

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

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

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

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

having been made on 9/20/89
and the last publication having been

made on 9/27/89.

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

On this 29 day of Sept

in the year of 1989, before
me, a Notary Public, personally ap-

peared LaReena Lydon,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he ex-
ecuted the same.

Tianna Guthrie

Notary Public for Idaho

Residing at Shelley

My commission expires: 9-24-92

RECEIVED

OCT - 2 1989

Department of Water Resources
Eastern District Office

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:
31-07310

YEARSLEY, KIM
2415 E. 2050 N.
HC 69 1940
HAMER, ID 83425
Source: GROUNDWATER
Diversion Pt: SWNW Sec 22 T
07N R 36E
Use: IRRIGATION (.300 CFS)
Priority: 2/22/1979
In: T07N R36E S22 SWNW
15.0 ACRE TOTAL

Permits not developed by July 1,
1985, are being reprocessed in
compliance with Section 42-203d,
Idaho Code. Protests against the
continuance of permits must be filled
with the Director, Dept. of Water
Resources, Statehouse Mail, Boise,
Idaho 83720 on or before OCTOBER
9, 1989.

R. KEITH HIGGINSON, Director
Published in the Jefferson Star,
Rigby, Idaho, September 20 and 27,
1989.

RECEIVED

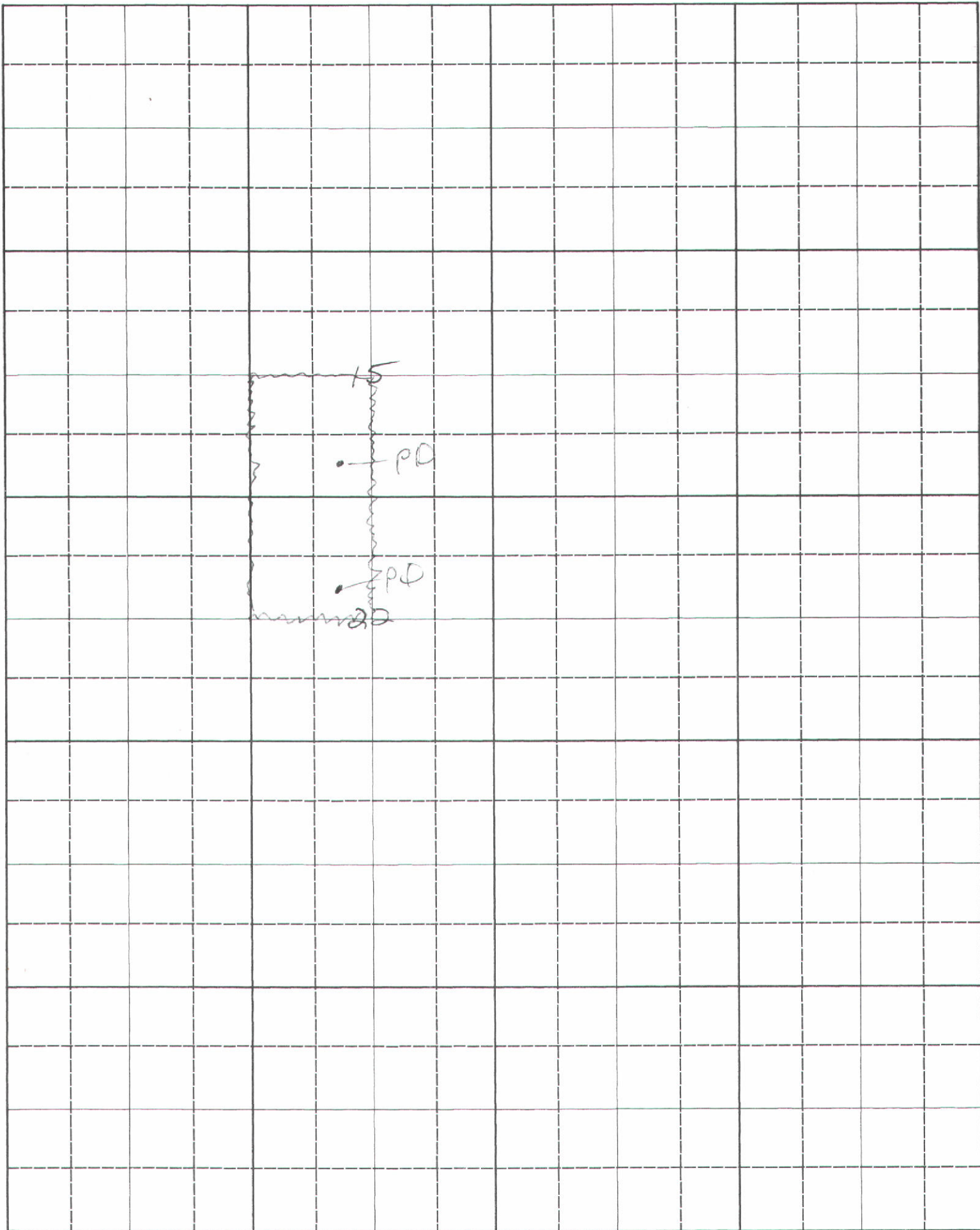
OCT 10 1989

Department of Water Resources

MICROFILMED

OCT 18 1989

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

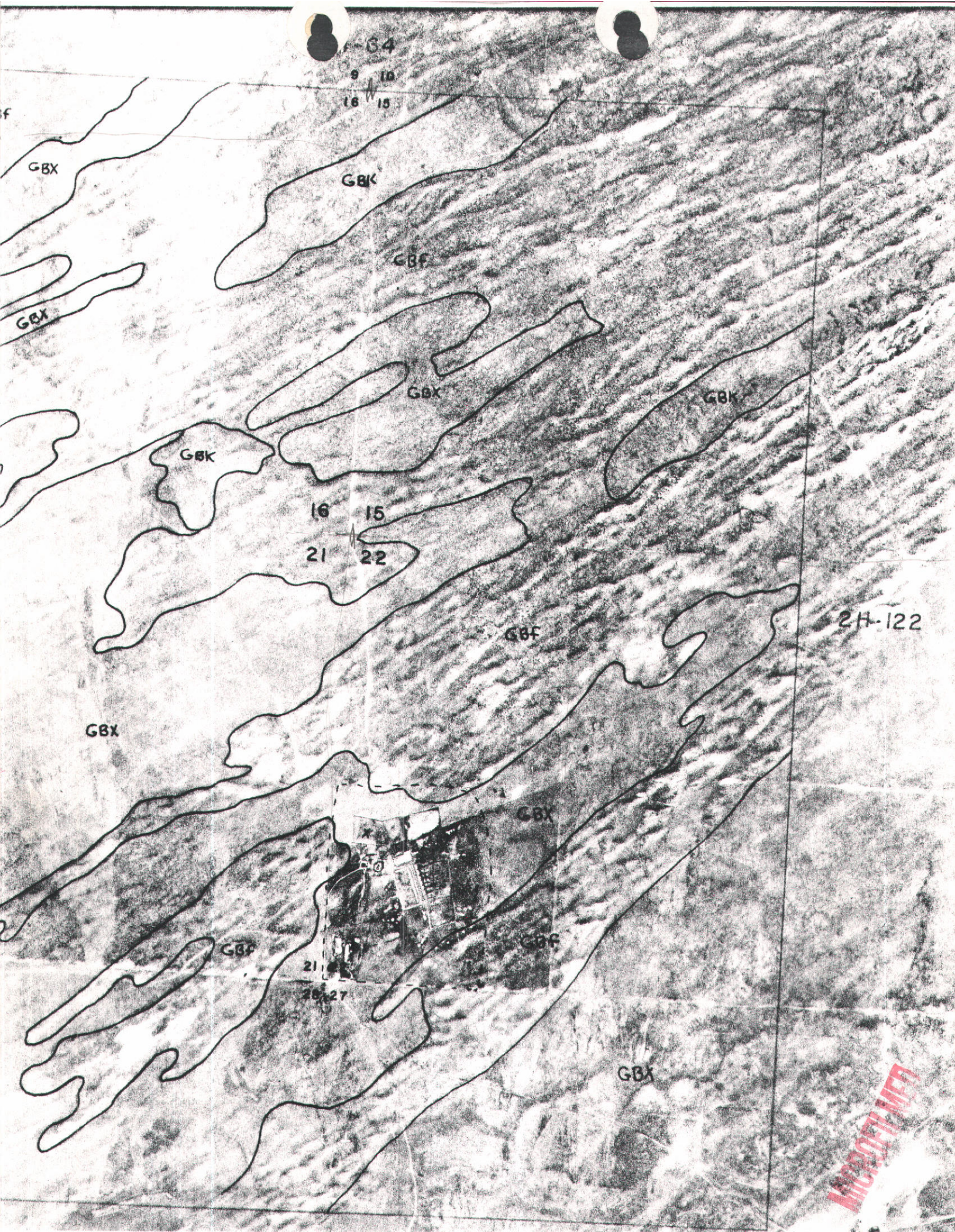


Scale: 2 inches equal 1 mile.

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.

Kim Yeassley
(Applicant)

APPROVED



USDA - SCS

ADVANCE COPY - SUBJECT TO CHANGE

NT CO S.S., IDAHO

40

25

10

