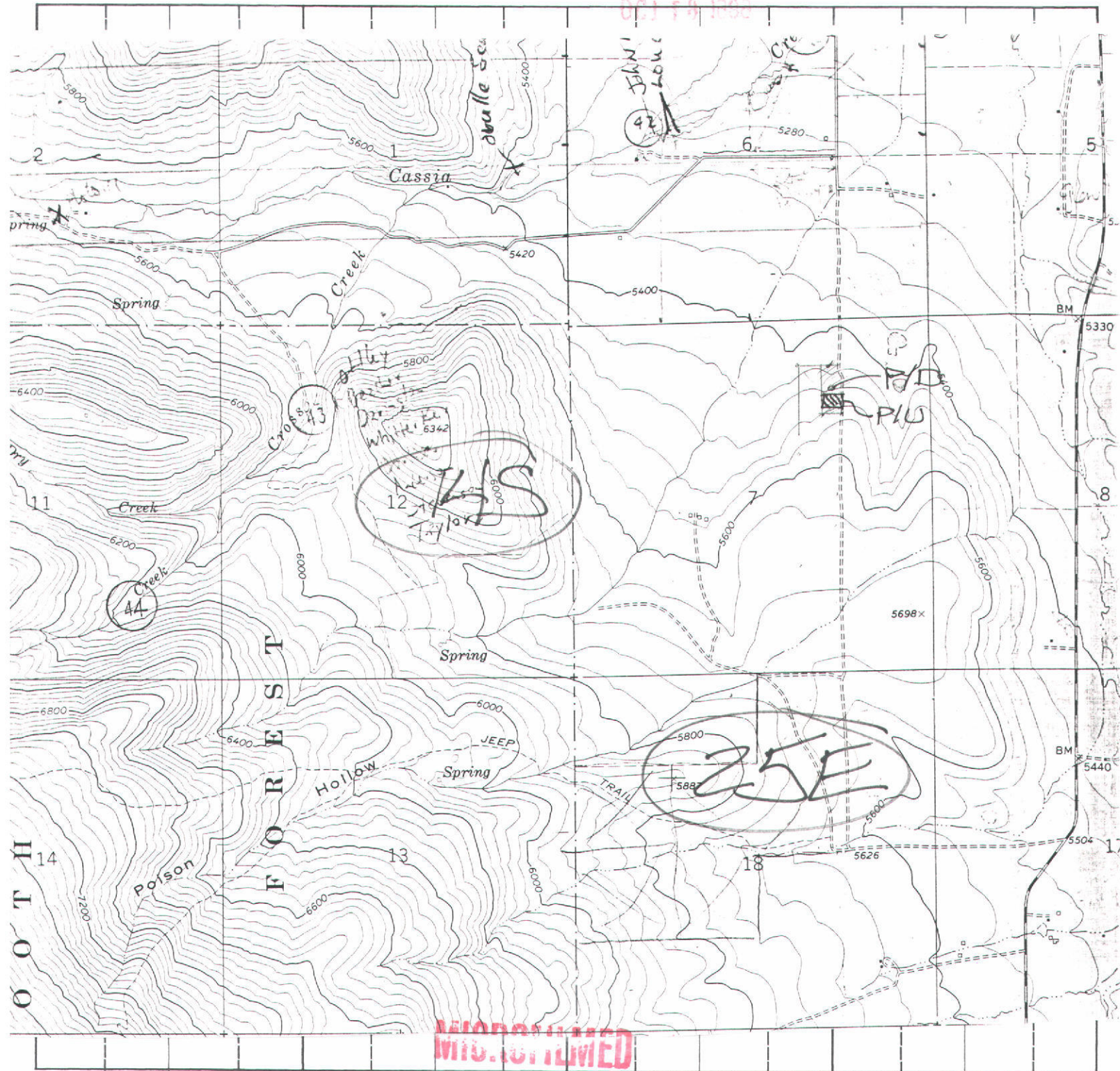


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

OCT 19 1989

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.

Brenda Bernier
(Applicant)

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

... Cheryl Blauer being first
duly sworn, deposes and says that she is the

clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated July 20, 1989, and ending
with the issue dated July 27, 1989
Cheryl Blauer

89-354

NOTICE OF APPLICATION
FOR WATER RIGHT

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

43-07300

BERRIER, BRENDA

P.O. BOX 504

ELBA, ID 83326

Source: GROUNDWATER

Diverston Pt: SENWNE Sec 7 T 14S R
25E

Use: DOMESTIC (.040 CFS)

IRRIGATION (.090 CFS)

Date Filed: 6/07/1989

In: T14S R25E S07 NWNE

3.0 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 AU-
GUST 7, 1989.

R. KEITH HIGGINSON, Director
Published in the South Idaho Press on
July 20 and 27, 1989.

STATE OF IDAHO

COUNTY OF

On this 7th day of August in the year of 1989, before me,
a Notary Public, personally appeared Cheryl Blauer,
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.

