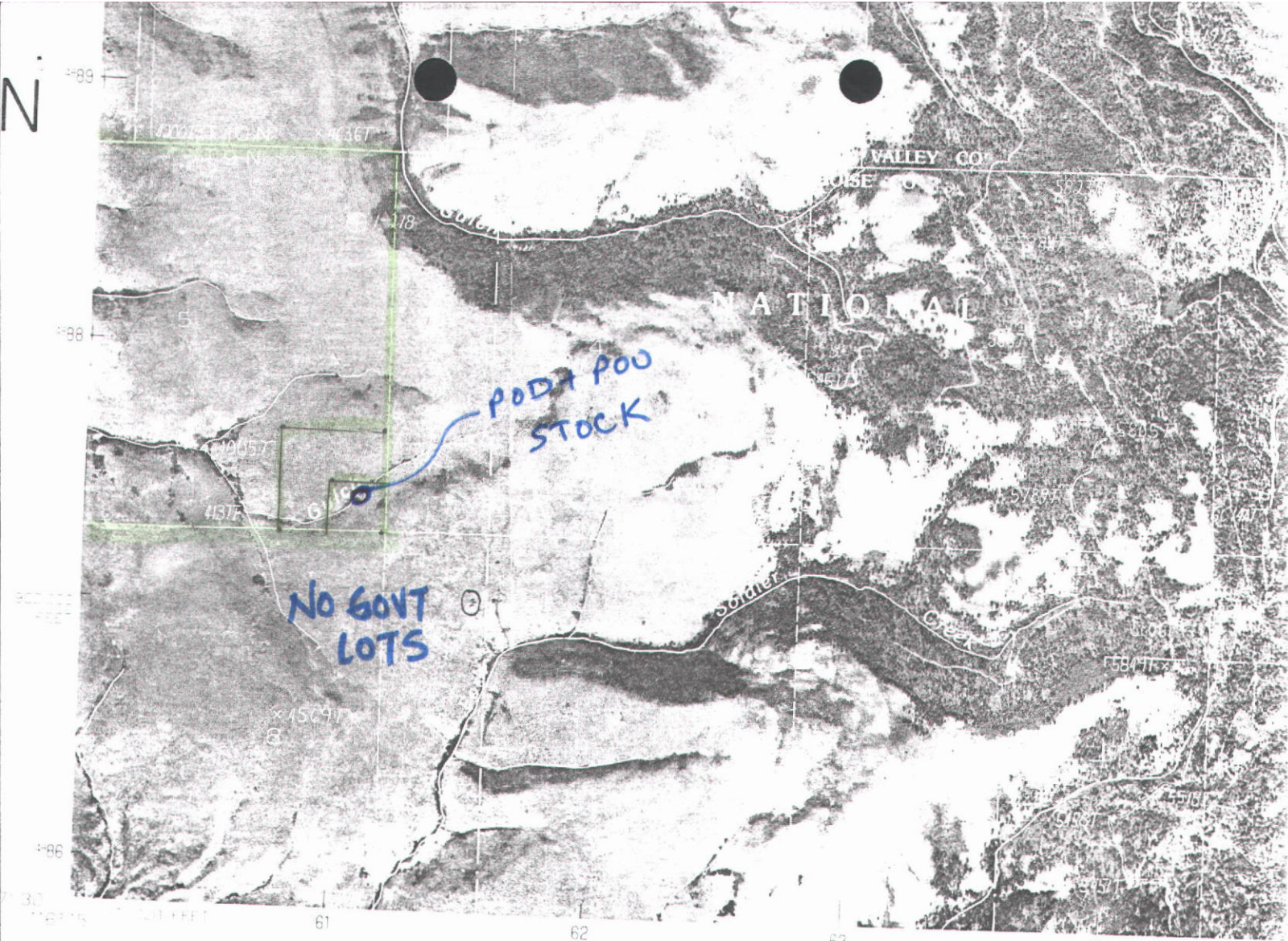




Produced by the Geological Survey
in cooperation with the U.S. Forest Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken July 4, 1981

Projection and 10,000-foot grid ticks: Idaho coordinate
system, west zone (transverse Mercator)
1000-metre Universal Transverse Mercator grid,
zone 11. 1927 North American datum

Photoimagery transformed by scanning techniques
which may produce double or mismatched images;
use the mean of image positions for map point.

Department of Water Resources pursuant to
notices of claims and objections in the Snake
express or implied, is made and no legal
es, its agents, contractors, and reproduction
Co. Inc. or its employees for the accuracy,
set forth on this map.



V9 1981

TO 9N R02E S. 5

SESESE

65-13635

Copies Of These
At Bonneville B

MICROFILMED

DEC 01 1995

TOGN
R02E
1901

d

f

c

f

ETRAGED

WEST

79 10

2ND STAND

40.00

40.00

949

09 2

1 4

4

3

2

1

4

3

2

27.24

27.45

27.30

27.00

26.64

26.26

26.03

25.91

25.81

80

80

80

80

80

Sec. 5.

Str: 1/4.

