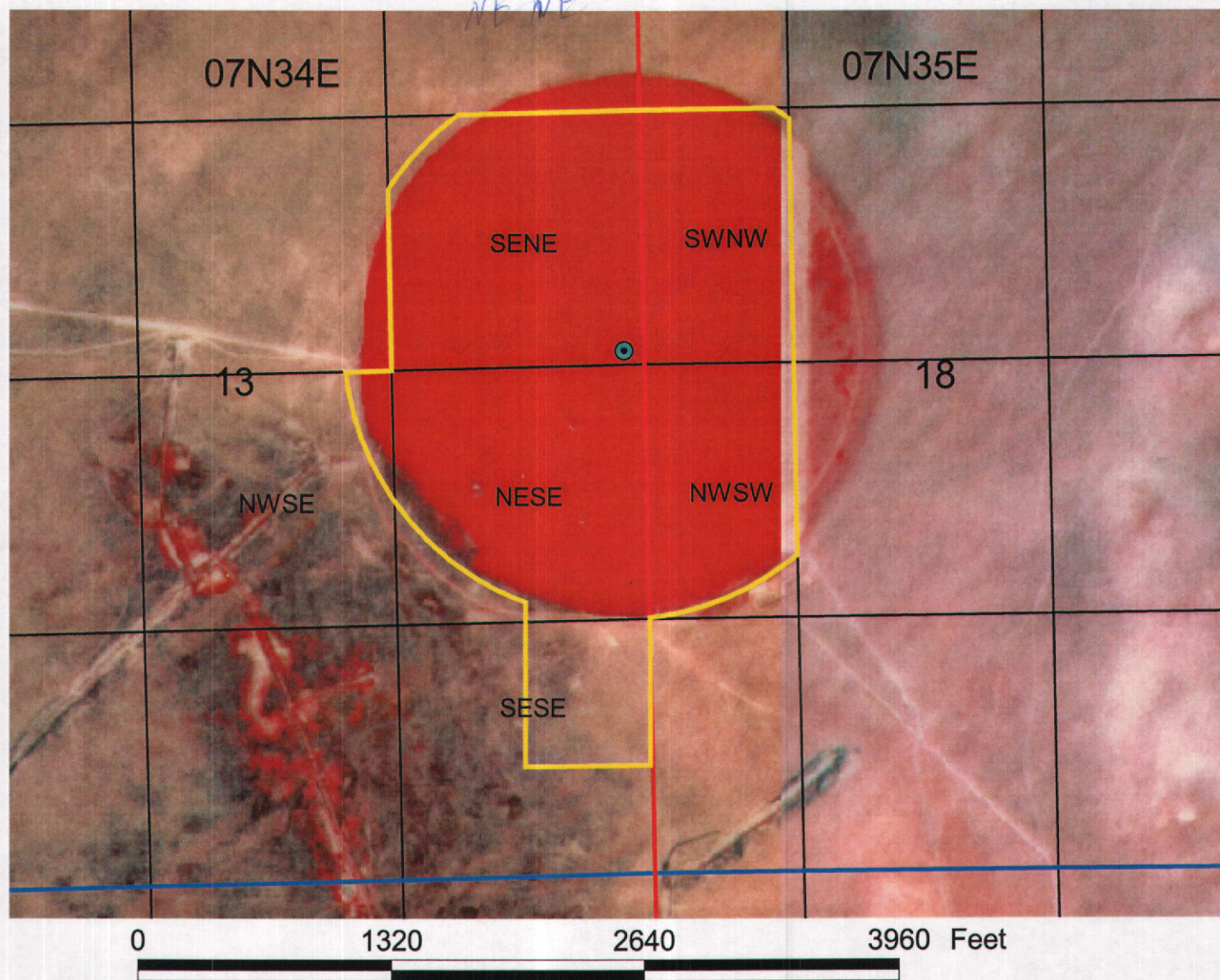




Department of Water Resources

Claim No.: 31-7360



- 31-7360.shp
- Pod.shp
- Townships
- Sections
- QQ

Irrigated Acres = 131

MICROFILMED

OCT 04 2002



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: December 2001

07N34E

07N35E

13

18

NWSE
3.0

SENE
38.0

SWNW
23.0

NESE
35.0

NWSW
21.0

SESE
11.0

31-7360

MICROFILMED
OCT 04 2002

RECEIVED

Affidavit of Publication

APR 6 1981

THE RIGBY STAR

Department of Water Resources
Eastern District Office

STATE OF IDAHO, }
County of Jefferson } SS

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

31-7360

Zwelfel, Glenn F.;
Montevieu, ID 83435

Source: Groundwater

Date Filed: 03/12/1981

Amount: 3.20 CFS

Diversion Point: SENE Sec
13 T 07N R 34E, Jefferson Co.

Use: Irrigation (3.20 CFS)
from 04/01 to 11/01

Place of Use: SENE NESE
Sec 13 T 07N R 34E SWNW
NWSW Sec 18 T 07N R 35E
for 160 acres.

Diversion Means: Pipeline

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before April 13, 1981.

C. Stephen Allred
Director

Published March 26 and April
2, 1981

I, Marie B. Nye, do solemnly swear that I am the
Publisher of THE RIGBY STAR, a weekly
newspaper as defined by Idaho Codes Annotated Section 58-106 as
amended, and that said newspaper is a weekly newspaper, printed and
published at Rigby, Jefferson County, Idaho, having a general circulation in
said county, and that said newspaper has been printed and published as a
weekly newspaper, in said county for more than 78 consecutive weeks prior
to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said
publication as per clipping attached, was published in said newspaper in the
regular and entire issue thereof, and not in any supplement issue thereof,
for 2 consecutive issues thereof; first publication having been made on
the

Twenty-Sixth day of March, 19 81

and the last publication on the

Second day of April, 19 81

And affiant further says that at the times herein mentioned said
newspaper was made up of at least four pages of at least five columns each
printed from type matter of at least seventeen and three-fourths inches
depth; and that there are at least two hundred bonafide subscribers in
Jefferson County.

Marie B. Nye

Publisher

Subscribed in my presence and sworn to before me this 2^d
day of April, 19 81.
[SEAL]

Pat Anderson

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires not expiring, 19 81

Publication Fee: \$ 14.76

MICROFILMED

TRANSFER REVIEW SHEET

Trans # 69866

Date Reviewed 10/4/02

Right No(s). * 31-7360

Split? Y N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

county assessor's office contact

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Y

Lien Holder Release N/A

GROUNDWATER:

DRILLING PERMIT

All wells

- 046

DP upgrade req'd Y N (contact GW personnel)

WMD

- North/East/West

≤ 0.24 cfs/5 acres

- No MD

> 0.24 cfs/5 acres

- 067

WMD

≤ 0.24 cfs/5 acres

- No MD

> 0.24 cfs/5 acres

- 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

USES:

STORAGE

- 18C-R02-01P-18B-NA

IRR ≤ 5 ac

- R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac

- R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER

- R37 (all BLM/USFS)

MINING

- 054-106

FISH PROP

- 029(70'S only)-007-122-106

HEAT/COOL

- R07 (injection well)

FIRE PROT.

