

CAMAS NATIONAL
WILDLIFE REFUGE

R36E

33

PACIFIC

UNION

POINT OF DIVERSION
AND
PLACE OF USE

RECEIVED
JAN 26 1993

T8N
T7N

31-7404



28
33

Blaine
Larsen
trans. to
Clark Co.

2827
33 34
-11

PLACE OF USE

well

POINT OF
DIVERSION

T
8
N

R36E

33

#31-07404

X
HEL
①
123.1

#11
51

X
HEL / NW
①

33 32.5

R36E

T8N

T7N

31-7404

33/34
4/3

MINOTULMED
JAN 26 1993

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	31-07404	Steve Mortensen Mitch Jacobs	0.13
Full Assignment	31-07404	Mitch Jacobs	0.13

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JAN 26 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 31-07404

Priority: August 4, 1983

Maximum Diversion Rate: 0.13 CFS
Maximum Diversion Volume: 10.3 AF

This is to certify, that MITCH JACOBS
2496 N 2375 E
HAMER ID 83425

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 30, 1983; and has submitted Proof of Beneficial Use on October 6, 1989. An examination indicates that the works have a diversion capacity of .170 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	04/15 to 10/15	0.05 CFS	8.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.3 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF
	Totals	0.13 CFS	10.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE, Sec. 33, Township 08N, Range 36E
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	36E	33	NENE	2.5		2.5

Total number of acres irrigated: 2.5

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/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 limited to the amount that can actually be beneficially use 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.

JAN 26 1993

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

WATER RIGHT NO. 31-07404

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 2 homes.
7. Stockwater use is for 20 horses and range cattle.

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 14TH day of JANUARY, 1993.

Acting for R. Keith Higginson, Director

JAN 26 1993

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NOV 25 1992

State of Idaho
Department of Water Resources

Department of Water Resources

APPROVED

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 31-07404

Date of Priority: August 4, 1983

Maximum Diversion Rate: 0.13 CFS
Maximum Diversion Volume: 10.3 AF

Comes now

STEVE MORTENSEN
MITCH JACOBS

2496 N 2375 E
HAMER ID 83425

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 31-07404, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.05 CFS	8.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.3 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF
	Totals	0.13 CFS	10.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 33, Township 08N, Range 36E
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	36E	33	NENE	2.5		2.5

Total number of acres irrigated: 2.5

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Hamer, Id., this 23 day of November, 1992.


(Signature)

RECORDED

JAN 26 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 31-07404

FOR DEPARTMENT USE ONLY

Preliminary check by CS Fee = \$20.00 Received by JY # 0026120 Date 11-25-92

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 31-07404 with the following;

CONDITIONS/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 limited to the amount that can actually be beneficially use 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 3.5 afa per acre for the lands above.
6. Domestic use is for 2 homes.
7. Stockwater use is for 20 horses and range cattle.

Witness my hand this 14th day of JANUARY, 1993.

Acting for R. Keith Higginson, Director

JAN 26 1993

State of Idaho
Department of Water Resources

RECEIVED

JAN 4 1993

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Steve Mortensen or Mitch Jacobs, hereby assign to Mitch Jacobs
of 2496 N 2375 E, Hamer ID 83425,
Address

X All my right, title, and interest in and to Permit No. 31-07404
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and to Permit No. ----- to appropriate the public waters of the State of Idaho. (Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 2 day of January, 1993.

[Signature]
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Jefferson) ss

On this 2 day of January, 1993, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]

Notary Public residing at

Hamer Idaho

s e a l

My commission expires:

10-4-97

NOTARY PUBLIC

JAN 26 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31-7404 IN THE)

NAME OF MITCH JACOBS OR STEVE MORTENSEN)

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before September 1, 1989; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on October 6, 1989;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 31-7404 be REINSTATED and the priority advanced to August 4, 1983.

Dated this 23rd day of October, 1989.

MICROFILMED

NOV 20 1989


L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Mitch Jacobs or Steve Mortensen Phone 662-5260

Post office address Star Route, Box 502, Hamer, ID 83425

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33 Township 8N

Range 36E B.M. Jefferson County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.06 cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.05 cfs for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 cfs for stockwater purposes from 1/1 to 12/31 (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: 0.13 *Changes made per telecon w/Mitch Jacobs 2/4/86 KCW

a. 0.17 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump and distribution system

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 8 inches; proposed depth of well is 70 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: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33 Township 8N
Range 36E 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 20 horses & cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 2.

