

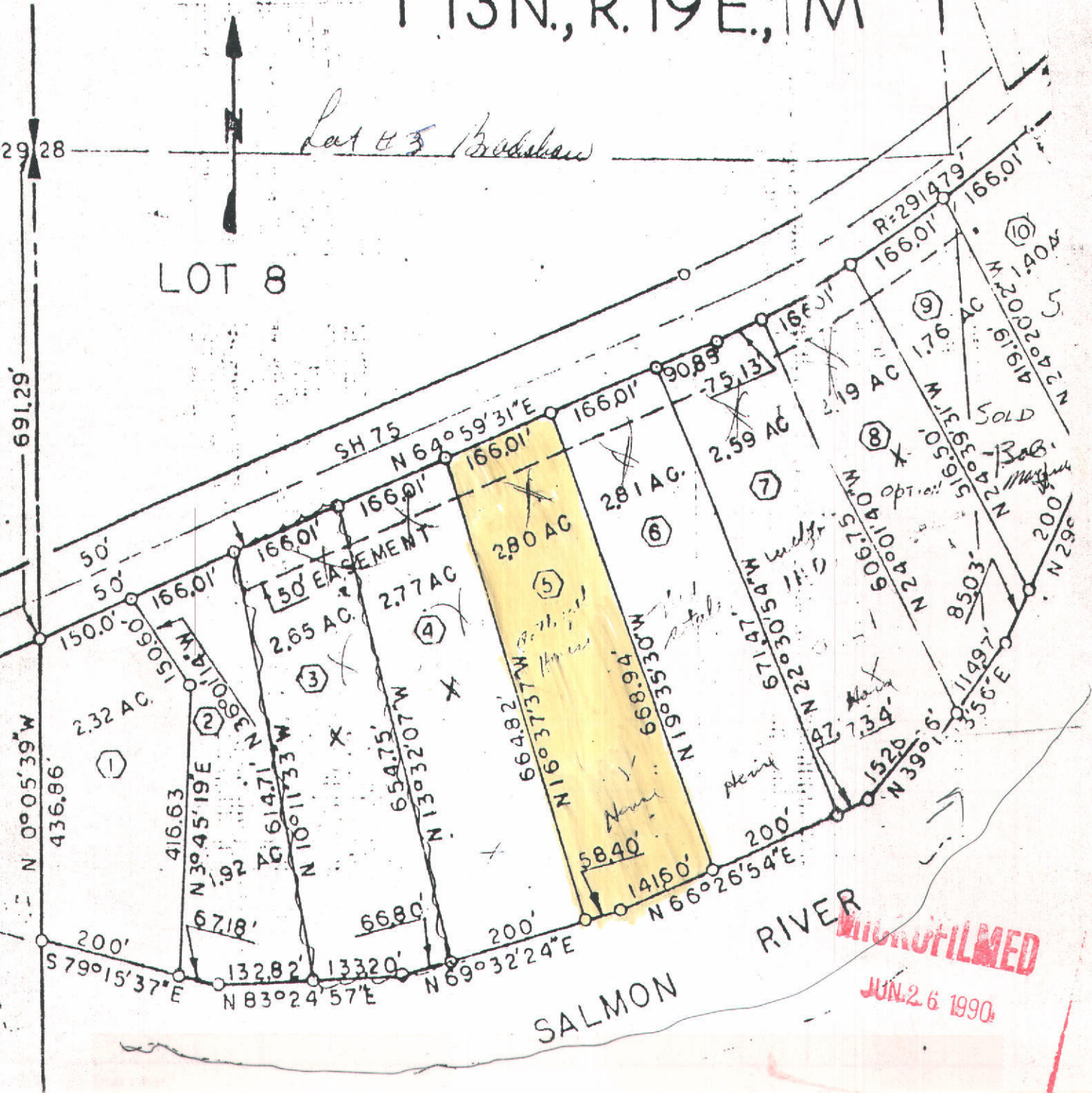
Scale: 2 inches equals 1 mile

SECTION 28

T 13N., R. 19E., M

Lat 43 Bradshaw

LOT 8



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.

Carl S Barup
President (Applicant)

REPROFILMED
JUN 26 1990

27'30"

4926

17

16

4925

3172 IV NE
(BAYHORSE)

4923

4922

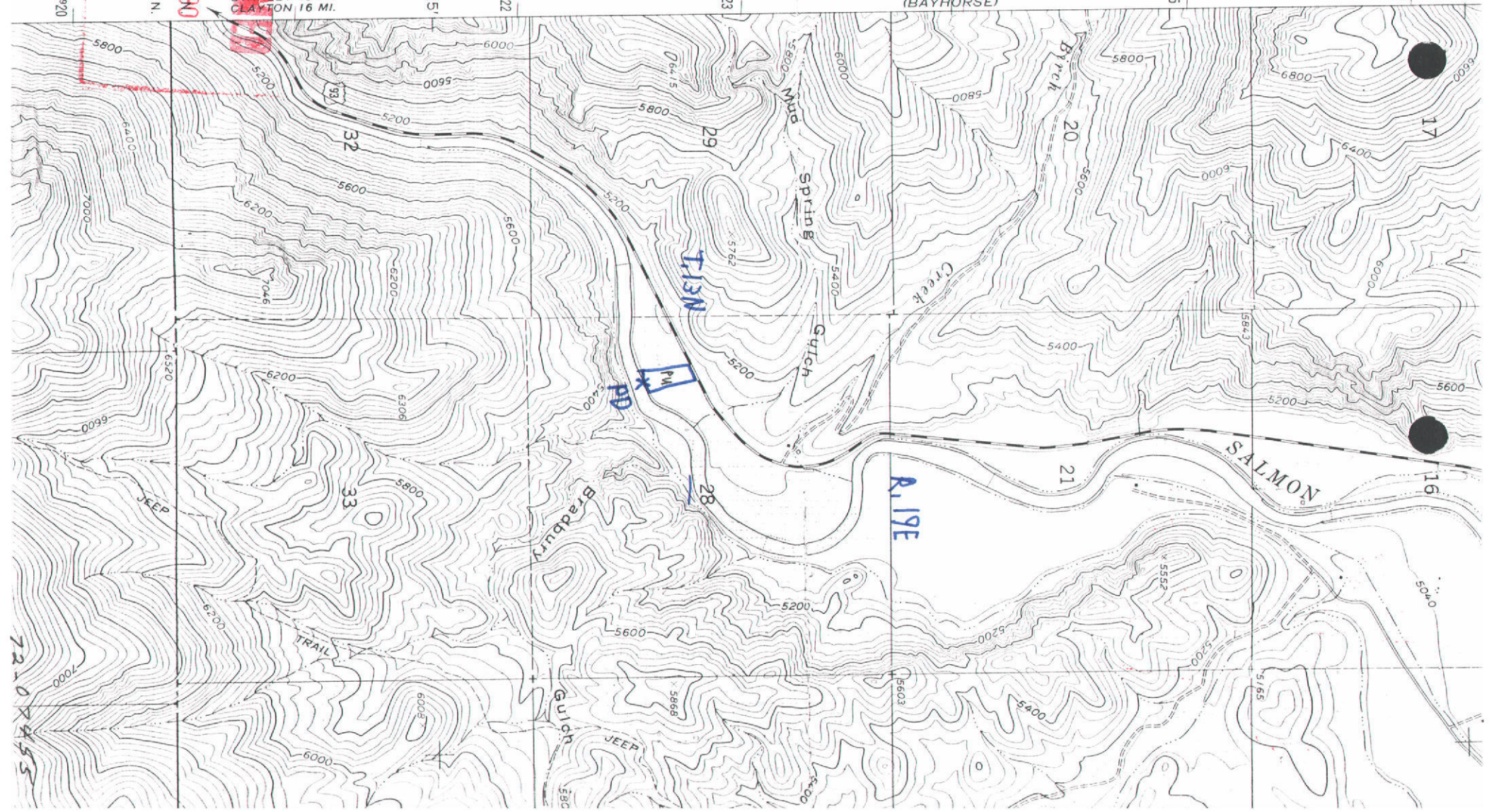
25

STANLEY 48 MI.
CLAYTON 16 MI.