68

397.28

383.14

N 0° 4' W

N 0° 3' W

7 1/2

DEC 01 1995

MICROFILMED

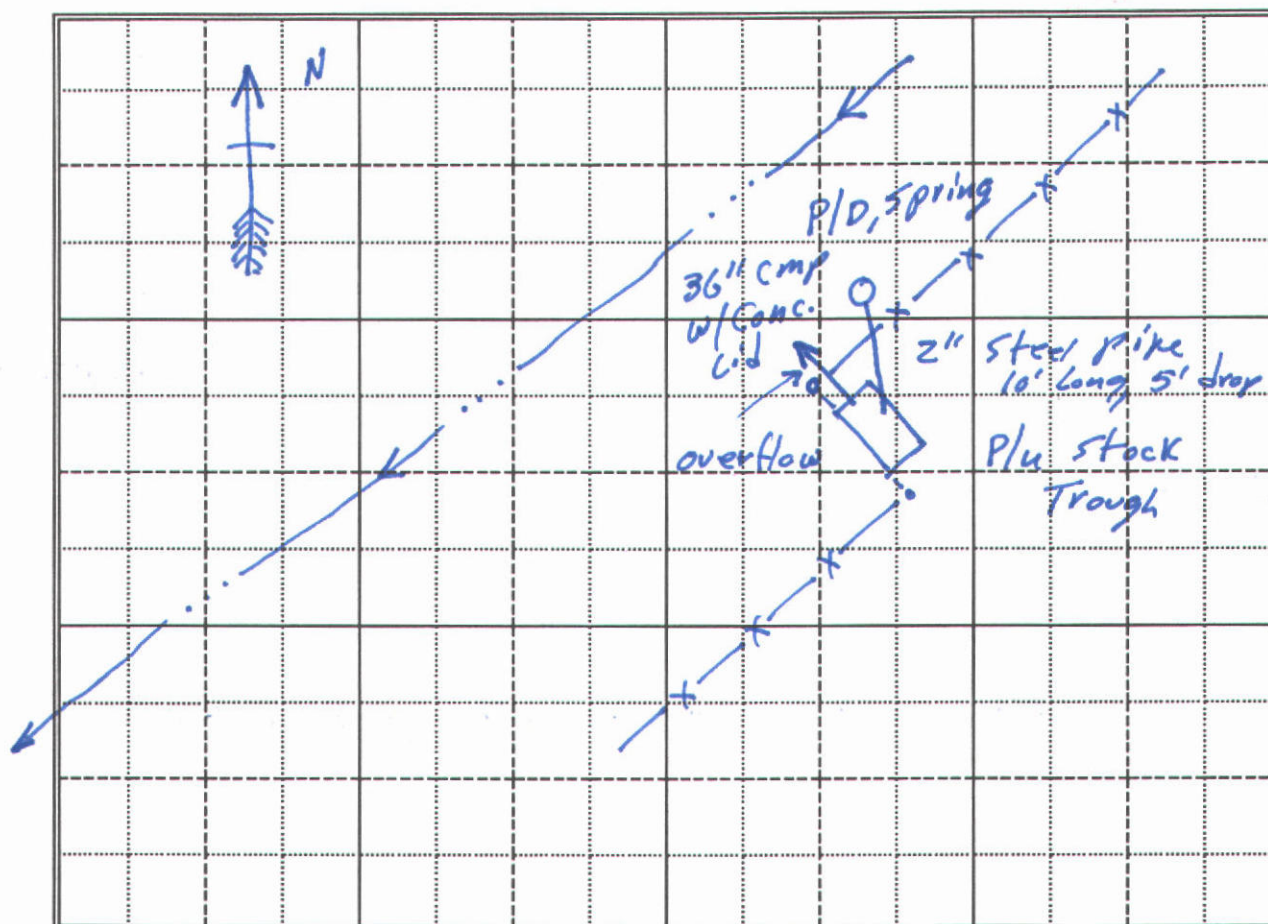
79.60

79.52

S 89° 44' W

S 89° 44'

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



Scale: 1" = None

☒ 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

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

D. FLOW MEASUREMENTS

1.

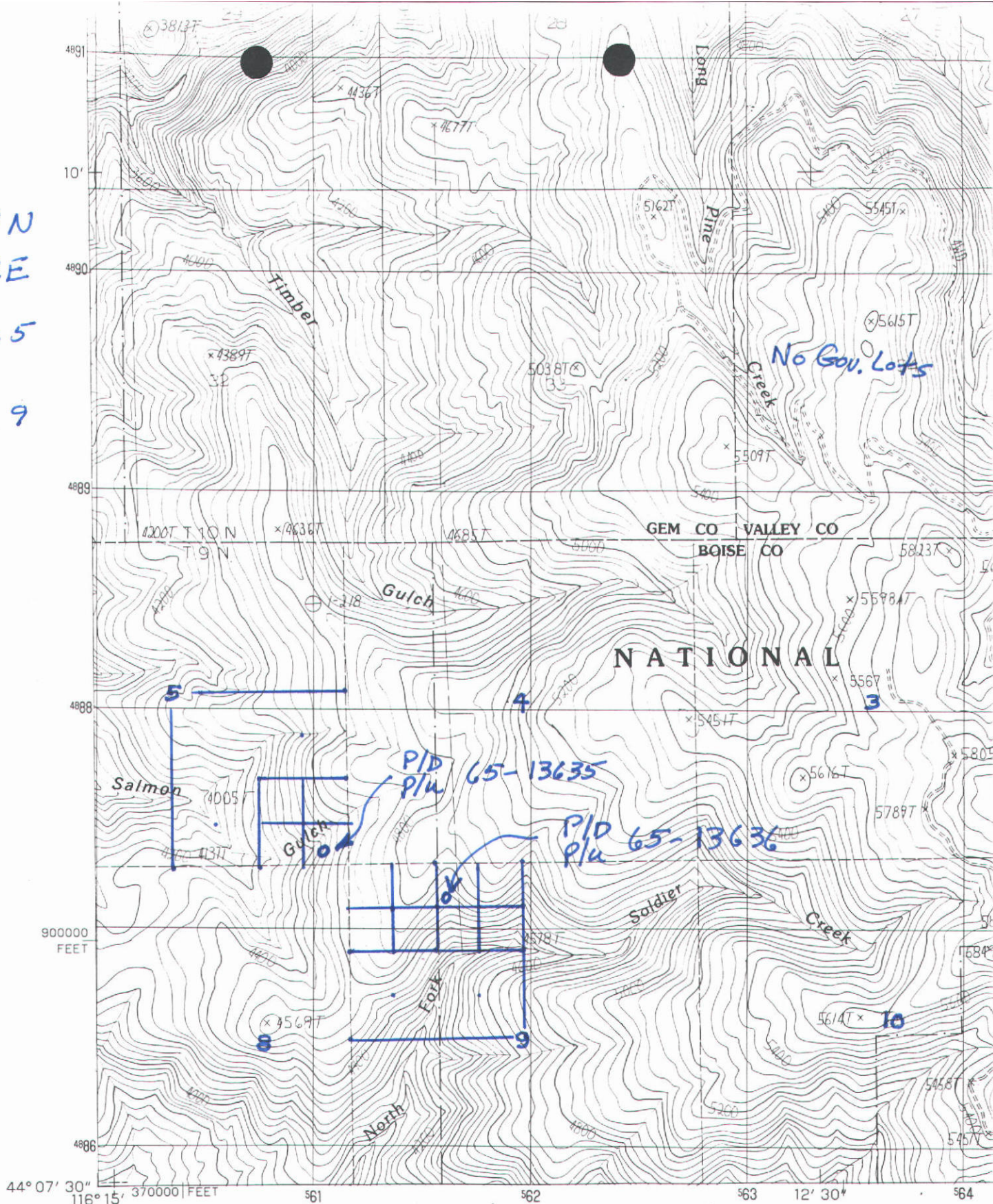
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None - No flow into trough