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

MICROFILMED

AUG 27 1987

CONFIDENTIAL

applicant to make this filing

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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

Applicants

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

Mitch Jacobs

(cattle & horses)

Culinary water in 2 homes and drinking water for 20 head of stock

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

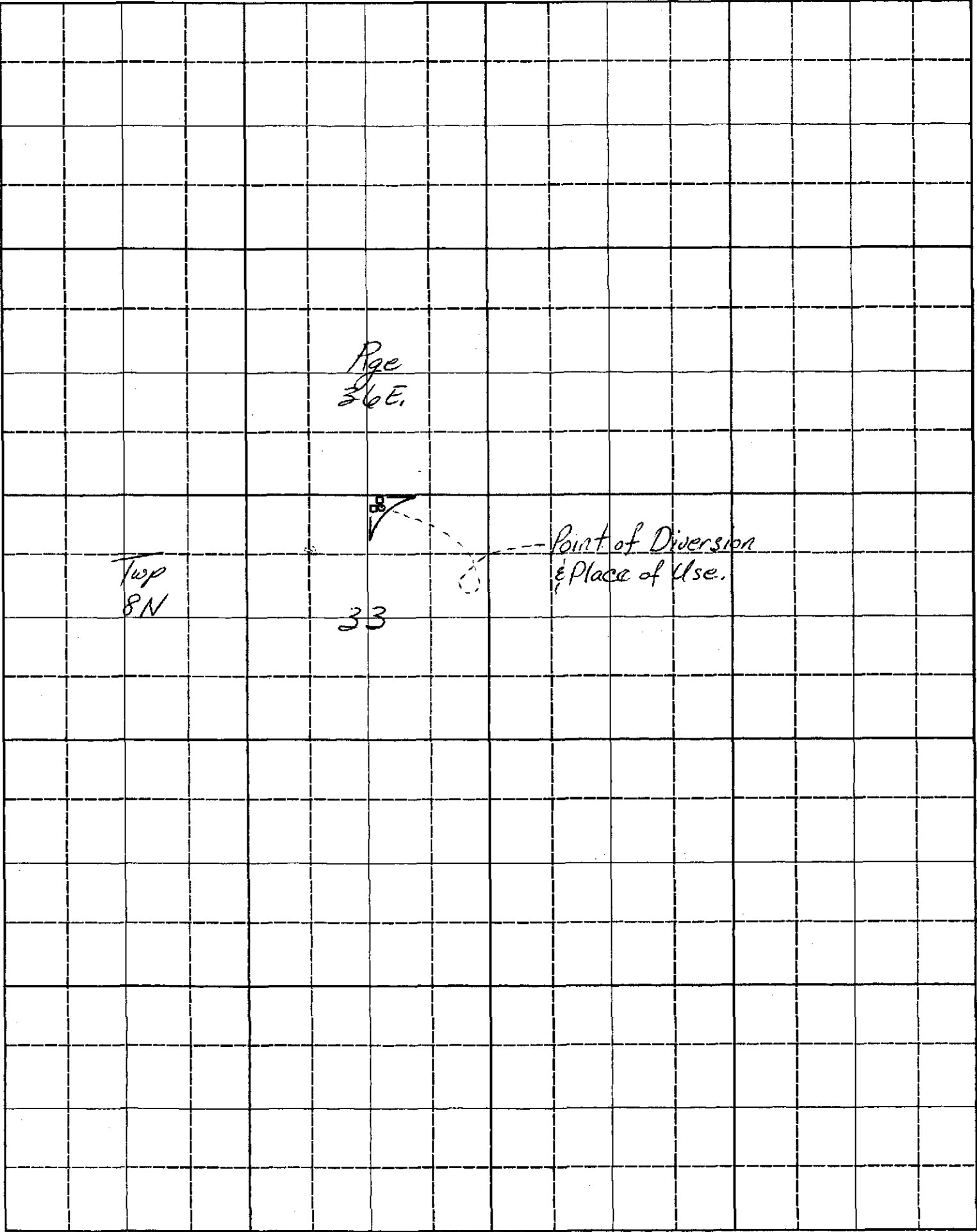
Total number of acres to be irrigated

-3-2.5

[illegible]

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

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.

MICROFILMED
AUG 27 1987

Matthew Jacob
(Applicant)

Proposed Priority 6/30/83

Received by BMC Date 6-30-83 Time 4:30
Preliminary check by HWS Fee \$ 30.00
Received by GW Date 6-30-83 # 25723
Publication prepared by MNO Date 2/12/84
Published in The Register Star
Publication dates 2/19 + 2/26 1984
Publication approved GW Date 8-11-86
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by BMC GW

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. 31-7404, and said application is hereby APPROVED.

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 September 1, 19 89.

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: If construction of the well under this permit was not initiated prior to July 1, 1987, commencement of well construction or diversion of water under this permit is prohibited unless a drilling permit is obtained from the Department.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

The maximum rate of diversion for irrigation purposes under this permit shall not exceed 0.05 cfs.

Witness my hand this

11th

day of August, 1987.

A. Newington
Chief, Operations Bureau

AUG 27 1987

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice Of Application For Water Right

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for 2
consecutive issues, the first publication hav-

ing been made on Feb. 19, 1986
and the last publication having been made

on Feb. 26, 1986.

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at 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 con-
secutive weeks prior to the first publication of the
said notice.

