

NW4 Sec. 10-8-33 - OW: A. V. Ball Jr.
Aerial photo taken in 1978 shows that
Mr. Ball is farming this land with a
pivot.

By Ray Chapman
Oct

C
1225

RECEIVED

JUN 28 1985

Department of Water Resources
Economic Development Office

NW4 Sec. 10-8-33 - OW: A. V. Ball Jr.
Aerial photo taken in 1978 shows that
Mr. Ball is farming this land with a
pivot.

By Kay Chapman

JUN 28 1985

Department of Water Resources
Erosion Control Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

JUN 27 1985

Department of Water Resources
Eastern District Office

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. _____

Name(s) of Permit Holder: Alfred Ball Jr

Post Office Address: Montevideo, ID

Telephone No. 657-2576

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 480 _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☒ No

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

See above
(Name)

(Address)

(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-27-85
Date

Carl B. Ball
Signature of Permit Holder (and Title, if appropriate)

Statement of development for exemption
from Swan Falls processing. Not acceptable
as proof of beneficial use.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 31-07438

Proposed Priority: June 27, 1985 Maximum Diversion Rate: 3.94 CFS

This is to certify, that **ALFRED V. BALL, JR.**
MONTEVIEW, ID 83435
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	3.94 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		NWNW Sec. 10, Township 08N, Range 33E JEFFERSON 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>
08N	33E	9	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		320
		10	NENW 40	NWNW 40	SWNW 40	
			SENW 40			160

Total number of acres irrigated: 480

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1990.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

14th day of August, 1989.

for *R. Keith Higginson*
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Alfred V. Ball, Jr. Phone 657-2576
Post office address Montevieu, ID 83435

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10 Township 8N
Range 33E B.M. Jefferson County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.94 cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.94 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, deep well turbine pump,
electric motor and ditches and sprinkler lines

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

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

c. Proposed well diameter is 20 inches; proposed depth of well is 338 feet.

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 - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the table below:

[illegible]

Total number of acres to be irrigated 480

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

Lic. G-22587 for 5.66 cfs for E $\frac{1}{2}$, Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10;

Lapsed permit 31-7264

9. a. Who owns the property at the point of diversion Applicant

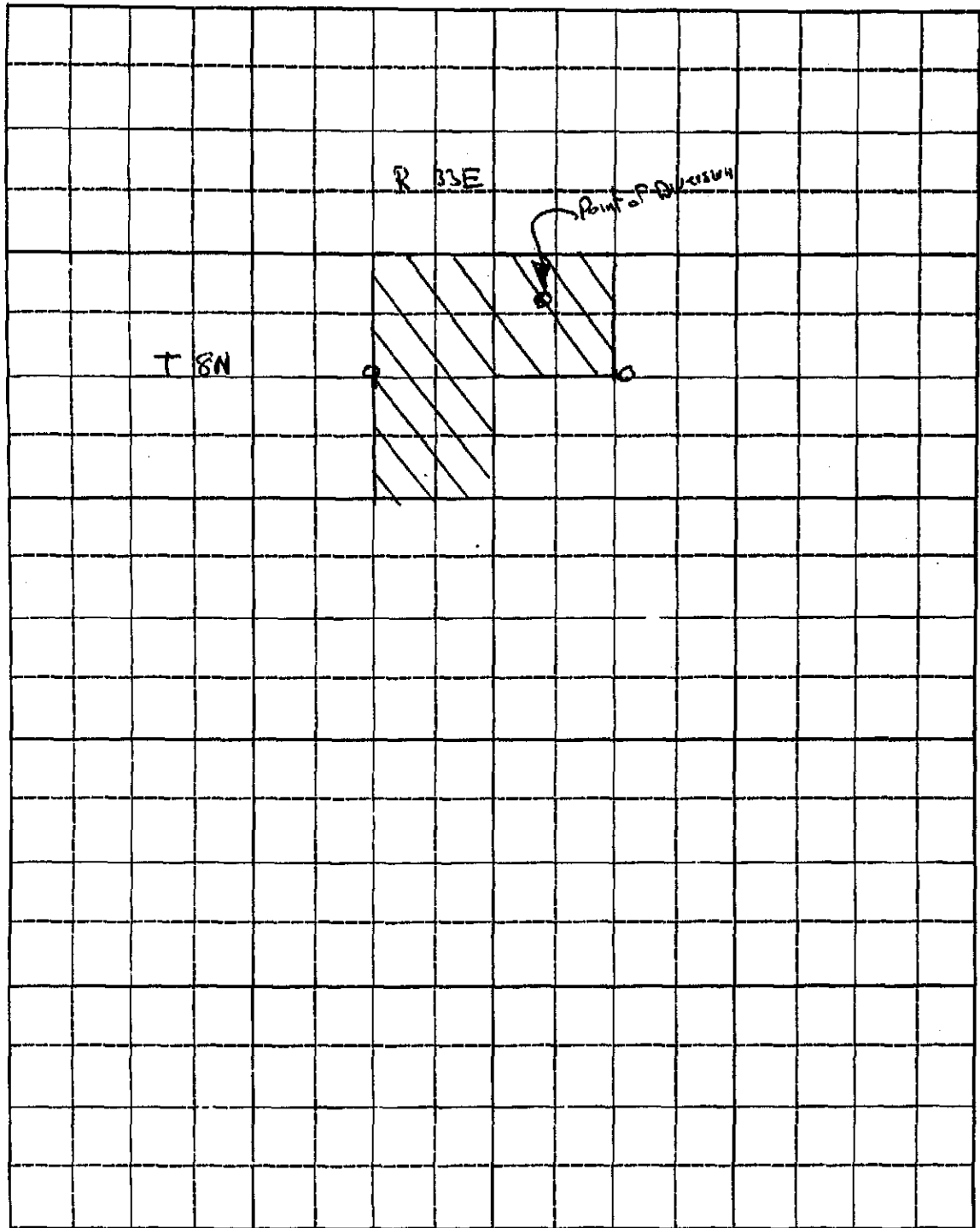
b. Who owns the land to be irrigated or place of use Applicant