JUN 26 1890

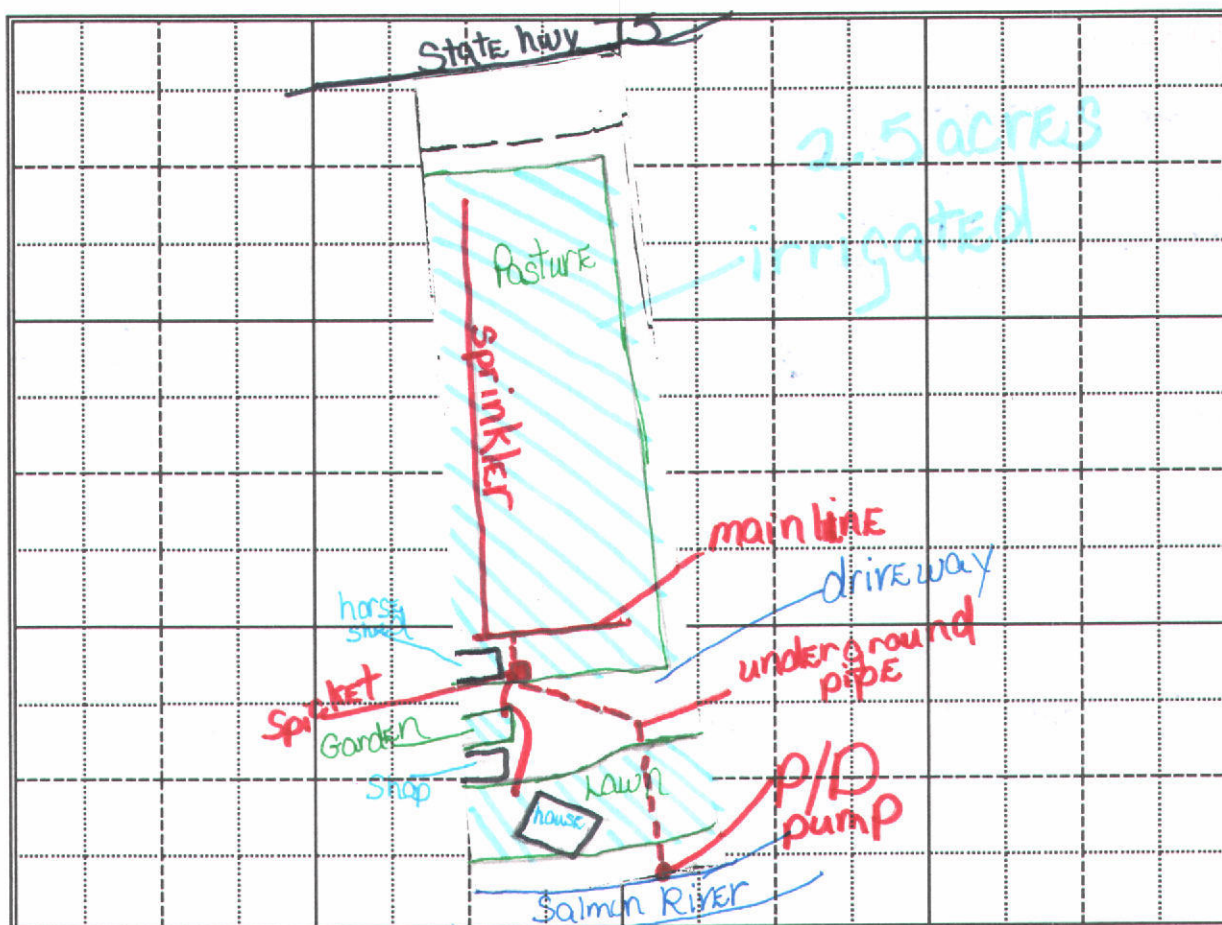
T. 12 N.

4920



72-0455

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Baldo	5hp	JP1409T	Berkley	JP1409T

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

MICROFILMED

MAR 11 1997

72-07455
P/D IN SALMON RIVER



72-07455
PUMP (5 H.P.) AND PIPING
T13N, R19E, SECTION 28
SE1/4, NW1/4, SW1/4

MICROFILMED
MAR 11 1997

72-07455
ELECTRICAL BOX FOR PUMP





72-07455
SPRINKLER IN PASTURE RUNNING
ON SOUTH SIDE OF PROPERTY

sprinkler



72-07455
OVERVIEW OF PASTURE LOOKING
WESTWARD ON THE SOUTHSIDE
OF PROPERTY



72-07455
VIEW OF NORTHSIDE OF PASTURE WITH
HORSE LOOKING WESTWARD

MICROFILMED
MAR 11 1997

72-07455
SPICKET FOR STOCKTANK, GARDEN, AND
LAWN. (UNDERNEATH LID)

Lid for
spicket



72-07455
STOCKTANK-100 GALLON
EAST SIDE OF PASTURE



72-07455
LAWN ON EAST SIDE OF HOUSE

MICROFILMED
MAR 11 1959





72-07455
GARDEN BESIDE HOUSE

MICROFILMED
MAR 11 1997

4925

3172 IV NE
(BAYHORSE)

4923

4922

25'

T. 13 N.

T. 12 N.

4920

STANLEY 48 MI.
CLAYTON 16 MI.

Birch

Mud

Spring

Creek

Gulch

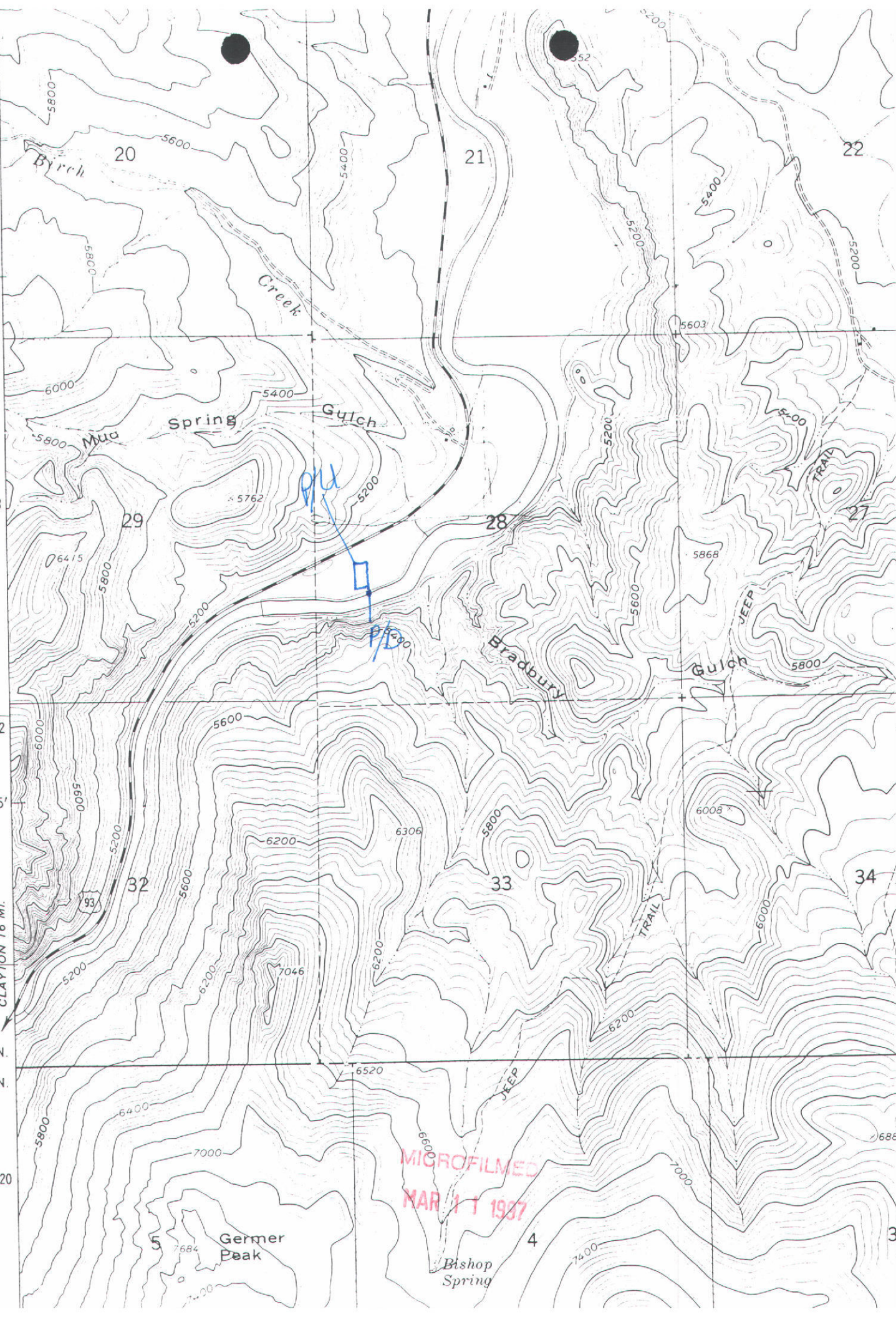
Bradbury

Gulch

Germer
Peak

Bishop
Spring

MICROFILMED
MAR 11 1937



MIRCH CR.
cc. 19.
MIRCH CR.