Terry Weatherston

~~~~~

Subscribed to and sworn to before me  
this Feb. 27, 1986

*Rogers D. Fortie*  
Notary Public.  
(SEAL)

My commission expires Aug. 5, 1991

RECEIVED

FEB 20 1986

Department of Water Resources  
Eastern District Office

### NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been fil-  
ed to appropriate the public waters of the  
State of Idaho:

31-7404

JACOBS, MITCH-MORTENSEN, STEVE  
STAR RT., BOX 502, HAMER, ID 83425

Source: GROUNDWATER

Date Filed: 08/30/1983

Diversion Pt: NWNE Sec 33 T 08N R 36E

Use: IRRIGATION (0.05 CFS)

STOCKWATER (0.02 CFS) DOMESTIC  
(0.06 CFS)

In: NWNE Sec 33 T 08N R 36E FOR 3  
ACRES.

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 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 10, 1986.

KEN DUNN,  
Director

Publ. Feb. 19 and 26, 1986RS.

MICROFILMED

AUG 27 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

January 19, 1993

MITCH JACOBS  
2496 N 2375 E  
HAMER ID 83425

RE: WATER RIGHT NO. 31-07404

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

PAMELA SKAGGS  
Water Resource Agent

PS:cz

Enclosure

JAN 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

December 15, 1992

MITCH JACOBS  
2496 N 2375 E  
HAMER ID 83425

RE: WATER RIGHT NO. 31-07404

Dear Mr. Jacobs:

In response to your note of November 25, 1992, enclosed please find a partially completed assignment of permit form. An assignment of permit form is necessary for the Department to change ownership on our database.

If the assignment form is satisfactory for you, please sign the form and have it notarized before returning the form to the Department. I will hold any further license processing of your water right for 15 days.

If you have any questions, please feel free to contact our offices.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Skaggs".

PAMELA SKAGGS  
Water Resource Agent

PS:cz

Enclosure

JAN 26 1993

**KAMAN**

The share owned by  
Steve Montersen has been  
bought by Mitch Jacobs.  
The license can be put in  
just Mitch's name.

RECEIVED

NOV 25 1992

Department of Water Resources

NOV 25 1992

JAN 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

November 15, 1992

STEVE MORTENSEN  
MITCH JACOBS  
2496 N 2375 E  
HAMER ID 83425

RE: WATER RIGHT NO. 31-07404

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Skaggs".

PAMELA SKAGGS  
Water Resource Agent

PS:cZ

Enclosure

RECEIVED  
JAN 26 1993

## LICENSE REVIEW CHECKLIST

Permit # 31-07404

Date 11-12-92  
CJL

NAME Yes No ✓ Address Change?

PRIORITY DATE ✓ Advance? ✓ Memo to Advance ✓ Order to Reinstate Needed? DONE

TOTAL CFS ✓ Incorrect Fee for rate recommended? NA Disagree with Actual Measurement? 2.5 x .02 = .05 cfs (IRR) .06 cfs (DOM) .02 cfs (STOCK) ✓ Disagree with Theoretical? ✓ Limited by Capacity? .17 cfs

TOTAL VOLUME Rate/ac 3.5 AFA Irr. Season B 4-15 to 10-15 Standard Irr. Season Same/Reduced from Permit Season Recommended ✓ Disagree with Examiner's Calculations? 2.5 x 3.5 = 8.75 afa (IRR) 1.2 afa (DOM) .3 afa (STOCK) ✓ Limited by Flow? .05 x 183 x 1.9835 = 18.1 > 8.8

SOURCE ✓ Changes? Clarification of Originally Intended source ✓ Notice of Intent to Void.

P/D ✓ Verify with Map ✓ Amendment Needed? Change NWNE to NENE ✓ Is Overlap Analysis a Consideration?

P/U ✓ Verify with Map ✓ Amendment Needed? Change NWNE to NENE ✓ Is Overlap Analysis a Consideration?

USES ✓ Change(s) in Nature of Use? ✓ Amendment Needed?

REMARKS ✓ Multiple P/Ds in 1/4 1/4? ✓ Non-Irr. Uses DOM/2 Homes STOCK/20 Cattle & Horses ✓ Special Overlap Condition ✓ Other

CONDITIONS ✓ Measuring Device ✓ W/Master Control R30 Overlap ✓ Water Quality ✓ DATES/MISC ✓ Water Dist. ✓ App Rec'd ✓ Exam Made

COMMENTS/MEMOS NEEDED: Reduced Season Amend P/D & P/U

License 10-Day 15-Day ✓ Special Correspondence



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

31-7404  
Permit No.

Staff Analysis Sheet  
for  
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☐ Copy of Permit
- ☐ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☐ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index GB (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: \_\_\_\_\_

Check of P/U index \_\_\_\_\_ (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: \_\_\_\_\_

Aerial Photo

Required? ☐ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? \_\_\_\_\_ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed GB 6-11-92 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent AWJ 10-20-92 (Initial and date)

Exam Reviewed by Manager of Regional Office \_\_\_\_\_ (Initial and date)

