett T. Acor, Jr., Moore, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of ground-water source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
Butte County.

The water is used to irrigate 192.5 acres from April 1 to November 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 4N, R. 26E.

TO BE CHANGED AS FOLLOWS

Only 1.48 cfs of the water will be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5N, R. 26E, Butte County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before April 4, 1981.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser 3-19 and 3-26-1981.

April 3, 1981

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

Dear Sir;

I protest Notice of Proposed Change of Water Right No. 34-2428 for the following reasons;

- 1- It is impossible to divert the water from said well in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5 T 4N R26E to the point of proposed diversion point within SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28 T 5N R 26 E Butte County
- 2- I am a user of the Canal that Mr. Acor wants to put his water in and there isn't room in the Canal now for all the present water users that have rights in the Canal.

Larman D. Andersen

Larman D. Andersen
RT. 1 Box 52
Moore, Idaho 83255

527-3329

MICROFILMED

JUN 16 1988

RECEIVED

APR 7 1981

Department of Water Resources
Eastern District Office

4-3-81

Dear Sirs:

I would like to protect the transfer of this water because there is not enough canal room to satisfy the demands of all ditches which are already granted a ditch right in it.

Yours truly,
Jay Pearson

6833-1-13

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that Everett T. Acor, Jr., Moore, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of ground water source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

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PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
Butte County.

The water is used to irrigate 192.5 acres from April 1 to November 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9, T. 4N, R. 26E.

TO BE CHANGED AS FOLLOWS

Only 1.48 cfs of the water will be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5N, R. 26E, Butte County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before April 6, 1981.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser 3-19 and 3-26-1981.

RECEIVED

APR 7 1981

Department of Water Resources
Eastern District Office

RECEIVED

JUN 16 1988

PAGE B-3, THE ARCO ADVER

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NO. 34-2428

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SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
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The water is used to irrigate 192.5 acres from April 1 to November 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9, T. 4N, R. 26E.

TO BE CHANGED AS FOLLOWS

Only 1.48 cfs of the water will be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5N, R. 26E, Butte County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before April 6, 1981.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser 3-19 and 3-26-1981.

*Moore Idaho
4/3/81*

*Protest the proposed change
for Everett T. Acor Jr.
and have a water right
and there is not enough
to fill the decreed rights*

*I thank you
L. M. Hull
Rt 1, Box 69
Moore Idaho 83255*

527-3168

MICROFILMED

JUN 16 1988

RECEIVED

APR 6 1981

Department of Water Resources
Eastern District Office

Moore Idles
4/3/81

Dear Sir,

I wish to protest the proposed change
of water right for Everett F. Acor Jr.
I own property and have a water right
in the canal and there is not enough
canal room to fill the decreed rights
that come first.

I thank you
L. M. Hull
Rt 1 Box 69

Moore Idles 83255

527-3168

MICROFILMED

JUN 16 1988

RECEIVED

APR 6 1981

Department of Water Resources
Eastern District Office

March 31, 1981

RE: Application for Transfer No. 34-2428 ACOR

Mitchell D. Sorensen
Moore,
Idaho 83255

Dear Mr. Sorensen:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

MICROFILMED

JUN 16 1988

MARCH 30, 1981

Moore, Idaho

To Dept. of Water Resources:

I, Mitchell D. Sorensen, am protesting the application of changing the point of diversion of License No. 34-2428 by Mr. Everett T. Acor, on the grounds that he is not the owner of the Water Right or any portion thereof.

I also claim to be the sole owner of well and rights.

Mitchell Sorensen

PAGE B-3, THE ARCO ADVERTI.

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that Everett T. Acor, Jr., Moore, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of ground-water source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E, Butte County.

The water is used to irrigate 192.5 acres from April 1 to November 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 4N, R. 26E.

TO BE CHANGED AS FOLLOWS

Only 1.48 cfs of the water will be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5N, R. 26E, Butte County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before April 6, 1981.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser 3-19 and 3-26-1981.