MICROFILMED

FEB 18 1999

T9N
R2E
Sec 5
Sec. 9



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
CONTROL BY USGS, NOS/NOAA
COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1980
FIELD CHECKED 1981 MAP EDITED 1985
PROJECTION TRANSVERSE MERCATOR
GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
10,000-FOOT STATE GRID TICKS IDAHO, WEST ZONE
UTM GRID DECLINATION 0°34' EAST
1985 MAGNETIC NORTH DECLINATION 17°30' EAST
VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
To place on the predicted North American Datum of 1983,
move the projection lines as shown by dashed corner ticks
(15 meters north and 76 meters east)

There may be private inholdings within the boundaries of any
Federal and State Reservations shown on this map.

65-13635

65-13636

MICROFILMED

FEB 18 1999

PROVISIONAL MAP
Produced from original
manuscript drawings. Informa-
tion shown as of date of

1 of 1

P/D
P/u

Spring
Development
2nd
Stock
Trough.

View
Looking
North



P/D
P/u

36" Cmp
Spring
Box
2nd
Trough



65-13635
FEB 18 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAR 20 2000

WATER RESOURCES
WESTERN REGION
RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

MAR 22 2000

Water Right No(s): 65-13634, 65-13635, 65-13636 Department of Water Resources

Adjudication Claim No(s): A65-03046, A65-03047, A65-03048, A6503049

A65-03051, A-65-03052, A6503053

The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP showing the location of the place of use of the water right(s) or claim(s).
(These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

Name and Address of Former
Owner/Claimant

Sutton Ranches Inc. Midvale, ID 83645
Sutton Livestock Company Inc. Midvale ID
83645

New Owner/Claimant(s)

Allen and Marsha Coburn

New Mailing Address

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
17800 Sweetola Hwy

City, State and ZIP Code

Cla, ID 83657

New Telephone Number

(88) 584-3651

Date you acquired the property

1-20-00

Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

Signature of New Owner(s)
or Claimant(s)

Allen Coburn

Marsha A Coburn

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

SUPPORT DATA

IN FILE # 65-13634

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 65-13635

Priority: September 5, 1995 Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.6 AF

This is to certify, that SUTTON RANCHES INC
SUTTON LIVESTOCK INC

RT 1 BOX 43

MIDVALE ID 83645

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 5, 1995; and
has submitted Proof of Beneficial Use on October 1, 1996. An examination indicates
that the works have a diversion capacity of 0.020 cfs of water from:

SPRING tributary to SINKS

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>
STOCKWATER	01/01 to 12/31	0.02 CFS	1.6 AF

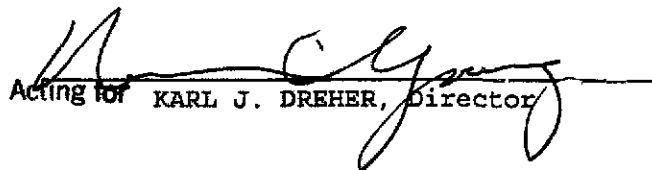
LOCATION OF POINT(S) OF DIVERSION: SESESE , Sec. 5, Township 09N, Range 02E
GEM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09N 02E 5 SESE

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
The water right confirmed by this license is subject to all prior water rights
and shall be administered in accordance with Idaho law and applicable rules of
the Department of Water Resources. Signed and sealed this 4th day of
February, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED
FEB 18 1999

RECEIVED

OCT 01 1996

Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-13635 Telephone No. (208) 355-2450
2. Name(s) of Permit Holder(s): Sutton & Ranches Inc / Sutton Livestock Inc
3. Mailing Address: Rt 1 Box 43 Midvale Id 83645
4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____
 - b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): 200 cow/calf pairs
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .02 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes ____ or No <u>X</u>
	Has the measuring device been installed?	Yes ____ or No ____
Flow Measurement Port:	Is a flow measurement port required?	Yes ____ or No ____
	Has the measurement port been installed?	Yes ____ or No ____
8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Howard Sutton Telephone Number: (208) 355-2450
Address: 2660 Farm to Market Rd Midvale, ID 83645
10. The information given on this form 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.

Signature of permit holder: Howard Sutton (include your title, if on behalf of company or organization)

Date: 9/23/96

MICROFILMED
NOV 07 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13635

Proposed Priority: September 5, 1995 Maximum Diversion Rate: 0.02 CFS

This is to certify, that SUTTON RANCHES INC
SUTTON LIVESTOCK INC
RT 1 BOX 43
MIDVALE ID 83645
has applied for a permit to appropriate water from:
SPRING tributary of SINKS

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>
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: SESESE , Sec. 5, Township 09N, Range 02E
GEM County

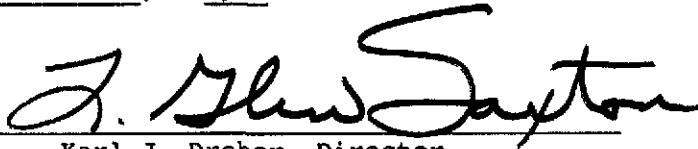
PLACE OF USE: STOCKWATER
TWN RGE SEC
09N 02E 5 SESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1996.
2. Subject to all prior water rights.
3. Stockwater use is for 200 pair range cattle.