AUG 1975

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Raymond E. Nash

being first duly sworn, upon his
oath, deposes and says:

That he is the Editor
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice of Application

For Water Right

And affiant further says that
said notice, advertisement or
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 is-
sues thereof; first publication

having been made on the 1

day of March, 1979,

and the last publication on the

8 day of March

19 79.

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 seven-
teen and three-fourths inches
deep.

Raymond E. Nash
Subscribed in my presence and

sworn to before me this 9

day of March,

19 79.

Jerrell Ganner
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

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:

Application No.: 31-7310

Applicant: YEARSLEY, KIM, BOX 403,
HAMER, ID 83425

Source: GROUNDWATER

Date Filed: 02/22/1979

Amount: 6.40 CFS

Diversion Point: SENW Sec 22 T 08N R
37E SESW Sec 15 T 08N R 37E, FREMONT
Co.

Use: IRRIGATION (6.40 CFS) from 04/01
to 11/01

Place of Use: NESW NWSW SWSW
SESW Sec 15 T 08N R 37E NENW NWNW
SWNW SENW Sec 22 T 08N R 37E for 320
ACRES

Diversion Means: WELL, PUMP,
SPRINKLER SYSTEM

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, 1515 Lincoln Rd., Idaho
Falls, Idaho 83401 on or before MARCH 19,
1979.

C. STEPHEN ALLRED
Director

Publ. March 1, 8, 1979CN

RECEIVED
MAR 28 1979
Department of Water Resources
Eastern District Office
MICROFILMED

97-A

00-06-29 08:06

SITE SETUP

WELL PARAMETERS

SITE NAME A000008490
 OUTER DIAMETER 4.02001n
 PIPE MATERIAL ALUMINUM
~~PIPE THICKNESS~~ 0.04001n
 LINING MATERIAL NO LINING
 LINED THICKNESS 0.00001n
 KIND OF FLUID WATER
 SENSOR MOUNTING V
 SENSOR TYPE FLG1S
 TRANS. VOLTAGE 1TIME