NOTICE OF

MICROFILMED

JUN 16 1988

RECEIVED

MAR 31 1981

Department of Water Resources
Eastern District Office

March 27, 1981

RE: Application for Transfer No. 34-2428

Mr. Everett T. Acor, Jr.
Box 13
Moore, Idaho 83255

Dear Mr. Acor:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

cc: IDWR - State Office

MICROFILMED

JUN 16 1988

March 27, 1981

RE: Application for Transfer No. 34-2428 ACOR

J. Doyle Jensen, Chairman
Big Lost River Irrigation District
P.O. Box 205
Mackay, Idaho 83251

Dear Mr. Jensen:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

MICROFILMED

JUN 16 1988

J. DOYLE JENSEN
President
Division No. 2, Moore

RICHARD C. ROTHWELL
Secretary - Treasurer
Division No. 4, Leslie

VERNON E. WARNER
Director
Division No. 5, Leslie

JAMES S. BABCOCK
Director
Division No. 3, Moore

WILLARD O. BELL
Director
Division No. 1, Arco

Big Lost River Irrigation District

Phone 588-2231 — P. O. Box 205

Mackay, Idaho 83251

March 24, 1981

Department of Water Resources
150 Shoup
Idaho Falls, Id 83401

Attn: Ron Carlson, Mgr.

Re: 34-2428
E.T. Acor

Dear Ron:

We wish to protest the above referenced application for a change in point of diversion from Section 5 Twp 4N Rge 26 to Section 28 Twp 5N Rge 26.

- 1) No arrangements have been made with the Big Lost River Irrigation District for the use of its Canal facility.

Yours truly,

J. Doyle Jensen
J. Doyle Jensen
Chairman of the Board

MICROFILMED

JUN 16 1988

RECEIVED

MAR 25 1981

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-2428

Notice is hereby given that Everett T. Acor, Jr., Moore, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of groundwater source. The right sought to be changed is evidenced by License No. 34-2428 and is recorded as follows:

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POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E, Butte County.

The water is used to irrigate 192.5 acres from April 1 to November 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; T. 4N, R. 26E.

TO BE CHANGED AS FOLLOWS

Only 1.48 cfs of the water will be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5N, R. 26E, Butte County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before April 6, 1981.

C. STEPHEN ALLRED

Director

Published in the Arco Advertiser 3/19 and 3/26/1981.

MICROFILMED

JUN 16 1988

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

NO. 34-2428

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AMOUNT: 3.85 cfs

PRIORITY: June 25, 1961

POINT OF DIVERSION:
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4N, R. 26E,
Butte County.

The water is used to irrigate 192.5 acres from April 1 to November 1 within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9, T. 4N, R. 26E.

TO BE CHANGED AS FOLLOWS

Only 1.48 cfs of the water will be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5N, R. 26E, Butte County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before April 6, 1981.

C. STEPHEN ALLRED
Director

Published in the Arco Advertiser 3-19 and 3-26-1981.

IDENT. NO. 34-2428

WATER RIGHT
DATA ENTRY LOG

[illegible]

October 5, 1972

Re: Permit No. 29837/34-2428 - Willard H. Sorensen & Sons
30031/34-2433 - Weldon J. & Melvin Sorensen

C
Mrs. Norma K. Sorensen
Moore,
Idaho 83255

Dear Mrs. Sorensen:

Enclosed herewith are the Water Licenses issued on the above referenced permits.

Also enclosed is departmental receipt No. 8911 in the amount of \$30.00 covering the licensing fees.

P
Sincerely,

BOBBY D. FLEENOR
Assistant Director

Y
BDF:DR
Enc: Licenses (2)
Receipt #8911

bc: Eastern District Office

34 2428

Weldon J. Sorensen & Sons

Farms and Livestock
Moore, Idaho 83255

October 2, 1972

C-S Brand
RECEIVED
OCT 9 1972
Department of Water Administration

Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

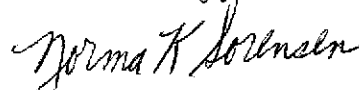
Gentlemen:

I have before me two letters from your department addressed to "Weldon J. & Melvin Sorensen" and one to "Willard H. Sorensen & Sons". Of the first one addressed to "Weldon J. & Melvin Sorensen", please be advised that both are deceased, and that I, Norma K. Sorensen wife of Weldon J. together with our sons are operating the farm and ranch of the estate of the two named.

Of the second addressee "Willard H. Sorensen & Sons", my son Ronald W. Sorensen is buying the farm of Willard, his grandfather.

Enclosed, please find payment for your fee on each of these acreages. Thank you.

Yours truly,



Norma K. Sorensen

encl.

September 21, 1972

Received #8911

Willard H. Sorensen & Sons
Moore,
Idaho 83255

C
Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 29837/34-2428 and has found the following:

Quantity of water diverted: 8.34 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 3.85 cfs

O
The maximum quantity of water diverted shall not exceed 577.5 acre feet per year.