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

14th day of November, 1995.


for Karl J. Dreher, Director

DEC 01 1995

RECEIVED
NOV 7 1995

Department of Water Resources

Ident. No. 65-13635

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: SUTTON RANCHES INC 208-355-2450
Address: RT 1 BOX 43
MIDVALE ID 83645
OR
Name: SUTTON LIVESTOCK INC 208-355-2450
Address: RT 1 BOX 43
MIDVALE ID 83645
2. Source: SPRING Trib. to: SINKS
3. Location of Point of Diversion: SESESE Sec. 5, Township 09N, Range 02E
GEM County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.020		
5. Total quantity to be appropriated is:
0.020 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
PERFORATED LINE TO SPRINGBOX, PIPED TO STOCK TROUGH.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

8. Place of Use: STOCKWATER

TWN RGE SEC
09N 02E 5 SESE

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:
Stockwater use is for 200 cow/calf pairs.

11. Map of proposed point of diversion and place of use attached? [Y]

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.

Sutton Ranches
by Howard Sutton
Applicant

Received by T.M. Date 9/5/95 Time 3:16 PM Preliminary check by CW

Fee \$ 50 Receipted by T.M. # W019834 Date 09/05/1995

Publication prepared by ST Date 9-27-95 Published in Messenger-Index

Publication approved ST Date 10-25-95

DEC 01 1995



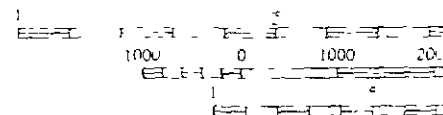
Produced by the Geological Survey
in cooperation with the U.S. Forest Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken July 4, 1981

Projection and 10,000-foot grid ticks: Idaho coordinate
system, west zone (transverse Mercator)
1000-metre Universal Transverse Mercator grid,
zone 11 1927 North American datum

Photom imagery transformed by scanning techniques
which may produce double or mismatched images,
use the mean of image positions for map point.

Department of Water Resources pursuant to
notices of claims and objections in the Snake
express or implied, is made and no legal
es, its agents, contractors, and reproduction
Co. Inc. or its employees for the accuracy,
set forth on this map



V9 1981

TO 9N 20E E. 5

SESESE

65-13635

Copies Of These
At Bonneville B

DEC 01 1995

TOAD
R02E
1901

11

11

11

11

TRAGED

WEST

78.10

40.00

2ND

STAND

40.00

94.9

78.18

09 E

1 4

27.24 27.45

4

27.38

3

27.00

2

26.64

1

26.26

4

28.03

3

25.91

2

25.81

80

80

80

80

80

Sec. 5.

387.28

Sec. 1.

383.14

N 0° 4' W

N 0° 3' W

7 E

15

DEC 01 1995

79.60

S 88° 44' W

79.52

S 88° 44' W



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 22, 2004

MARSHA COBURN
ALLEN COBURN
17800 SWEET OLA HWY
OLA ID 83657

RE: Change of Ownership for Water Rights 65-13634 and 65-13635

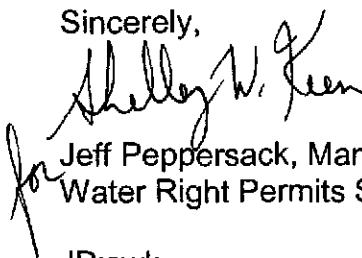
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,



for Jeff Peppersack, Manager
Water Right Permits Section

JP:swk

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 5, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SUTTON RANCHES INC
SUTTON LIVESTOCK INC
RT 1 BOX 43
MIDVALE ID 83645

RE: WATER RIGHT NO. 65-13635

Dear Water Right Holder(s):

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 or files an exception and/or brief 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.

***MICROFILMED

FEB 18 1999

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.

MICROFILMED

² FEB 18 1999

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

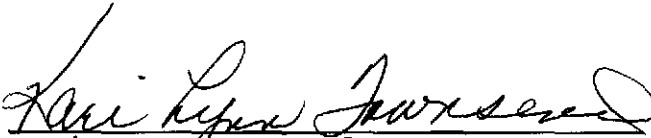
MICROFILMED
FEB 18 1999

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of February, 1999, 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. 65-13635

SUTTON RANCHES INC
SUTTON LIVESTOCK INC
RT 1 BOX 43
MIDVALE ID 83645


Kari Lynn Townsend
Secretary

MICROFILMED

FEB 18 1999

LICENSE REVIEW CHECKLIST

PERMIT NO 65-13635 DATE 1/28/99 REVIEWER. SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43
 W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .02 cfs
 Fee limit .20 cfs \$5000
 Measured low flow - not measurable cfs
 Theoretical low flow - not measurable cfs
 Recommended Total Div Rate .02 cfs

WATER USES	<u>OK</u>	Change (P46)	
<u>Stock</u>	<u>.02</u> cfs	<u>1.6</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
_____	_____ cfs	_____ af	supp gw (WB7/065/079)
_____	_____ cfs	_____ af	overlap spec combined rts (W35)
_____	_____ cfs	_____ af	<1acre (W31)
_____	_____ cfs	_____ af	Domestic (W01/WB5/070/071/075)
TOTALS	<u>.02</u> cfs	_____ af	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .02 cfs X 365 days X 1.98 = 14.5 af