Exam Date Entered in Computer \_\_\_\_\_ (Initial and date)

Exam sent to State Office \_\_\_\_\_ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File \_\_\_\_\_ (Initial and date)

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

**RECEIVED**  
OCT 26 1992

Department of Water Resources

**A. GENERAL INFORMATION**

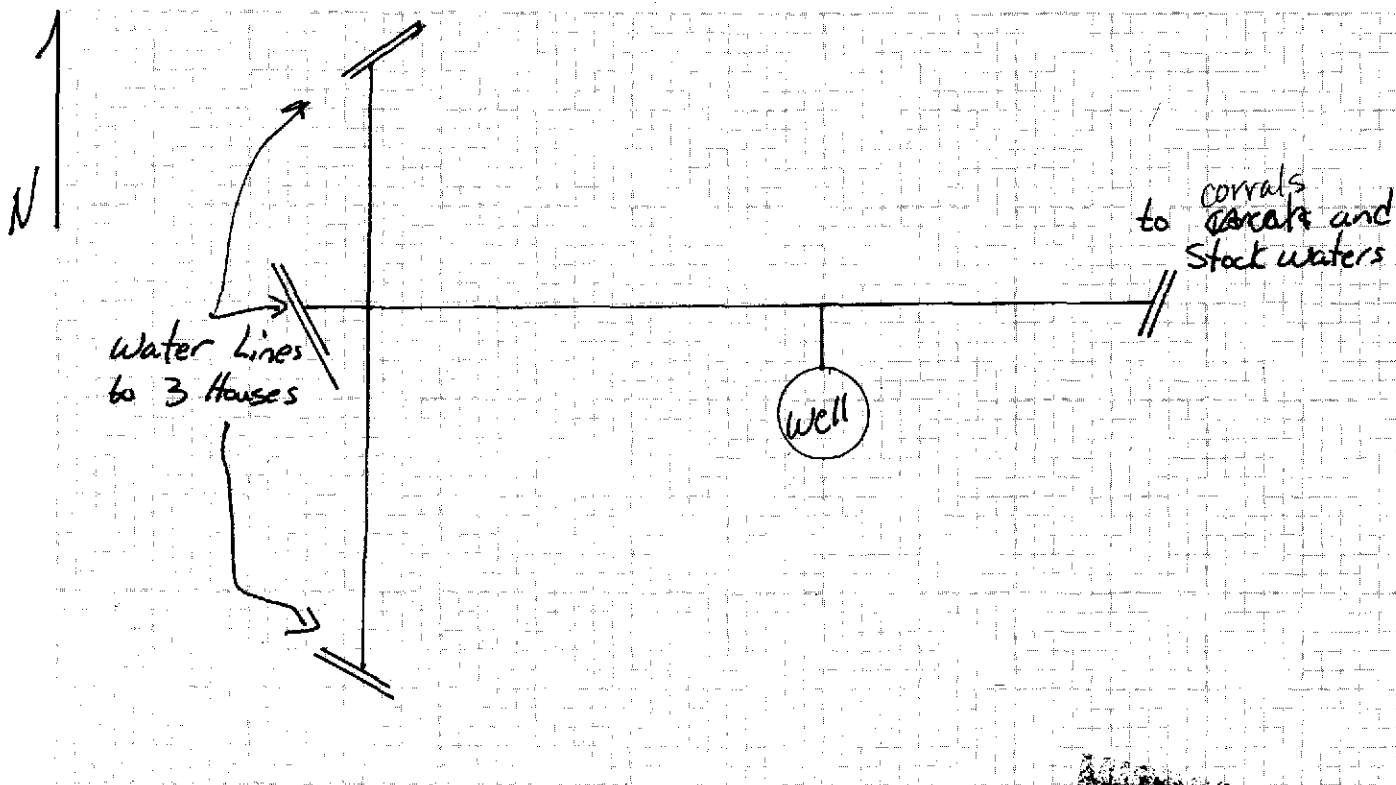
1. Owner: Mitch Jacobs or Steve Mortensen Permit No. 31-7404  
Current Address: Star Route, Box 502, Hamer, Id. 83425 Phone No. 662-5260  
2. Accompanied by: Mitch Jacobs EXAM. DATE: 6-11-92  
Address: Same Phone No. Same  
Relationship to Permit Holder: owner  
3. Source: groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: NA ☐ Copies Attached  
2. Other water rights with same point of diversion: NA ☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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

2. ☒ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).  
☐ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached  
(required for irrigation of 10 acres or more)

OCT 26 1993

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

3hp pump with  $1\frac{1}{2}$ " discharge supplying water to 3 Houses and Stock waters in corals. Irrigation is yards around Houses and are watered by underground sprinkler systems from each house.

☐ See Remarks on page 4 for continuation

|                                       |          |   |           |          |                  |
|---------------------------------------|----------|---|-----------|----------|------------------|
| Well or Diversion Identification No.* | Franklin | 3 | 282302803 | Franklin | 1 1/2" discharge |
| Motor Make                            |          |   |           |          |                  |
| Hp                                    |          |   |           |          |                  |
| Motor Serial No.                      |          |   |           |          |                  |
| Pump Make                             |          |   |           |          |                  |
| Pump Serial No. or Discharge Size     |          |   |           |          |                  |

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

**5. Point(s) of Diversion:**

[illegible]

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

**Indicate Method of Determination.**

[illegible]

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type  | Make     | Model No. | Serial No. | Size  | Calib. Date |
|-----------------------|-------|----------|-----------|------------|-------|-------------|
| Pressure Gage         | Fluid | ashcroft | —         | —          | 60psi |             |
|                       |       |          |           |            |       |             |
|                       |       |          |           |            |       |             |
|                       |       |          |           |            |       |             |

2. Measurements:

$$\frac{3 \text{ HP} (8.814) (70\% \text{ eff})}{40' + 30 \text{ psi} (2.308)} = .17 \text{ cfs}$$

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Theory

2. Alternate Method for Checking Purposes:

#### F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3); Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)

Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{2.5 \text{ acres} \times 3.5 \text{ cfs}}{1.9835} = 8.75$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.05) (183) (1.9835) = 18.1$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 8.7 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$\text{Domestic (2 units)} = 0.6 \text{ afa in hour} \times 2 \text{ units} = 1.2 \text{ afa}$$

$$\text{Stock} = 20 \text{ head} \times 0.0134 = 0.3 \text{ afa}$$

JAN 26 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS  
Limit domestic to 2 homes as per permit

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use    |  | Period of Use |       | Rate of Diversion | Annual Volume |
|-------------------|--|---------------|-------|-------------------|---------------|
|                   |  | From          | To    | Q (cfs)           | V (afa)       |
| Irrigation        |  | 4/15          | 10/15 | 0.05              | 8.7           |
| Domestic (aunt's) |  | 1-1           | 12-31 | 0.06              | 1.2           |
| Stockwater        |  | 1-1           | 12-31 | 0.02              | 0.3           |
| Totals:           |  |               |       | 0.13              | 10.2          |