Beneficial use: Irrigation of 192.5 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ (39), E $\frac{1}{2}$ SE $\frac{1}{4}$ (78), Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$ (75.5), Sec. 9; Twp. 4 N, Rge. 26 E, B.M.

P
Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, Twp. 4 N, Rge. 26 E, B.M.

Priority date established: June 25, 1961 (late proof)

A fee totaling \$15.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth above. If you do not concur with these findings, please contact us within the 30 day limit.

Y
Our field examination also indicates that your rate of diversion exceeds that authorized by your permit. Unless you have another valid permit for other grounds to be irrigated from this same well or other beneficial uses of this water, you must reduce your rate of diversion to that allowed by law.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29837

REPORT ON PROOF OF Completion of Works & Beneficial Use

*Recheck Acreage with
Weldon Lorenson*

34 2128

Aug 21.5

39	39	39
39	39	39

38 38.5 62

156

9

156
38.5
9.1

9.6

Q measured 8.34
Q recommended 3.85
3X192.5 = Volume 577.5 or 192.5

ACREAGE

FOUND/192.5

Recommended 192.5

Subdu 5

Amendments

☒ NONE

Aug. 31-71
RAC

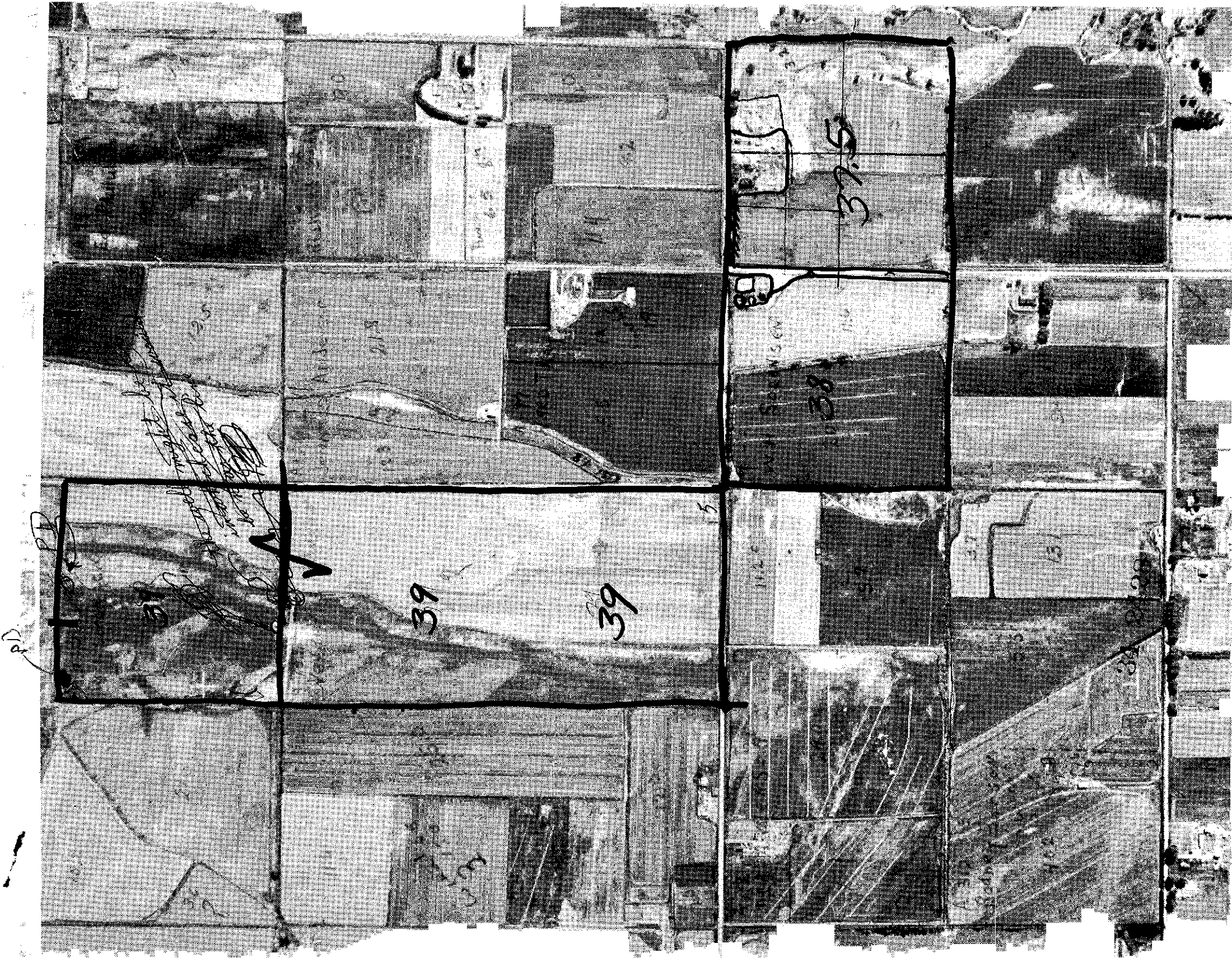
Area 156 A

Subd - 5

Area Q = 3.12 or 6

156"