- 077

DAIRY

- 082 (zoning if a concern)-106-WD8

SURFACE WATER:

WD

≤ 0.20 cfs/others

> 0.20 cfs

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres

> 0.24 cfs/5 acres

- R05 (WD#) WM comments rec'd

- R02, 01P or No MD

- R43

- No MD

- 01M or 01Q

STANDARD SEASON 4/1 to 10/31 (use X61 if extended season)

STANDARD VOLUME 3.5 af/ac

CONSUMPTIVE USE VOLUME af/ac

*4/1-11/1 ok as licensed
limited by license to 3.0 af*

USES:

POWER

- 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area

- 022-075

RAFN - 007-109-X64

Irr., GW supp to SW

- 102

DOMESTIC

Surface water

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

>1 in restricted area

- 070-071-075 (no parks/common areas, etc)

Irr use listed separate

- WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop

T08 - comply or rescind

T17 - measure all p/d's (used with WB4)

T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19

Water Quality - 106-R07

X27 - Number of acres/season in ppu

X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)

T19 - replaces C18 (if at Recommendation or Partial Decree stage)

T20 - use instead of T09 where not ongoing in SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

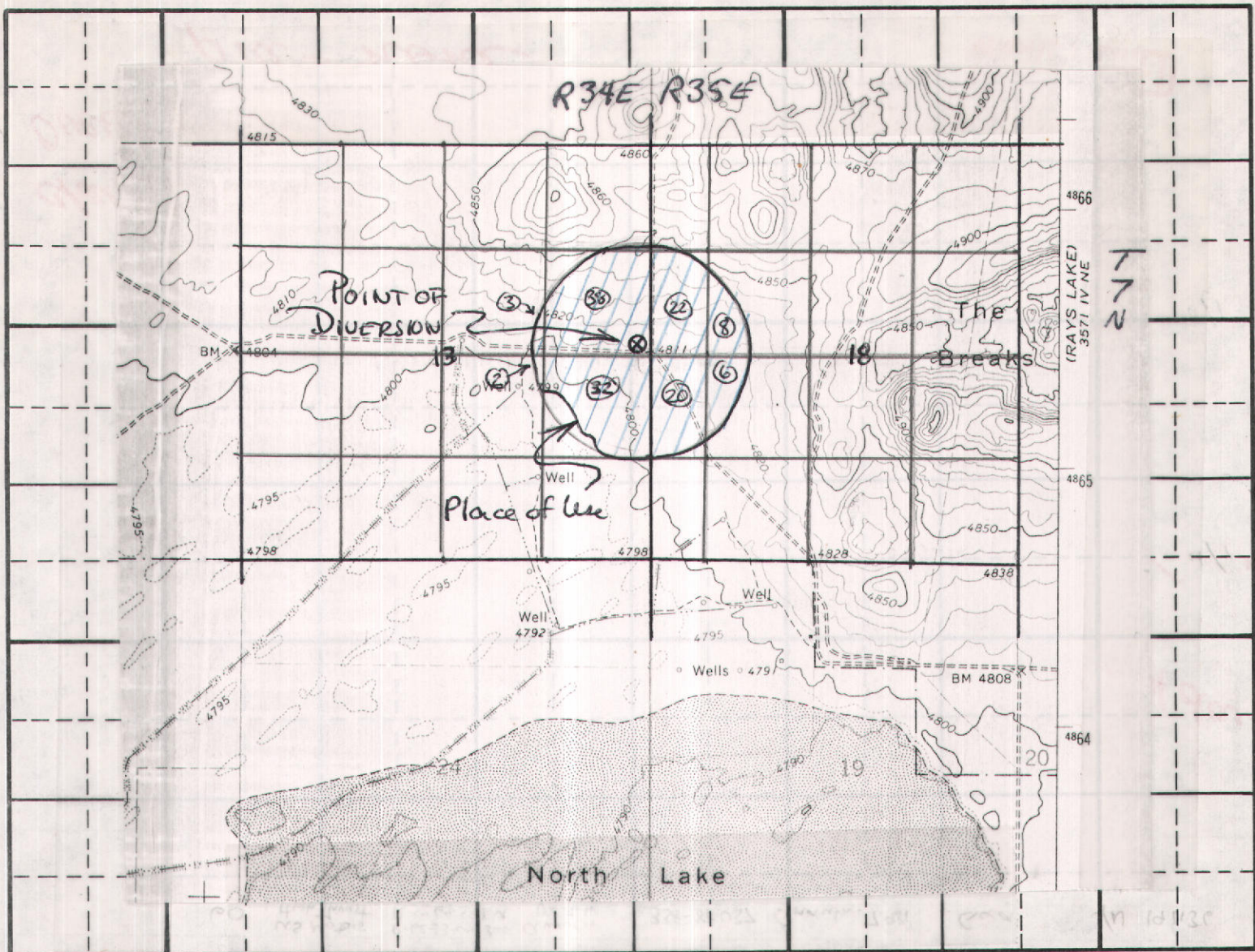
Database files updated Y Approval form printed Y Shape files created Y

Special Mailing Instructions (cc's, etc)

Final database update after approval Y *Comment to WR No(s). 31-7360

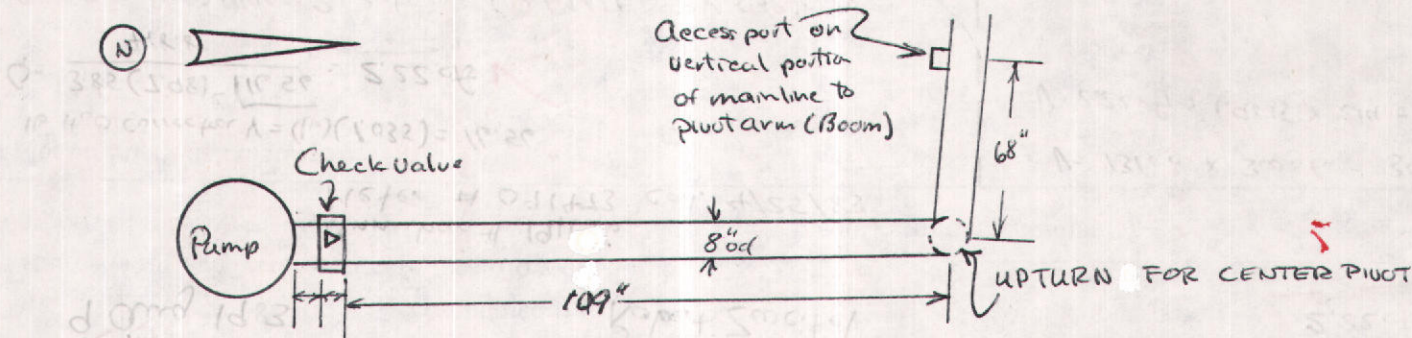
50/104

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 NE 1/4 Sec 13, T7N, R34E

Place(s) of Use underlined tracts were not shown on permit

TWP.	RGE.	SEC:	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>7N</u>	<u>34E</u>	<u>13</u>			<u>3</u>	<u>38</u>									<u>32</u>	<u>2</u>			<u>75</u> ✓
<u>7N</u>	<u>35E</u>	<u>18</u>							<u>22</u>	<u>8</u>	<u>6</u>	<u>20</u>							<u>56</u> ✓
									<u>GL2</u>			<u>GL3</u>							