00-06-29 08:08:56
 +6.643E+0 ft/s
 +2.524E+2 gal/m
 +TOTAL 0000012 gal
 NORMAL

00-06-29 08:09:55
 +6.650E+0 ft/s
 +2.527E+2 gal/m
 +TOTAL 0000261 gal
 NORMAL

00-06-29 08:10:55
 +6.633E+0 ft/s
 +2.523E+2 gal/m
 +TOTAL 0000514 gal
 NORMAL

00-06-29 08:11:55
 +6.674E+0 ft/s
 +2.536E+2 gal/m
 +TOTAL 0000767 gal
 NORMAL

00-06-29 08:12:55
 +6.666E+0 ft/s
 +2.533E+2 gal/m
 +TOTAL 0001020 gal
 NORMAL

00-06-29 08:13:55
 +6.692E+0 ft/s
 +2.543E+2 gal/m
 +TOTAL 0001273 gal
 NORMAL

00-06-29 08:14:55
 +6.612E+0 ft/s
 +2.512E+2 gal/m
 +TOTAL 0001526 gal
 NORMAL

00-06-29 08:15:55
 +6.616E+0 ft/s
 +2.514E+2 gal/m
 +TOTAL 0001779 gal
 NORMAL

00-06-29 08:16:55
 +6.643E+0 ft/s
 +2.530E+2 gal/m
 +TOTAL 0002032 gal
 NORMAL

00-06-29 08:17:55
 +6.654E+0 ft/s
 +2.538E+2 gal/m
 +TOTAL 0002284 gal
 NORMAL

00-06-29 08:18:55
 +6.675E+0 ft/s
 +2.556E+2 gal/m
 +TOTAL 0002538 gal
 NORMAL

31-07310

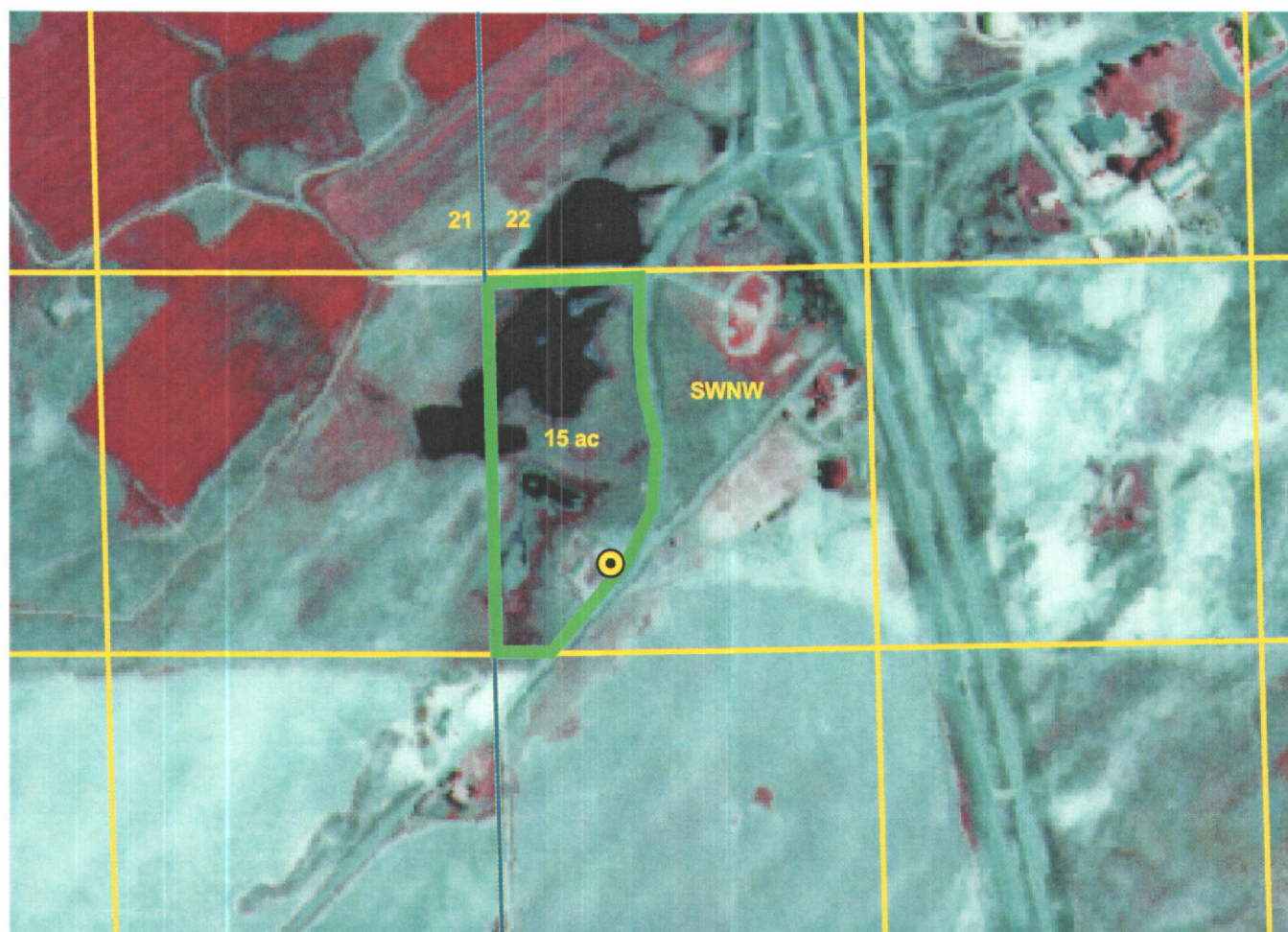
MICROFILMED

JAN 09 2003

IDAHO DEPARTMENT OF WATER RESOURCES

31-07310

T07N, R36E, SEC. 22



PLACE OF USE

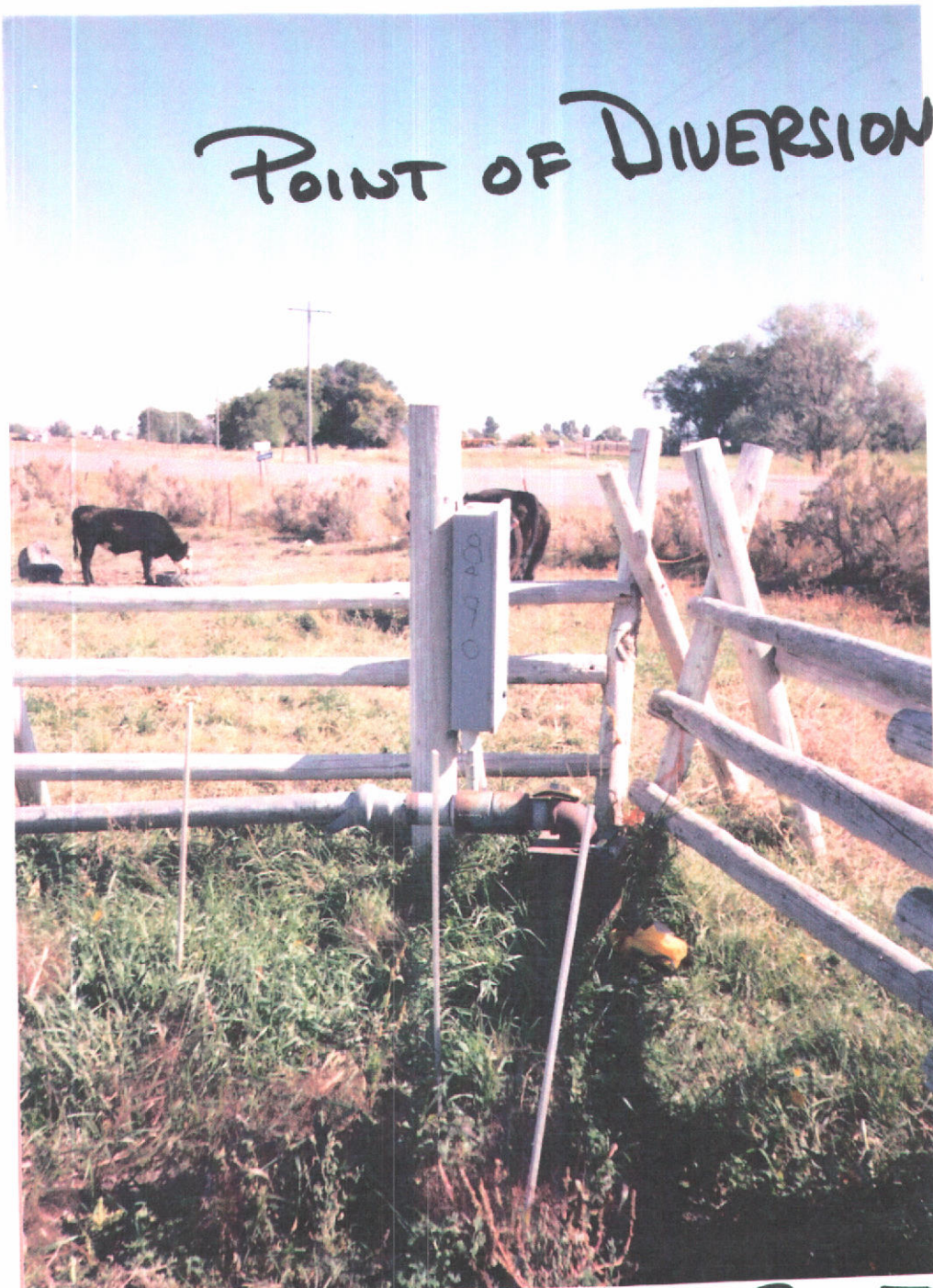


POINT OF DIVERSION

MICROFILMED

JAN 09 2003

POINT OF DIVERSION



31-7310

MICROFILMED

JAN 09 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 31-07310

Priority: February 22, 1979

Maximum Diversion Rate: 0.30 CFS
Maximum Diversion Volume: 52.5 AF

It is hereby certified that KIM YEARSLEY
2415 E 2050 N
HAMER ID 83425 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 22, 1979; and has
submitted Proof of Beneficial Use on July 15, 1990. An examination indicates that the works have a
diversion capacity of 0.56 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.30 CFS	52.5 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, Twp 07N, Rge 36E, B.M., JEFFERSON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N 36E 22							15.0										15.0
Total Acres: 15																	

CONDITIONS OF APPROVAL

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. 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.