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Gary Buss  
Signature Gary Buss  
Certification Date \_\_\_\_\_  
Field Report Preparation Date \_\_\_\_\_

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

JAN 26 1993

27

of Document  
JAN  
PAGE OF 100

33

JAN 26 1993

31-7404

Blaine  
Hansen

10/1/68

Blaine Hansen

Blaine Hansen

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E

38

31-0740

31-7404

MICROFILMED

JAN 26 1993

November 1, 1989

MITCH JACOBS  
STEVE MORTENSEN  
STAR RT., BOX 502  
HAMER, ID 83425

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-07404

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

RECEIVED

NOV 20 1989

1/00

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 31-7404

Date: 10-13-89

General Considerations:

Y Name same as permit  
Y Signature the same as permit holder  
Y Address change \_\_\_\_\_ If yes, prepare a data entry  
Rein Proof received timely  
Rein Reinstated

Source of Water:

N/A Surface water  
Y Groundwater  
1. well log in file - no well log found  
N/A 2. drilling permit  
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses  
Y Is rate or volume and fee appropriate?  
Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

W/A Is a measuring device or access port required?  
W/A Has one been installed?  
W/A Waiver or modification of measuring device requested

Remarks: Proof acceptable - reinstate

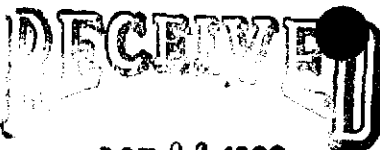
Y Priority Calculation:

|                     |                   |              |
|---------------------|-------------------|--------------|
| Date proof received | <u>Oct 16</u>     | <u>279</u>   |
| Date proof due      | <u>Sept 1</u>     | <u>- 244</u> |
| No. of days late    |                   | <u>= 35</u>  |
| Priority date       | <u>June 30 83</u> | <u>+ 181</u> |
| NEW PRIORITY DATE   | <u>Aug 4, 83</u>  | <u>= 216</u> |

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

- address change

Form 217  
03/86



OCT 06 1989

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

# PROOF OF BENEFICIAL USE

For Office Use Only  
Fee Received 50.<sup>00</sup>  
Date 10-10-89  
Receipt # C012072  
Receipt by D.K.  
Reviewed by [Signature]  
Sent to region 10/13/89

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 31-07404

Name(s) of Permit Holder: Mitch Jacobs

Post Office Address: 2496 N. 2375 E Hamer Idaho

Telephone No. 662-5260

Source of Water: ground

Extent of Use:

Domestic 2 (number of households) Stockwater 100 Cows 20 Horses (number and type of stock)

Irrigation 25 (acres) Other/Remark \_\_\_\_\_

Total rate and/or volume for which proof is submitted 13 cfs \_\_\_\_\_ acre-feet

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

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

Fee enclosed \$ 50.<sup>00</sup>  
(See License Examination Fee Schedule)

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

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

Mitch Jacobs 208-662-5260  
(Name) (Telephone Number)

2496 N 2375 E Hamer Idaho  
(Address)

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

Sept 30, 89  
Date

F. M. Phil Jacobs  
Signature of Permit Holder (and title, if appropriate)

**MICROFILMED**  
NOV 20 1989

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

September 14, 1989

MITCH JACOBS  
STEVE MORTENSEN  
STAR RT., BOX 502  
HAMER, ID 83425

LAPSE NOTICE

RE: PERMIT NO. 31-07404

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated June 30, 1989.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. 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 governmental agency or by litigation which might bring title to the water in question.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

LGS:RF

**MICROFILMED**

NOV 20 1989

CERTIFICATION OF MAILING  
I hereby certify that on 9-19-1989  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

*[Signature]*

138358  
June 30, 1989

MITCH JACOBS  
STEVE MORTENSEN  
STAR RT., BOX 502  
HAMER, ID 83425

PROOF DUE NOTICE

RE: PERMIT NO. 31-07404

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, 1989. (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

**RECEIVED**  
NOV 20 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
AUGUST 19, 1987

JACOBS, MITCH  
STAR RT., BOX 502  
HAMER, ID 83425

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 31-7404

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

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.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