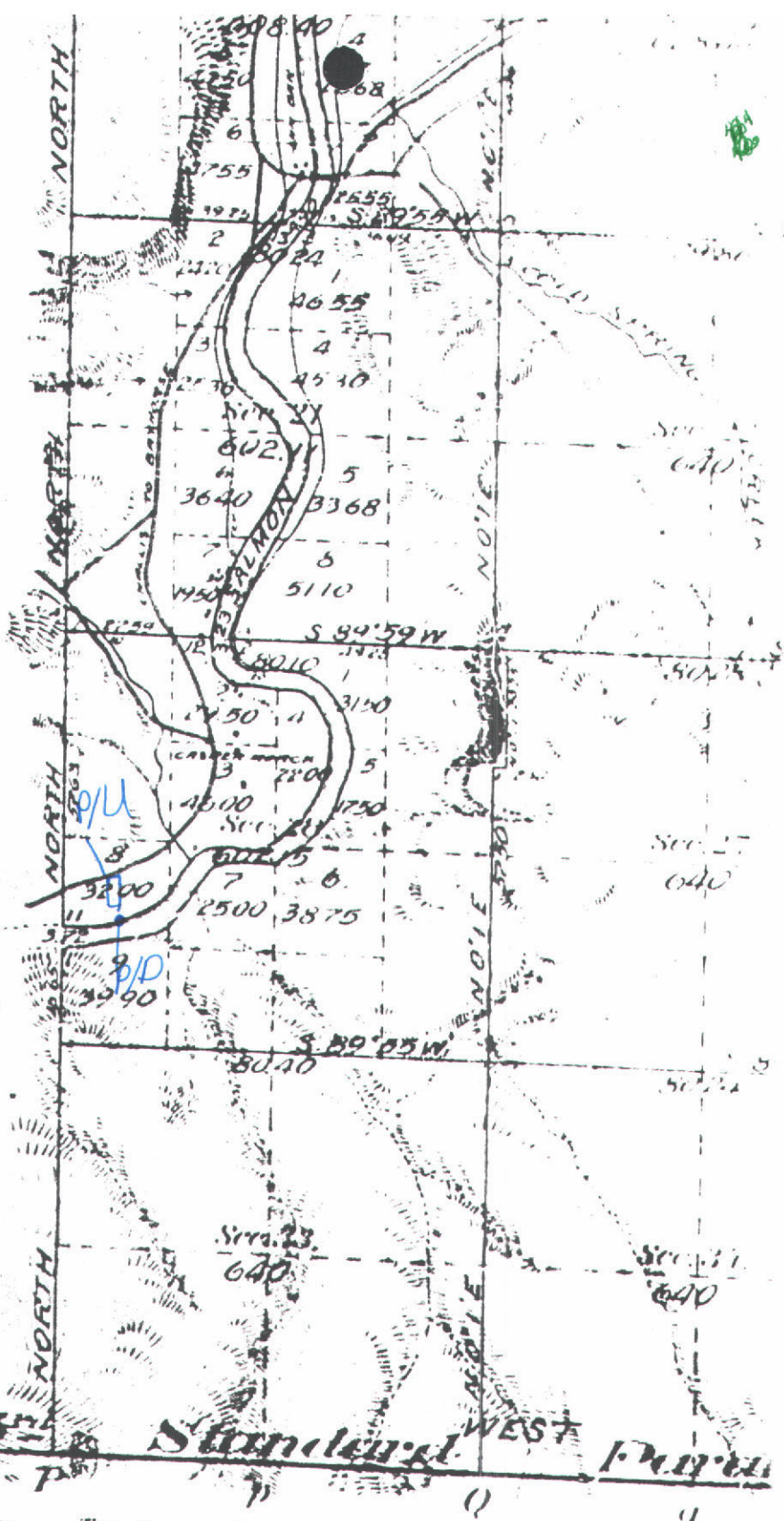
cc. 30.

cc. 31

Sec. 20.

Sec. 29.

Sec. 32.



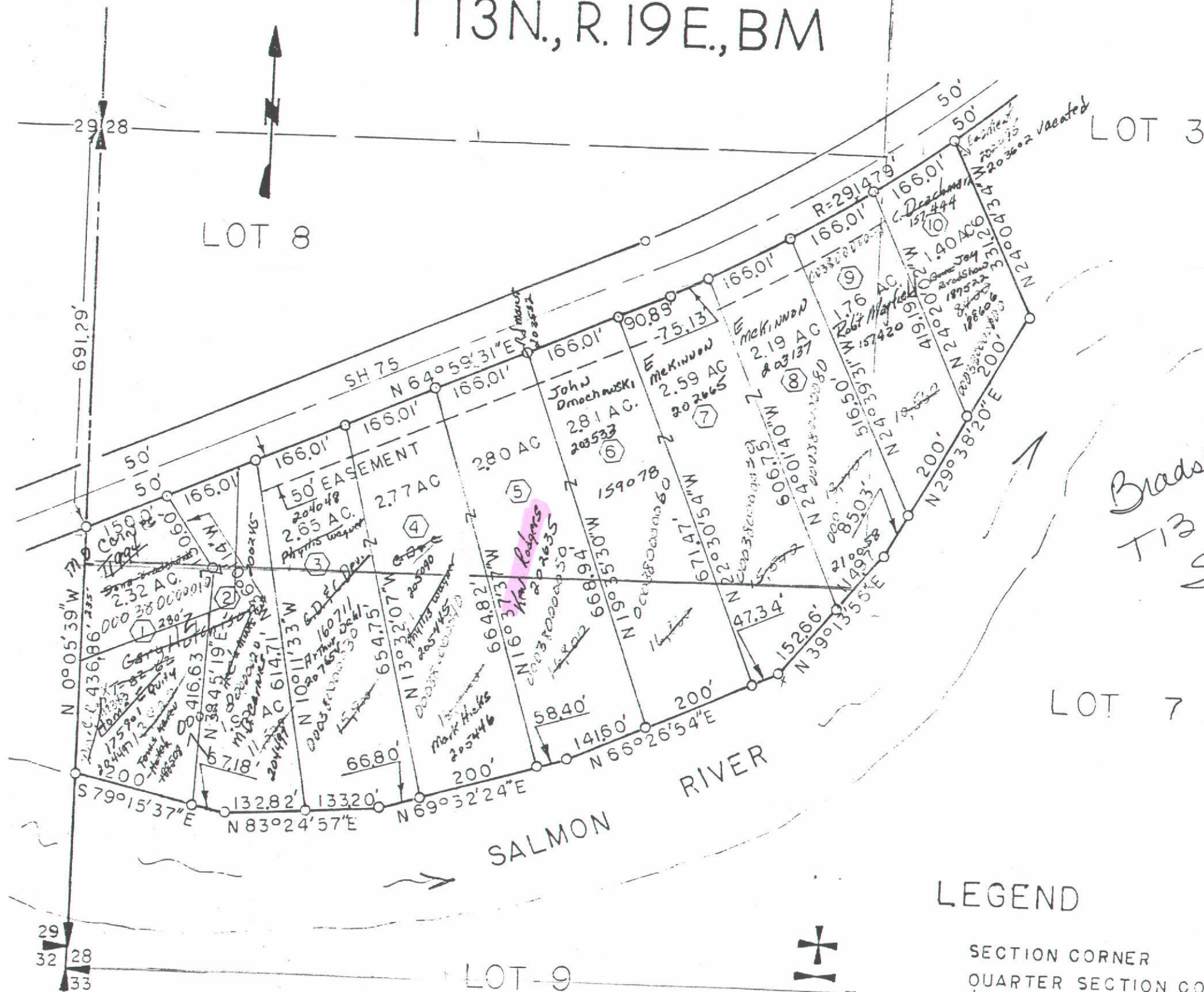
Total number of Acres 12,345.67

Date of Contract	Amount of Survey	When Surveyed	Map Date
	M. Ch. Tr.		
1893	8 01 10	September 4th, 1893	
1894	23 3 49	September 1st, 1894	
1895	23 3 51	September 1st, 1895	
1896	23 3 52	September 1st, 1896	

REPROFILLED
MAR 14 1997

SECTION 28

T 13N., R. 19E., BM



Surveyor's Cer

I, W.B. Kerner License No. 203602
 Civil Engineer, that I have surveyed the
 Boundary Description attached and
 staked on the ground according to
 shown hereon. I further certify that this is a
 copy of the original plat
 STATE OF IDAHO

Boundary Desc

A portion of Lot 8 & Lot 3 of Section 28,
 Beginning at a Point 50°05'39"E-69°15'37"E
 Section 28, Township 13 North, Range 19 East
 the southwest corner thereof, being
 easterly boundary of U.S. Highway No. 1070.93 feet;
 thence easterly following said boundary,
 being a 2914.79 foot radi
 S 24°04'34"E — 331.26' to a point in
 thence southwesterly following the mean
 S 29°38'20"W — 485.03', S 69°32'24"W —
 569.32'24"W — 325.20', S 83°24'57"W —
 436.86' along said west line to the
 Subject to a 50' Easement for an acc

Owner's Dedical

KNOW ALL MEN BY THESE PRESEN
 Owners of the tract of land described
 hereon, have caused the same to be s
 hereafter known as BRADSHAW Lane
 Idaho as show on the map attached h
 IN WITNESS WHEREOF: We have her
 day of December, A.D., 1980

David H. Kerner

Acknowledgement

State of IDAHO

County of Custer

BE IT REMEMBERED: That on this 2 d.
 personally appeared before me, the unders
 for said State and County, the signers of

Engineer's Approval

I have examined the foregoing Plat
 and as shown hereon and
 acceptance of said plat for recording

LEGEND

SECTION CORNER
 QUARTER SECTION CORNER
 1/2" STEEL ROD — LOT CORNER
 LOT NO.
 50' EASEMENT LINE FOR STREET
 1 INCH = 200 FEET

SCALE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07455

Priority: December 28, 1989

Maximum Diversion Rate:

0.10 CFS

Maximum Diversion Volume:

9.0 AF

This is to certify, that WENDY A RODGERS
KENNETH J RODGERS

PO BOX 659

CHALLIS ID 83226-0659

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 28, 1989; and has submitted Proof of Beneficial Use on May 28, 1993. An examination indicates that the works have a diversion capacity of 0.130 cfs of water from:

SALMON RIVER

tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	8.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
	Totals	0.10 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 8 (NWSW), Sec. 28, Township 13N, Range 19E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N	19E	28	Lot 8(NWSW)	2.5		2.5

Total number of acres irrigated: 2.5

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

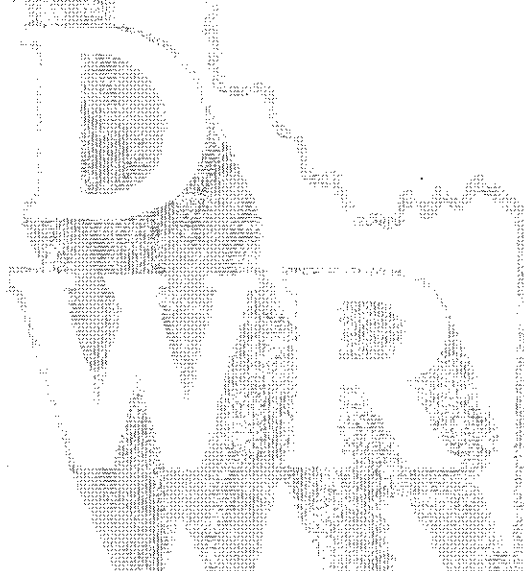
WATER RIGHT NO. 72-07455

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Place of use is located within Lot 5, Bradshaw Lane Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 10TH
day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director



MICROFILMED

JUL 1 1997

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	CFS
Original App.	72-07455	C & D Enterprises	0.10
Assignment	72-07455	Kenneth J and Wendy A Rodgers	0.10

RECEIVED

JUL 06 1933

RECEIVED

MAY 28 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00
Date 5-28-93
Receipt No. C027668
Receipt by CA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 72-07455 Telephone No. 208-879-4626
2. Name(s) of Permit Holder(s): KENNETH J. & WENDY A. RODGERS
3. Mailing Address: P.O. Box 659, CHALLIS, ID 83226
4. Source of Water: SALMON RIVER

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

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

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

Domestic _____ (No. of households) Stockwater 7 HORSES (No. and type of stock)

Irrigation 2.8 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.10 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

KENNETH J. RODGERS 208-879-4626
Name Telephone No.