Total = 131

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

MICROFILMED

Examiner's Signature Keith Carlson
 Date 8 Mar 84

Checked by H. Jones
 Date 3-14-84

Approved by Kay Walker
 Date 7/31/86

31-7360

Kaw

H 4

12 7
13 18

R34E R35E

Doc 5
View

PLACE OF USE

T
N



7N-35E

g

H

h

I

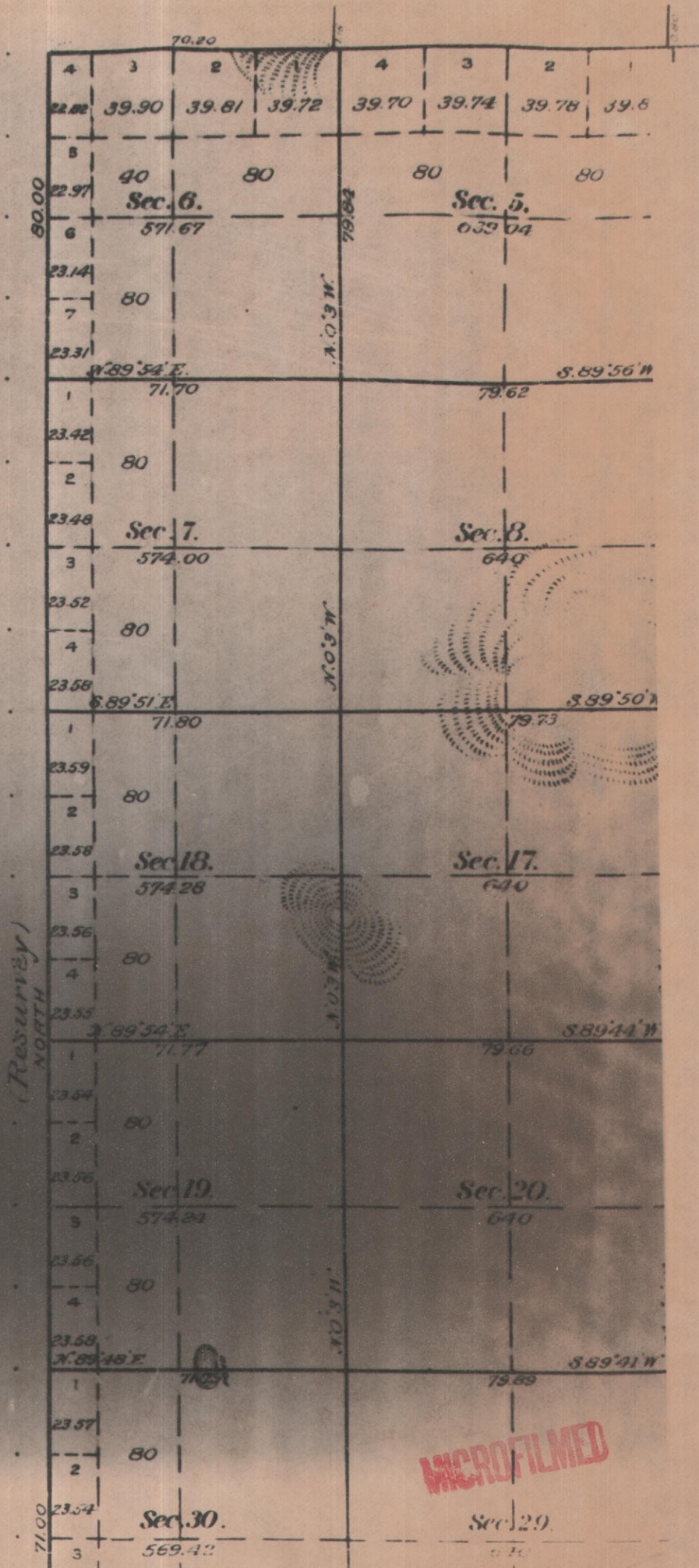
i

K

k

L

l



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69866

This is to certify that: L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442
(208)745-7506

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
31-7360	AJC/License	03/12/1981	2.22 cfs	458.5 af		131.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

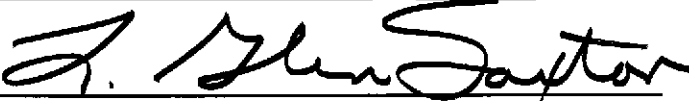
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
31-7360	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
31-7360	31-7360	2.22 cfs	393 af	N/A	131.0		N/A	N/A	N/A	N/A
TOTALS		2.22 cfs	393 af		131		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of October, 2002


Chief, Water Allocation Bureau

MICROFILMED

OCT 04 2002

WATER RIGHT NO. 31-7360
As Modified by Transfer No. 69866

In accordance with the approval of Transfer No. 69866, Water Right No. 31-7360 is now described as follows.

Right Holder: L & M CATTLE CO INC
 C/O LEWIS MERRILL
 440 N 4300 E
 RIGBY ID 83442

Priority Date: March 12, 1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	2.22 CFS	393.0 AF
			2.22 CFS	393.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENE Sec. 13 Twp 07N Rge 34E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 34E 13				38.0									35.0	3.0		11.0	87.0
07N 35E 18							23.0				21.0						44.0
							L2				L3						

Total Acres: 131

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of October, 2002

MICROFILMED

OCT 24 2002

Chief, Water Allocation Bureau

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant L & M CATTLE CO INC c/o Lewis Merrill Phone 745-7506

Post Office address 440 N 4300 E RIGBY ID 83442

RECEIVED
JUN 24 2002

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

Department of Water Resources

2. Describe the reason for the proposed changes Water is being transferred off 11 acres of land administered by the BLM and moved to an equal number of acres own by the applicant. Change is being made to resolve BLM's objection to the SRBA recommendation for this right.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>31-7360</u>	<u>3/12/1981</u>	<u>2.22 cfs/458.5 AF</u>	<u>Irrig.</u>	<u>4-1 to 11-1</u>
				to
				to
				to

2. Total amount of water being transferred 2.22 cubic feet per second and/or 458.5 acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SE	SE	NE	13	7N	34E	Jefferson	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	34E	13				38									35	3		11	87
7N	35E	18						23				21							44
								4.2				4.3							

MICROFILMED

JUN 24 2002

Total Acres 131

PART 1

6. General Information:

- a. Description of diversion system pump, pipeline, center pivot & hand lines.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Lands administered by BLM will not be irrigated.

- d. Remarks: LIST OFFICERS OF CORPORATION: Karen Merrill pres
Lois Merrill vp
Ryan Merrill Sec

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

MICROFILMED

OCT 04 2002

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 31-7360

Priority Date: 03/12/1981

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Trib

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01 11/01	2.22 CFS	458.5 AFA	
Total Diversion		2.22 CFS	458.5 AFA	

Source and Point(s) of Diversion:

Source	Twp	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	07N	34E	13	SESENE		JEFFERSON

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 34E 13	4.0		4.0	38.0									35.0	3.0			84.0
07N 35E 18					3.0	23.0			21.0								47.0
					L1	L2			L3								

Total Acres: 131

Conditions/Remarks:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

MICROFILMED

OCT 04 2002

page 4 of 7

T 69866

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 31-7360

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *No.*

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *Land will not be irrigated. Water right will become appurtenant to other land, privately owned.*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *No.*