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 The system has been in and used for irrigation since 1972.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

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



Scale: 2 inches equal 1 mile.

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

Carl Sae
(Applicant)

Received by HWS Date 6-27-85 Time 12 pm
Preliminary check by _____ Fee \$ 105^{0.0}
Receipted by Qu Date 6-27-85 # 3378
Publication prepared by gg? Date 8-1-85
Published in Jefferson Star
Publication dates 3-2-87
Publication approved Qu Date 3-14-89
Protests filed by: none

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

ALFRED V. BALL, JR.
MONTEVIEW, ID 83435

September 21, 1990

LAPSE NOTICE

RE: PERMIT NO. 31-07438

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated June 30, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

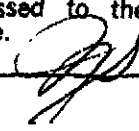
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:RF
Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 9-24-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



158938

June 30, 1990

ALFRED V. BALL, JR.
MONTEVIEW, ID 83435

PROOF DUE NOTICE

RE: PERMIT NO. 31-07438

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 September 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

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

This application was among those applications reviewed in the regional offices last year and recommended for out of sequence processing. This application includes a statement and sufficient supporting evidence concerning development of the project prior to October 1, 1984.

The department's Policy and Implementation Plan for Processing Water Rights in the Swan Falls Area provides for applications to be processed out of sequence if the development was completed prior to October 1, 1984 and the application filed prior to July 1, 1985. These filings are not required to be processed in sequence with other trust water filings because the effect of these filings have already occurred and because, due to subordination, the filings are not taking water held in trust. These filings are not subject to the staged development policy and public interest criteria of Section 42-203C, Idaho Code.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 15, 1989

ALFRED V. BALL, JR.
MONTEVIEW, ID 83435

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P31-07438

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.

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.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MEMORANDUM

TO: File No. 31-7438
FROM: Gary Spackman *Gary*
DATE: July 31, 1989

RE: Need for Submittal of Rule 4,5. Information

Application 31-7438 was filed prior to July 1, 1985, and represents development that was complete in the 70's.

Any problem that would be identified by submittal of information under Rule 4,5. of the Water Appropriation Rules and Regulations should already have surfaced and been resolved. This application should be processed without seeking any additional information at this time pursuant to the memorandum signed by Glen Saxton on July 19, 1989.