P.O. Box 659 CHALLIS, ID 83226
Address

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

5/23/93
Date

Kenneth J. Rodgers
Signature (and title, if on behalf of a company or organization)

RECEIVED
MAY 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 28 1993

MTS

ASSIGNMENT OF ~~APPLICATION FOR~~ PERMIT

I, C+D Enterprises, hereby assign to KENNETH J. & WENDY A. RODGERS
of, P.O. Box 659, CHALLIS, IDAHO 83226
(Full Address)

All my right, title, and interest in and to ~~Application for~~ Permit
No. 72-07455 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. N/A to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 9 day of April, 1993

Paul S. Boring
Applicant

State of Idaho)
County of Custer) ss

On this 9 day of April, 1993, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Lynda J. Hoggan
Notary Public

seal

My commission expires: 7/27/98

JUL 30 1993

data entry done 6/1/93 Klg

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 72-07455

Proposed Priority: December 28, 1989 Maximum Diversion Rate: 0.10 CFS
This is to certify, that C & D ENTERPRISES INC.

74 S. 1ST E.

TREMONTON, UT 84337

has applied for a permit to appropriate water from:

SALMON RIVER

tributary of **SNAKE RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.08 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
	Totals	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 8 (SENWSW), Sec. 28, Township 13N, Range 19E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N	19E	28	LOT 8 (NWSW)	2.8		2.8

Total number of acres irrigated: 2.8

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1993.
2. Subject to all prior water rights.
3. Place of use known as Lot 5, Bradshaw Lane Subd.
4. Stockwater use is for 5 cattle and 5 horses.

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

9th
day of

May, 1990.

[Signature]
for R. Keith Higginson, Director

MICROFILMED

JUN 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant C & D Enterprises Inc. Phone 801-257-3312
Post office address 74 So. 1st. East ; Tremonton, Utah 84337

2. Source of water supply Salmon River which is a tributary of SNAKE RIVER

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 8
Sec. 28 Township 13N Range 19E B.M. Custer County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.08 ~~0.08~~ $\varnothing$ for Irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stockwater purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) 0.10 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 5 to 7 HP pump to be installed
with all legal and proper attachments to comply with state regulations

b. Height of storage dam None feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

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

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

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

JUN 26 1990

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 5 horses 5 cows
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	19E	28	(Lot 5, Bradshaw Lane Sub.)								S	2.8	X	110W/110N/H					2.8
											Lt8								

S is stockwater

Total number of acres to be irrigated 2.80

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

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

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

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

12. Remarks: This application replaces Lic. 72-2069 on this land.
Officers are Carl S. Borup (president) and Don J. Borup (vice-pres.), same
address as on application. This is a family business.
Land is Lot 5 of Bradshaw Lane Subdiv.

JUN 24 1990

T 13N., R. 19E., 1M

LOT 8

Lat 45 / Brahman

A map showing the Salmon River and a line of points. The line is labeled "24°E" and "N 66°20". The river is labeled "SALMON RIVER".

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.

Carl S. Barup
President (Applicant)

Received by J. G. Sturtevant Date 12-28-89 Time 10:50 am Preliminary check by DRS
Fee \$ 30.00 Received by JP # 5010772 Date 12-28-89
Publication prepared by M. Baldwin Date 1/5/90 Published in Challis Messenger
Publication approved M. Baldwin Date 2/5/90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

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

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

e. Other:

MICROFILMED
JUN 26 1990

27'30"

4926

4925

3172 IV NE
(BAYHORSE)

4923

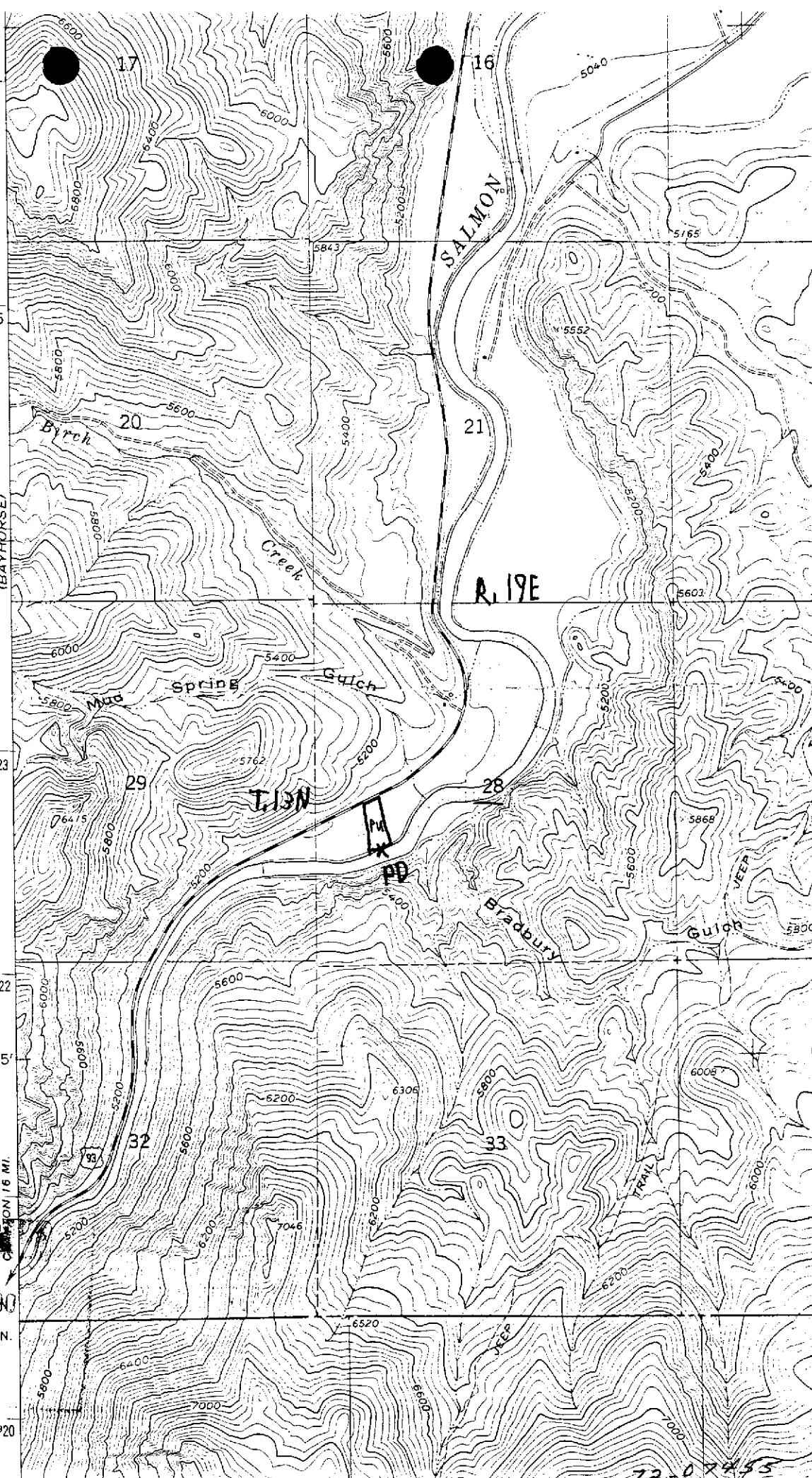
4922

25'

KEY 48 MI.
SECTION 16 MI.

T. 12 N.

4920



JUN 2 4 1890

72-07455

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 Jan 18 1990 and ending with the issue dated Jan 25 1990

Margaret Parks
RECEIVED

STATE OF IDAHO JAN 26 1990

Department of Water Resources
COUNTY OF CUSTER Southern Region Office

On this 25th day of January in the year of 1990, 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.