$V = \frac{547}{100} \times 156 = 768$



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-29837

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Willard H. Sorensen & Sons

2. Source of water supply: a well

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5

T. 4 N R. 26 E. B.M. County of Butte

4. Describe works as they exist, giving dimensions and capacities of same: _____

7.5 H.P. U.S. Motor # 1245917

Layne Pump # 36989P 10" disch to ditch

5. Water is used for: Supplemental irrigation

6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9, T. 4 N., R. 26 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

10 $\frac{7}{16}$ " id 3" @ 21"

A = .594

V = 4.01 (1.75) / .5 = 14.04

Q = .594 (14.04) = 8.34 cfs

This examination was made on the 31 day of Aug., 1971

(Signed) _____

Rex L. Chapman Examiner.
Plat V

Re-examine acreage
Mr. Sorensen claims there
is 200 acres under
irrigation. 78. 7/20/71

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

11 2428

Weldon J. Sorensen
Moore, Idaho

Permit No. G-29837/34-2428-67

Examination for Completion of Works & Beneficial Use

County Butte

Quantity: 4.0 c.f.s.
Sec. 5 T. 4 N R. 26 E., B.M.

Source: a well

P.D.: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 4 N., R. 26 E., B.M.

Use: Supplemental irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Big Lost River Irrig. Dist.

Filed: June 19, 1961

Due: June 21, 1966

Made: June 27, 1966

Priority: June 25, 1966

April 4, 1967

Re: Permit No. G-29837

Weldon J. Sorensen
Moore, Idaho

Dear Mr. Sorensen:

In compliance with your letter of March 30, someone from this department will stop and discuss permit No. G-29837 with you at the first opportunity.

Very truly yours,

Donald J. Watts
Engineer

DJW:nw

29837

March 22, 1967

Re: Permit No. G-29837

Weldon J. Sorensen
Moore, Idaho

Dear Mr. Sorensen:

You are partially correct in your letter of March 20, 1967. The letter should have stated that the well is capable of producing 417 inches. The 3.12 c.f.s. figure for the license is one inch per acre for 156 acres, the limit imposed by statute. The acreage figure of 156 was determined from an aerial photograph and represents only irrigated acreage. We hope that this will satisfactorily explain the situation.

Very truly yours,

Donald J. Watts
Engineer

DJW:nw

29837

Mr. Arnold J. Watts
State of Idaho Dept. of Reclamation
107 State House
Boise, Idaho 83701

Moore, Idaho
March 30, 1967

RECEIVED
APR 3 1967

Department of Reclamation

Dear Mr. Watts:

In regards to your letter of 3/24/67 wherein you stated that our 200 acre farm has only 156 acres of irrigated acreage according to aerial photographs. I think there had better be some comparisons and checking up on these aerial photographs as I have two sets of aerial photographs and the H.S.C. and other offices have aerial photographs and other surveys that ~~that~~ bears out the fact that all 200 acres of our farm is irrigatable and records other evidence for approximately 80 years show that we have a respectable farm and that all the 200 acres are irrigatable and have been irrigated. There is some "orchardlines", "fence lines" and "roadways" that are consuming but by the laws of the United States and the State of Idaho we are ~~toped~~ ^{toped} for these and they are considered a part of the farm. I therefore reason and believe your estimate of 156 acres is in error and that we rightfully and legally qualified for the one inch per acre or 200 shares (for the 200 acres) of supplemental water we have applied for and which the well is more than doubly capable of producing. We would welcome a personal inspection by you or any reliable parties to further confirm this. With this I hope things pertaining to these matters will quickly be completed.

Very Truly Yours
R.E. Permit No. G-29837

Edw. J. Lorensen

29837

also at that time Bill Finley had ~~had~~^{made} a well that would produce that water and agricultural service of Blackfoot had never tested a well that would produce 50% of what this well will do. We have ~~to~~ 200 acres of ground that we needed supplemental water for under this well and this is the amount of water we were aiming for. We put a 75 horse power motor and pump on this well. As we pump this well we have found that its capacity and production increases. Last summer when the State man tested this well and measured it with a carpenter square he determined the well was pumping 420 inches so it is doing 200% and gets things irrigated in a hurry so I can turn it off and do other work. (We call this rotation of work.)