MEMORANDUM

TO: Regions and Water Allocation Bureau
FROM: Glen Saxton *GJS*
RE: NEED FOR ADDITIONAL INFORMATION UNDER RULE 4,5. OF THE
WATER APPROPRIATION RULES AND REGULATIONS: PRE-EXISTING
DEVELOPMENT
DATE: July 19, 1989

Many applications are being submitted to the department representing development which occurred several years ago. Some of these applications request diversion in excess of 5 cfs or irrigation in excess of 200 acres, prompting review under Rule 4,5. of the Water Appropriation Rules and Regulations.

The purpose of Rule 4,5. requirements for additional information is to force pre-development analysis of the application. If the development is already complete, many of the analysis criteria are of little value.

If development is already in place prior to filing of the application, the requirements of Rule 5 in some cases may be waived. The waiver of the requirements is based on the fact that many of the negative effects of the development should already have been felt or recognized. One exception, however, is when development is so recent that possible problems associated with the development may not yet have surfaced.

An analysis of the system prior to the development will help us in avoiding conflicts with other public interests which may be injured by the development.

February 27, 1989

Alfred V. Ball
Montevieu, ID 83435

Application for Permit No. 31-07438

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 31-07438. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Jefferson Star. The advertisement will be published for two consecutive weeks, and 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.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 24, 1989

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

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 MARCH 20, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

31-07438

BALD, JR., ALFRED V.
MONTEVIEW, ID 83435

Source: GROUNDWATER

Diversion Pt:

NWNW

Sec 10 T 08N R 33E

Use: IRRIGATION

(3.940 CFS)

Date Filed: 6/27/1985

In: T08N R33E S09

NENE
NESE
NENW

NWNE
NWSE
NWNW

SWNE
SWSE
SWNW

SENE
SESE
SENW

S10

480.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based the criteria of Sec. 42- A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 20, 1989.

R. Keith Higginson, Director

Published 3/01/1989 & 3/08/1989

January 18, 1989

ALFRED V. BALL, JR.
MONTEVIEW, ID 83435

RE: APPLICATION FOR PERMIT NO. 31-7438

Dear Applicant:

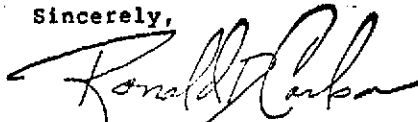
The department is now beginning the processing of applications which have been held as a result of the Swan Falls controversy. In connection with this processing, the department requests the information described below.

From the department's review of the above referenced water right application, it appears the application is only subject to the usual water right processing described in Section 42-203A, Idaho Code, and is not subject to the public interest criteria processing required of some applications in the Swan Falls settlement.

The department asks that you advise us within 15 days of this letter if you no longer have a continued interest in developing a water right as proposed by the application. If you do not respond in this time period, the department will proceed with the usual processing of the application including advertisement.

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

Sincerely,



Ronald D. Carlson
Eastern Regional Manager

RDC/rb

IN THE MATTER OF:
Application for Water Permit

AFFIDAVIT

RECEIVED

JUN 28 1985

Department of Water Resources
Emmett District Office

State of Idaho
County of Jefferson

Dennis Jephson

being first duly sworn,

deposes and says: Mr. A.V. Ball of Montevideo, Idaho has been a neighbor
of mine for approximately 20 years.

I assure you that he has farmed the land in question for many years starting
in 1972 with a center pivot.

The well and pivot are working at the present time watering 140 acres of
peas this year.

Dennis Jephson
(Signature)

Subscribed and sworn to before me this 28th day of June, 1985

Damus H. Shrad
(Notary Public)

Residing at

My Commission Expires

Terreton, Idaho 83450
life

IN THE MATTER OF:
Application for Water Permit

RECEIVED
JUN 28 1985
Department of Water Resources
Eastern District Office

AFFIDAVIT

State of Idaho
County of Jefferson

George L. Hansen being first duly sworn,
deposes and says: Mr. A.V. Ball of Montevue, Idaho is and has been
my close neighbor for 25 years.

I know for a fact that he has farmed, operated and owned this parcel of
land E $\frac{1}{2}$ Sec 9 NW $\frac{1}{4}$, Sec 10 TWP 8 N RGE 33 EBM. He has a well, pump, and
motor and center pivot operating since the summer of 1972.