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

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

72-07133
HOLLEY, JOHN
HOLLEY, ROZ
P.O. BOX 113
STANLEY, ID 83278
Source: GROUNDWATER
Diversión Pt: NENWNE Sec 3 T
10N R 13E
Use: COMMERCIAL (.060 CFS)
DOMESTIC (.040 CFS)
Total Diversión: (.100 CFS)
Date Filed: 1/03/1990
In: T10N R13E S03 NWNE

72-07449
SIMON, PETER A.
9888 BARNSDALE
BOISE, ID 83704
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversión Pt: NESE Sec 25 T
11N R 16E
Use: IRRIGATION (.090 CFS)
FIRE PROTECTION (.090 CFS)
Total Diversión: (.090 CFS)
Date Filed: 12/28/1989
In: T11N R16E S25 NESE
3.0 ACRES TOTAL

72-07452
ROSKELLEY, MICKY
ROSKELLEY, MAUREEN
P.O. BOX 511
COEUR D'ALENE, ID 83814
Source: GROUNDWATER
Diversión Pt: SWNW Sec 28 T
13N R 19E
Use: IRRIGATION (.200 CFS)
Total Diversión: (.200 CFS)
Date Filed: 12/27/1989
In: T13N R19E S28 SWNW
10.0 ACRES TOTAL

72-07453
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversión Pt: LOT 8 (SWNSW)
Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversión: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWSW)
2.7 ACRES TOTAL

72-07454
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversión Pt: LOT 8 (NWSW) Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversión: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWSW)
2.8 ACRES TOTAL

72-07455
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversión Pt: LOT 8 (SENWSW)
Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversión: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWSW)
2.8 ACRES TOTAL

72-07456
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversión Pt: LOT 8 (SENWSW)
Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversión: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWSW)
2.8 ACRES TOTAL

72-07457
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversión Pt: LOT 8 (SENWSW)
Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversión: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWSW)
2.6 ACRES TOTAL

72-07458
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversión Pt: LOT 3 (NESW) Sec 28 T 13N R 19E
LOT 8 (NWSW) Sec 28 T 13N R 19E
Use: IRRIGATION (.070 CFS)
STOCKWATER (.020 CFS)
Total Diversión: (.090 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 3 (NESW) Lot 8 (NWSW)
2.2 ACRES TOTAL

72-07459
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversión Pt: LOT 4 (SWSNW)
Sec 28 T 13N R 19E
Use: IRRIGATION (.160 CFS)
STOCKWATER (.020 CFS)
Total Diversión: (.170 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 4 (SWNE) Lot 3 (SENW)
5.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 5, 1990.
R. KEITH HIGGINSON, Director
Pub: Jan. 18 & 25, 1990.

MICROFILMED

JUN 26 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 11, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WENDY A. AND KENNETH J. RODGERS
PO BOX 659
CHALLIS ID 83226-0659

RE: WATER RIGHT NO. 72-07455

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

1/10/97

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,

- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:pah

c: Southern Region

Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 72-07455

WENDY A. AND KENNETH J. RODGERS
PO BOX 659
CHALLIS ID 83226-0659

Patti Harrell

Patti Harrell
Secretary

B/U FIELD EXAM REVIEW

Cindy Zimmerman

Permit #: 72-7455 Name: Rodgers, Eric Date: 1/28/97 ✓ Lots

NAME Chng Same Or Address Change? 879-4626

SOURCE Chng Same Clarify source _____
Prelim. Order to Void - Source change.

P/D Chng Same Amendment Needed? SENWSW P39
Overlap(s) none

P/U Chng Same Amendment Needed? _____ P41
Overlap(s) none
(Gov't use special ¶s) *P/D & P/U Amend? P37

RATE Chng Same Permit/proof fee limits 0.10 / 0.10

Chng Same Measured Quantity = 0.10 cfs Theoretical Quantity = 0.13 cfs

$$\frac{(11 \text{ nozzles } (9/64" @ 45 \text{ psi}) / 448.83 = (11 \times 3.99) / 448.83 = 0.10) + (0.03) = 0.13$$

$$(HP) \frac{8.8 \times 0.70 \times 5}{35 \times (2.31 \times 45)} = 0.22 \text{ cfs}$$

$$\text{measured sprinklers \& stock water spigot } 2.5 \text{ ac} \times 0.03 \text{ cfs} = 0.08 \text{ cfs}$$

$$\text{plus horse } = 0.02 \text{ cfs}$$

$$\text{Total } = 0.10$$

Chng Same Recommended capacity 0.13 cfs
Chng Same Recommended rate 0.10 cfs

VOLUME Chng Same Season: (B 13.5) 4/15-10/15 = 184 days
 Calculations: $(2.5 \text{ ac} \times 3.5 \text{ AF/ac} = 8.75 \approx 8.8) + (1 \text{ horse} = 0.2) = 9.0 \text{ AF}$

Chng Same Flow limit: 0.13 cfs x 184 days/yr. x 1.9835 = 29.2 AF
 Recommended volume 9.0 AF

USES Chng Same Same Nature of Use? _____ P46
 Amendment Needed? _____

REMARKS Chng Same Multiple p/d's in same 1/4? Use W32
Chng Same 1. UT 5, Bradshaw Lane Subd. - 2. 002/111

CONDITIONS Chng Same Measuring Device (R01) or Lockable Controlling Works (R02)
Chng Same Watermaster Control (R04) - WD # _____
Chng Same R30 Irrigation rate/annual volume overlap
Chng Same + GW irrigation replaces surface water (050)
Chng Same + GW irrigation supplements surface water (065)
Chng Same + Water Quality
Chng Same + Other _____

PRIORITY App Rcd 12/28/89 Due 6/1/93 Rcd 5/28/93
 Receipt# 5027668 Fee OK? Yes No
 Order to Reinstate Needed? Yes No Done? _____ Advanced to: _____
 Priority 12/28/89 Examined 8/16/96

COMMENTS: reduce to 2.5 acres & license

USE	CFS	VOLUME
<u>irr.</u>	<u>0.08</u>	<u>8.8</u>
<u>Stock</u>	<u>0.02</u>	<u>0.2</u>
<u>TOTAL</u>	<u>0.10</u>	<u>9.0</u>

SRBA Overlap none
 Adjustment Memo ✓
 LICENSE LTR: P49
 #1 AMEND LTR: P38
 #2 AMEND LTR: P42/P47