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

Signed and sealed this 20TH day of DECEMBER, 2002.

MICROFILMED

JAN 8 9 2003

Acting for 
KARL J. DREHER
Director

RECEIVED
JUL 19 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources
The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 31-07310 Telephone No. 662-5230

Name(s) of Permit Holder(s): Kim YEARSLEY, Jr.

Post Office Address: HC 69 Box 1940 HAMER, Idaho 83425

Source of Water: ground water

If ground water, well driller's name: Jack Cushman Date drilled: 3-18-90

Extent of Use:
Domestic _____ (No. of households) Irrigation 15 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .30 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: July 5, 1990

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

Measuring device: Required? Yes No Installed? Yes No will be

OR

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

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

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

Kim YEARSLEY 662-5230, 526-2428
Name Telephone No.
HC 69 Box 1940 HAMER, Idaho 83425
Address

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

RECEIVED
AUG 01 1991

7-13-90 Kim Yearsley
Date Signature (and title if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 31-7310 IN THE NAME) CONTINUATION ORDER
OF KIM YEARSLEY,)
_____)

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.

2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.

3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.

4. Permit No. 31-7310 (permit) was issued to Kim Yearsley (permit holder) authorizing the diversion of 0.30 cfs of groundwater for irrigation of 15 acres.

5. Information submitted by the permit holder shows that the irrigation of the 15 acres authorized under this permit did not occur prior to July 1, 1985.

OCT 18 1989

6. The development and use of water authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 31-7310 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 31-7310 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before August 1, 1990.

2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.

3. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

4. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

MICROFILMED

OCT 18 1983

5. All conditions of approval contained on the permit are incorporated into and made part of this order.

Dated this 12th day of October, 1989.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MISSOURI
OCT 19 1989

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
County of Jefferson) ss

I, LaReena Lydon
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the
Notice of Existing
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

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

having been made on 9/20/89
and the last publication having been

made on 9/27/89.

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

LaReena Lydon

On this 29 day of Sept

in the year of 1989, before
me, a Notary Public, personally ap-

peared LaReena Lydon,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he ex-
ecuted the same.

Tienra Guthrie

Notary Public for Idaho

Residing at Shelley

My commission expires: 9-24-92

RECEIVED

1989 - 1 1989

Department of Water Resources
Eastern District Office

NOTICE OF EXISTING WATER
RIGHT PERMIT

Presently recorded as follows:
31-07310

YEARSLEY, KIM
2415 E. 2050 N.
HC 69 1940
HAMER, ID 83425
Source: GROUNDWATER
Diversion Pt: SWNW Sec 22 T
07N R 36E
Use: IRRIGATION (.300 CFS)
Priority: 2/22/1979
In: T07N R36E S22 SWNW
15.0 ACRE TOTAL

Permits not developed by July 1,
1985, are being reprocessed in
compliance with Section 42-203d,
Idaho Code. Protests against the
continuance of permits must be filed
with the Director, Dept. of Water
Resources, Statehouse Mail, Boise,
Idaho 83720 on or before OCTOBER
9, 1989.

R. KEITH HIGGINSON, Director
Published in the Jefferson Star,
Rigby, Idaho, September 20 and 27,

RECEIVED

OCT 10 1989

Department of Water Resources

MICROFILMED

OCT 18 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by B. Young
Date 3/29/89
Receipt # 0006077

MAR 27 1989

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 31-7310

Name(s) of Permit Holder: Kim YEARSLEY

Post Office Address: HC 69 Box 1940 HAMER, ID-83425

Telephone No. 662-5230

Date Proof is Due: 4-1-1989

Describe what work has been completed toward the development of this water right: NONE
(This must be filled out! If no work has been completed, show "none".)

Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons: See Hr. dated 6-28-89.
This permit is for a Carey Act filing. I have not been given
permission to proceed with my project yet by the owner.

Permit holder(s) request an extension to 4-1, 1994.
(1 yr. minimum)

Kim Yearsley
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to August 1, 1990. OCT 18 1989

Signed this 31st day of July, 19 89.

J. Glen Saxton
Chief, Water Alloc. Bureau

JUL 06 1989

STATE OF IDAHO

Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Kim L. YEARSLEY Phone 208-662-5230of (address) 2415E 2050N HCG 9 Box 1940 Hamer, Ida. 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. 31-7310, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 7 N, Range 36 E, B.M.,
County of Jefferson. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount .30 for irrigation purposes from 4/01 to 11/01 (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)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>7N</u>	<u>36E</u>	<u>22</u>							<u>15</u>										<u>15</u>

Total number of acres to be irrigated = 15

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

MICROFILMED

OCT 18 1989

MICROFILMED

day of 7/

68 61

Permit No. 31-7310 are met. The maximum rate of diversion under this permit shall

Approve the above Application for Amendment provided the conditions as set forth in

_____, L. GLEN SUTTON, of the Department of Water Resources hereby

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Publication dates

Publication prepared by

Date _____

Published in

Preliminary check by

Fee = \$20.00

Received by

Date _____

FOR DEPARTMENT USE ONLY

(Signature)

Signed at Kenner, Idaho, this 28 day of June, 1989.

Scale: 2 inches equal 1 mile.

[illegible]

Show 40-acre subdivisions, townships, ranges and ditches.

Complete the following map by showing land and point of diversion as proposed by this amendment.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

For Office Use Only	
Fee Received	15.00
Date	3-30-84
Receipt #	33872

RECEIVED
MAR 29 1984

Department of Water Resources

Kim Yearsley of Box 186 Hamer
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to appropriate the Public Water of the State of Idaho No. 31-7310.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before April, 19 84.

That he has heretofore performed the following work described under said permit: _____
(This must be filled out! If no work has been completed put none.)

See Attachment

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

See Attachment

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to April 1, 19 89.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

Kim Yearsley
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to April 1, 1989.

The Department reserves jurisdiction of this permit for the purpose of adding any applicable conditions to protect the public interest.

Signed this 3rd day of July, 19 84.

J. Glen Sayton
Chief, Operations Bureau

MICROFILMED

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 Kim Yearsley Phone 662-5230

Post office address Box 403, Hamer, Idaho 83425

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

3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 Township 8N

Range 37E B.M. Fremont County, additional points of diversion if any: _____

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 8N, R. 37E, B.M.

4. Water will be used for the following purposes:

Amount 6.40 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. 6.40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, 14" casing, 125 Hp., 2 center pivots

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 300 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is five years (*minimum 1 year – maximum 5 years*).