Marge Marcudrag
Notary Public for Idaho

Residing at Burley, Idaho

My commission expires: 2-1-94

Cost of Publication 25.92

Notary Fee 50

Total Cost 26.42

OK
MB
8/23/89

RECEIVED

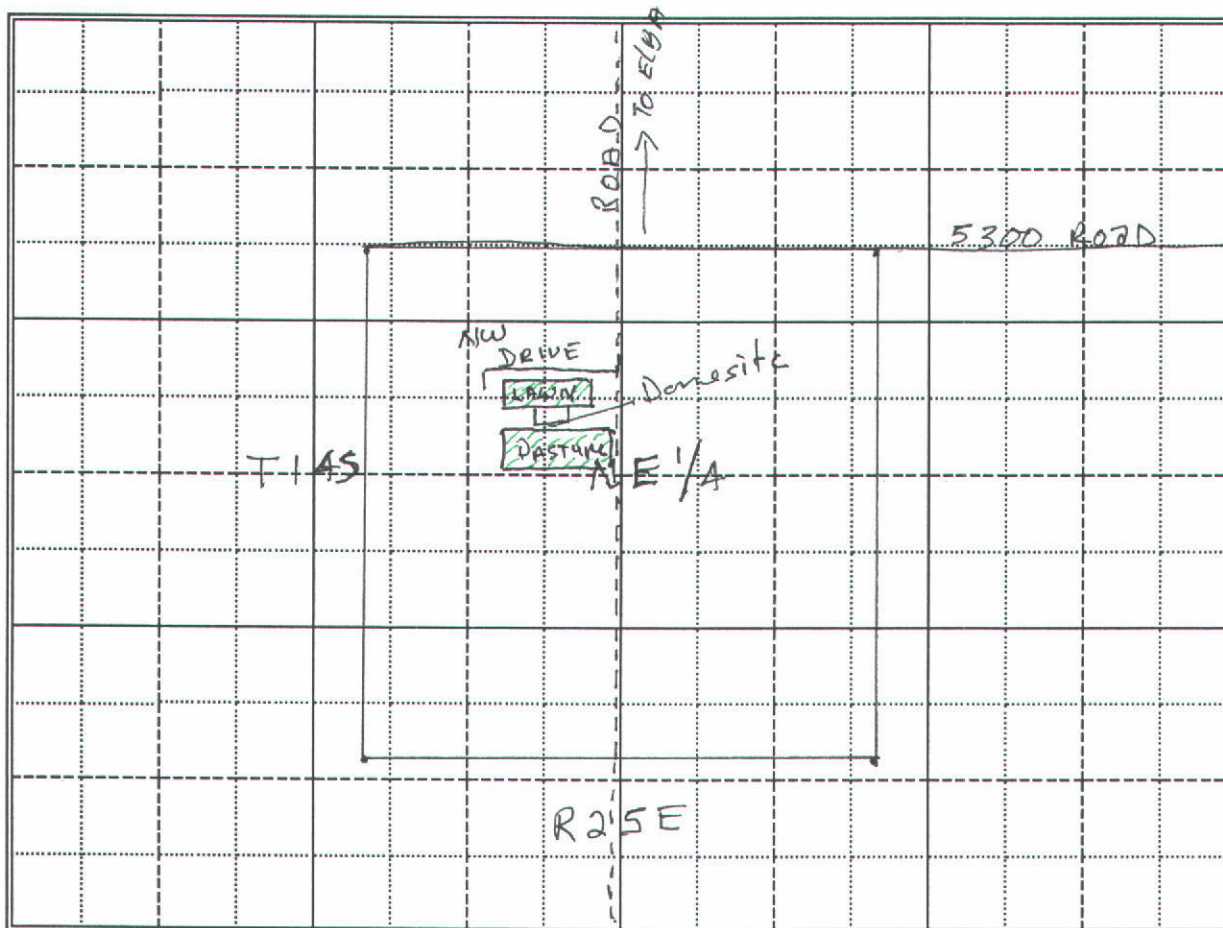
AUG - 9 1989

Department of Water Resources
Southern Region Office

MICROFILMED

OCT 19 1989

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



Scale: 1" = NOT TO SCALE

☒ 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
1.	General Electric	5	40089680	Dura-flow	unk (submersible)

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

D. FLOW MEASUREMENTS

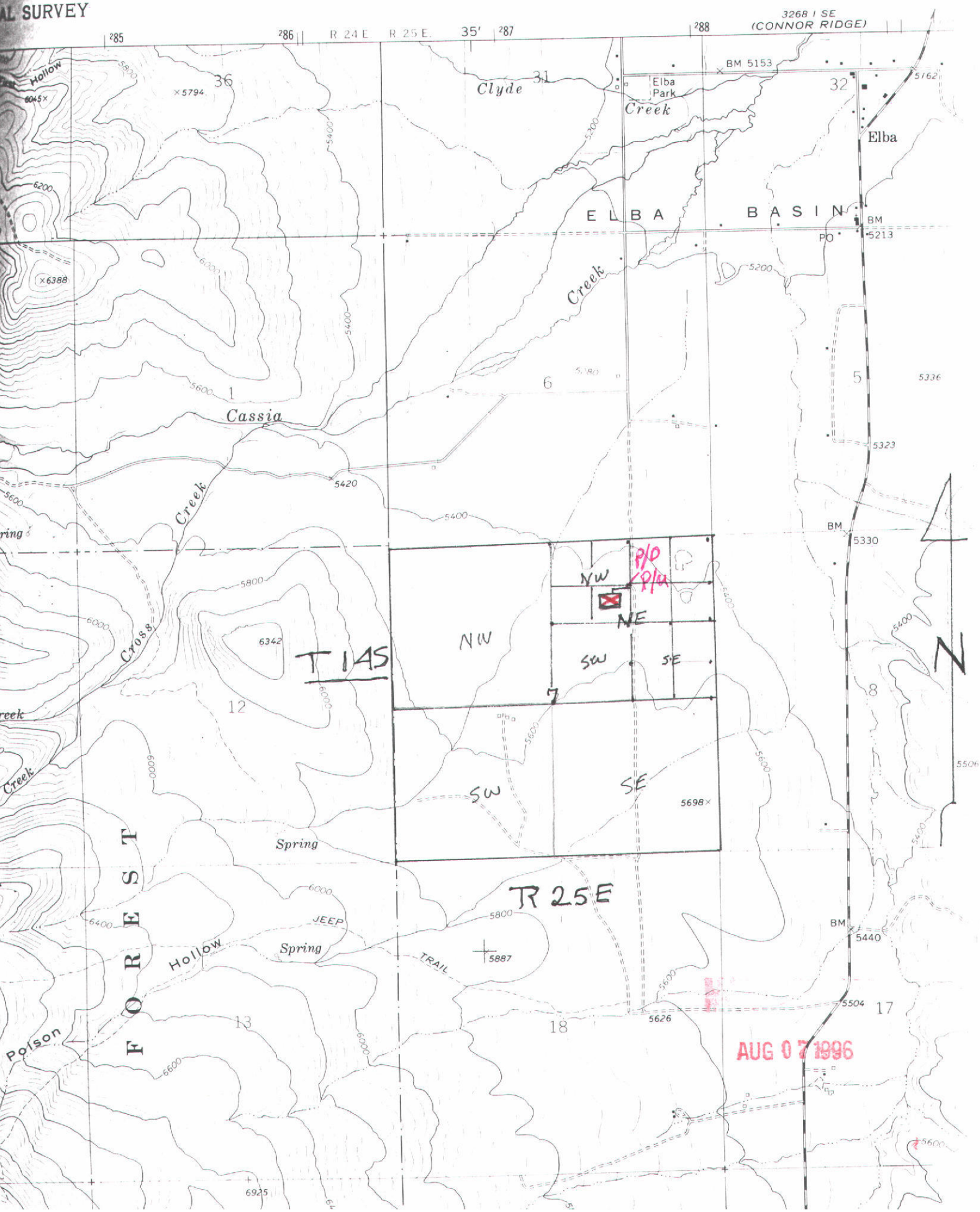
1.