REMARKS (S/200 range cattle) comment

ADD'L CONDITIONS _____ Watermaster Control WD# _____
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes ☒ no SRBA Claim N/A Adjust Memo Amend letters

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 65-13635

1. Owner: Sutton Ranches / Sutton Livestock, Inc. Phone No. (208) 335-2450

Current Address: Rt. 1 Box 43, Midvale, ID 83645

2. Accompanied by: No one (talked to Howard) EXAM DATE: 7-30-98

Address: Sutton by phone Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Method of Determination/Remarks
		SE	SE	SE	5	9N	2E	Gem	Site Visit, Map

2. Place(s) of Use:

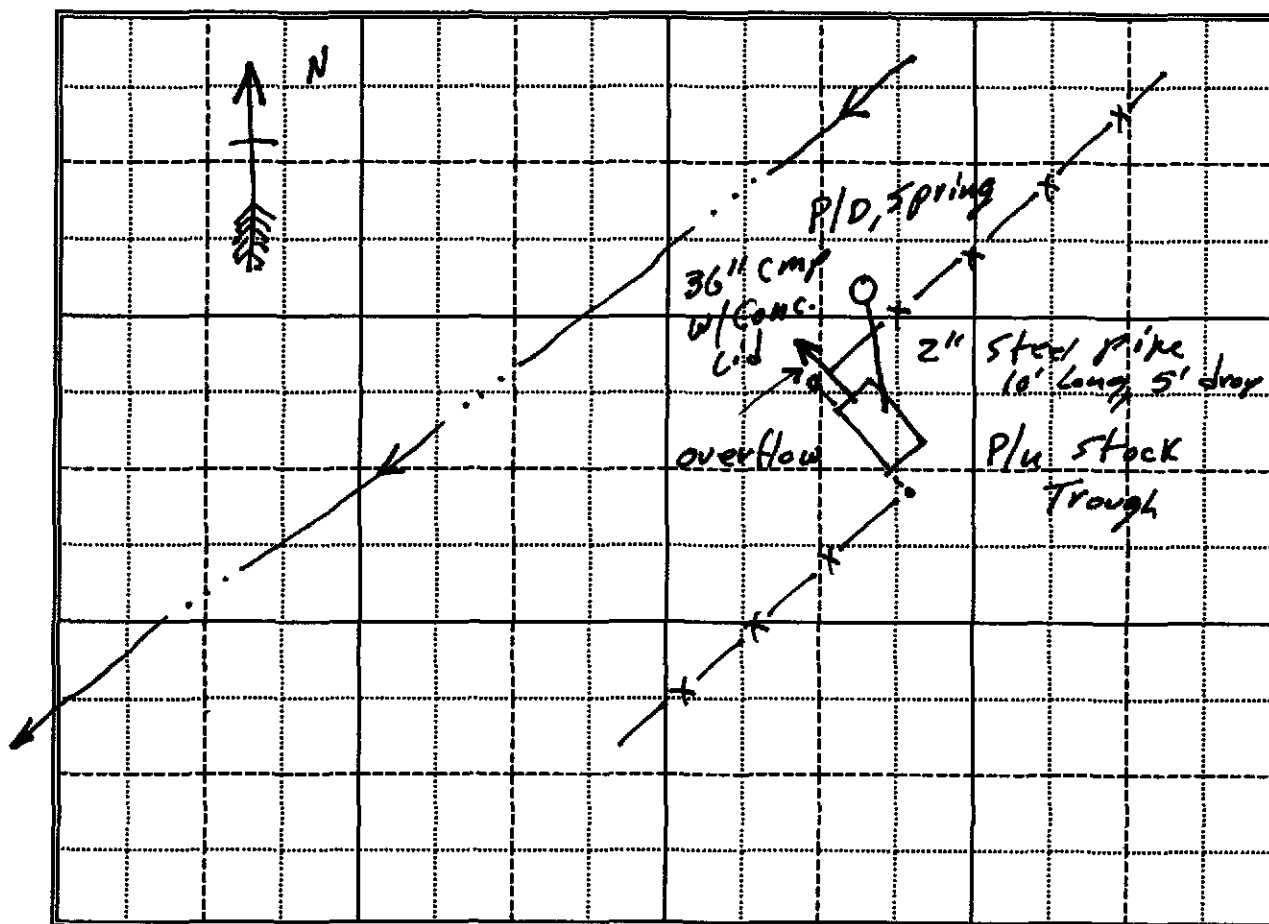
Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	2E	5																S	

MICROFILMED

FEB 18 1999

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



Scale: 1" = None

☒ 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

*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: None - No flow into trough

MICROFILMED

FEB 18 1999

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for a spring development,
a 2", 10' long steel pipe and one stock
water trough.

2. The normal grazing period is from
late April until the end of November
each year. 200 range cattle use
the water.

3. There was ^{a very low} ~~no~~ flow from the spring
at the time of the exam.

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

MICROFILMED
FEB 18 1999

Additional Computation Sheets Attached

<u>Assume</u>	<u>Head Loss</u>	<u>Head Avail.</u>
0.02 cfs, 9 Gpm	0.03'	5'
0.10 45	0.40'	5'

$$H = H_f + H_c + H_v$$

$$S' = \left(\frac{195' \cdot 10.55}{100'} \right) \left(\frac{10'}{1'} \right) \left(\frac{34'}{14.7 \text{ psi}} \right) + 102.14 + V^2/2g$$

The pipe can deliver in
excess of 0.02 cfs if the
spring flow is that much.