MEMORANDUM

DATE: January 29, 1997
TO: File No. 72-07455
FROM: Cindy Zimmermann *CJ*
SUBJECT: Review of Beneficial Use Field Report

~~~~~

The following adjustments<sup>1</sup> were made on the field report to reflect department standards of rounding acre-feet to nearest 1/10th:

G. Volume Calculations.

1. Irrigation;  $AF = \text{acres} \times AF/\text{acre}$   
 $= 2.5 \times 3.5$   
 $= 8.75 \approx \underline{\mathbf{8.8}}$  AF
2. Stockwater, 1 horse = 0.2 AF
3. Maximum annual volume = 1. + 2.  
 $= 8.8 + 0.2$   
 $= \underline{\mathbf{9.0}}$  AF.

H. Recommendations.

1. Recommended amounts:

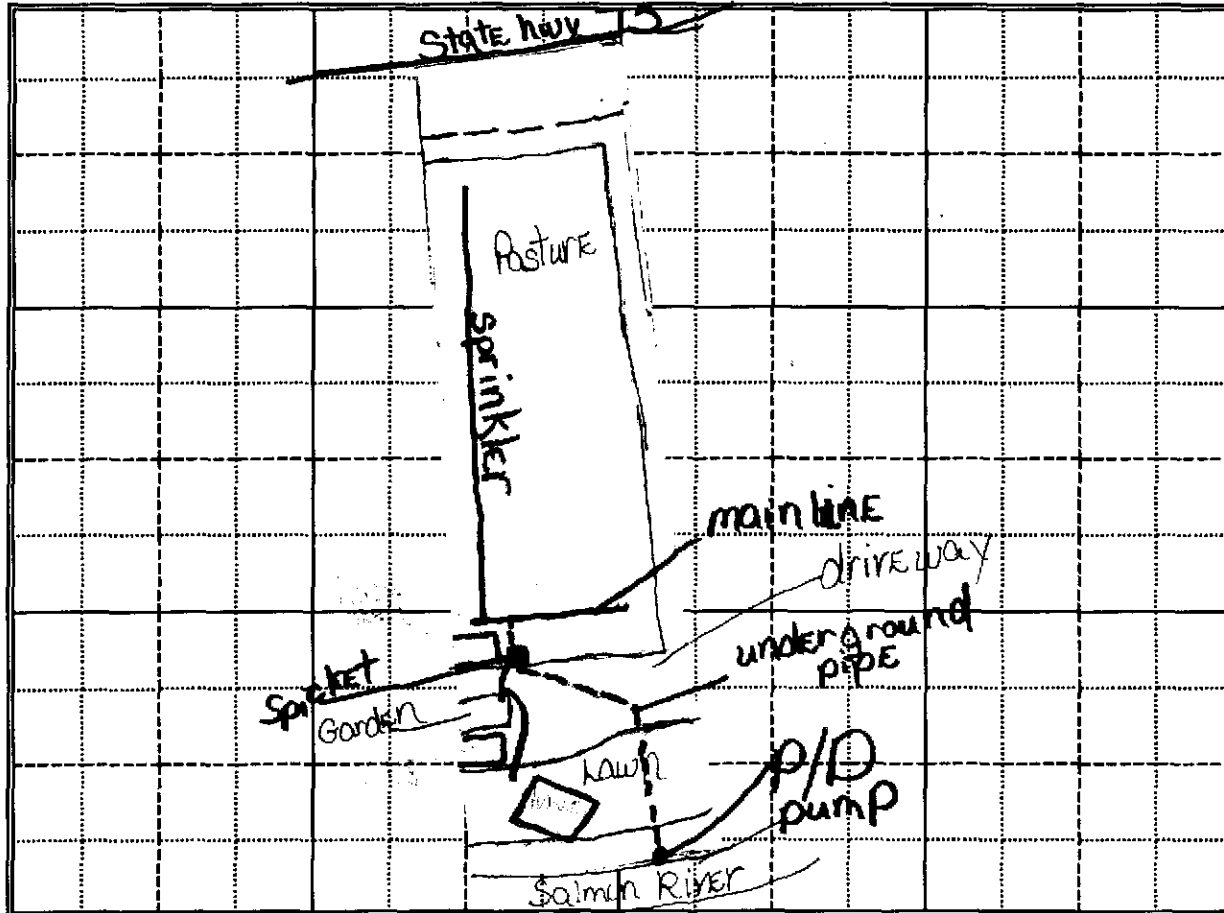
| Beneficial Use     | Period of Use | Rate of diversion | Annual Volume        |
|--------------------|---------------|-------------------|----------------------|
| Irrigation         | 4/15-10/15    | 0.08 cfs          | <u><b>8.8</b></u> AF |
| Stockwater         | 1/1-12/31     | 0.02 cfs          | 0.2 AF               |
| Maximum diversions |               | 0.10 cfs          | <u><b>9.0</b></u> AF |

Examiner: Tara Backlund  
Examined: August 16, 1997

<sup>1</sup>Adjustments made are **bolded and underlined**.

2036 J. Neurosci., September 24, 2008 • 28(39):2031–2036

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



Scale: 1" = \_\_\_\_\_

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

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

☒ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-----|------------------|-----------|-----------------------------------|
|                                       | Baldo      | 5hp | JPI409T          | Berkley   | JPI409T                           |
|                                       |            |     |                  |           |                                   |
|                                       |            |     |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

1.

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

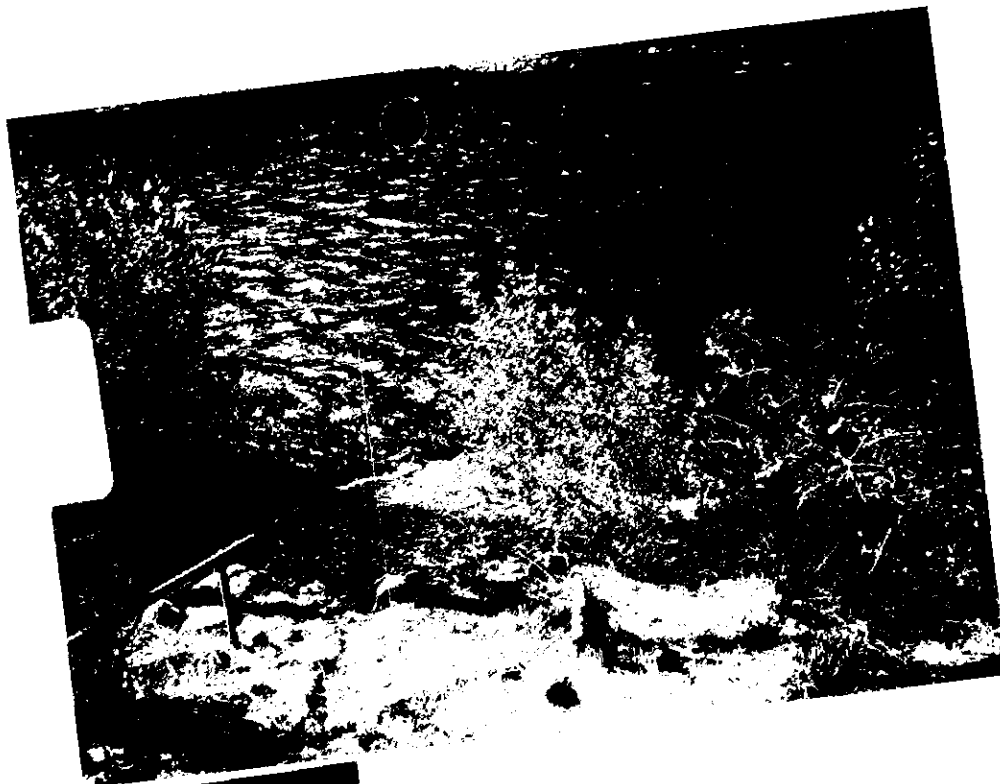
2. Measurements:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

72-07455  
P/D IN SALMON RIVER

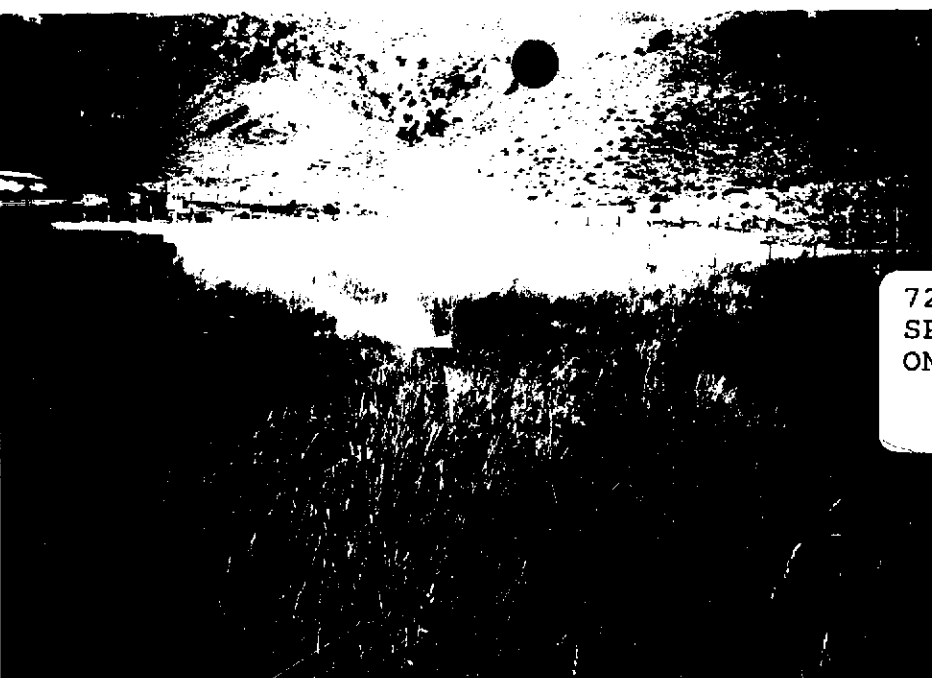


72-07455  
PUMP (5 H.P.) AND PIPING  
T13N, R19E, SECTION 28  
SE1/4, NW1/4, SW1/4

MEMPHIS  
TENN.

72-07455  
ELECTRICAL BOX FOR PUMP





72-07455

SPRINKLER IN PASTURE RUNNING  
ON SOUTH SIDE OF PROPERTY

*sprinkler*



72-07455

OVERVIEW OF PASTURE LOOKING  
WESTWARD ON THE SOUTHSIDE  
OF PROPERTY



72-07455

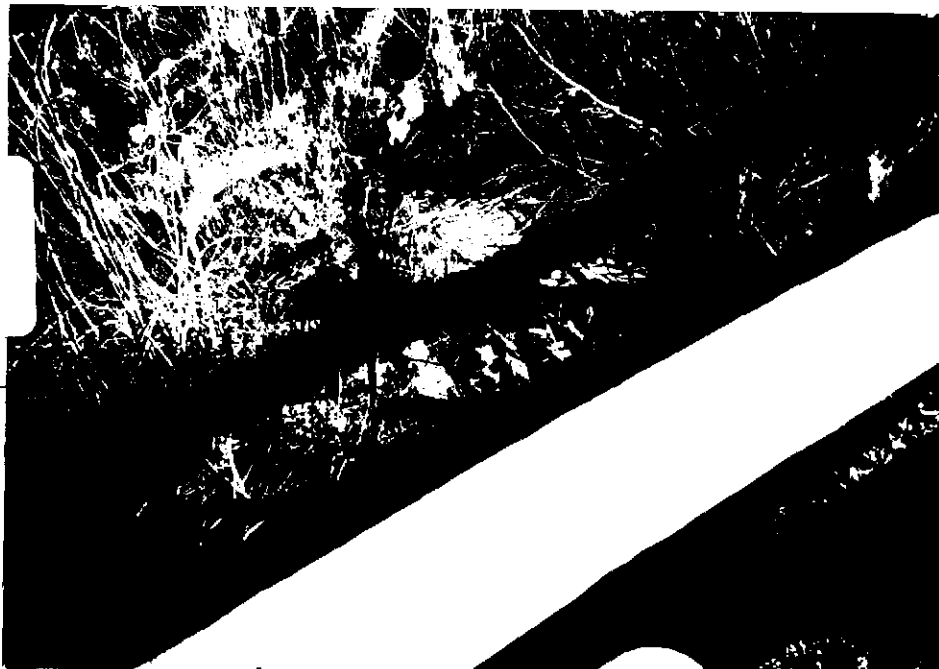
VIEW OF NORTHSIDE OF PASTURE WITH  
HORSE LOOKING WESTWARD

72-07455  
10/1/57

72-07455

SPICKET FOR STOCKTANK, GARDEN, AND  
LAWN. (UNDERNEATH LID)

*Lid for  
spicket*



72-07455

STOCKTANK-100 GALLON  
EAST SIDE OF PASTURE

72-07455

LAWN ON EAST SIDE OF HOUSE





72-07455  
GARDEN BESIDE HOUSE

72-07455  
GARDEN BESIDE HOUSE

4925

3172 IV NE  
(BAYHORSE)

4923

4922

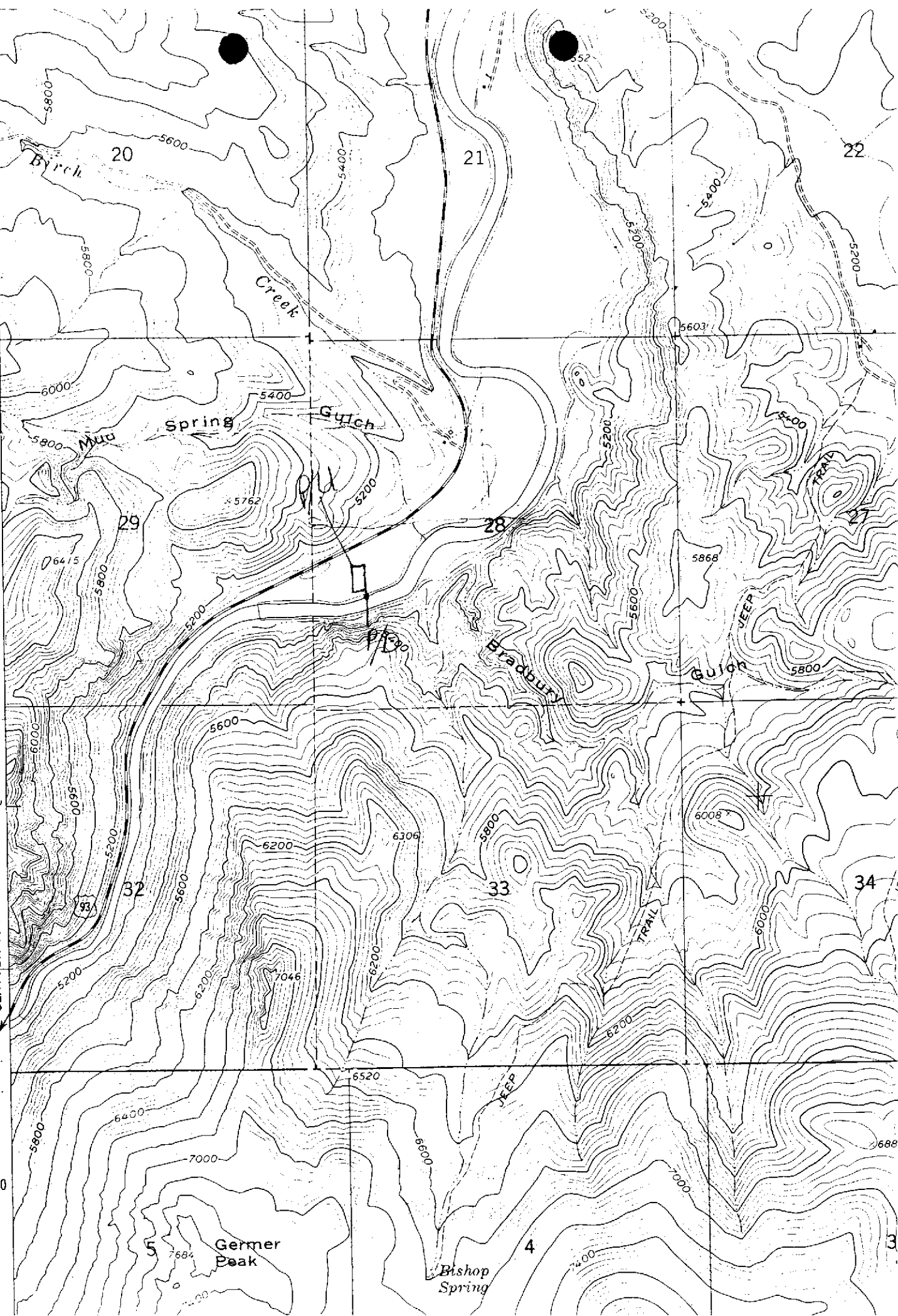
25'

STANLEY 48 MI.  
CLAYTON 16 MI.

T. 13 N.

T. 12 N.

4920



MICH. CR.  
cc. 19.  
MICH. CR.

Sec. 20.

Sec. 30.

Sec. 29.

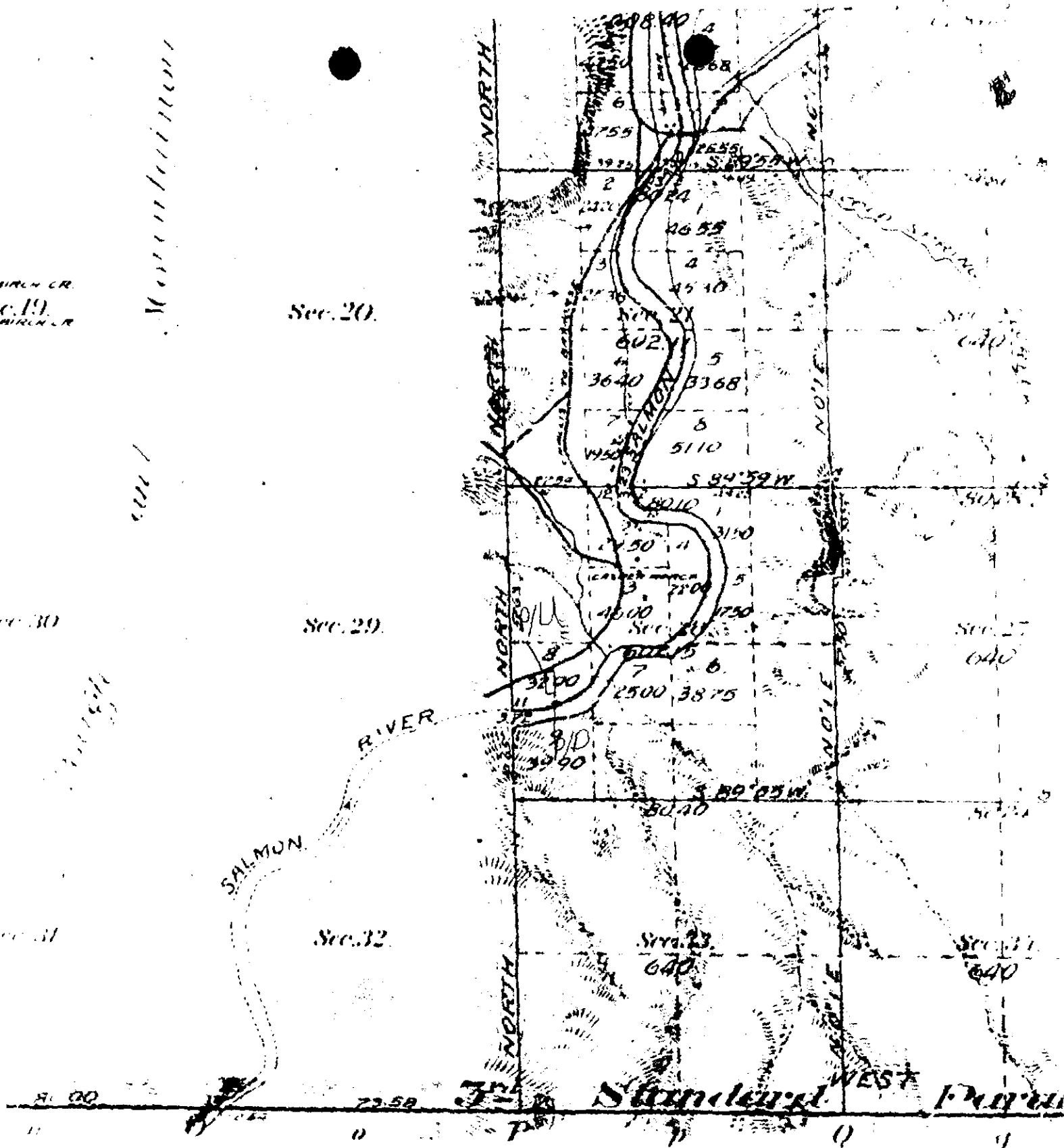
Sec. 31.

Sec. 32.

Sec. 23.

Sec. 27.

Sec. 27.



Total number of Acres 25,340.00

Amount of Survey

When Surveyed

Map Date

When Surveyed

| Amount of Survey | When Surveyed      | Map Date |
|------------------|--------------------|----------|
| 18 01 10         | September 12, 1893 |          |
| 23 13 49         | September 12, 1893 | 12/12/93 |
| 10 11 51         | September 12, 1893 |          |
| 20 00 00         | August 3, 1893     |          |

SECTION 28

T 13N., R. 19E., BM

LOT 8

LOT 3

LOT 7

SALMON RIVER

LOT 9

LEGEND

SECTION CORNER  
QUARTER SECTION CORNER  
1/2" STEEL ROD — LOT CORNER  
LOT NO.  
50' EASEMENT LINE FOR STREET  
1 INCH = 200 FEET

SCALE

Engineer's Approval

I have examined the foregoing Plat as shown hereon and acceptance of said Plat for recording

Surveyor's Cer

I, W.B. Kremen, a Civil Engineer, that I have surveyed the Boundary Description attached, he staked on the ground according to shown hereon. I further certify a copy of the original plat is in my possession. STATE OF IDAHO

Boundary Desc

A portion of Lot 8 & Lot 3 of Section 28, Township 13 North, Range 19 East, beginning at a point 50' 05' 39" E - 69' 15' 37" S from the southwest corner of the easterly boundary of U.S. Highway 1070.93 feet; thence along said boundary, being a 2914.73 foot radi S 24° 04' 34" E — 331.26' to a point in thence southwesterly following the mean S 29° 38' 20" W — 485.03', S 58° 32' 24" W — 325.20', S 83° 24' 30" W — 436.86' along said west line to the Subject to a 50' Easement for an acc

Owner's Dedicat

KNOW ALL MEN BY THESE PRESEN Owners of the tract of land described hereon, have caused the same to be s hereafter known as BRADSHAW L Idaho as show on the map attached h IN WITNESS WHEREOF: We have her day of December, A.D., 1980