GARY SPACKMAN  
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC  
ENCLOSURES

MICROFILMED  
AUG 27 1987

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWJ APPLICATION NUMBER: 31 7404

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

Field check by:

Date: 22 July 87

Comments:

Application released from  
State Falls water in 6th District

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other \_\_\_\_\_

Copies sent by: \_\_\_\_\_

Date: \_\_\_\_\_

PROCESSING:

- ☐ Yes ☒ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☒ No Other rights on same place of use. \_\_\_\_\_  
☒ Yes ☐ No\* In form for advertising.  
Final date for protests: \_\_\_\_\_  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2-28-86  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☒ No Measuring device required.  
☐ Yes ☒ No Access port required.  
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 31  
6-30-1983 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_

allow 2 yrs. for B/U development **FILED**

By: Ernest Carlson

Date: March 11, 1986

AUG 27 1987

STATE OFFICE REVIEW:

123, 117 26 43 28 (irrig., 0.05 cfs)

**RECEIVED**

- ☐ See attached sheet for more information.

By: KW

Date: 7/30/87

JUL 27 1987

Receipt letter sent 2/27/86

Copy of app. Department of Water Resources  
to Cindy 2/12/86

Keith Wilson - 45-83401  
734-0700 Jerry Kalange

1 Thomas G. Nelson  
James C. Tucker  
2 NELSON, ROSHOLT, ROBERTSON,  
TOLMAN & TUCKER  
3 P.O. Box 1906  
Twin Falls, ID 83301  
4 Telephone (208) 734-0700  
5 Paul L. Jauregui  
James R. Thompson  
6 P.O. Box 70  
Boise, ID 83707  
7 Telephone (208) 383-2678  
8 Attorneys for Plaintiff  
5196p/TGN/dcb/7-06-87  
9

RECEIVED  
JUL 17 1987  
Department of Water Resources  
Eastern District Office

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21

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

\* \* \* \* \*

|                           |   |                           |
|---------------------------|---|---------------------------|
| IDAHO POWER COMPANY, a    | ) | Case No. 81375            |
| corporation,              | ) |                           |
|                           | ) |                           |
| Plaintiff,                | ) |                           |
|                           | ) | SIXTH NOTICE OF DISMISSAL |
| vs.                       | ) | OF CERTAIN DEFENDANTS     |
|                           | ) |                           |
| IDAHO DEPARTMENT OF WATER | ) |                           |
| RESOURCES, et al          | ) |                           |
|                           | ) |                           |
| Defendants.               | ) |                           |

\* \* \* \* \*

22 TO: THE CLERK OF THE DISTRICT COURT  
23 NOTICE IS HEREBY GIVEN that all claims in the Second  
24 Amended Complaint filed in the above-captioned action are  
25 hereby dismissed with prejudice as to the following described  
26 water applications, permits, licenses or statutory claims held  
27 by the following named Defendants or their successors in  
28 interest. It is not the intent of the Plaintiff to dismiss any

SIXTH NOTICE OF DISMISSAL  
OF CERTAIN DEFENDANTS - 1

RECORDED  
AUG 27 1987

1 of the following Defendants or their successors in interest as  
2 to claims relating to any other water right application,  
3 permit, license or statutory claim except as specifically  
4 herein enumerated.

|    | <u>I.D. No.</u> | <u>Name</u>                         | <u>Status</u> | <u>Priority Date</u> | <u>Source</u> |
|----|-----------------|-------------------------------------|---------------|----------------------|---------------|
| 7  | 29-7507         | ANDERSON, DR. JEFF                  | A             | 08-13-1979           | SW            |
|    | 25-7314         | ASHMENT, RAY OR JUDY                | A             | 03-28-1983           | G             |
| 8  | 41-7064         | BARKDULL, RANCHES                   | P             | 10-14-1982           | G             |
|    | 37-8111         | BENNETT, EMMA MALCOMSON             | A             | 05-23-1983           | G             |
| 9  | 27-7338         | BETLAM, PETER B. OR<br>KAREN A.     | A             | 12-29-1982           | G             |
| 10 | 36-8185         | BOSSERMAN, GENE                     | A             | 05-18-1983           | G             |
|    | 37-7693         | BURKE, JOHN A.                      | P             | 12-16-1977           | SW            |