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

2. Measurements: NONE TAKEN.

RECEIVED
JUN 07 1996

STATES
OF THE INTERIOR
AL SURVEY



GEOLOGICAL SURVEY

113° 37' 30" 284000 E

42° 15'

285

286

287

288

289

290

CONOR 39 A

R 24 E R 25 E 35'

4800' N

T 13 S

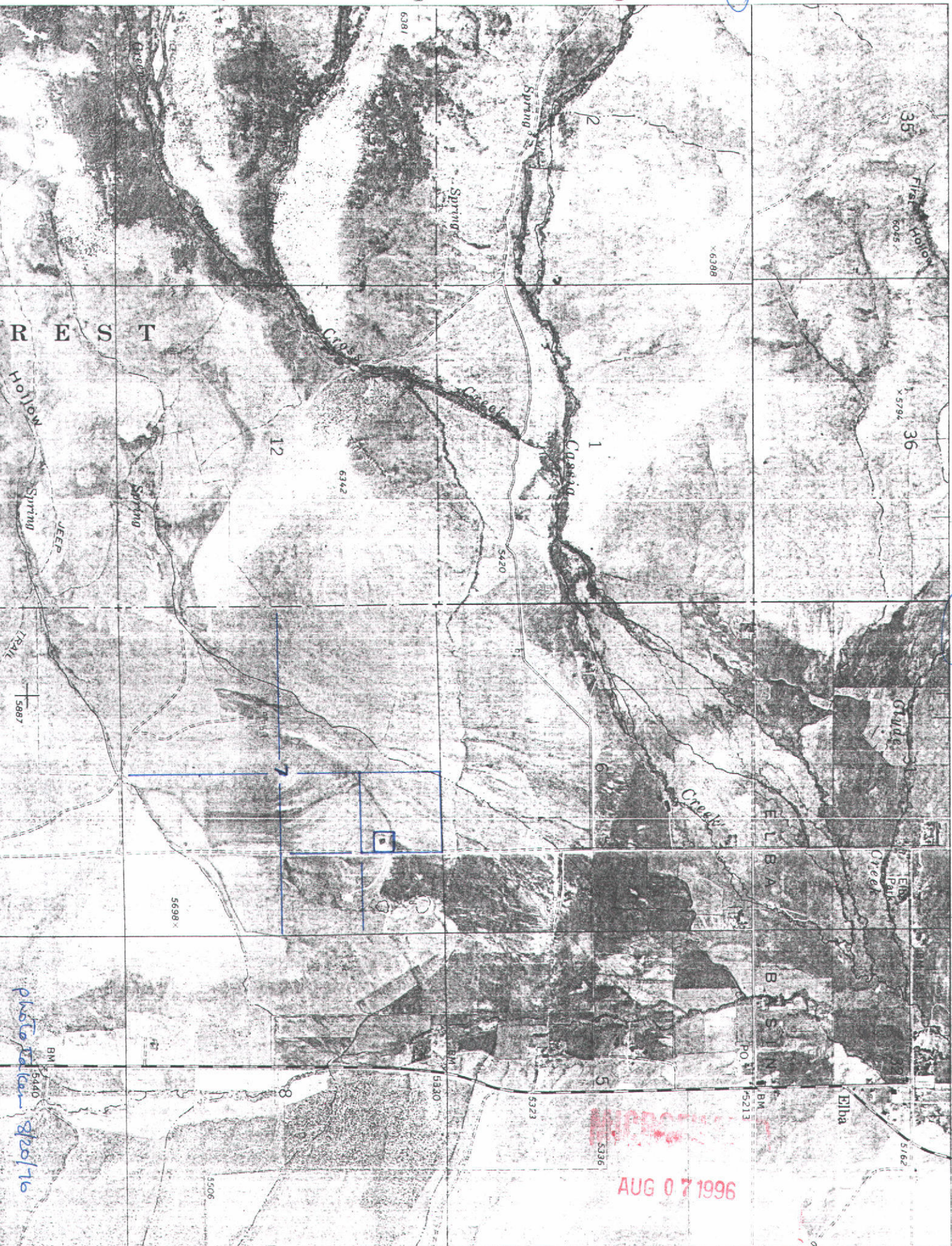
T 14 S

4879

4878

4877

12' 30"



R E S T

Hollow

Spring

15897

plus to be taken 8/20/16

AUG 07 1996

43-07360

2/4



3/4



AUG 07 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07300

Priority: June 7, 1989

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 11.8 AF

This is to certify, that BRENDA BERRIER
PO BOX 504
ELBA ID 83326-0504

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 7, 1989; and has submitted Proof of Beneficial Use on October 24, 1990. An examination indicates that the works have a diversion capacity of 0.100 cfs of water from a **GROUNDWATER** 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	04/01 to 10/31	0.08 CFS	11.2 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.10 CFS	11.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 7, Township 14S, Range 25E
CASSIA 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>
14S	25E	7	NWNE	2.8		2.8

Total number of acres irrigated: 2.8

PLACE OF USE:

DOMESTIC, 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.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

AUG 07 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07300

CONDITIONS OF APPROVAL AND REMARKS

6. Irrigation use under this right is authorized only in connection with a domestic use.
7. Domestic use is for 1 home.
8. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 13TH day of July, 1976.

Acting for

Norman C. Young
KARL J. DREHER, Director



APPROVED
JUL 13 1976

OCT 24 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 43-07300 Telephone No. 208 638-5588

Name(s) of Permit Holder(s): BRENDA A (DOWNS) BERRIER

Post Office Address: P.O. Box # 504

Source of Water: well - ground water

If ground water, well driller's name: Sherran Couch Date drilled: 1974 - 1975

Extent of Use:
Domestic 4 1 (No. of households) Irrigation 3 (No. of acres) sprinkled by hose (Homeday sprinkler)
Stockwater 3 (No. and type of stock) Horses Other none

Total rate and/or volume for which proof is submitted 0.13 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1974

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes XNo Installed? Yes No

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Brenda - same as above Telephone No. 638-5588
Name
P.O. Box 504 Elba, Id. 83326
Address

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

MICROFILMED

DEC 17 1990

9-14-90
Date

Brenda Berrier
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 43-07300

Proposed Priority: June 7, 1989

Maximum Diversion Rate:

0.13 CFS

This is to certify, that **BRENDA BERRIER**
P.O. BOX 504
ELBA, ID 83326

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.09 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.13 CFS

LOCATION OF POINT(S) OF DIVERSION:

SEWNNE Sec. 7, Township 14S, Range 25E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S 25E 7	NWNE 3			3
Total number of acres irrigated:				3

PLACE OF USE: DOMESTIC, 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 **November 1, 1990**.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Irrigation use under this permit is authorized only in connection with a domestic use.
6. Domestic use is for 1 home.

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

5th day of October, 1989.