The description of land irrigated by this well is that which you have listed in your letter of the 23rd. or SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ sect. 5 and N $\frac{1}{2}$ NW $\frac{1}{4}$ section 9 Twp 4 N, Range 26 E.B.M. in Butte County

I hope this letter will help get things straightened out.

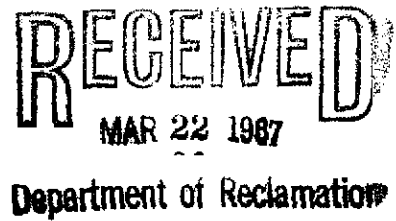
Very truly yours -
Weldon J. Lorenson

P.S. I've just thought, or got the idea, that maybe the permit No. of these wells have been crossed. W. J. L.

29837

Moore Idaho
March 20, 1967

State of Idaho
Department of Reclamation
107 State House
Boise Idaho 83701



Dear Sirs:

In regards to your letter of Jan 23, 1967 I've found there is an apparent mix-up on our irrigation wells in your records, or someplace. I'm unable to determine where or how come this error at this time.

The 156 miners inches or 3.12 c.f.s. belongs to the well in Custer County to the ranch we call "the Daught place." This well is located in the north-west corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ section 36 Twp 7 North Range 24 East Boise Meridian and was was to go on the adjoining 156 acres of land or one miner inch per acre.

The home place well which is in Butte County in the north west corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ section five township 4 north range 26 East Boise Meridian can pump a thousand inches of water. We didn't know what irrigation wells could do and how big a pump would be needed to pump water at that time.
(see page 2 please) 29137

September
XXXXXX

*these people
awaiting someone to
come talk to them
our letter dated
April*

January 23, 1967

RE: Permit No. G-29837

Weldon J. Sorensen
Moore, Idaho

Dear Mr. Sorensen:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29837 shows the well(3) is (are) capable of conveying 156 miner's inches, or 3.12 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 15.00, we will issue the Certificate of Completion of Works for 3.12 c.f.s. and the License and Certificate of Water Right for 3.12 c.f.s. confirming the right, with priority of June 25, 1961 to the use of subterranean water with the point of diversion in SE1/4NE1/4, Sec. 5, T. 4 N, R. 26 E, B.M., for irrigation of 156 acres in SE1/4NE1/4, E1/2SE1/4, Sec. 5; N1/2NW1/4, Sec. 9, T. 4 N, R. 26 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

29837

January 23, 1967

29837

XXXXXX

*these people
awaiting someone to
come talk to them*
January 23, 1967
*our letter dated
April*

RE: Permit No. G-29837

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Moore, Idaho

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Very truly yours,

M. Russell Bosch
Office Manager

MRB:rw

29837

REPORT OF WELL DRILLER
State of Idaho

RECEIVED
NOV 17 1966

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Weldon D. Anderson

Address Idaho

Owner's Permit No. 29837

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☐

16" "Diam. from 0 ft. to 156 ft.

"Diam. from ft. to ft.

"Diam. from ft. to ft.

"Diam. from ft. to ft.

Thickness of casing: 3/2 Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☒ No ☐ Type of
perforator used:

Size of perforations: 1/4 " by 3 "

536 perforations from 12 ft. to 156 ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☐

No. ☒ size of gravel Gravel

placed from ft. to ft. Surface seal

provided? Yes ☐ No ☒ To what depth?

 ft. Material used in seal:

Did any strata contain unusable water? Yes ☐

No. ☒ Type of water:

Depth of strata ft. Method of sealing

strata off:

Surface casing used? Yes ☐ No. ☒

Cemented in place? Yes ☐ No ☐

Locate well in section

		*	

LOCATION OF WELL: County Butte

NE 1/4 NW 1/4 Sec. 5 T. 4 N/S R. 26 E/W

SE NE

Use other side for additional remarks

Size of drilled hole: 16 " Total
depth of well: 156 ' Standing water
level below ground: 41 ' Temp.
Fahr. ° Test delivery: gpm
or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:

Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft.
above land surface Give flow cfs
or gpm. Shutoff pressure:

Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☒

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		
FEET	FEET		

0	31	gravel & clay	
31	83	sandy gravel	yes
83	104	sandy loam	no
104	156	sandy gravel & some clay	yes

Work started: May 1961

Work finished: May 28, 1961

Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.