| 11 |                 | JUDD, FREDERICK E.                  |               |                      |               |
|    | 47-7766         | COOP, RICHARD H.                    | P             | 11-02-1981           | G             |
| 12 | 22-7456         | DALTON, ROBERT L.                   | A             | 08-03-1983           | G             |
|    |                 | DALTON, THERESA                     |               |                      |               |
| 13 | 45-7124         | DARRINGTON, CLIFFORD H.             | P             | 01-29-1973           | G             |
|    |                 | DARRINGTON, DENTON C.<br>(Asgnd)    |               |                      |               |
| 14 |                 | DARRINGTON, REGENE                  |               |                      |               |
| 15 | 31-7338         | EDWARDS, DAVID F.                   | A             | 05-02-1980           | G             |
|    |                 | GUNDERSON, K. PAUL                  |               |                      |               |
| 16 | 31-7404         | JACOBS, MITCH                       | A             | 06-30-1983           | G             |
|    |                 | MORTENSEN, STEVE                    |               |                      |               |
| 17 | 36-7529         | JULIAN CLAWSON FARMS INC.           | P             | 03-28-1975           | G             |
|    |                 | CONNECTICUT MUTUAL<br>INSURANCE CO. |               |                      |               |
| 18 | 22-7464         | KILLIAN, STEVE OR                   | A             | 06-24-1983           | G             |
| 19 |                 | DOUGLASS, RAND                      |               |                      |               |
|    | 36-7907         | MARSHALL, BYRON D.                  | P             | 03-26-1980           | G             |
| 20 | 35-7897         | MARTIN, LARRY D.                    | P             | 05-13-1980           | G             |
|    | 34-7248         | MC CASLIN, JOHN WEAVER              | P             | 07-08-1980           | G             |
| 21 | 36-8223         | MILLER & CANTONE                    | A             | 06-29-1983           | G             |
|    | 47-7413         | NELSON, E. LE GRANDE                | P             | 08-23-1977           | SW            |
| 22 | 47-7414         | NELSON, E. LE GRANDE                | P             | 07-20-1977           | G             |
|    | 45-7507         | NEWCOMB, BRUCE C.                   | P             | 06-16-1982           | G             |
| 23 |                 | NEWCOMB, WAYNE                      |               |                      |               |
|    | 29-7758         | PAUL, BETTY LOU                     | A             | 06-24-1983           | SW            |
| 24 | 27-7382         | PERRY, DANIEL VERNILE               | A             | 08-30-1983           | SW            |
|    | 27-7261         | PETERSON, WOODROW                   | P             | 03-10-1981           | G             |
| 25 | 35-7914         | PHILLIPS, VERNON C.                 | P             | 09-08-1980           | G             |
|    | 35-7973         | PHILLIPS, VERNON C.                 | P             | 04-14-1981           | G             |
| 26 |                 | AKA Callan Phillips                 |               |                      |               |
|    |                 | PHILLIPS, MARILYN L.                |               |                      |               |
| 27 | 45-7527         | PRICE, EUGENE F.                    | A             | 03-10-1983           | G             |
|    |                 | PRICE, BERTHA                       |               |                      |               |
| 28 | 35-8135         | RICHARDSON, ELDON H.                | A             | 05-02-1983           | G             |

SIXTH NOTICE OF DISMISSAL  
OF CERTAIN DEFENDANTS - 2

AUG 27 1987

|   |         |                          |   |            |    |
|---|---------|--------------------------|---|------------|----|
| 1 | 22-7447 | RICKS, PHILIP OR KARLA   | A | 06-16-1983 | G  |
|   | 43-7129 | SIMPLOT INDUSTRIES, INC. | P | 09-13-1978 | G  |
| 2 | 36-7788 | TAYLOR, JACK             | P | 03-21-1978 | G  |
|   | 45-7552 | TURNER, BRUCE B.         | A | 07-19-1983 | G  |
| 3 | 61-7071 | WATSON BROTHERS          | P | 04-07-1970 | SW |
|   |         | GLOBEX DEVELOPERS INC.   |   |            |    |
| 4 |         | (Asgnd)                  |   |            |    |