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

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

[illegible]

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

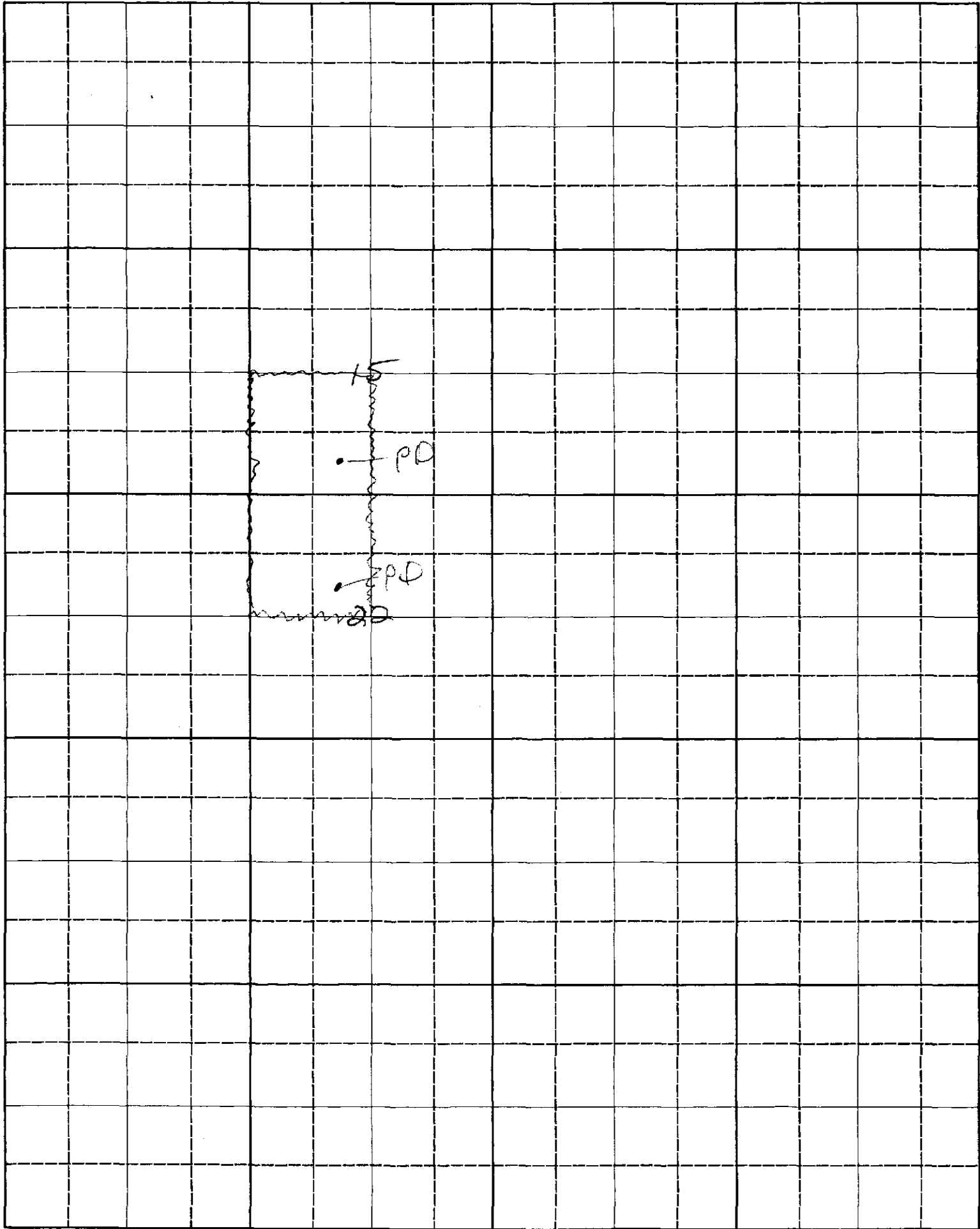
b. Who owns the land to be irrigated or place of use

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

applicant to make this filing

10. Remarks

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.

Kim Yessley
(Applicant)

Proposed Priority 2-22-79

Received by _____ dh Date 2-22-79 Time 4:30 p.m.

Preliminary check by _____ RP Fee \$ 95.00

Received by _____ dh Date 2-22-79 #12892

Publication prepared by _____ dh Date 2-23-79

Published in _____ Fremont County Chronicle News

Publication dates March 1 & 8, 1979

Publication approved _____ Date 3/29/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for _____ approval _____ denial _____ by _____ 5.5.

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. 31-7310, 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 be-

fore April 1, 19 84.

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.

Witness my hand this 16 day of April, 19 79.

D. Allen Saylor
Chief, Operations Bureau



USDA - SCS ADVANCE COPY - SUBJECT TO CHANGE

INT CO S S, IDAHO

40

25

10

AUG 1975

AFFIDAVIT OF
PUBLICATION

State of Idaho }
County of Fremont }

ss.

Raymond F. Nash.....
being first duly sworn, upon his
oath, deposes and says:

That he is the Editor.....
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice of Application.....

For Water Right.....

And affiant further says that
said notice, advertisement or
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 is-
sues thereof; first publication

having been made on the 1.....

day of March....., 19..79.,

and the last publication on the

.....8..... day of March.....

19 79.

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 seven-
teen and three-fourths inches
deep.

Raymond F. Nash
Subscribed in my presence and

sworn to before me this 2.....

day of March....., 19..79.

19 79.

Jerrell Garner
Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

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

Application No.: 31-7310

Applicant: YEARSLEY, KIM, BOX 403,
HAMER, ID 83425

Source: GROUNDWATER

Date Filed: 3/22/79

Amount: 6.40 CFS

Diversion Point: SENW Sec 22 T 08N R
37E SESW Sec 15 T 08N R 37E, FREMONT
Co.

Use: IRRIGATION (6.40 CFS) from 0401
to 1101

Place of Use: NESW NWSW SWSW
SESW Sec 15 T 08N R 37E NENW NWNW
SWNW SENW Sec 22 T 08N R 37E for 320
ACRES

Diversion Means: WELL, PUMP,
SPRINKLER SYSTEM

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, 1515 Lincoln Rd., Idaho
Falls, Idaho 83404 on or before MARCH 19,
1979.

C. STEPHEN ALLRED
Director

RECEIVED
MAR 28 1979
Department of Water Resources
Eastern District Office
MICROFILMED

27-A



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

December 20, 2002

KIM YEARSLEY
2415 E 2050 N
HAMER ID 83425

RE: License No. 31-7310 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party 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.

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 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

RECORDED
DEC 29 2003

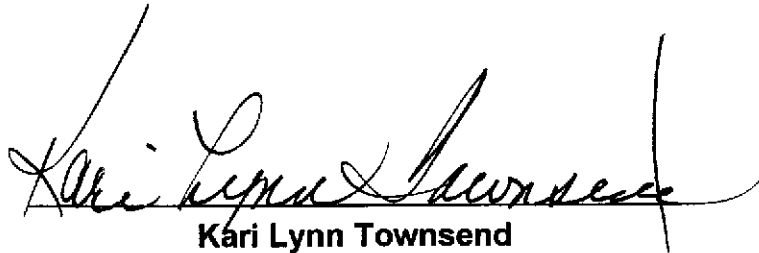
CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

31-7310

**KIM YEARSLEY
2415 E 2050 N
HAMER ID 83425**



**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 09 2003

**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.

Comment Report

31-7310

1. kwalker 12/18/2002 Capacity

Comment: While reviewing this exam I found the examiner had recommended a capacity of 0.57 cfs but I ran the same calculation and found only 0.56 cfs for this capacity.