Name: Bill E. Tindley

Address: 285 Parnell, Blackfoot

Signed by: Ensign Tindley

License No. Date: 11.6.66

29837

Re: Permit No. **G-29837**

July 8, 1966

Weldon J. Sorenson
Monroe, Idaho

Dear Mr. Sorenson:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Area Advertiser~~ all submitted in proof of completion of works and beneficial use on Permit No. **G-29837**.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

R. KEITH HIGGINSON
Deputy State Reclamation Engineer

RKH:mr

29837

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-29837

RECEIVED
JUN 20 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works
DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

WELDON J. SORENSEN, MOORE, IDAHO, farmer

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: _____

Ques. 3. State number, approval date of permit, and date of priority: _____

G-29837, June 21, 1961 approval date, June 19, 1961 priority date

Ques. 4. State source of water supply: Subterranean

Give location of point of diversion, showing subdivision, section, township and range

SE $\frac{1}{4}$ NE $\frac{1}{4}$ S. c. 5, Twp. 4 N., R. 26 EBM

Ques. 5. Describe your works of diversion: Irrigation Well

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 4.0 C.E.S. ; Give name of canal or ditch or other works by which water is conducted to such place of use: private ditch
_____ ; if a well, state depth of well 156 feet ; depth and size of casing 16" size 156 ft deep ; depth to water 43 feet ; if pump is used, state discharge of pump: over 4.0 c.f.s. ; tell how it was measured or determined _____
by Agriculture Service Co. by orifice ; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

Township 4N Range 26 East Boise Meridian:

Section 5: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, 120 acres

Section 9: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ 80 acres

200 acres total

Weldon J. Sorensen

29837 D

State nature of all improvements which have been made as a direct result of said use:

Supplemental irrigation water for existing farm

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Bill Findlay, Blackfoot, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: June 1961 - Time used since first use:

1961, 1962, 1966 seasons

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

Decreed waters out of Big Lost River: 140 inches 1884, 60 inches 1896

Willard H. Sorensen & Son
(sign) Weldon J. Sorensen

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Arco, Idaho, County of Butte

State of Idaho, on this 27th day of June, A. D. 1966.

Paul H. Boyer

My commission expires: 6/23/69

29837

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29837

* * * * *

RECEIVED
JUN 29 1966

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

JAY F. PEARSON, age 37, Moore, Idaho, farmer, RFD Moore, Idaho

Ques. 2 Are you acquainted with Weldon J. Sorensen, the holder of Permit No. G-29837? How long have you known him and where does he reside?

23 years- Moore, Idaho

Ques. 3. Have you read or heard said Permit No. G-29837 read, and are you familiar with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range

SE¹NE¹ Section 5, Twp. 4 N. Range 26 EBM

Describe works for conveying water to place of use: Irrigation Well

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4.0 c.f.s. How much water have you seen being so conveyed? 4.0 c.f.s.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

200 acres: Twp. 4 N. R. 26 EBM: Section 5: SE¹NE¹, NE¹SE¹, SE¹SE¹

Section 9: NE¹NW¹, NW¹NW¹

29837

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.
No new lands reclaimed. This well was drilled for supplemental water only. ^{for existing farm} The full 200 acres can be profitably irrigated from well

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? none

Ques. 10. When did you first see this water used? 1961
Other times you have seen such use: 1961, 1962, 1966

(Signed):

Jay P. Pearson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in my office at

145 Grand Ave. Arco, County of Butte, State of Idaho, on this 27th day of June, A. D. 19 66

Paul L. Boyer

Notary Public for the State of Idaho

Residing Arco, Idaho

My commission expires 6/13/69

29837

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29837

* * * * *

RECEIVED
JUN 29 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

REUBEN L. JENSEN, age 63, Moore, Idaho, farmer, RED Moore, Idaho

Ques. 2 Are you acquainted with Weldon J. Sorensen, the holder of Permit No. G-29837? How long have you known him and where does he reside?