[Signature]
for R. Keith Higginson, Director

RECEIVED

Form 202
6/85

STATE OF IDAHO

Ident. No. 43-07300

JUN 7 1989

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant BERRIER, BRENDA Phone 638-5588
Post office address P.O. Box #504 Elba Id. 83326
2. Source of water supply ground Water which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 7 Township 14-S Range 25E B.M. CASSIA County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .09 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .13 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 2 hp pump, line
to house, hoses to pasture
 - 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 8 in inches; proposed depth of well is 200 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
1 years (minimum 1 year).

OCT 16 1989

a. Hydropower; show total feet of head and proposed capacity in KW.

b. Stockwatering; list number and kind of livestock. ~~3 horses~~

c. Municipal; show name of municipality.

d. Domestic; show number of households. ~~1 home, 4 horses~~

e. Other; describe fully.

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.

[illegible]

Σ

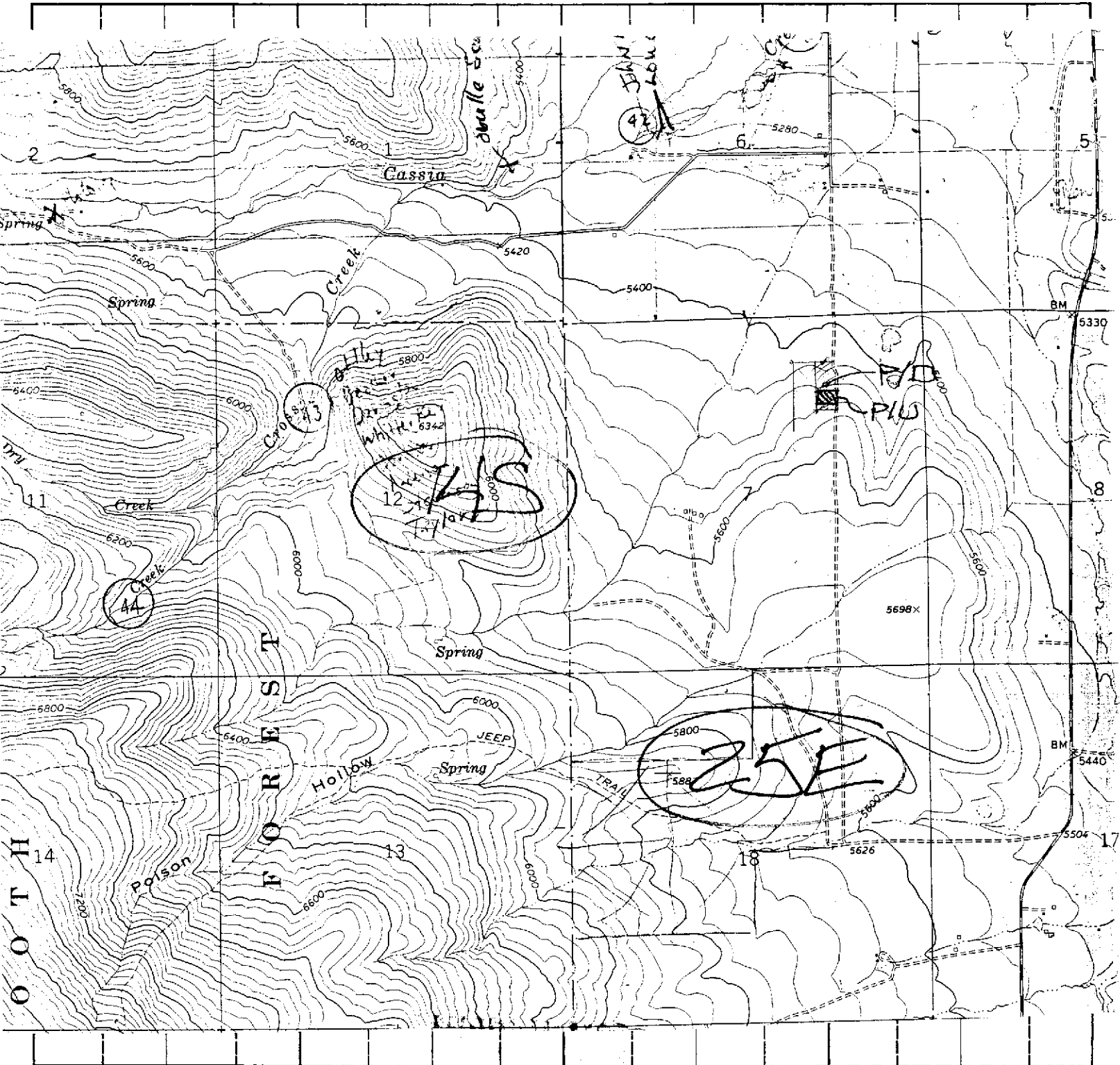
Application

11

applicant to make this filing.

12. Remarks: System was developed in 1974.

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Brenda Berrier
(Applicant)

888 67 130

PERMIT NO. 10400

e. Other:

- 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.
- 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.

_____, 19____

- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by DRB Date 6/17/89 Time 8:45 Preliminary check by g. Smith

Fee \$ 30.00 Received by DRB # 5007597 Date 6/17/89

Publication prepared by M. Baldwin Date 7/7/89 Published in So. E.O. Press

Publication approved M. Baldwin Date 8/23/89

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

... Cheryl Blauer being first
duly sworn, deposes and says that she is the

clerk of the South Idaho
Press, a daily newspaper published at Bur-
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the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated July 20, 1989, and ending
with the issue dated July 27, 1989.
Cheryl Blauer

89-354

NOTICE OF APPLICATION
FOR WATER RIGHT

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

43-07300

BERRIER, BRENDA

P.O. BOX 504

ELBA, ID 83326

Source: GROUNDWATER

Diversion Pt: SENWNE Sec 7 T 14S R
25E

Use: DOMESTIC (.040 CFS)

IRRIGATION (.090 CFS)

Date Filed: 6/07/1989

In: T14S R25E S07 NWNE

3.0 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 AU-
GUST 7, 1989.

R. KEITH HIGGINS, Director
Published in the South Idaho Press on
July 20 and 27, 1989.

STATE OF IDAHO

COUNTY OF

On this 7th day of August, in the year of 1989, before me,
a Notary Public, personally appeared Cheryl Blauer,
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.

W. J. H. H. H.
Notary Public for Idaho

Residing at ...

My commission expires: ...