|   | 02-7041 | WATSON BROTHERS FARMS    | P | 04-12-1970 | SW |
| 5 |         | GLOBEX DEVELOPERS, INC.  |   |            |    |
|   |         | (Asgnd)                  |   |            |    |
| 6 | 36-7461 | WOODLAND, LAUREL H.      | P | 03-26-1974 | G  |
|   | 36-7930 | WOODLAND, MICHAEL D.     | P | 08-11-1980 | G  |

8 DATED this 9th July, 1987.

9  
10 NELSON, ROSHOLT, ROBERTSON,  
11 TOLMAN & TUCKER

12 *Thomas G. Nelson*  
13 Thomas G. Nelson  
14 Attorney for Plaintiff

15 CERTIFICATE OF MAILING

16 I hereby certify that on this 9th day of July, 1987, I  
17 served a copy of the foregoing NOTICE OF DISMISSAL, by using  
18 service list D-2 pursuant to the Order set by the Court,  
19 depositing same in the United States Mail, postage prepaid.

20  
21 *Thomas G. Nelson*  
22 Thomas G. Nelson  
23  
24  
25  
26  
27  
28

FILED  
AUG 27 1987

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER  
Chartered

THOMAS G. NELSON  
JOHN A. ROSHOLT  
J. EVAN ROBERTSON  
STEVEN K. TOLMAN  
JAMES C. TUCKER

ATTORNEYS AT LAW  
142 3RD AVENUE NORTH  
P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
TELEPHONE (208) 734-0700

BOISE OFFICE:  
1020 MAIN ST., SUITE 320  
P.O. BOX 1805  
BOISE, ID 83702-1805  
(208) 336-0700

TERRY T. UHLING  
F. BRUCE COVINGTON  
LAIRD B. STONE  
GARY D. SLETTE  
JERRY JENSEN

March 26, 1986

RECEIVED

MAR 27 1986

Department of Water Resources  
Eastern District Office

Mr. Ernest Carlsen  
Assistant Regional Supervisor  
Eastern Region  
Idaho Department of Water Resources  
150 Shoup - Suite 15  
Idaho Falls, Idaho 83402

Re: Idaho Power Company v. Idaho Department of Water Resources  
Case No. 81375 (App. No. 31-7404 - Jacobs or Mortensen)

Dear Mr. Carlsen:

Pursuant to your letter of March 24, 1986, I have reviewed Application 31-7404. Please be advised that this application will be dismissed from the referenced lawsuit upon the filing of the 6th Dismissal.

Sincerely,

*Teresa P. Kalange*

Teresa P. Kalange  
Legal Assistant

*Replaced by Susan Berry.*

FILED

AUG 27 1987

March 24, 1986

Ms. Cindy Cranston Felton  
P.O. Box 1906  
Twin Falls, ID 83303

Dear Cindy:

According to the provisions of the agreement signed October 25, 1984, applications limited to certain beneficial uses are eligible for dismissal from Ada County Civil Case 81375.

Based on our understanding of the definition "consumptive domestic" and "non-consumptive commercial, municipal, and industrial", we have identified an application that appears to comply with the criteria essential for dismissal. A profile of this application is enclosed for your consideration.

We are proceeding with the publication of notices advising these applications have been filed, but will continue to withhold other administrative action pending notification from your office that an application has been released.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

Enclosure

**MICROFILMED**

AUG 27 1987

February 26, 1986

Mitch Jacobs  
Steve Mortensen  
Star Route, Box 502  
Hamer, Idaho 83425

Re: Application for permit No. 31-7404

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. 31-7404. 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 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,

Ernest Carlsen  
Assistant Regional Supervisor

EC/md

INDEXED

AUG 27 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

FEBRUARY 12, 1986

The Risby Star  
P. O. Box 37  
Risby, Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 10, 1986.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

**MICROFILMED**

AUG 27 1987

NOTICE OF APPLICATION  
FOR WATER RIGHT

The following applications have been filed to appropriate  
the public waters of the State of Idaho:

LOX BLANCH  
LOX  
EXCELSIOR

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 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 10, 1986.

KEN DUNN

Director

Published 2/19/86 & 2/26/86.

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AUG 27 1987

31-2404

JACOBS, MITCH  
MORTENSEN, STEVE

STAR RT., BOX 502, HAMER, ID 83425

Source: GROUNDWATER

Date Filed: 06/30/1983

Diversion Pt: NWNE Sec 33 T 08N R 36E

|                 |                        |
|-----------------|------------------------|
| Use: IRRIGATION | 0.05                   |
| STOCKWATER      | ( <del>0.09</del> CFS) |
| DOMESTIC        | (0.02 CFS)             |
|                 | (0.06 CFS)             |

In: NWNE Sec 33 T 08N R 36E FOR 3 ACRES

**MICROFILMED**

AUG 27 1987

*Changes made on  
computer MD*