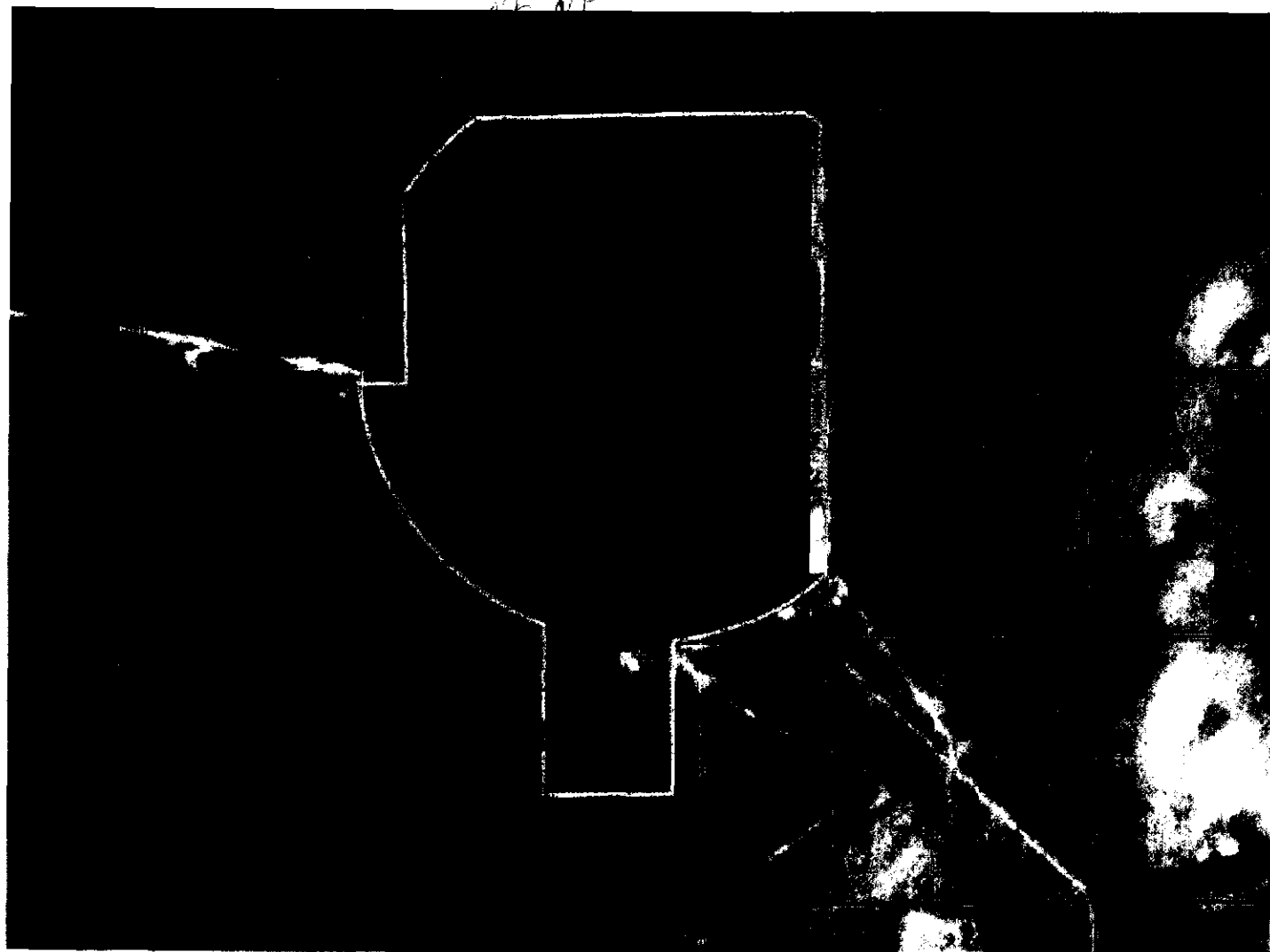
MICROFILMED

OCT 8 4 2002



Department of Water Resources

Claim No.: 31-7360



0 1320 2640 3960 Feet

31-7360.shp

● Pod.shp

□ Townships

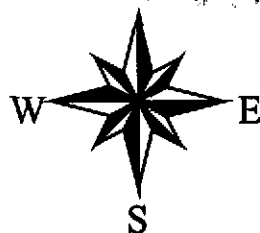
□ Sections

□ QQ

Irrigated Acres = 131

MICROFILMED

NT 04 2002



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: December 2001

07N34E

07N35E

SENE
38.0

SWNW
23.0

13

NWSE
3.0

18

NESE
35.0

NWSW
21.0

SESE
11.0

31-7360

MICROFILMED

OCT 14 2002

PART 3

3. CHANGES IN NATURE OF USE

1.

New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
 I understand that any willful misrepresentations made in this application may result in voiding its approval.



Louis Merrill
 (Signature of Applicant)

Subscribed and sworn to before me this 15th day of April, 20 02.

Jennifer Crabtree
 (Notary Public)

My commission expires 9/23/03

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and _____ attachments

Received by JC Date 4-15-02 Protest filed by _____

Prelim. Check by _____ Fee \$ 330 -

Receipted by JC/EO 27640 Date 4-15-02

Published in Jefferson Star Copies of protest forwarded by _____

Pub. Dates May 15 & 22, 2002 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received _____ by RDC

Copy of transfer sent to lien holder _____

OCT 04 2002

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31-7360 Priority March 12, 1981 Amount 2.22 cfs

THIS IS TO CERTIFY, that Glenn F. Zweifel
of Montevue, Idaho, has complied with the terms and conditions of Permit
No. 31-7360 issued pursuant to Application for Permit dated March 12, 1981,
and has submitted proof to the Department of Water Resources on October 28, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.22 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>2.22</u> cfs and	<u>393.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.22 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
393.0 acre feet per year, said waters to be diverted within the SE1NE1 Section 13,
Twp 7N, Rge 34E in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	34E	13			3	38									32	2			75
7N	35E	18							GL2 22	8	6	GL3 20							56

Total number of acres irrigated 131

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18th day of September, 19 86.

Billy D. Flannery
Acting for the Director

RECEIVED
SEP 22 1986
MID

Time
186

STATE OF IDAHO
APPLICATION FOR AMENDMENT
(For Licensing Purposes)

Ident. No. _____
RECEIVED
AUG 25 1986
APPROVED
Department of Water Resources

Comes now Glenn F. Zweifel
of (address) Monteview, ID 83435, 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. 31-7360, and requests that the permit be changed as follows:

1a. Point of diversion: SE 1/4 NE 1/4, Section 13, Township 7N, Range 34E,
B.M., County of Jefferson. Other points of diversion: _____

1b. Source: groundwater tributary to -----

2a. Period and nature of use:

Amount 2.22 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)

2b. The maximum quantity diverted shall not exceed 2.22 cfs or 393.0 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	34E	13			3	38									32	2			75
7N	35E	18							GL 2 22	8			GL 3 20						56

Total number of acres to be irrigated = 131

4. Date of priority: March 12, 1981

5. Conditions (if any):

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 Montevideo, Idaho this 20 day of August, 1986.
Glenn F. Zweifel
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ☒ Received by kg Date 8-25-86 #38948

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby Approve the above Application for Amendment for Permit No. 31-7360.

Witness my hand this 18th day of September, 1986.

Bobby D. Henson
Acting for the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant GLENN F. ZWEIFEL Phone 657-2243

Post office address MONTEVIEW, IDAHO

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

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13 Township 7N

Range 34E B.M. JEFFERSON County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.2 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. 3.2 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Center pivot

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 14 inches; proposed depth of well is 100 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: _____

RECEIVED

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

[illegible]