Cost of Publication 25.92

Notary Fee 50

Total Cost 26.42

OK
MB
8/23/89

RECEIVED

INDEXED FILMED

AUG - 9 1989

OCT 19 1989

Department of Water Resources,
Southern Region Office



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

July 15, 1996

BRENDA BERRIER
PO BOX 504
ELBA ID 833260504

RE: WATER RIGHT NO. 43-07300

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED
JUL 19 1996

AUG 6 7 1996

WR0749NP
No. L43-07300

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/09/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRENDA BERRIER PO BOX 504 ELBA ID 83326-0504 (208) 638-5588	06/07/1989	IRRIGATION DOMESTIC	04/01 10/31 01/01 12/31	0.080 CFS 0.020 CFS	11.20 AFA 0.60 AFA
TOTAL DIVERSION:					0.100 CFS	11.80 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.100 CFS

Point(s) of Diversion: T14S R25E S07 NWNE CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
14S	25E	7	:		02.8		:				:									2.8
TOTAL ACRES																			2.8	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: CASSIA

Other Water Rights Listing Overlapping Place(s) of use:

43-00015 43-00146 43-00147 43-07300

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- 041 - Irrigation use under this right is authorized only in connection with a domestic use.

Remarks: Domestic use is for 1 home.
Domestic use does not include lawn, garden, landscape, or other types of irrigation.

Dates: App. Received: 06/07/1989 Priority Date: 06/07/1989
Proof Due Date: 11/01/1990 Proof Made Date: 10/24/1990
Exam Made Date: 10/26/1995 Exam Sent to S.O.: 01/02/1996
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 07/09/96 CZIMMERM

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				NE				NW				SW				SE				SUM
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac						
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
L4307300	T14S R25E S 7 GROUNDWATER	:		02.8	:																								2.8					
4300015	RAFT RIVER :	I		(1)	I	I	:	I	01-1	02-1	I	:	I	03-1	I	I	:		I	I	:													
4300146	CASSIA CREE :	Hogland	(1)																															
A4300146A	CROSS CREE :																												40					
R4300146A	CROSS CREE :									40																			40					
A4300146B	CASSIA CREE :			10	:																								10					
R4300146B	CASSIA CREE :			10	:																								10					
4300147	GREEN CANY :	Hogland	(1)																															
A4300147A	CROSS CREE :									40																			40					
R4300147A	CROSS CREE :									40																			40					
A4300147B	GREEN CANY :			10	:																								10					
R4300147B	GREEN CANY :			10	:																								10					
4300186	CASSIA CREE :									01-1	02-1																							
A4300186	CROSS CREE :									01-11																			11					
R4300186	CROSS CREE :									01-11																			11					
4300187	CASSIA CREE :									01-1	02-1																							
A4300187	CROSS CREE :									01-11																			11					
R4300187	CROSS CREE :									01-11																			11					
4300192	GREEN CANY :													03-01	04-04														5					
A4300192	GREEN CANY :													03-01	04-04														5					
R4300192	GREEN CANY :													03-01	04-04														5					
4300216	CASSIA CREE :																I																	
4300227	RAFT RIVER :												I																					
4300281	GREEN CANY :				I						I		I						I															
A4300281	GREEN CANY :				25															40	19								84					
R4300281	GREEN CANY :				25															40	19								84					
4300371	GREEN CANY :	I				I	:																											
A4300371	GREEN CANY :	40				40	:																						80					
R4300371	GREEN CANY :	40				40	:																						80					
4300475	ANTELOPE S :	I				I	:																											
A4300475	ANTELOPE S :	40				40	:																						80					
R4300475	ANTELOPE S :	40				40	:																						80					
A4304074	SPRINGS :						:							03-01	04-06														7					
R4304074	SPRINGS :						:							03-01	04-06														7					
4307107	GROUNDWATE :	20					:																						20					
A4307107	GROUNDWATE :	20					:																						20					
R4307107	GROUNDWATE :	20					:																						20					
~~4307300~~	~~GROUNDWATE :~~	~~03~~					:																						3					
A4310320	WASTE WATE :	20				20	:																						40					
R4310320	WASTE WATE :	20				20	:																						40					
A4310594	POISON HOL :	40				40	:																						80					
R4310594	POISON HOL :	40				40	:																						80					
A4310819	GREEN CREE :				25		:													40	19								84					
R4310819	GREEN CREE :				25		:													40	19								84					

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 43-7300 Name: Berrier Date: 7/9/96 ✓ Lots ✓

NAME Chng Same ✓ Or Address Change?

SOURCE ✓ Clarify source
✓ Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? SENWNE P39
Overlap(s)

P/U ✓ Amendment Needed? reduce in to 2.8 ac. P41
Overlap(s)
(Gov't special #'s) *P/D & P/U Amend? P37

RATE ✓ Permit/fee limits: 0.13 / 0.13
✓ Measured Q = none cfs/Theoretical Q = 0.10 cfs
(irr = 2.8 ac x 0.03 cfs/ac = 0.08 cfs) + (dom. in-house = 0.02 cfs) = 0.10
(HP) $\frac{8.8 \times 0.70 \times 5}{180 + (2.31 \times 50)} = \frac{30.8}{295.5} = 0.10 \text{ cfs}$
✓ Recommended capacity 0.10 cfs
✓ Recommended rate 0.10 cfs

VOLUME ✓ Season: ($\angle$ / 4.0) 4/1-10/31 = 214 days
Calculations:
a) irr = 2.8 ac x 4.0 AF/ac = 11.2 AF
b) dom. in-house = 0.6 AF
a+b = 11.2 + 0.6 = 11.8 AF
✓ Flow limit: 0.08 x 214 x 1.9835 = 34.0 AF
Recommended volume 11.8 AF

USES ✓ Same Nature of Use? P46
✓ Amendment Needed?

REMARKS ✓ Multiple p/d's in $\frac{1}{4}$? W32
✓ DWES/1

CONDITIONS — Measuring (R01)/Locking (R02) Devices
— Watermaster Control (R04) - WD #
R31 Irrigation rate/volume overlap
— GW irrigation replaces surface water (050)
— GW irrigation supplements surface water (065)
✓ Water Quality/Other 041

PRIORITY App Rcd 6/7/89 Due 11/1/90 Rc'd 10/24/90
Receipt# 0018693 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done?
If Yes, Advanced? Yes/No to:
Priority 6/7/89 Examined 10/26/95

COMMENTS:

USE	CFS	DIV VOL	SRBA Overlap
<u>irr.</u>	<u>0.08</u>	<u>11.2</u>	<u>none</u>
<u>Dom.</u>	<u>0.02</u>	<u>0.6</u>	<u>Adjustment Memo ✓</u>
<u>TOTAL</u>	<u>0.10</u>	<u>11.8</u>	<u>LICENSE LTR: P49</u>
			<u>#1 AMEND LTR: /P38</u>
			<u>#2 AMEND LTR: P42/P47</u>