50 years - Moore, Idaho

Ques. 3. Have you read or heard said Permit No. G-29837 read, and are you familiar with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range

SE¹NE¹ Section 5, Twp. 4 N. Range 26 EBM

Describe works for conveying water to place of use: Irrigation Well

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4.0 c.f.s. How much water have you seen being so conveyed? 4.0 c.f.s.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

200 acres: Twp. 4 N. R. 26 EBM: Section 5: SE¹NE¹, NE¹SE¹, SE¹SE¹

Section 9: NE¹NW¹, NW¹NW¹

29837

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

No land reclamation, This well was drilled for supplemental water only. The full 200 acres can be profitably irrigated from the well.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? none

Ques. 10. When did you first see this water used? 1961

Other times you have seen such use: 1962, 1966

(Signed):

Reuben L. Jensen

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in my office

145 Grand Ave Arco,, County of Butte, State of Idaho, on this 27th day of June, A. D. 1966

Paul H. Dager

Notary Public for the State of Idaho

Residing Arco, Idaho

My commission expires 6/13/69

29837

RECEIVED
JUN 29 1966

Affidavit of Publication

Department of Reclamation

PUBLIC NOTICE

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 27th day of June, 1966 at Arco, County of Butte, State of Idaho, before Fred H. Boyer, Notary Public at 145 Grand Ave., Arco, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29837, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Willard H. Sorensen & Sons (By Willard J. Sorensen), Moore, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 4.0 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, Twp. 4 N., R. 26 E.B.M.

5. The place where said water is used is Twp. 4 N., R. 26 E.B.M. Sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

6. The date of priority which said user is prepared to establish is June 19, 1961.

CARL E. TAPPAN,
State Reclamation Engineer.
Pub. 5-26 thru 6-16.

I, Elizabeth L. Brammer, of the

Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for four (4) consecutive weeks, commencing

with the issue dated May 26, 1966

and ending with the issue dated June 16, 1966

Elizabeth L. Brammer

Subscribed and sworn to before me this

22 day of June, 1966

Betty J. Mayo
Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1969

29837

Sorensen

LOST RIVER TITLE COMPANY

TITLE INSURANCE ESCROWS ABSTRACTS

ARCO, IDAHO

June 27, 1966

RECEIVED
JUN 29 1966

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Gentlemen:

RE: Weldon J. Sorensen
Permit No. G-29837

The above completed today the necessary forms in connection with final proof on his well and we submit the following for your approval:

- & sons
1. Deposition of Holder - Willard H. Sorensen, by Weldon J. Sorensen
 2. Deposition of Witness - Reuben L. Jensen.
 3. Deposition of witness - Jay F. Pearson.
 4. Affidavit of Publication.

Trust that this completes this correctly and to your satisfaction.

Sincerely Yours,

W. J. Sorensen, notary

29837

May 19, 1966

Re: Permit No. **G-29837**

Willard H. Sorensen & Sons
Moore, Idaho

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-29837**. The proofs are to be made at ~~Moore, Idaho~~ **9 o'clock**, on the **27th** day of **June**, 19 **66**, before **Fred H. Boyer**, **Arco, Idaho** Notary Public.

As of this date, we have mailed the Notice to the **Arco Advertiser**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

M. Russell Bosch
Office Manager

Encl.

cc: Notary

29837

RECEIVED
JUN 12 1966

NOTICE OF PROOF OF COMPLETION OF WORKS **Department of Reclamation**
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that ~~10-00-14~~, on the 27th day of June
1966, at Arco, County of Butte, State of Idaho
before FRED H. BOYER, Notary Public, at (address) 145 Grand Ave. Arco, Idaho, proof will be submitted of the completion
of works for the diversion of 4.0 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G 29837, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is WILLARD H. SORENSEN & SONS (By Weldon J. Sorensen) Moore, Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 4.0 cubic feet per second.

3. The use to which said water has been applied is IRRIGATION,
purposes and the amount applied to beneficial use is
4.0 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5 Twp. 4 N. R. 26 EEM.

5. The place where said water is used is Twp. 4 N. R. 26 EEM Sec: 5 SE $\frac{1}{4}$ NE $\frac{1}{4}$, NESE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec.: 9 NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$

6. The date of priority which said user is prepared to establish is June 28, 1961

State Reclamation Engineer

29837

Re: Permit No. G-29837

May 19, 1966

Arco Advertiser
Arco, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to June 27, 1966. The expense of the publication is to be paid by Weldon J. Sorensen of Moore, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:mr

29837

29837

COPY

Re: G-29837 ✓

May 9, 1966

Mr. Weldon Sorensen,
Moore, Idaho.

Dear Mr. Sorensen:

In reply to your letter of May 7, 1966, we
are forwarding a certified copy of Permit No. G-29837.

Also enclosed is Departmental Receipt No. G-
10325 to the amount of \$1.00.

Please contact us if we can be of further
assistance.