Total number of acres to be irrigated 160

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

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

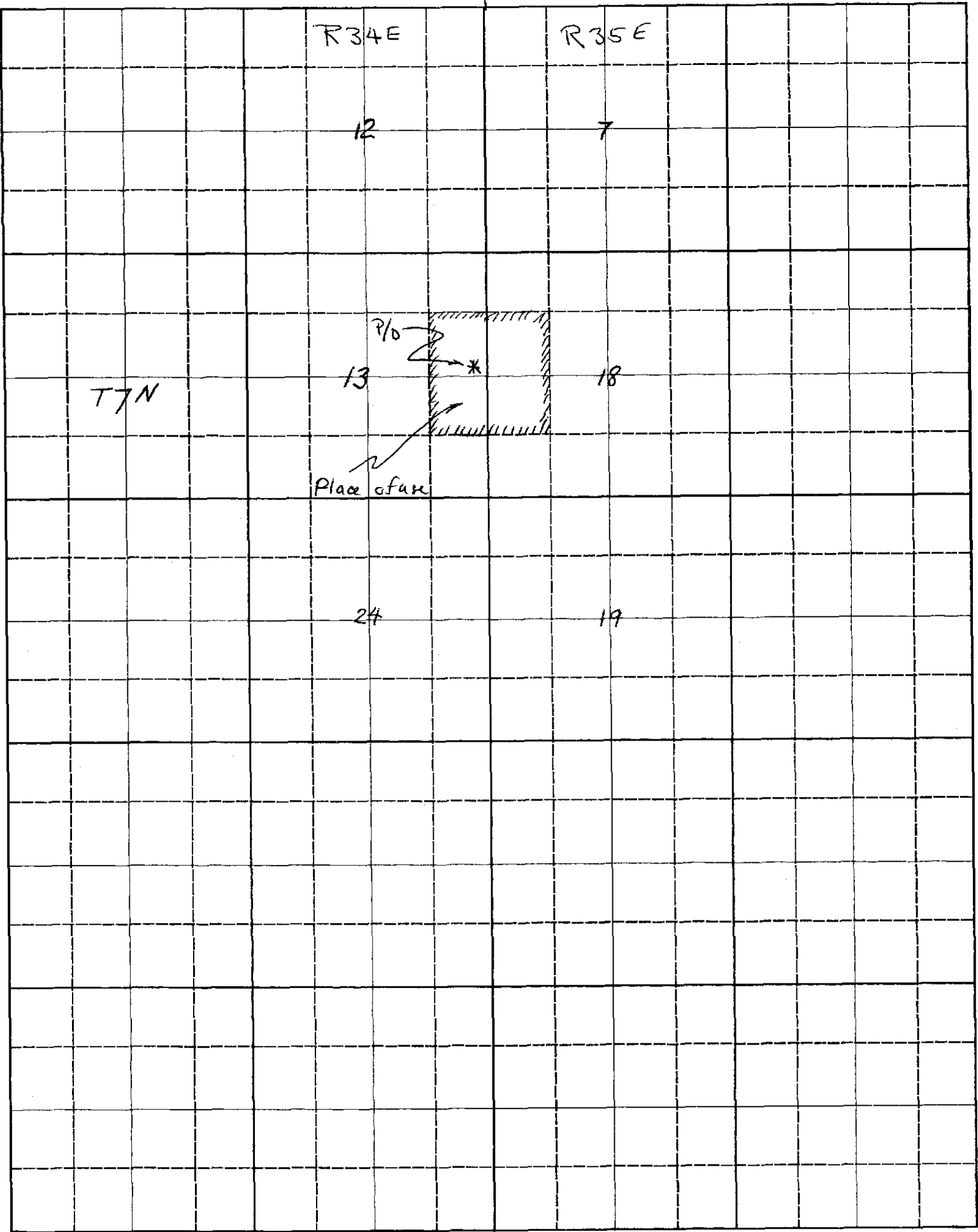
b. Who owns the land to be irrigated or place of use APPLICANT [see remarks]

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

10. Remarks Applicant will have an annual agreement with BLM for center

pivot to periodically traverse BLM lands located in the E½ of NWSW & SWNW OF
Sec. 18, T. 7N, R. 35E

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.

Glenn F Zweifel
(Applicant)

RECEIVED

Proposed Priority 3/12/81

Received by KC Wilson Date 3-12-81 Time _____

Preliminary check by Gr Fee \$ 165⁰⁰

Receipted by SLB Date 3-12-81 # 17094

Publication prepared by KW Date 3/19/81

Published in Rigby Star

Publication dates 3/26 & 4/02/81

Publication approved KW Date 4/13/81

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC. RH

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. 31-7360, 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 April 1, 19 86.
- 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:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 23rd day of April, 1981.

J. Glen Saxton
Chief, Operations Bureau

RECEIVED

RECEIVED

Affidavit of Publication

APR 6 1981

THE RIGBY STAR

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

County of Jefferson

ss

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

31-7360

Zweifel, Glenn F.;
Montevieu, ID 83435
Source: Groundwater
Date Filed: 03/12/1981
Amount: 3.20 CFS
Diversion Point: SENE Sec
13 T 07N R 34E, Jefferson Co.
Use: Irrigation (3.20 CFS)
from 04/01 to 11/01
Place of Use: SENE NESE
Sec 13 T 07N R 34E SWNW
NWSW Sec 18 T 07N R 35E
for 160 acres.

Diversion Means: Pipeline
If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before April 13, 1981.

C. Stephen Allred
Director

Published March 26 and April
2, 1981

I, Marie B. Nye, do solemnly swear that I am the
Publisher of THE RIGBY STAR, a weekly
newspaper as defined by Idaho Codes Annotated Section 58-106 as
amended, and that said newspaper is a weekly newspaper, printed and
published at Rigby, Jefferson County, Idaho, having a general circulation in
said county, and that said newspaper has been printed and published as a
weekly newspaper, in said county for more than 78 consecutive weeks prior
to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said
publication as per clipping attached, was published in said newspaper in the
regular and entire issue thereof, and not in any supplement issue thereof,
for 2 consecutive issues thereof; first publication having been made on
the

Twenty-Sixth day of March, 19 81

and the last publication on the

Second day of April, 19 81

And affiant further says that at the times herein mentioned said
newspaper was made up of at least four pages of at least five columns each
printed from type matter of at least seventeen and three-fourths inches
depth; and that there are at least two hundred bonafide subscribers in
Jefferson County.

Marie B. Nye

Publisher

Subscribed in my presence and sworn to before me this 2^d
day of April, 19 81
[SEAL]

Pat Anderson

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires not expiring, 19 81

Publication Fee: \$ 14.76



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 7, 2002

L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442

RE: Transfer No.: 69866 - Water Right 31-7360 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

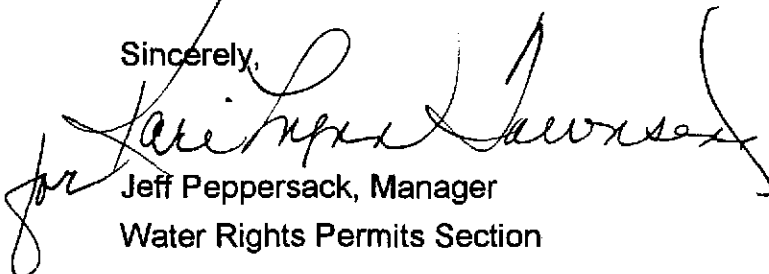
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,



Jeff Peppersack, Manager
Water Rights Permits Section

MICROFILMED

OCT 14 2002

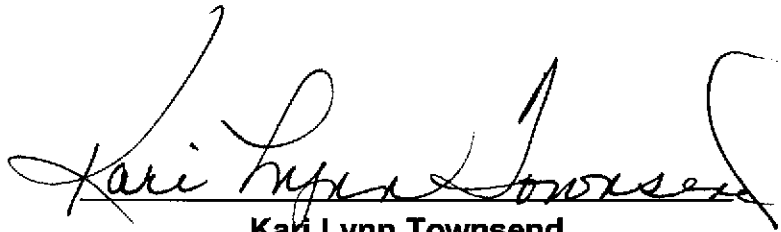
JP:klt
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69866 - WATER RIGHT 31-7360

**L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

OCT 04 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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

TRANSFER REVIEW SHEET

Trans # 69866

Date Reviewed 10/4/02

Right No(s). * 31-7360

Split? Y N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

County assessor's office contact

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Y

Lien Holder Release N/A

GROUNDWATER:

DRILLING PERMIT

All wells

DP upgrade req'd Y N (contact GW personnel)

WMD

North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

USES:

STORAGE - 18C-R02-01P-18B-NA

IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER - R37 (all BLM/USFS)

MINING - 054-106

FISH PROP - 029(70'S only)-007-122-106

HEAT/COOL - R07 (injection well)

FIRE PROT. - 077

DAIRY - 082 (zoning if a concern)-106-WD8

SURFACE WATER:

WD

≤ 0.20 cfs/others

> 0.20 cfs

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres

> 0.24 cfs/5 acres

- R05 (WD#) WM comments rec'd

- R02, 01P or No MD

- R43

- No MD

- 01M or 01Q

STANDARD SEASON

4/1 to 10/31 (use X61 if extended season)

STANDARD VOLUME

3.5 af/ac

CONSUMPTIVE USE VOLUME

 af/ac

limited by license to 3.0 af

USES:

POWER

- 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area

Irr., GW/supp to SW

DOMESTIC

Surface water

>1 in restricted area

Irr use listed separate

- 022-075 RAFN - 007-109-X64

- 102

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

- 070-071-075 (no parks/common areas, etc)

- WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop

T08 - comply or rescind

T17 - measure all p/d's (used with WB4)

T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19

Water Quality - 106-R07

X27 - Number of acres/season in ppu

X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)

T19 - replaces C18 (if at Recommendation or Partial Decree stage)

T20 - use instead of T09 where not ongoing in SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated Y Approval form printed Y Shape files created Y

Special Mailing Instructions (cc's, etc)

Final database update after approval Y *Comment to WR No(s). 31-7360

20/10/4

* Send copy to BLM - c/o Deery Teel

4-16-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Hut

1. Right number 21-7360 Applicant LM cattle
2. Type of right: ☐ Decree ☐ License ☐ Claim ☒ SRBA Recommendation
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s)
☒ Change place of use ☐ Other _____

J# 6984p
RECEIVED

JUN 24 2002

Department of Water Resources

4. Check:
- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☐ Description of original place of use.

OKAY. ENC

5. Amount of land &/or water transferred:

- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. Map for remainder of right? ☐ Yes ☐ No
- d. ☒ Check description of point(s) of diversion.
- e. ☒ Check description of place of use
- f. ☒ Check map (shows p.d. and p.u. after transfer).
- g. ☒ Check for correct signature, notarization, and fee.
- h. ☒ Check proof of ownership of right &/or land from which water is transferred. — BLM
- i. ☒ Check for expansion in use of right. Comments _____

- j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

- k. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

* Send copy
To BLM -
Deery Teel
at P.R. Falls office

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Reviewed by Adjudication Staff? ☒ Yes ☐ No
3. Is transfer published correctly? ☒ Yes ☐ No
4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By BC Date 6/16/02



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Snake River District
Idaho Falls Field Office
1405 Hollipark Drive
Idaho Falls, Idaho 83401-2100

In Reply Refer To:

7250

Harold Jones
Eastern Region Office
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402

May 22, 2002

RECEIVED

MAY 23 2002

Department of Water Resources
Eastern District Office

RE: Transfer Request (#69866) from L&M Cattle Co. (Water right # 31-07360)

Dear Mr. Jones:

By this letter I state that I have the authority to act on behalf of the United States, Department of Interior, Bureau of Land Management (U.S.D.I., BLM), with myself as its agent, to the matters discussed herein. I understand that L&M Cattle Co. wishes to transfer water under the above water right from federal public property to land which they own as private property. The federal public property legal description is as follows:

T.07N, R.34E, S.13 NENE (4 acres)
T.07N, R.34E, S.13 SWNE (4 acres)
T.07N, R.35E, S.18 Lot 1 (NWNW) (3 acres)

I understand that the Idaho Department of Water Resources cannot complete such a transfer of water under a water right without the notarized consent of the land owner where the water right describes land not owned by the transfer applicant.

On behalf of the United States and the U.S.D.I., BLM, my notarized signature below provides the necessary consent to facilitate the transfer, which will result in the discontinuance of water being applied to federal public land. The United States' non-opposition to the application for transfer does not represent recognition by the United States of the claim elements nor their validity.

If there are questions regarding any statements above, please do not hesitate to contact Deena Teel at (208) 524-7533 or at the address provided above.

Sincerely,

Joe Kraayenbrink
Idaho Falls Field Manager

MICROFILMED
OCT 04 2002

SUBSCRIBED and SWORN to before me this 22nd day of May, 2002.

STATE OF IDAHO

)

) ss:

COUNTY OF BONNEVILLE

)

On this 22nd day of May, 2002, personally came before me, a notary public in and for said County and State, the within-named JOE KRAAYENBRINK, to me personally known to be the identical person(s) described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in certificate first above written.

Sandra S Hoffer

Sandra S Hoffer

Notary public in and for the

State of Idaho,

County of Bonneville

Residing at Idaho Falls

My commission expires: 11-25-2002

MICROFILMED
OCT 04 2002

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Jefferson)

I, Terry Carr of The Jefferson Star,
published weekly at Rigby, Jefferson
County, Idaho, do solemnly swear that the

Notice of proposed
change of water right
a copy of which notice appears attached
hereto, 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
having been made on May 15
and the last publication having been made
on May 22

Further, that said newspaper is one of gen-
eral 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 continu-
ously and uninterruptedly published in
said county during a period of seventy
eight consecutive weeks prior to the first
publication of the said notice.

Terry Carr

On this 22 day of May
in the year of 2002, before me, a Notary
Public, personally appeared

Terry Carr

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 there-
in are true, and acknowledged to me that
she executed the same.

Crystal Foster
Notary Public of Idaho
Residing at 1032 N 1100 E, Shelley, ID

My commission expires March 8, 2005

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 69866

L & M CATTLE CO INC, C/O LEWIS MERRILL, 440 N 4300 E, RIGBY ID 83442,
has filed Application No. 69866 for changes to the
following water rights within JEFFERSON County:

Right No. 31-7360
Priority 3/12/1981
Source GROUND WATER
Use IRRIGATION (131 acres) 2.22 CFS 458.5 AFA
Total Amount 2.22 CFS 458.5 AFA
Point(s) of Diversion SESENE S13 T07N R34E
Place of Use S13 T07N R34E
S18 T07N R35E

The purpose of the transfer is to change a portion of the above rights as
follows:

The applicant is moving 11 acres of BLM trespass off the NENE, SWNE SEC
13 T07N R34E and NWNW SEC 18 T07N R35E to his own ground in those
same sections.

Protests may be submitted based on the criteria of Sec 42-222 Idaho Code.
Any protest against the proposed change must be filed with the
Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho
Falls ID 83402 together with a protest fee of \$25.00 for each application on
or before June 03, 2002. The protestant must also send a copy of the protest
to the applicant.

KARL J DREHER, Director

Published in the Jefferson Star, Rigby, Idaho, May 15 and 22, 2002.

MICROFILMED

OCT 04 2002

5/23/02



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 08, 2002

L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442

RE: Application for Transfer No 69866
Water Right No(s) 31-7360

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Jefferson Star on May 15 and 22, 2002. Submittal of protests to this application will be allowed for a period ending ten days (June 3, 2002) after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

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

Sincerely,


Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 08, 2002

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS, ID 83401

RE: Application for Transfer 69866
Water Right Number(s) 31-7360

Dear Deena Teel:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can complete the processing of an unprotested application as soon as the protest period is past; therefore, your prompt response to this request is appreciated. If your agency desires to file a formal protest against the approval of this application, your written protest along with a \$25.00 filing fee must be received in this office by June 3, 2002.

Please contact this office if you have any questions regarding the application.