MEMORANDUM

DATE: July 9, 1996
TO: File No. 43-07300
FROM: Cindy Zimmerman
SUBJECT: Review of Beneficial Use Field Report

~~~~~  
The following adjustments<sup>1</sup> were made on the field report to reflect department standards:

F. Flow Calculations.

a. Irrigation = acres x cfs/acre  
= 2.8 x 0.03  
= **0.08** cfs

b. Domestic, 1 home internal use = **0.02** cfs.

H. Recommendations.

1. Recommended amounts:

| Beneficial Use | Period of Use | Rate of diversion      | Annual Volume |
|----------------|---------------|------------------------|---------------|
| Irrigation     | 4/1-10/31     | <b><u>0.08</u></b> cfs | 11.2 AF       |
| Domestic       | 1/1-12/31     | <b><u>0.02</u></b> cfs | 0.6 AF        |
|                | Totals:       | 0.10 cfs               | 11.8 AF       |

---

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

AUG 6 7 1996

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
JAN 03 1996  
Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 43-07300

1. Owner: Berrier, Don/Brenda Phone No. (208) 638-5588

Current Address: PO Box 504, Elba ID 83326

2. Accompanied by: Brenda EXAM DATE : 10-26-1995

Address: Same Phone No. Same

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to None

**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 | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|----|----|----|------|------|------|--------|---------------------------------|
| 1         |           | se | nw | ne | 07   | 14s  | 25e  | Cassia | USGS QUADRANGLE MAP             |
|           |           |    |    |    |      |      |      |        |                                 |
|           |           |    |    |    |      |      |      |        |                                 |
|           |           |    |    |    |      |      |      |        |                                 |

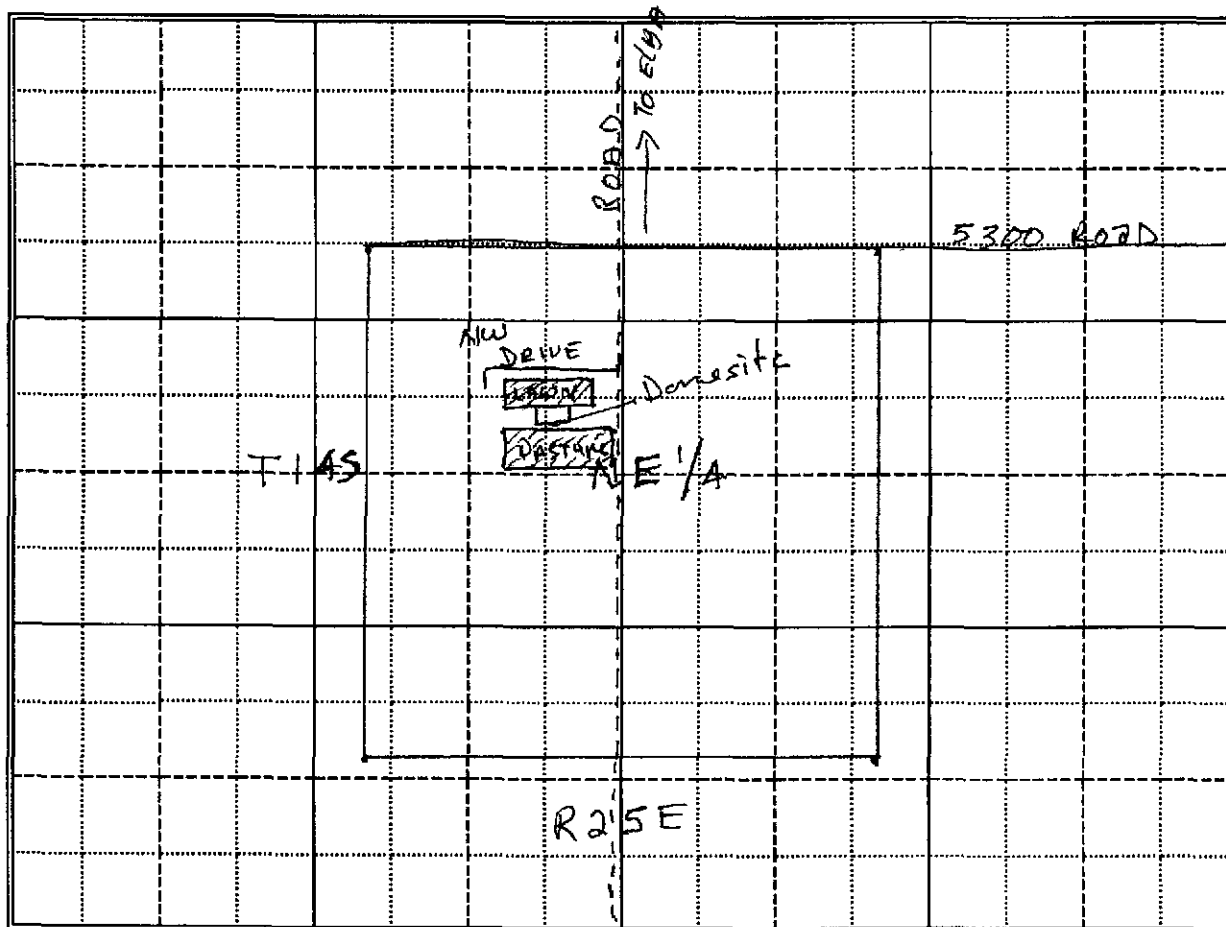
**2. Place(s) of Use:**

Indicate Method of Determination

| TWP | RGE | SEC | NE |     |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals    |
|-----|-----|-----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----------|
|     |     |     | NE | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |           |
| 14s | 25e | 07  |    | 2.8 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 2.8 acres |
| 14s | 25e | 07  |    | D   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |           |

AUG 07 1996

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



Scale: 1" = NOT TO SCALE

☒ 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 |
|---------------------------------------|------------------|----|------------------|-----------|-----------------------------------|
| 1.                                    | General Electric | 5  | 40089680         | Dura-flow | unk (submersible)                 |
|                                       |                  |    |                  |           |                                   |
|                                       |                  |    |                  |           |                                   |

\*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 TAKEN.

207826

This system consists of a 6" well drilled 200 ft deep with a dynamic pumping level of 180 ft. Water is diverted to a 60 gal pressure tank via a 5 hp pump operating at 50 psi.

House, equipment parking and sheds, and driveway areas total 8450 sq ft.

The pasture irrigation component consists of 2.5 acres irrigated by 2 movable 9/64 rain bird sprinklers hooked up at an outside horse-head type faucet. The Lawn measures approximately 13,200 sq ft. and is irrigated by standard size water hose and sprinklers.

Have conditions of permit approval been met? X yes       no

156 07 1996

**F. FLOW CALCULATIONS**

\_\_\_\_\_ Additional Computation Sheets Attached

Measured Method:      Theoretical

$$\frac{8.8 \times 5 \times .70}{180 + (50 \times 2.31)} = 0.10\text{cfs System Capacity}$$

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.8 \text{ acres} \times 4 = 11.2\text{afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .10 \times 214 \times 1.9835 = 42.4\text{afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 11.2\text{afa}$$

## 2. Volume Calculations for Other Uses:

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | Period of Use           |                           | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|-------------------------|---------------------------|------------------------------|--------------------------|
|                | From                    | To                        |                              |                          |
| Domestic       | 01-01                   | 12-31                     | .04cfs *                     | .6afa                    |
| Irrigation     | <del>03-01</del><br>4-1 | <del>11-30</del><br>10-31 | .06cfs *                     | 11.2afa                  |