Acknowledgement

State of IDAHO  
County of Custer  
BE IT REMEMBERED: That on this 1 d. personally appeared before me, the unders for said State and County, the signers of

Bradshaw Lane  
T13 N R19 E  
Sec 28

E. NARRATIVE/REMARKS/COMMENTS

This permit is for .08 cfs for irrigation and .02 cfs for stock use. The field exam was done on 8/16/96. Ken Rodgers accompanied me on the exam. The point of diversion is a pump taking water out of the Salmon River. It is in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 28 in Township 13N, Range 19E.

The pump is 5hp. and the water is piped 35 feet to the place of use. It is used to water a pasture, garden, lawn, and 1 horse. It goes from a 2" galvanized pipe to a PVC pipe underground. This goes to a spicket and a mainline with 4 risers. There was one line with 11 birds. The nozzles were  $\frac{9}{16}$ " averaging 45 psi. This came out to be .09 cfs, so they will be limited to their permit of .08 cfs.

The stock use came from a spicket to a 100 gallon stock tank. I used a bucket & stopwatch to measure. It came to .03 cfs, so they will be limited to .02 cfs for stock use. The combination of both uses is .10 cfs. The consumptive use for one horse is 12 gallons per day.

The permit is listed for 2.8 acres, but upon examination of a plat map and visual exam of property, it is actually 2.5 acres. This excludes the house, a shop, and the driveway. It also excludes the slope along the riverbank.

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

APPROVED  
8/16/96

## F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: pitot tube for irrigation  
9/64 size nozzles, 11 sprinkler heads  
measured 6 heads

46  
45  
45  
45  
44

9/64 @ 44 psi = 3.99 gpm

x 11 heads  
cfs (448.8) =

.09 cfs

.08 cfs permitted  
allowed  $2.5 \times .03 \text{ cfs} = .075$  or .08 cfs

Stopwatch + Bucket for Stock  
3 gallons 3 gallon x 60 = 11.99 gpm  
15.15 15.01 sec x 1 =  
14.87  
15.02  
15.01 SECS AVERAGE  
.026 cfs  
permitted!  
.02 cfs

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.5 \times 3.5 = 8.75 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .08 \times 215 \times 1.9835 = 34.12 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 8.75 \text{ afa}$$

### 2. Volume Calculations for Other Uses: stock use

1 horse = 12 gpd

1 head of stock = .02 cfs = .2 afa

## H. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| irrigation     | 5-1           | 11-1  | .08                          | 8.75 afa *               |
| stock          | 1-1           | 12-31 | .02                          | .2 afa *                 |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .10 cfs                      | 8.95 afa *               |

### 2. Recommended Amendments

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

## I. AUTHENTICATION

Field Examiner's Name Lisa L. Becklund Date 9/6/96

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

\* Adjustments made during the review of this right for license approval.  
See memo for additional information. 1/29/97

June 3, 1993

WENDY A RODGERS  
KENNETH J RODGERS  
PO BOX 659  
CHALLIS ID 83226

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 72-07455

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

c: IDWR - Region

RECEIVED  
JUL 06 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 2, 1993

Kenneth J and Wendy A Rodgers  
PO Box 659  
Challis, ID 83226

Re: Permit No. 72-07455

Dear Permit Holder:

We acknowledge receipt of the correspondence and assignment of permit form transferring ownership of the above referenced water right to you. I have modified our computer records to reflect this change in ownership.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

C: IDWR - Regional Office

RECEIVED  
JUL 06 1993

May 25, 1993

State of Idaho  
Department of Water Resources  
1301 North Orchard Street  
Statehouse Mail  
Boise, ID 83720-9000

*RE: PERMIT NO. 72-07455*

Dear Sir:

Enclosed is our Proof of Beneficial Use Form and license examination fee of \$50.00 for the above reference water use permit.

We have also enclosed a copy of the Assignment of Water Right form which we have submitted to your Southern Region, Twin Falls Office, to change the ownership of this permit from the former owner to us.

Thank you for your consideration and processing of this request.

Sincerely,



Kenneth J. and Wendy A. Rodgers

Enclosures (3)

RECEIVED  
JUL 09 1993

RECEIVED

RECEIVED

MAY 28 1993

U.S. DEPARTMENT OF AGRICULTURE

May 25, 1993

MAY 27 1993

State of Idaho  
Department of Water Resources  
1301 North Orchard Street  
Statehouse Mail  
Boise, ID 83720-9000

Department of Water Resources  
Southern Region Office

RE: PERMIT NO. 72-07455

Dear Sir:

Enclosed is our Proof of Beneficial Use Form and license examination fee of \$50.00 for the above reference water use permit.