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.02) (365) (1.9835) = 14.5 \text{ AFD}$$

$$V = \text{Smaller of } V_{IB} \text{ and } V_{DB} =$$

2. Volume Calculations for Other Uses: *Stackwater*

$$AFA = \left(\frac{12 \text{ GPD}}{\text{Head}} \right) \left(\frac{200 \text{ Head}}{1} \right) \left(\frac{210 \text{ Days}}{\text{Ann.}} \right) \left(\frac{AIF}{325,850 \text{ Gal.}} \right) = 1.55$$

$$= 1.6 \text{ AFA}$$

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>stockwater</u>	<u>01/01</u>	<u>12/31</u>	<u>0.02</u>	<u>1.6</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals:			<u>0.02</u>	<u>1.6</u>

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

Jan Zarnier Date 11-19-98

Reviewer

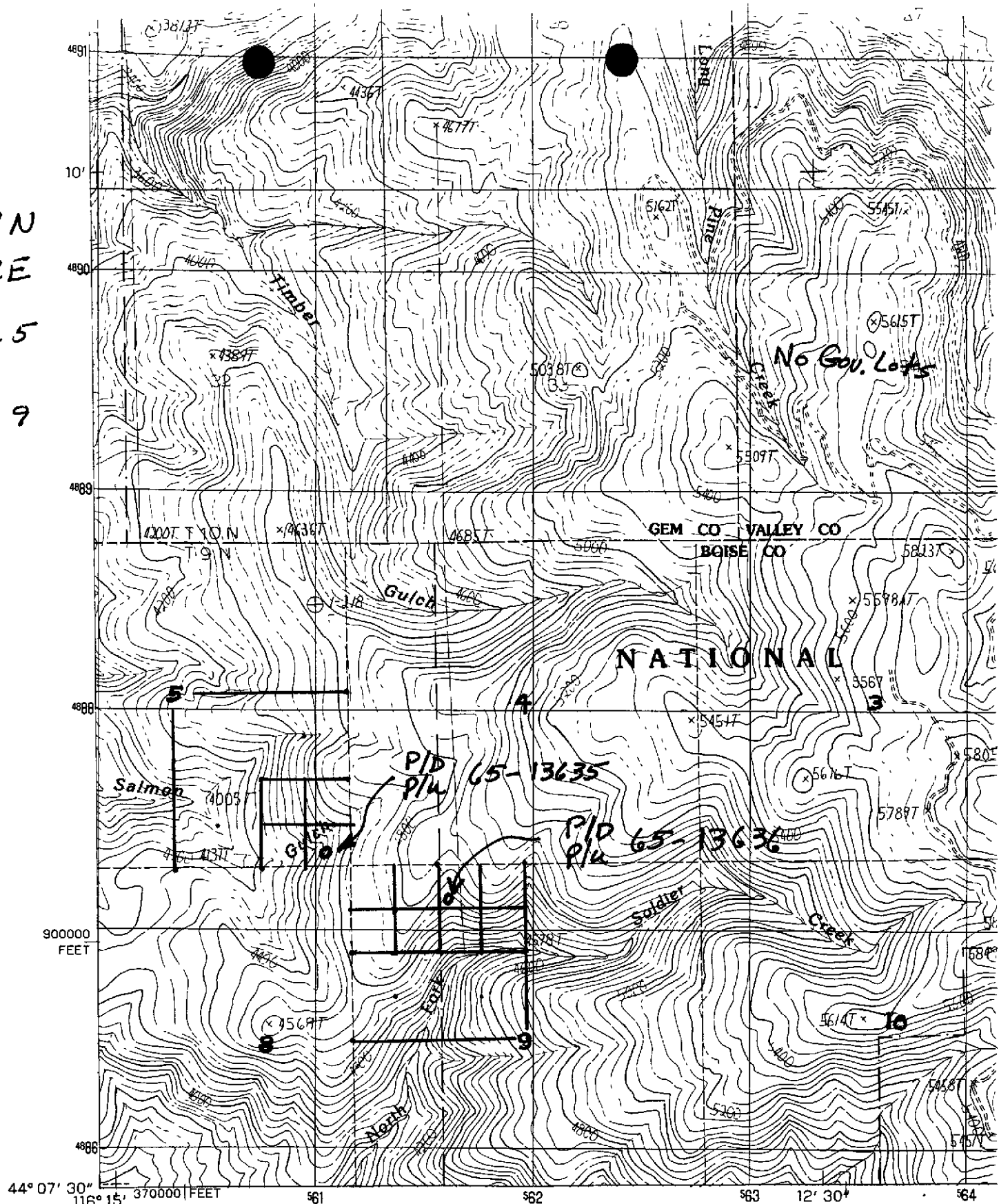
Date _____

SEAL

MICROFILMED

APR 13 1999

Sec. 9



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1980
 FIELD CHECKED 1981 MAP EDITED 1985
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
 10,000-FOOT STATE GRID TICKS IDAHO, WEST ZONE
 UTM GRID DECLINATION 0°34' EAST
 1985 MAGNETIC NORTH DECLINATION 17°30' EAST
 VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
 To place on the predicted North American Datum of 1983,
 move the projection lines as shown by dashed corner ticks
 (15 meters north and 76 meters east)
 There may be private inholdings within the boundaries of any