MICROFILMED

JAN 6 5 2003

LICENSE REVIEW CHECKLIST

Permit No. 31-7310

Date: 12-18-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): None

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.30 cfs

Fee Limit 1.0 cfs

Measured 0.56 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.30

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.30 cfs 52.5 af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total 0.30 cfs 52.5 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

*examiner found 0.57 cfs but I ran some calc. & came up w/ 0.56 cfs for capacity

Volume Determination

0.30 cfs x 1.9835 x 214 days = 127.3 af (vs) 15 acres x 3.5 (FHR) = 52.5 af
2.5 (con)

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
N/A Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? NO - not req'd

Adjust memo _____

Amend Letters _____ P87, S06

Second Amendment Notice _____ S06

no ownership info available in AV

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY - 2 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 31-07310

1. Owner: KIM YEARSLEY Phone No. 662-5230

Current Address: (2415E 2050N) HC 69 Box 1940, Hamer Id 83425

2. Accompanied by: NONE Measurement Date 6-29-2000
EXAM DATE: 4/24/2002

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
4000 8490		SW	SW	NW	22	7N	36E	Jefferson	GPS Site from N. Measurement Dist.

2. Place(s) of Use:

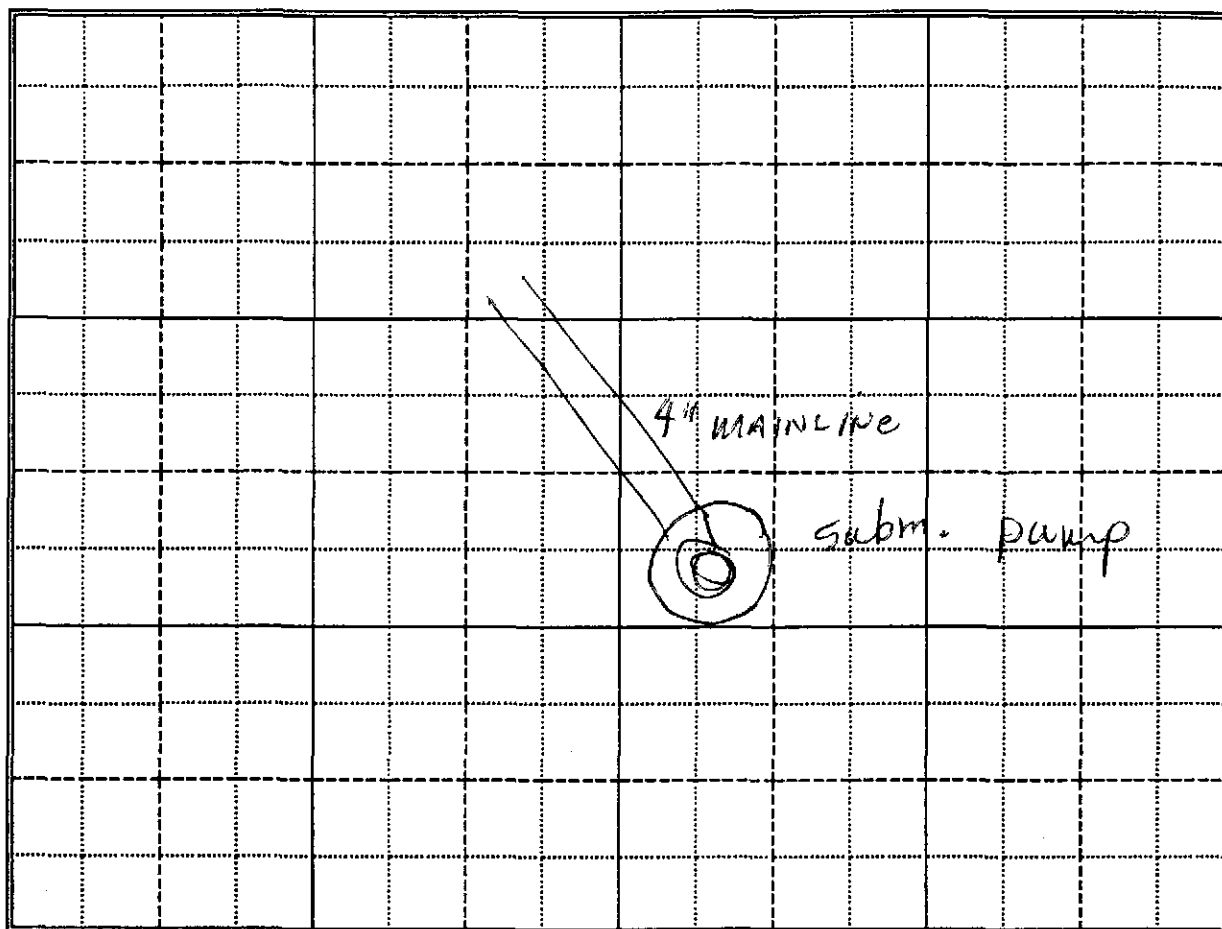
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	36E	22							15										15
																			15

MICROFILMED

JAN 0 9 2003

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



Scale: 1" = _____

☐ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
A0008490	submersible pump				4"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

252.60 gpm = .57 cfs
448.83 MICROFILMED

09 09 2003

MICROFILMED

submersible pump to main line and handlines
40-50 birds

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

MICROFILMED

1998 5 2001

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Sonic meter 252.6 gpm = .57 cfs

15 ac x 0.02 = .30 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15 \times 3.5 = 52.5 \text{ AF/A}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .30(214)(1.9835) = 12.7 \text{ AF/A}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 12.7 \text{ AF/A}$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRR	4/01	10/31	0.30 cfs	52.5 AF/A
Totals:			0.30 cfs	52.5 AF/A

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Donna Cole Date 4/24/2002

Reviewer [Signature] Date 4-25-02

SEAL

MICROFILMED

JAN 6 5 2003

00-06-29 08:06

GRAVIMETER

PIPE PARAMETERS

SITE SETUP

SITE NAME 000008490
OUTER DIAMETER 4.0200in
PIPE MATERIAL ALUMINUM
~~WALL THICKNESS~~ 0.0400in
LINING MATERIAL NO LINING
LINING THICKNESS 0.0000in
KIND OF FLUID WATER
SENSOR MOUNTING V
SENSOR TYPE FLG1S
TRANS. VOLTAGE 1TIME