Subscribed and sworn to before me this 28th day of June, 1985

George L. Hansen
(Signature)

Dennis H. Gerard
(Notary Public)

Residing at Territon, Idaho 83450
My Commission Expires life

IN THE MATTER OF:
Application for Water Permit

AFFIDAVIT

RECEIVED

JUN 28 1985

Department of Water Resources
Eastern District Office

State of Idaho
County of Jefferson

Alfred V. Ball, Jr. being first duly sworn,

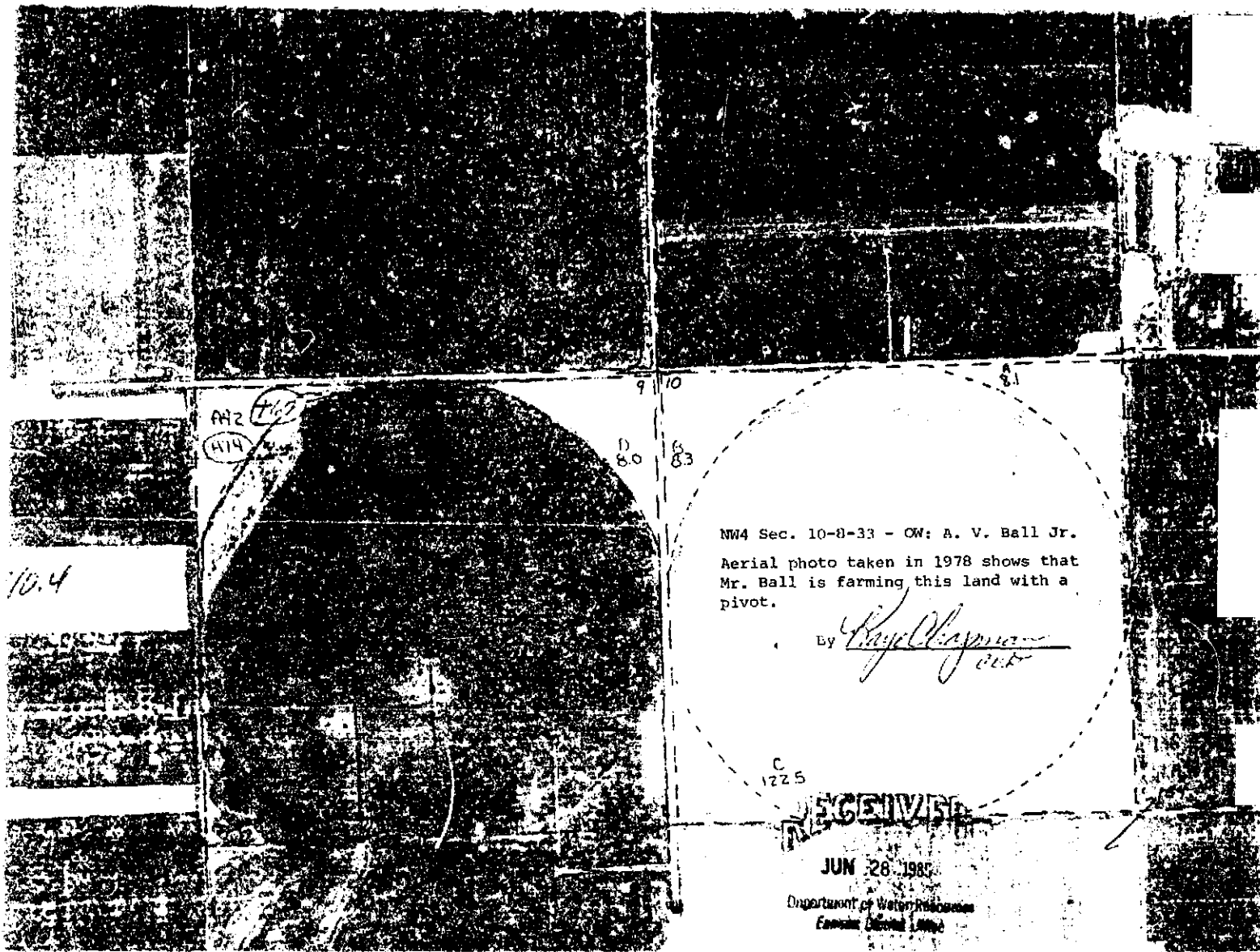
deposes and says: I purchased this land (480 acres) in April of
1966. Originally it was flood irrigated and not all could be farmed.
Then in 1972 I bought a Raincircle Pivot, pump and motor, for the other
well for which I need the license, from Mel Brown Company of Idaho Falls.
I have used this well since this time and have been farming the ground and
raising crops every year.