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

Enclosure(s)

MICROFILMED

OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 08, 2002

Legal Notice Department
JEFFERSON COUNTY STAR
PO BOX 37
RIGBY ID 83442

RE: Transfer No. 69866
Water Right No(s). 31-7360

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before June 3, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
5/8/02
sc*

MICROFILMED

OCT 04 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69866

L & M CATTLE CO INC, C/O LEWIS MERRILL, 440 N 4300 E, RIGBY ID 83442, has filed Application No. 69866 for changes to the following water rights within JEFFERSON County:

Right No. 31-7360

Priority 3/12/1981

Source GROUND WATER

Use IRRIGATION (131 acres) 2.22 CFS 458.5 AFA

Total Amount 2.22 CFS 458.5 AFA

Point(s) of Diversion SESENE S13 T07N R34E

Place of Use S13 T07N R34E
S18 T07N R35E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant is moving 11 acres of BLM trespass off the NENE, SWNE SEC 13 T07N R34E and NWNW SEC 18 T07N R35E to his own ground in those same sections.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before June 03, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on May 15 and 22, 2002

MICROFILMED

OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

August 12, 1986

RE: Permit No. 31-7360

Glenn F. Zweifel
Montevue,
Idaho 83435

Dear Permit 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 all of the 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 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

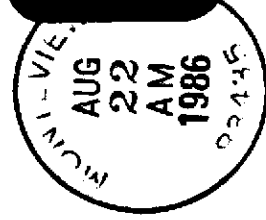
JJ:sc

Enclosure

MICROFILMED

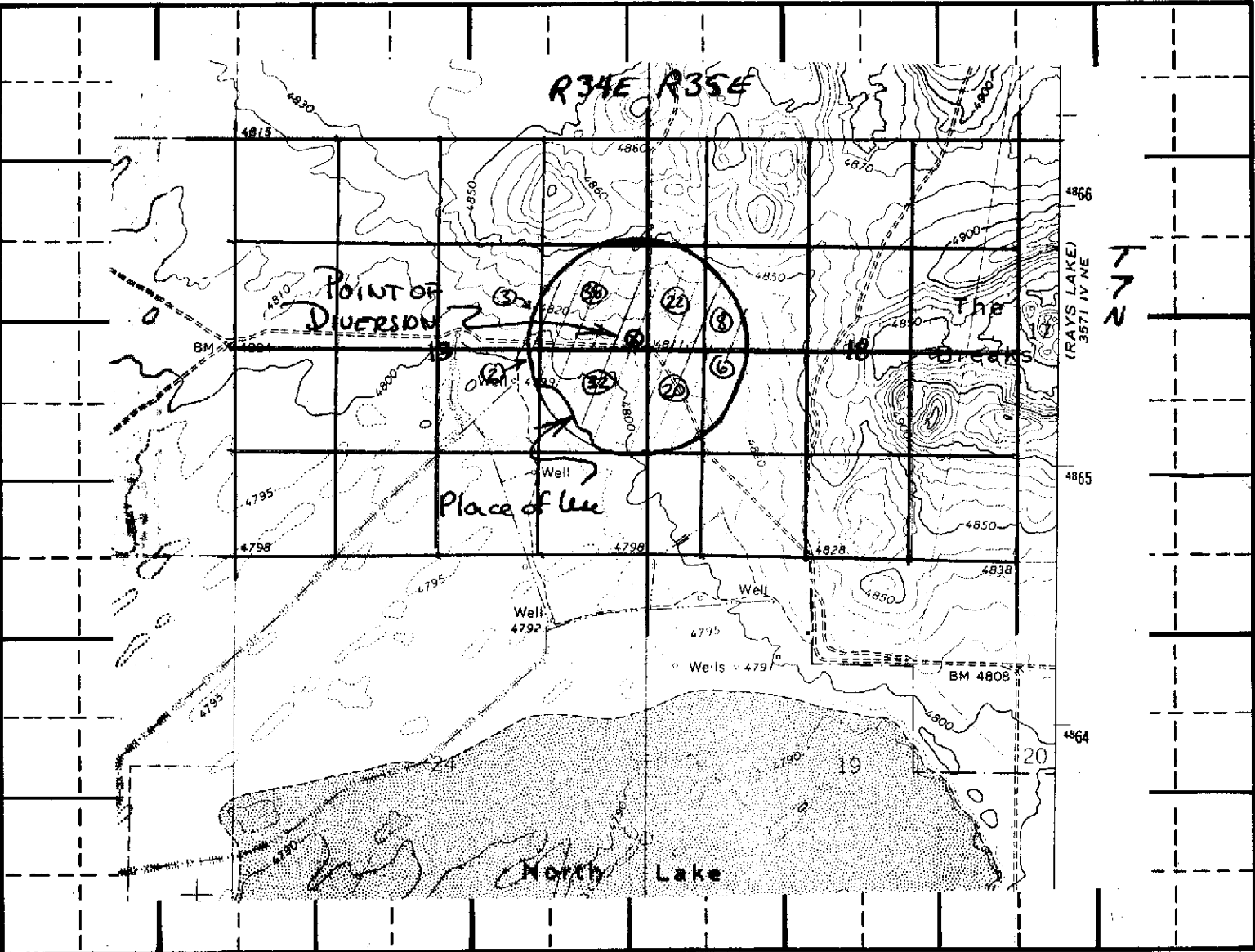
Glenn F. Zweifel
HC 63, Box 2285
Montevue, ID 83435

*note
new
address.*



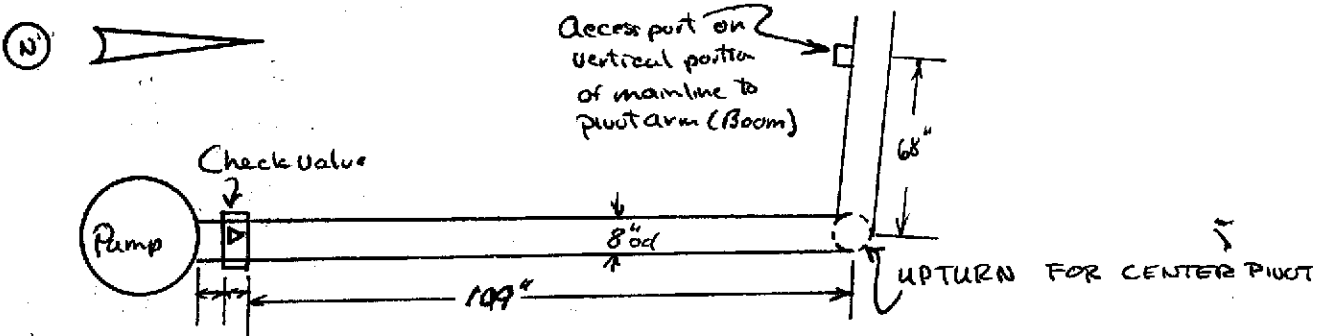
*State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720*

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 NE 1/4 Sec 13, T7N, R34E

Place(s) of Use underlined tracts were not shown on permit

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>T7N</u>	<u>34E</u>	<u>13</u>			<u>3</u>	<u>38</u>									<u>32</u>	<u>2</u>			<u>75</u> ✓
<u>T7N</u>	<u>35E</u>	<u>18</u>							<u>22</u>	<u>8</u>	<u>6</u>	<u>20</u>							<u>56</u> ✓
									<u>6L2</u>			<u>6L3</u>							