00-06-29 08:08:56
+6.643E+0 ft/s
+2.524E+2 gal/m
+TOTAL 0000012 gal
NORMAL

00-06-29 08:09:55
+6.650E+0 ft/s
+2.527E+2 gal/m
+TOTAL 0000061 gal
NORMAL

00-06-29 08:10:55
+6.633E+0 ft/s
+2.523E+2 gal/m
+TOTAL 0000014 gal
NORMAL

00-06-29 08:11:55
+6.674E+0 ft/s
+2.536E+2 gal/m
+TOTAL 0000767 gal
NORMAL

00-06-29 08:12:55
+6.666E+0 ft/s
+2.533E+2 gal/m
+TOTAL 0001020 gal
NORMAL

00-06-29 08:13:55
+6.692E+0 ft/s
+2.540E+2 gal/m
+TOTAL 0001273 gal
NORMAL

00-06-29 08:14:55
+6.612E+0 ft/s
+2.512E+2 gal/m
+TOTAL 0001526 gal
NORMAL

00-06-29 08:15:55
+6.616E+0 ft/s
+2.514E+2 gal/m
+TOTAL 0001779 gal
NORMAL

00-06-29 08:16:55
+6.633E+0 ft/s
+2.520E+2 gal/m
+TOTAL 0002032 gal
NORMAL

00-06-29 08:17:55
+6.654E+0 ft/s
+2.528E+2 gal/m
+TOTAL 0002284 gal
NORMAL

00-06-29 08:18:55
+6.675E+0 ft/s
+2.536E+2 gal/m
+TOTAL 0002538 gal
NORMAL

31-07310

MICROFILMED

184 0 0 2003

PCC EXAM

NORTH WATER MEASUREMENT DISTRICT

EXAM DATE: 6/29/00

EXAMINER'S SIGNATURE: S. Homan / For Mitch Paulsen.

NAME:

SITE TAG #: A0008490

RECORD #: 300251

EXAM COMPLETE: YES

STANDARD CONFIDENCE: GOOD

LEGAL DESCRIPTION: 07N 36E 22 SWNW

KILOWATT HOUR METER	
UTILITY:	PACORP
ROLE:	?
METER:	SANGAMO
METER:	801 65 105
DISCONSTRUCTION:	57.6
MULTIPLIER:	1

KW-A:	9.10	GPM:	252.60	PCC:	195.73	?	100
DESCRIPTION, CONDITION #1							
HANDLINES							

PCC-A-P	
Z	ZERO PUMPAGE
1	SIMPLE, NO TRACKING REQ.
2	COMPLEX, NO TRACKING REQ.
3	TRACKING REQ. & PROVIDED
4	TRACKING REQ., NOT PROVIDED
5	COMPLEX EXAM INCOMPLETE
6	KNOWN DATA PROBLEM
7	PCC MEASURED @ Q-MTR VERIF.
8	LOW PCC, Q-MTR REQ.-NOT INST.
9	CALCULATED OR EST PCC
N	NO PCC
O	OTHER, SEE EXAM NOTES

KW-A:		GPM:		PCC:		PSI:		%:	
DESCRIPTION, CONDITION #2									

KW-A:		GPM:		PCC:		PSI:		%:	
DESCRIPTION, CONDITION #3									

CHANGES TO SYSTEM: NONE

NOTES:

$KW = 9.27 \times 1 = 9.27$
 $KWH = 98499 \times 1 = 98499$

KILOWATTS OF ENERGY CONSUMED CONDITION #1							
N	2	TIME	45.27	TIME	45.44	TIME	45.96
45.56							
KW = (3.6 x Kh X MULT X N) / T				KW CONDITION #1: 9.10 KW			
PCC = (KW X 5431) / GPM				PCC CONDITION #1: 195.73 kWh/ac.ft			

KILOWATTS OF ENERGY CONSUMED CONDITION #2							
N		TIME 1		TIME 2		TIME 3	AVE
KW = (3.6 x Kh X MULT X N) / T				KW CONDITION #2: KW			
PCC = (KW X 5431) / GPM				PCC CONDITION #2: kWh/ac.ft			

KILOWATTS OF ENERGY CONSUMED CONDITION #3							
N		TIME 1		TIME 2		TIME 3	AVE
KW = (3.6 x Kh X MULT X N) / T				KW CONDITION #3: KW			
PCC = (KW X 5431) / GPM				PCC CONDITION #3: kWh/ac.ft			

FLOW RATE DATA CHECK: FULL ELECTRIC (PORTA FLOW)	
TOTALIZER END READING:	2.538
TOTALIZER INITIAL READING:	12
DENOMINATOR:	10
AVERAGE GPM:	252.60