65-13636-13636

FEB 18 1999

PROVISIONAL MAP
Produced from original
manuscript drawings. Infor-

1 of 1

P/O

P/u

Spring

Development

and

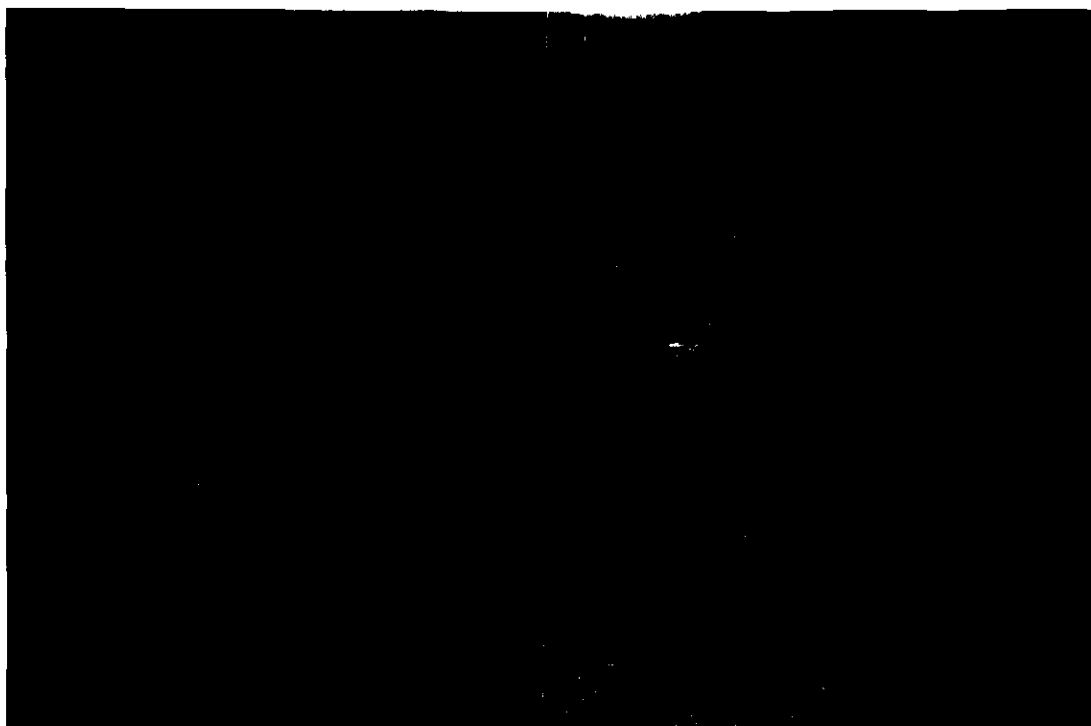
Stock

Trough.

View

Looking

North



P/O

P/u

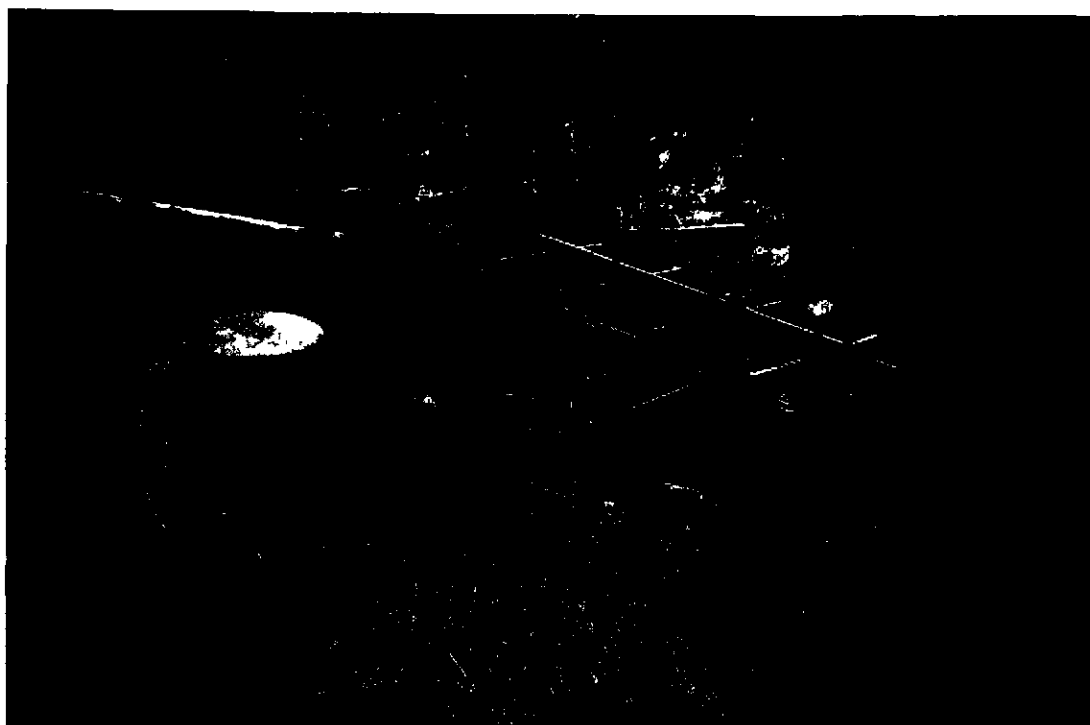
36" Cmp

Spring

Box

and

Trough



NO FILMED 36 35

8 1 8 1999

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 05-13035 Reviewed by [Signature] Date 10-29-96

GENERAL CONSIDERATIONS

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

TYPES OF USE

Stock

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

☐ Well log in the file?

_____ Correct?

LICENSE EXAMINATION FEE

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [Signature]

Proof Made 10-1-96

November 1, 1996

SUTTON LIVESTOCK INC
SUTTON RANCHES INC
RT 1 BOX 43
MIDVALE ID 83645

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13635

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 WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED
NOV 07 1996

August 31, 1996

SUTTON LIVESTOCK INC
SUTTON RANCHES INC
RT 1 BOX 43
MIDVALE ID 83645

PROOF DUE NOTICE

RE: PERMIT NO. 65-13635

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 November 1, 1996. (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.

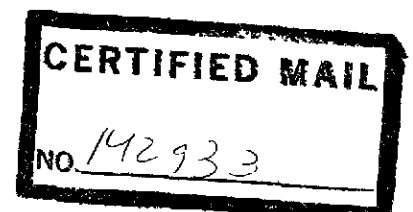
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
NOV 10 1996





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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 14, 1995

SUTTON LIVESTOCK INC
SUTTON RANCHES INC
RT 1 BOX 43
MIDVALE ID 83645

PERMIT APPROVAL NOTICE

RE: PERMIT NOS. 65-12634/65-12635/65-12636

Dear Permit Holder(s):

Enclosed are copies of your approved applications for permits. Please be sure to thoroughly review the "CONDITIONS AND REMARKS" listings on the permit.