Total = 131

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

MICROFILMED

Examiner's Signature Keith C. Wilson

Date 8 Mar 84

Checked by Ray Walker

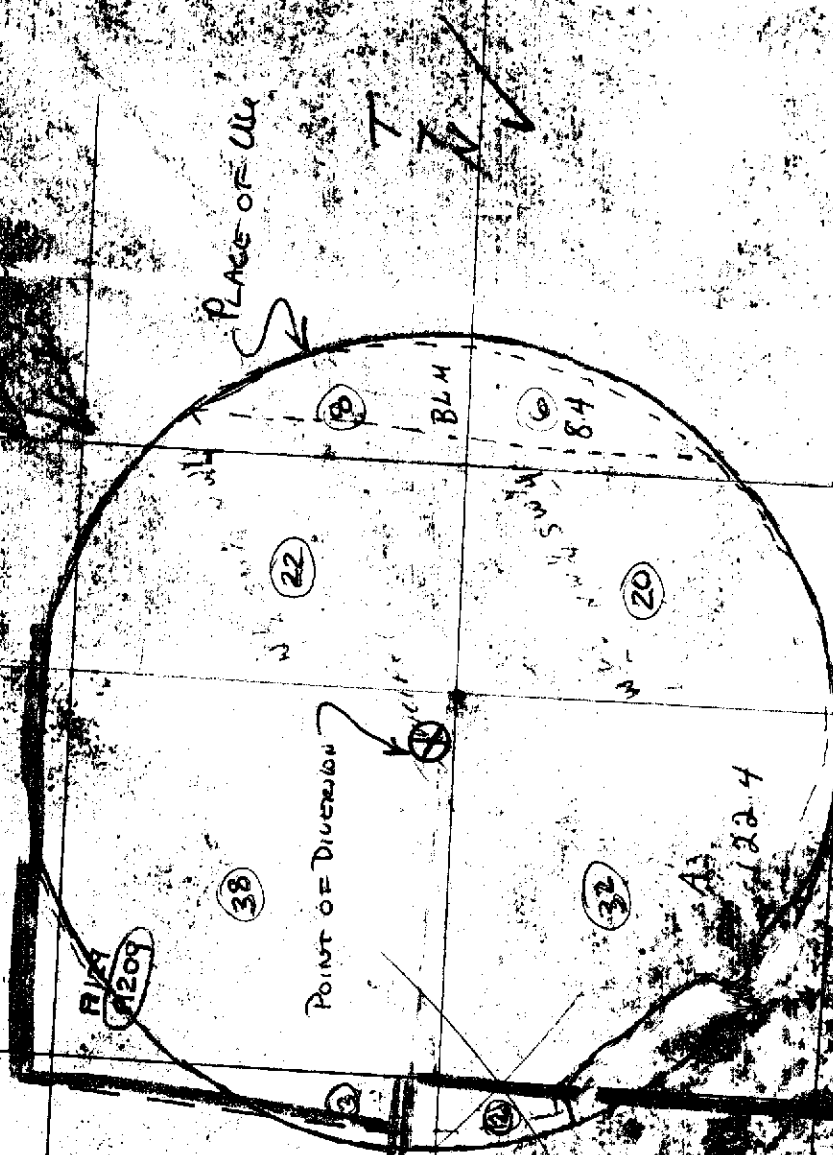
Date 3-14-84

Approved by Ray Walker

Date 7/31/86

31-7360 kaw

H 4



A128
R208

7N-35E

H

A

I



MICROFILMED

PERMIT NO. 31-7360

(Name)

EXAMINATION: DATE: 8-9-83 Accompanied by: Robert Zweifel

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
US Motors High Thrust	60	R-12 83-04-300 B3264581M	Aurora Vertiline	338-88037

Measuring Device Type: annubar

Meter # 091473 Annubar # 191136 Size # 7.981

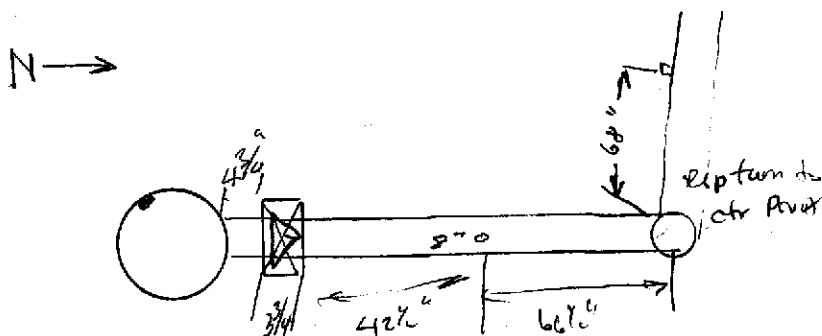
Remarks: _____

Measurement calculations:

16" w 7.981 annubar

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____ Length _____



MAP

RGE.

TWP.					

RECOMMENDED AMENTMENTS:

☐ Change P/D

☐ Change P/U

☐ ADD P/D

☐ ADD P/U

☐ NONE

☐ Other



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

February 9, 1983

Glenn F. Zweifel
Montevue,
Idaho 83435

RE: Permit No. 31-7360

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

XX _____ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:cw

MICROFILMED

September 25, 1986

RE: Permit No. 31-7360

Glenn F. Zweifel
HC 63, Box 2285
Montevieu, ID 83435

Dear Permit Holder(s):

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 38948 in the amount of \$20.00.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

MAILED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below. Permit No. 31-7360.

Name(s) of Permit Holder: Glenn F. Zweifel

Post Office Address: Montevideo, Idaho

Tel. No. _____

RECEIVED

Source of Water: Groundwater

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 140 (acres)

Department of Water Resources ☐ Other _____

Eastern District Office
 Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
 Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

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

Oct 28, 1982
 Date

Glenn F. Zweifel
 Signature of Permit Holder

MICROFILMED

PLACE
TEN CENT
STAMP
HERE



REGISTERED

NOV

1962

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

ZNEIFEL, GLENN F.
MONTEVIEW, ID 83435

MAY 05, 1981

RE: PERMIT NO. 31-7360

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.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS 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 ACCESS PORT.

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

SINCERELY,

DAVID R. TOTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: B. J. Ramsey

APPLICATION NUMBER: 31 7360
31-7360

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: _____
Comments: _____

*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: _____
kw 3/25

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: April 13 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: April 6, 1981 ✓
☒ 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? _____
3-12-1981 Date of priority recommended.
✓ Special conditions of approval or cover letter. _____

By: Ernest Carlson

Date: April 13, 1981

STATE OFFICE REVIEW:

SLW/L03 alc, ot

- ☐ See attached sheet for more information.

By: Ray

Date: 4/20/81

Department of Water Resources

MICROFILMED



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Idaho Falls District
940 Lincoln Road
Idaho Falls, Idaho 83401

IN REPLY REFER TO

ID-3-TU-1-133
Water Permit
#31-7360

April 1, 1981

Ernest Carlsen
Senior Resource Analyst
State of Idaho
Department of Water Resources
150 Shoup
Idaho Falls, Idaho 83401

Dear Mr. Carlsen:

Thank you for your letter requesting comments on Glenn Zweifel's application for a water permit. We have no comments addressing Mr. Zweifel's water permit application.

Mr. Zweifel has applied and been issued a Temporary Use Permit for a center pivot to periodically traverse the subject BLM lands. His permit will authorize this use from 4/1/81 to 3/31/84. The permit number is ID-3-TU-1-133. The permit will only authorize the crossing of public land and does not include cultivation of any type.

Sincerely,

Richard L. Manus
Area Manager
Medicine Lodge Resource Area

RECEIVED

APR 6 1981

Department of Water Resources
Eastern District Office

MICROFILMED

March 25, 1981

RE: Application for Permit No. 31-7360 ZWEIFEL

Bureau of Land Management
940 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is April 13, 1981, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:cw:kw

Enclosure

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

MARCH 20, 1981

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 APRIL 13, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

31-7360

ZWEIFEL, GLENN F.

MONTEVIEW, ID 83435

Source: GROUNDWATER

Date Filed: 03/12/1981

Amount: 3.20 CFS

Diversion Point: SENE Sec 13 T 07N R 34E, JEFFERSON Co.

Use: IRRIGATION (3.20 CFS) from 04/01 to 11/01

Place of Use: SENE NESE Sec 13 T 07N R 34E SWNW NWSW Sec 18 T 07N R 35E
FOR 160 ACRES.

Diversion Means: PIPELINE.

MICROFILMED