We have also enclosed a copy of the Assignment of Water Right form which we have submitted to your Southern Region, Twin Falls Office, to change the ownership of this permit from the former owner to us.

Thank you for your consideration and processing of this request.

Sincerely,



Kenneth J. and Wendy A. Rodgers

Enclosures (3)

JUL 13 1993

March 31, 1993

C & D ENTERPRISES INC.  
74 S. 1ST E.  
TREMONTON UT 84337

PROOF DUE NOTICE

RE: PERMIT NO. 72-07455

Dear Permit Holder:

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

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

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

SINCERELY,

Karen L. Gustafson  
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 140037

S T A T E   O F   I D A H O

DEPARTMENT OF WATER RESOURCES

-----

Statehouse  
Boise, Idaho 83720  
(208) 327-7900  
May 10, 1990

C & D ENTERPRISES INC.  
74 S. 1ST E.  
TREMONTON, UT 84337

PERMIT APPROVAL NOTICE

RE: PERMIT NO.      P72-07455

Dear Permit Holder:

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

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

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

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

**MICROFILMED**

JUN 26 1990

08-Jan-1990

C & D Enterprises Inc.  
74 S. 1st East  
TREMONTON UT 84337

Re: Applications for Permit Nos. 72-07453, 72-07454, 72-07455,  
72-07456, 72-07457, 72-07458, 72-07459

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office will be advertising the applications in the Challis Messenger on 1/18 & 1/25/90. A period of ten days following the second publication will be allowed for the submittal of protests.

If the applications are protested you will be sent a copy of the protest. The protest must be resolved before the applications are approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the applications are not protested, they will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

Douglas Jones, E. I. T.  
Water Resources Engineer

DJ:MB

RECEIVED

JUN 26 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region  
2148 4th Avenue East  
Twin Falls, ID 83301  
(208)734-3578

---

JANUARY 5, 1990

CUSTER PUBLISHING COMPANY  
P.O. BOX 405  
CHALLIS, ID 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 5, 1990.

Yours truly,

Mary Baldwin  
Secretary/Office Coordinator

Enclosure

RECORDED

JUN 8 1990

72-07455

C & D ENTERPRISES INC.  
74 S. 1ST EAST  
TREMONTON, UT 84337

Source: SALMON RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 8 (SENWSW) Sec 28 T 13N R 19E

Use: IRRIGATION ( .080 CFS)  
STOCKWATER ( .020 CFS)  
Total Diversion: ( .100 CFS)

Date Filed: 12/28/1989

In: T13N R19E S28 Lot 8 (NWSW)

2.8 ACRES TOTAL

**MICROFILMED**

JUN 26 1990

75

**NOTICE OF APPLICATION  
FOR WATER RIGHT**  
The following application(s) have  
been filed to appropriate the pub-  
lic waters of the State of Idaho:

72-07454  
C & D ENTERPRISES INC.  
74 S 1ST EAST  
TREMONTON, UT 84337  
Source: SALMON RIVER Thbu-  
lary: SNAKE RIVER  
Diversion Pt: LOT 8 (NWSW) Sec  
28 T 13N R 19E  
Use: IRRIGATION (.080 CFS)  
STOCKWATER (.020 CFS)  
Total Diversion: (.100 CFS)  
Date Filed: 12/28/1989  
In: T13N R19E S28 Lot 8  
(NWSW)  
2.8 ACRES TOTAL  
72-07455 ✓  
C & D ENTERPRISES INC.  
74 S 1ST EAST  
TREMONTON, UT 84337  
Source: SALMON RIVER Thbu-  
lary: SNAKE RIVER  
Diversion Pt: LOT 8 (SENWSW)  
28 T 13N R 19E  
Use: IRRIGATION (.080 CFS)  
STOCKWATER (.020 CFS)  
Total Diversion: (.100 CFS)  
Date Filed: 12/28/1989  
In: T13N R19E S28 Lot 8  
(NWSW)  
2.8 ACRES TOTAL  
72-07456  
C & D ENTERPRISES INC.  
74 S 1ST EAST  
TREMONTON, UT 84337  
Source: SALMON RIVER Thbu-  
lary: SNAKE RIVER  
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Use: IRRIGATION (.080 CFS)  
STOCKWATER (.020 CFS)  
Total Diversion: (.100 CFS)  
Date Filed: 12/28/1989  
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(NWSW)  
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72-07457  
C & D ENTERPRISES INC.  
74 S 1ST EAST  
TREMONTON, UT 84337  
Source: SALMON RIVER Thbu-  
lary: SNAKE RIVER  
Diversion Pt: LOT 8 (SENWSW)  
28 T 13N R 19E  
Use: IRRIGATION (.080 CFS)  
STOCKWATER (.020 CFS)  
Total Diversion: (.100 CFS)  
Date Filed: 12/28/1989  
In: T13N R19E S28 Lot 8  
(NWSW)  
2.6 ACRES TOTAL  
The permit(s) will be subject to  
all prior water rights. Protests  
must be filed with the Director,  
Dept. of Water Resources, South-  
ern Region, 2148 4th Avenue East,  
Twin Falls, Idaho 83301 on or be-  
fore FEBRUARY 5, 1990.  
R. KEITH HIGGINSON, Director  
Pub: Jan. 18 & 25, 1990.

**INDEXED**  
JUN 26 1990

OK  
1-19-90

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 5, 1990.

R. KEITH HIGGINSON, Director

Published 1/18/1990 & 1/25/1990

RECORDED

JUN 26 1990