Very truly yours,

DONALD W. McELDOWNEY
State Water Rights Clerk

Encl. - Photo copy of Permit
Receipt
DWMc:pmk

29837

fee received \$1.00

RECEIVED
MAY 9 1966

Willard Sorensen
c/o Weldon Sorensen
Moore, Idaho

Department of Reclamation

May 7, 1966

G-29837

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

Will you please send me a certified copy of a well permit which we are supposed to make proof right away in Butte County. This well is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5 Twp. 5 N. R. 26 EBM and irrigated lands in Sec. 5 and Sec. 9 totaling 200 acres.

Somehow the permit and all correspondence concerning this well permit have been mislaid and we can't even find the number. Check is enclosed for \$1.00 for copy. Also I believe our time has elapsed to make proof on the correct date. Please send information so that this can be extended a few weeks until all information can be given to a notary to make final proof.

Sincerely Yours,

Weldon Sorensen

Weldon Sorensen

29837

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29837

April 4, 1966

Willard H. Sorenson & Sons
Moore, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29837 are due not later than **June 21, 1966**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

Carl E. Tappan

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

29837

June 30, 1961

Re: Permit No. G-29837

Willard H. Sorensen & Sons,
Moore, Idaho.

Gentlemen:

We enclose Permit No. G-29837 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-6080 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29837

7837

Permit Map No. 29837
As Approved
JUN 21 1961
GEO. N. CARTER
Mechanical Engineer

Journal # with Range 26 EBM

④

⑤

A hand-drawn diagram on a grid. A line is drawn with arrows at both ends, indicating it extends infinitely in both directions. The line is labeled "no direction".

7 with

June 14, 1961

Re: Application for Permit

Willard H. Sorenson & Sons
Moore, Idaho

Dear Mr. Sorenson:

Returned herewith is your application for permit with attached check for \$6.25.

You are claiming 205.3 miners inches which should correspond to the acreage shown under 12 on page 2, where straight 40-acre subdivisions were shown, as regular townships do not have lots in Sections 5 and 9.

Kindly show the acreage in each subdivision correctly in order to get this application approved.

The filing fee for 200 miners inches is 5.75 and \$6.00 for any amount from 201 to 250 miners inches.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with
attached check

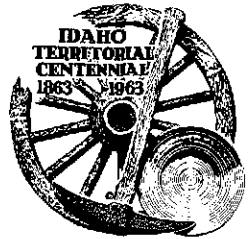
P. S. There are lots in the north tier of subdivisions in a normal Section 5, however your land list does not include any of such location.

29837



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE



June 14, 1961

Re: Application for Permit

Willard H. Sorenson & Sons
Moore, Idaho

Dear Mr. Sorenson:

Returned herewith is your application for permit with attached check for \$6.25.

You are claiming 205.3 miners inches which should correspond to the acreage shown under 12 on page 2, where straight 40-acre subdivisions were shown, as regular townships do not have lots in Sections 5 and 9.

Kindly show the acreage in each subdivision correctly in order to get this application approved.

The filing fee for 200 miners inches is \$5.75 and \$6.00 for any amount from 201 to 250 miners inches.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Ralph W. Thomas*
RALPH W. THOMAS, Deputy
State Reclamation Engineer

Enc. application with
attached check

P. S. There are lots in the north tier of subdivisions in a normal Section 5, however your land list does not include any of such location.

29837

June 5, 1961

Re: Application for Permit

Willard H. Sorensen & Sons
Moore, Idaho

Dear Mr. Sorensen:

Returned herewith is your application for permit with attached check for \$6.50 filing fee, with regulations and instructions.

The amount claimed is 300 inches while the amount of land shown on the map is 200 acres. See instructions for fee and amount of water allowable. Correct as necessary and return with the proper filing fee and the application will be processed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with attached
check \$6.50
regulations & instructions leaflet

29837

PUBLIC NOTICE

NOTICE OF PERMIT OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 27th day of June, 1966 at Arco, County of Butte, State of Idaho, before Fred H. Boyer, Notary Public at 145 Grand Ave., Arco, Idaho, proof will be submitted of the completion of works for the diversion of 4.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29837, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Willard H. Sorensen & Sons (By Weldon J. Sorensen), Moore, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 4.0 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$, NE $\frac{1}{4}$ Sec. 5, Twp. 4-N., R. 26 E.B.M.

5. The place where said water is used is Twp. 4-N., R. 26 E.B.M. Sec. 8, SE $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$; Sec. 9, NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$.

6. The date of priority which said user is prepared to establish is June 19, 1961.

CARL E. TAPPAN,

State Reclamation Engineer.

Pub. 5-26 thru 6-16

Page Proof