Alfred V. Ball, Jr.
(Signature)

Subscribed and sworn to before me this 28 day of June, 1985

James H. Gerard
(Notary Public)

Residing at Terreton, Idaho 83450
My Commission Expires 1991



10.4

A42
A14

8.0
8.3

NW4 Sec. 10-8-33 - CW: A. V. Ball Jr.
Aerial photo taken in 1978 shows that
Mr. Ball is farming this land with a
pivot.

By Ray Chapman
JCB

C
1225

RECEIVED

JUN 28 1985

Department of Water Resources
Farming Division

NW4 Sec. 10-8-33 - OW: A. V. Ball Jr.
Aerial photo taken in 1978 shows that
Mr. Ball is farming this land with a
pivot.

By *Kay Chapman*

C
1225

RECEIVED

JUN 28 1985

Department of Water Resources
Eastern District Office

V. MELVIN BROWN
REGISTERED PROFESSIONAL ENGINEER IN
IDAHO -- LICENSE NO. 646
CALIFORNIA -- LICENSE NO. 5947
WYOMING -- LICENSE NO. 696
SOUTH DAKOTA -- LICENSE NO. 1375

SALES ORDER

MEL BROWN COMPANY

Department of Water Resources Office
Eastern District Office Twin Falls, Idaho

IRRIGATION PUMPS & SPRINKLERS

JUN 28 1985

MAIN OFFICE
South Utah Avenue (Three blocks south of Broadway)
Bus. Phone 522-7001 -- Res. Phone 523-1310 -- P. O. Box 1181
IDAHO FALLS, IDAHO 83401

CUSTOMER

A.V. Ball

PHONE

657-257

ADDRESS

Montevideo, Idaho

DATE

Oct 28, 1985

JOB NAME & LOCATION OF WELL

Inside Dia. Well *20 to 300' 18" Dia* In. Drawn Down *to 220'* Ft. G.P.M. *1100*
Depth of Well *360* Ft. Lift Above *220'* Ft. B.H.P. *150*
Standing Water Level *115* Ft. Total Head *440'* Ft. R.P.M. *1770*

QUAN.	ITEM	
	Present Pump (220' x 8" x 2 1/2" x 1 1/2") in well	
	Present Bowls - 5 stage (12KMMH x 12KMMH)	
	Pump Needs to be changed to	
	8 stage 12K Bowls - Add to Above	
	3 stages 12K L Bowls & Impellers. N/C	
	(Price Included in Settlement on Purchase of	
	Column etc at time John Ball's Hand	
	75HP Motor & Panel Installed)	
1	New 150 HP Motor (Serial DHJ412150)	2571
1	" 150 HP Panel (w/L.A. & S.Cap.)	1275
		346
	Labor to Change	300
	Wiring 150 HP	450
1300'	8 7/8" Buried Mainline	2405
	Trench Weld & B.F.	390
1340'	4" #4 & 2" #12 Safety U.G. Wire	816
1	1300' Model 12-105G Ramirold (#222)	19,180
	12 tower - 105' span, 11.2 x 24 truss, 6 7/8" Pipe	
	Forward & Reverse, U.S. Gear Drive w/	
	5 year, 5000 hr Warranty (See Printed Form)	
	TDR & Pres. Switch	128
	Potato Row Brocs	500
	Pump to R.C. tie in	200
1	10" Butterfly Valve	350
	Total Above	\$28,911
	Less trade in 75HP Motor from J. Ball & Panel -	\$1,000
	8,000 to be paid down, 5000 to be paid by Bank	\$27,911
	Commerce by Jan 1, 1987 & Bal to be carried for year TOTAL	

- 24 Memo - Secured by Note & 2nd Mortgage on Land & improvements.
- ☐ The property which I have purchased here will be used by me directly and primarily in the process of producing tangible personal property by mining, manufacturing, processing, or for farming, or
 - ☐ To repair equipment or machinery which is being directly and primarily used in the process of producing tangible personal property by the means stated above and which would be exempt from application of sales tax were it being purchased, or
 - ☐ That I am a retailer of tangible personal property.