|                |                         |                           |                              |                          |
|                |                         |                           |                              |                          |
|                |                         |                           |                              |                          |
| Totals:        |                         | 0.1cfs                    | 11.8afa                      |                          |

## 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 Dallas Ryan Date 01-02-96

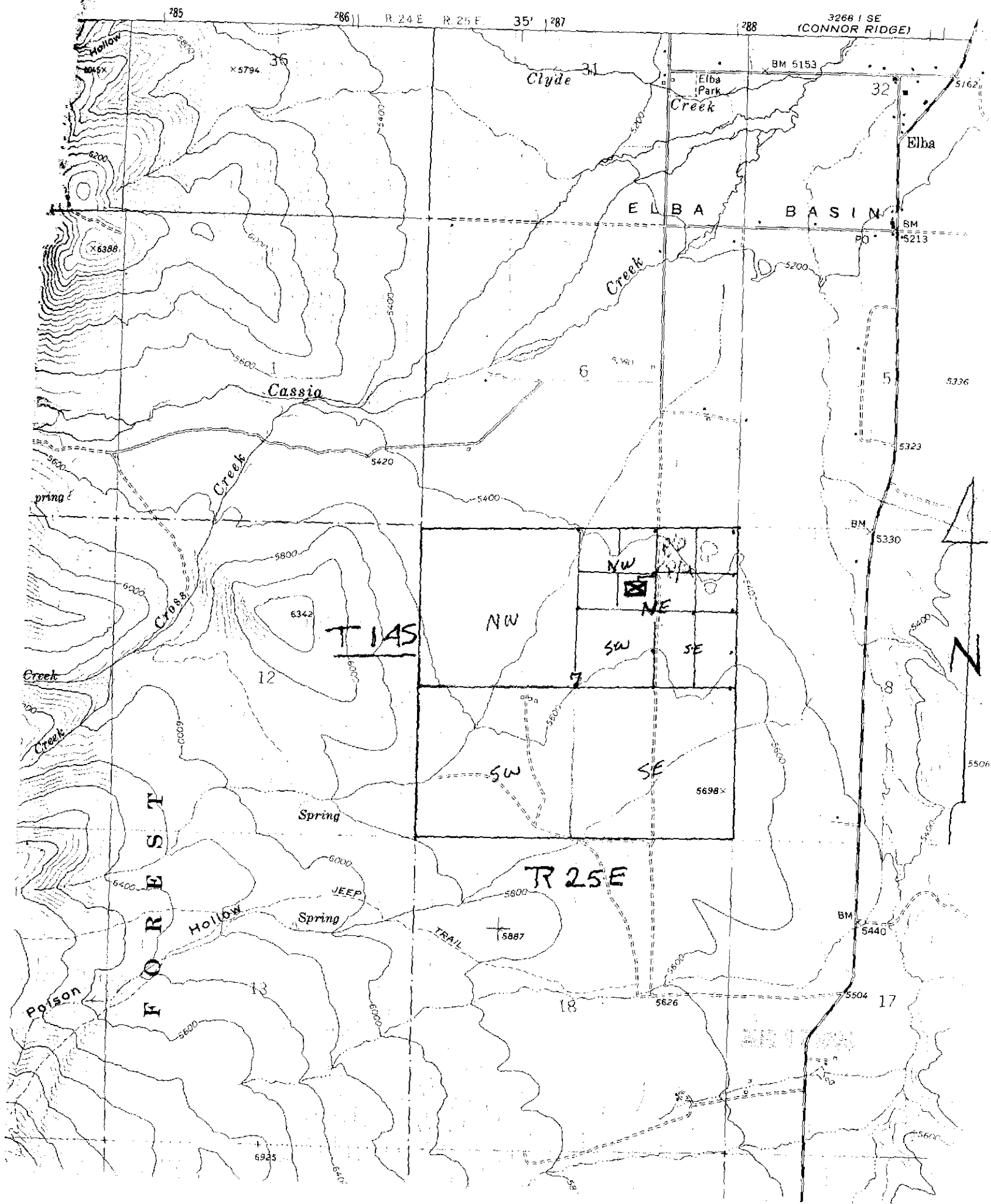
Reviewer \_\_\_\_\_ Date \_\_\_\_\_

AUG 97 1996

SEAL

\*Adjustments made during the review of this right for license approval.  
 See memo for additional information. 7/9/96 cjs

TES  
HE INTERIOR  
SURVEY



GEOLOGICAL SURVEY

1:250,000

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END # 1-11

December 7, 1990

BRENDA BERRIER  
P.O. BOX 504  
ELBA, ID 83326

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 43-07300

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)734-3578.

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

**MICROFILMED**  
DEC 17 1990

# WATER AND SEWER APPLICATION

South Central  
District Health Department

8/86

|                              |                          |                                     |
|------------------------------|--------------------------|-------------------------------------|
| Name<br><i>Brenda Berish</i> | Phone<br><i>638-5588</i> | Property Location<br><i>W 3/4 N</i> |
| Address<br><i>Elba</i>       |                          | Legal Description<br><i>6 14 25</i> |

## SEWAGE SYSTEM PERMIT

Installation shall comply with all requirements of Health District and/or State of Idaho sewage disposal rules, regulations, and standards. This permit is valid for a period of one year from date of issue.

|                                                              |          |             |                          |                                                                         |                  |            |            |
|--------------------------------------------------------------|----------|-------------|--------------------------|-------------------------------------------------------------------------|------------------|------------|------------|
| No. Bedrooms                                                 | Basement | Septic Tank | Disposal Area<br>sq. ft. | TYPE<br><input type="checkbox"/> Bed<br><input type="checkbox"/> Trench | Alternative Type | Dimensions | Permit No. |
| <input type="checkbox"/> New <input type="checkbox"/> Repair |          | Soil Type   | Lot Size                 | Permit Issued By                                                        | Date             | Tag No.    | Permit Fee |

I acknowledge that I must notify the South Central District Health Department two (2) working days prior to the installation of the sewage system to allow sufficient time for inspection. Failure to do so could result in legal action. I also acknowledge that to install a sewage disposal system other than a standard system releases South Central District Health Department from any liability.

APPLICANT'S SIGNATURE X \_\_\_\_\_ DATE \_\_\_\_\_

## SEWAGE SYSTEM INSPECTION

|                                                                                                   |                                                                                |                                    |                                           |                       |
|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------|-------------------------------------------|-----------------------|
| Septic Tank Size<br>gal.                                                                          | Standpipe<br><input type="checkbox"/> Yes <input type="checkbox"/> No          | Manhole Depth                      | Depth to Ground Water, Bedrock, or Gravel | Drain Rock Under Pipe |
| Minimum Distances/as Per Regulations<br><input type="checkbox"/> Yes <input type="checkbox"/> No  | Approved Aggregate<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Effective Disposal Area<br>sq. ft. | Installed By<br>X                         |                       |
| New System Construction<br><input type="checkbox"/> Approved <input type="checkbox"/> Disapproved | By<br>X                                                                        | Date                               |                                           |                       |
| Remarks                                                                                           |                                                                                |                                    |                                           |                       |

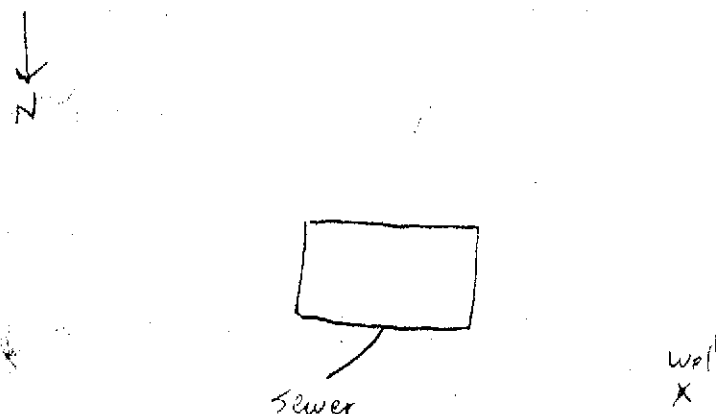