Enclosed are forms entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop these permits. Also enclosed are forms entitled "Proof of Beneficial Use". If your projects are already completed you should complete and submit these forms immediately.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

Enclosures

NOV 15 1995

NOV 1 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-13635 Name: Sutton Ranches Date: 11/9/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: W019834 Priority: 9/5/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

~~Water District (dam)~~ - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028 (may report) - 01J (meas dev) - P08
Spring/sinks =/- 0.2 cfs - 028 (may report) - 01H (lock dev) - P01 or No MD
=/+ 5 a. irr. - 028 (may report)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-↑ Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

~~Water~~
Domestic (surface) - 021 (Boise R ↑ L Peak); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs-P18; 17G (FERC) or 17M (FERE); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - 3 <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU) _____

OTHER CONDITIONS: _____

STANDARD REMARKS: - 11-1-1996

BENEFICIAL USE DUE: - 11-1-1996

COMMENTS: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: CJM DATE: 9-18 95 APPLICATION: 05-13035

REQUIRED INFORMATION

OK See comments
Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map: (show T, R, S, QQ &/or QQQ)
Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:
1 P/D
2 P/U

ADDITIONAL INFORMATION

YES NO

☒ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion:
Field check required: Field check by: _____
Field report attached:
Critical groundwater area:
Groundwater management area:
1992 moratorium:
Copy to SCA staff: (perennial stream, non-pump diversion)
Copy to Dam Safety staff: (for any storage)
Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)
Send power requirement letter:
Send fish farm requirement letter:
Power residency affidavit:
Power efficiency form:
Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

RECEIVED
NOV 7 1995
Department of Water Resources

DATE REQUESTED: _____

Additional information on reverse side:

PROCESSING

APPLICATION NUMBER

65-13635

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest 10-23-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: *Approve, Dnr*

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

See below for additional information

Recommended Date or Priority 9/5/1995

Recommended by: *Dnr*

Date 11/7/95

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
 ss.
 COUNTY OF GEM,

Ginger Johnson, being first
 duly sworn, on her oath deposes and
 says that she is the clerk of the Mes-
 senger Index, a legal weekly news-
 paper published at Emmett, in Gem
 County, Idaho; that said newspaper
 is in general circulation in said
 county and has been published unin-
 terruptedly and continuously for
 more than 78 weeks prior to the
 first publication of the annexed
 document; and that the document
 notice, process, or advertisement
 hereunto annexed was published in
 the regular edition of Messenger
 Index for two

consecutive weekly issues thereof,
 beginning with the issue of
Oct 4, 1995,
 and ending with the issue of
Oct 11, 1995

Ginger Johnson
 Subscribed and sworn to me this

11th day of
October, 1995

Janet Leisk
 Notary Public
 Residing at Emmett, Idaho

MY COMMISSION EXPIRES
 JUNE 21st, 1997

My Commission Expires _____

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12 150

ASHER, TROY
 ASHER, LINDA
 PO BOX 1282
 EAGLE, ID 83616-1282
 Source: GROUNDWATER
 Diversion Pt: SENE
 Use: IRRIGATION
 STOCKWATER
 DOMESTIC
 Total Diversion:
 Date Filed: 10/ 7/1994
 In: GEM County

Sec 19 T 06N R 01E in GEM County.
 (0.900 CFS)
 (0.040 CFS)
 (0.040 CFS)
 (. 940 CFS)

T06N ROIE S19 SENE
 S20SWNW

45.0 ACRES TOTAL
 Water bearing zone to be appropriated is 50 to 600 feet.

65-13634

SUTTON LIVESTOCK INC
 SUTTON RANCHES INC
 RT 1 BOX 43
 MIDVALE, ID 83645
 Source: SPRING
 Diversion Pt:
 ty.
 Use: DOMESTIC
 STOCKWATER
 Total Diversion
 Date Filed: 9/5/1995
 In: GEM County

Tributary: SINKS
 SWSENE Sec 11 T 09N R 01E in GEM Coun-
 ty.
 (0.020 CFS)
 (0.020 CFS)
 (0.020 CFS)

T09N ROIE S14NWNE SWNE

65-13635

SUTTON LIVESTOCK INC
 SUTTON RANCHES INC
 RT 1 BOX 43
 MIDVALE, ID 83645
 Source: SPRING
 Diversion Pt:
 Use: STOCKWATER
 Total Diversion:
 Date Filed: 9/ 5/1995
 In: GEM County

Tributary: SINKS
 SESESE Sec 5 T 09N R 02E in GEM County.
 (0.020 CFS)
 (0.020 CFS)

T09N R02E S05 SESE

65-13636

SUTTON LIVESTOCK INC
 SUTTON RANCHES INC
 RT 1 BOX 43
 MIDVALE, ID 83645
 Source: SPRING
 Diversion Pt:
 Use: STOCKWATER
 Total Diversion:
 Date Filed: 9/ 5/1995
 In: GEM County

Tributary: SINKS
 SENWNW Sec 9 T 09N R 02E in GEM Coun-
 ty.
 (0.020 CFS)
 (0.020 CFS)

T09N R02E S09 NWNW

Permits will be subject to all prior water rights. Protests may be submitted based
 on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of
 this application must be filed with the Director, Dept. of Water Resources, Western
 Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00
 on or before OCTOBER 23, 1995. The protestant must also send a copy of the
 protest to the applicant.

KARL J. DREHER,
 Director

Pub.: 10 - 4, 11, 1995

Legal Notice No. 2348
 Published in the Messenger Index

RECEIVED

OCT 11 1995

WATER RESOURCES
 WESTERN REGION

DEC 01 1995

65-13635

SUTTON LIVESTOCK INC
SUTTON RANCHES INC
RT 1 BOX 43
MIDVALE, ID 83645

Source: SPRING

Tributary: SINKS

Diversion Pt: SESESE Sec 5 T 09N R 02E in GEM County.

Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 9/ 5/1995

In: GEM County
T09N R02E S05 SESE

1995