The balance payable under this contract is due on the dates set forth above, in the event the balance is not paid when due, the Purchaser agrees to pay Seller a DELINQUENCY CHARGE of 1 1/2% per month on the unpaid balance from the due date, which is in 18% ANNUAL PERCENTAGE RATE. Should the Purchaser default in making payment or in performing any of the terms and conditions of this agreement, Purchaser agrees to pay all costs, including, but not limited to, collection fees, reasonable attorney's fees, and reasonable expenses of digging up, retaking, holding, transporting and preparing for sale of the collateral and the like interest by Seller in enforcing the terms of this agreement, obtaining damages for breach, or in pursuing any other remedies available to Seller.

Accepted by:

Seller

Purchaser

By

By

John Ball

31-2438-

BALL, JR., ALFRED V.

MONTEVIEW, ID 83435

Source: GROUNDWATER

Date Filed: 06/27/1985

Diversion Pt: NNW Sec 10 T 08N R 33E

Use: IRRIGATION (3.94 CFS)

In: NENE NWNE SWNE SENE NESE NWSE SWSE SESE Sec 09 T 08N R 33E NENW NNW SWNW
SENW Sec 10 T 08N R 33E FOR 480 ACRES

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
County of Jefferson) ss

I, Crystal Foster
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Notice of Application
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for Two (2)
consecutive issues, the first publica-

having been made on 3-1-89
and the last publication having been

made on 3-8-89.
Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Crystal Foster

On this 10th day of March
in the year of 1989, before
me, a Notary Public, personally ap-

peared Crystal Foster,
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 ex-
ecuted the same.

Crystal Foster
Notary Public for Idaho
Residing at Shelley
My commission expires: 1-27-91

NOTICE OF APPLICATION
FOR WATER RIGHTS
The following applications have been
filed to appropriate the public waters of
the State of Idaho:

21-07310
MICKELSEN, DARWIN
142 W. FIRST N.
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt: SESE Sec 33 T 08N R 38E
Use: IRRIGATION (1.150 CFS)
Date Filed: 12/8/1983
In: T08N R38E S02 NWSE SWSE SESE
120.0 ACRES TOTAL

25-07392
BERGQUIST, JAY
BERGQUIST, LEE
171 COTTONWOOD DR.
RIGBY, ID 83442
Source: GROUNDWATER
Diversión Pt: SWNE Sec. 9 T 04N R 39E
Use: IRRIGATION (1.400 CFS)
Date Filed: 12/16/1983
In: T04N R39E S09 SWNE SENE
20.0 ACRES TOTAL

25-07487
WESTMARK FEDERAL CREDIT UNION
P.O. BOX 2889
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversión Pt: SESE Sec 32 T 05N R 39E
Use: DOMESTIC (1.040 CFS)
Date Filed: 11/28/1988
In: T05N R39E S32 SESE

31-07438
BALL, JR., ALFRED V.
MONTEVIEW, ID 83435
Source: GROUNDWATER
Diversión Pt: NWNW Sec 10 T 08N R 33E
Use: IRRIGATION (3.940 CFS)
Date Filed: 6/27/1985
In: T08N R33E S09
NENE NWNE SWNE SENE
NESE NWSE SWSE SESE
S10 NENW NWNW SWNW SENW
480.0 ACRES TOTAL
31-07443

HOGGAN BROTHERS, INC.
HC 89 BOX 2270
HAMER, ID 83425
Source: GROUNDWATER
Diversión Pt: NWNW Sec 2 T 08N R 35E
Use: IRRIGATION (3.200 CFS)
Date Filed: 6/24/1985
In: T08N R35E S02 NENW NWNW
SWNW SENW
180.0 ACRES TOTAL
35-08199

GOKEY, ROBERT F.
RT. 1, BOX 10
ROBERTS, ID 83444
Source: GROUNDWATER
Diversión Pt: SENE Sec 33 T 05N R 37E
Use: IRRIGATION (1.150 CFS)
Date Filed: 6/28/1983
In: T05N R37E S33 SENE
5.0 ACRES TOTAL

The permits will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before MARCH 20, 1989.

R. Keith Hoggins, Director
Published in the Jefferson Star, Rigby,
Idaho, March 1 and 8, 1989.

RECEIVED

MAR 13 1989

Department of Water Resources
Eastern District Office