## MORTGAGE SURVEY

|                                                                                                                                       |                                                |                              |                               |
|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------|-------------------------------|
| Laboratory Indicates Intestinal Bacteria<br><input checked="" type="checkbox"/> were not <input type="checkbox"/> were Found in Water | Sample Collected By<br><i>Don Tolman</i>       | Date<br><i>4-27-88</i>       | Survey No.<br><i>160321-4</i> |
| Water System Appears to Comply With Standards/Regulations<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      | Survey Completed By<br>X <i>Don Tolman</i>     | Date<br>E.H.S. <i>5-1-88</i> | Survey Fee<br><i>59.50</i>    |
| Sewer System Appears to Comply With Standards/Regulations<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      | Requesting Agency<br><i>Washington Federal</i> | Address<br><i>Burley</i>     | Phone                         |
| Remarks                                                                                                                               |                                                |                              |                               |

The mortgage survey in no way guarantees trouble-free operation of the water or sewage disposal system.

## APPLICANT'S PROPOSAL

Indicate house, all adjacent wells, sewage disposal system (dimension between all components — indicate north)



## FOR OFFICIAL USE ONLY

MICROFILMED

DEC 17 1990

Brenda Bernier  
P.O. Box 504  
Elba, Md. 833326

State of Idaho  
Dept of Water Resources  
1301 N. Orchard St.  
Boise, Md. 83706-2239



00  
23  
1997  
P. 11

138384

August 31, 1990

BRENDA BERRIER  
P.O. BOX 504  
ELBA, ID 83326

PROOF DUE NOTICE

RE: PERMIT NO. 43-07300

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, 1990. (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,

Rita Fleck  
Secretary/Records Manager

Enclosures

**MICROFILMED**

DEC 17 1990

S T A T E   O F   I D A H O  
DEPARTMENT OF WATER RESOURCES

-----

Statehouse  
Boise, Idaho 83720  
(208) 334-7900  
October 6, 1989

BRENDA BERRIER  
P.O. BOX 504  
ELBA, ID 83326

PERMIT APPROVAL NOTICE

RE: PERMIT NO.      P43-07300

Dear Permit Holder:

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

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

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

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. Also enclosed for your convenience is a form entitled "Proof of

RECEIVED  
OCT 10 1989  
DEPARTMENT OF WATER RESOURCES

OCT 10 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

RECEIVED  
MAY 19 1966

07-Jul-1989

Brenda Berrier  
P.O. Box 504  
Elba, ID 83326

Re: Application for Permit No. 43-07300

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the South Idaho Press on 7/20 & 7/27/89. A period of ten days following the second publication will be allowed for the submittal of protests.

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

If the application is not protested, it 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 application 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,

James E. Stanton  
Sr. Water Resource Agent

JS:MB

RECEIVED  
JUL 10 1989

JUL 10 1989

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

---

JULY 7, 1989

SOUTH IDAHO PRESS  
BOX 190  
BURLEY, ID 83318

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 AUGUST 7, 1989.

Yours truly,

Mary Baldwin  
Secretary/Office Coordinator

Enclosure

RECEIVED  
JUL 10 1989

OCT 18 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

OCT 20 1909

43-07300

BERRIER, BRENDA  
P.O. BOX 504  
ELBA, ID 83326

Source: GROUNDWATER

Diversion Pt:                SENWNE    Sec   7   T 14S R 25E

Use: DOMESTIC                                ( .040 CFS)  
     IRRIGATION                              ( .090 CFS)

Date Filed:   6/07/1989

In:   T14S R25E S07                        NWNE

3.0 ACRES TOTAL

RECORDED

JUN 14 1989

89-354

**NOTICE OF APPLICATION**

**FOR WATER RIGHT**

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

49-07300

BERRIER, BRENDA

P.O. BOX 504

ELBA, ID 83328

Source: GROUNDWATER

Division Pt: SENWNE Sec 7 T 14S R

25E

Use: DOMESTIC (0.04 CFS)

IRRIGATION (0.90 CFS)

Date Filed: 6/07/1989

In: T14S R25E S07 NWNE

3.0 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 AU-

GUST 7, 1989.

R. KEITH HIGGINSON, Director

Published in the South Idaho Press on

July 20 and 27, 1989.

**RECEIVED**

JUL 13 1989

Department of Water Resources  
Southern Region Office

OK  
MB  
7/14/89

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 AUGUST 7, 1989.

R. KEITH HIGGINSON, Director

Published 7/20/1989 & 7/27/1989

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WATER RESOURCES

OCT 10 1989