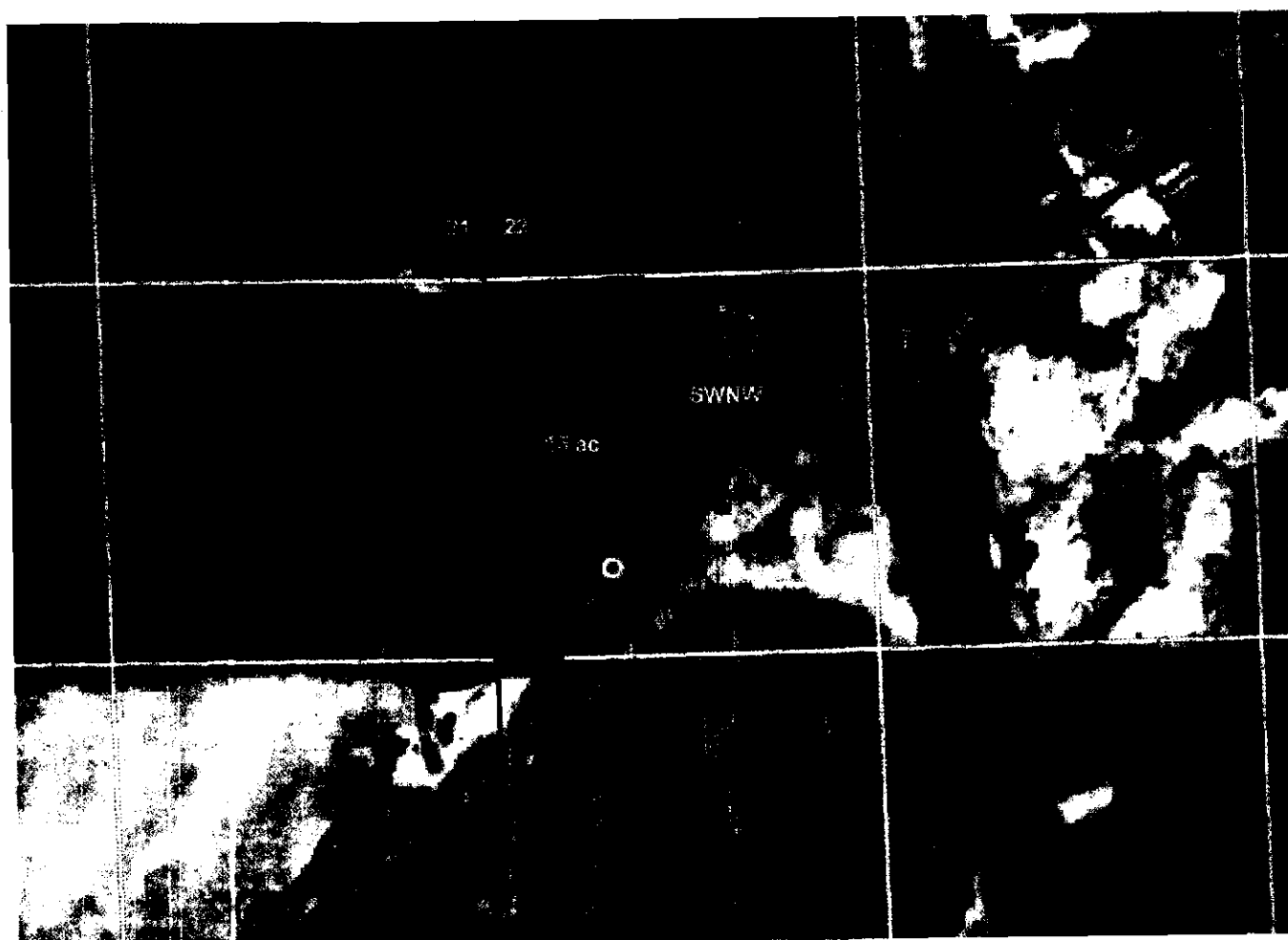
MICROFILMED

JUN 9 9 2003

IDAHO DEPARTMENT OF WATER RESOURCES

31-07310

T07N, R36E, SEC. 22



PLACE OF USE

MICROFILMED

MAY 10 9 2003



POINT OF DIVERSION

POINT OF DIVERSION



31-7310

MICROFILMED

JAN 9 9 2003

July 15, 1991

KIM YEARSLEY
2415 E. 2050 N.
HC 69 BOX 1940
HAMER, ID 83425

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-07310

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

MICROFILMED

AUG 01 1991

June 6, 1991

Kim Yearsley
HC 69 Box 1940
Hamer, ID 83425

Dear Mr. Yearsley:

RE: Permit No. 31-7310

The department reviewed the proof of beneficial use (proof) which you submitted in connection with the above referenced permit. A review of the file shows that you have not applied for a drilling permit (which is a separate requirement from the water right permit).

A drilling permit is required for all wells drilled, deepened or enlarged after July 1, 1987 (Section 42-235, Idaho Code). Please submit a completed drilling permit form together with a drilling permit fee in the amount of \$100 made payable to the Idaho Department of Water Resources. Enclosed is a form for your use.

Please provide the appropriate information within 30 days.

If you have any questions, feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Encl: 1

c: Region
Permit Section
WR File 31-7310

*drilling permit submitted 31-90-E-47
July 12, '91.*

MICROFILMED

AUG 01 1991

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 31-7310

Date: 11-8-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
1. well log in file 3-18-90
2. drilling permit
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☐ Waiver or modification of measuring device requested

Remarks:

in file
needs w.c. + D.P. - submitted

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

NA	
	-
	=
	+
	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138765

May 31, 1990

KIM YEARSLEY
2415 E. 2050 N.
HC 69 BOX 1940
HAMER, ID 83425

PROOF DUE NOTICE

RE: PERMIT NO. 31-07310

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 August 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

AUG 01 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 18, 1989

RE: Permit No. 31-7310

Kim Yearsley
HC 69 Box 1940
Hamer, ID 83425

Dear Permit Holder:

Enclosed is an order that authorizes you to continue development under Permit to Appropriate Water No. 31-7310. Please note in condition #1., page two of the order that you must develop your system and beneficially use the water prior to August 1, 1990. Failure to beneficially use the water before August 1, 1990 could result in a loss of your water right permit.

Please note the conditions of approval contained in your permit and the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

MICROFILMED

OCT 18 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

SEPTEMBER 12, 1989

The Jefferson Star
P.O. Box 37
Rigby, ID 83442

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 9, 1989.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

RECEIVED

OCT 18 1989

31-07310

YEARSLEY, KIM
2415 E. 2050 N.
HC 69 BOX 1940
HAMER, ID 83425

Source: GROUNDWATER

Diversion Pt: SWNW Sec 22 T 07N R 36E

Use: IRRIGATION (.300 CFS)

Priority: 2/22/1979

In: T07N R36E S22 SWNW

15.0 ACRES TOTAL

RECORDED
OCT 18 1989

August 25, 1989

Kim Yearsley
Hc 69 Box 1940
Hamer, ID 83425

Dear Mr. Yearsley:

Re: Permit No. 31-7310

Enclosed is a copy of the approved request for extension of time and application for amendment along with receipts for fees paid.

The time within which to submit proof of beneficial use is extended to August 1, 1990.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

UNRECORDED

OCT 18 1989

RECEIVED
JUL 06 1989

Department of Water Resources

June 28, 1989

To: IDAHO DEPARTMENT OF WATER RESOURCES

From: KIM L. YEARSLEY *Kim L. Yearsley*
2415E 2050N BOX 1940
HAMER, IDAHO 83425

Subject: AMENDMENT TO WATER PERMIT 31-7310

As of this date I am submitting an application to amend water permit 31-7301 as stated in the application. Earlier this year I submitted a request for extension of this permit along with the appropriate fee. I mistakingly entered the wrong information on the form as to the reason for extension. The reason for the extension request was to enable me to assess the possibility of amending the permit to allow the development of a different parcel of land.

I was unable to secure the title to the land for which the permit was originally issued and was not able to carry out the development. In the latter part of 1987 I was able to purchase a small parcel of land in Jefferson County on which I now reside. I am now in a position to develop this land and I would like to utilize this permit if the requested amendment can be made.

Please contact me at 526-2428 or 662-5230 if you have any questions.

I appreciate your consideration of this matter.

RECEIVED

OCT 18 1989

MEMORANDUM

TO: FILE
FROM: JIM JOHNSON
RE: YEARSLEY FILING
DATE: July 31, 1989

=====

Of all the possible actions available to take on this filing I prefer to approve the amendment of permit application for the 15 acres identified. The approval should serve to reduce the permit in size from irrigation of 320 acres to irrigation of 15 acres. The proof of beneficial use should be set for one year after the approval of the amendment. Accordingly the extension of time request also pending department action should be approved with the proof to beneficial use date set for one year.

MICROFILMED

OCT 18 1989

FROM Tim

DATE 6-27-89

TO File

MICROFILMED

SUBJECT Effension Request.

OCT 18 1989

While discussing this permit w/ Mr. Yeasley concerning Swan Falls processing, he told me that ~~the land is not associated w/ any Casey Act Filing~~. He had been thinking of other lands under a different permit or Filing. Mr. Yeasley does not own the land described under permit 31-7310. He wishes though to have the effension remain intact & plans to file an Amendment so that he can irrigate approx. 15 acres in another location.

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

May 23, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Kim Yearsley
HC 69 Box 1940
Hamer, ID 83425

Re: Permit No. 31-7310

Dear Ms. Yearsley:

NOTICE OF PENDING ORDER CANCELLING PERMIT

On April 16, 1979, the Department of Water Resources (Department) issued Permit No. 31-7310 which authorized the diversion of 6.40 of water from a groundwater source for the irrigation of 320 acres.

The Department mailed a letter and questionnaire to you on April 6, 1989 in connection with the permit. The letter provided notice that the Department was reviewing the permit in connection with development which was not complete prior to July 1, 1985.

This letter also requested that you return the Department's questionnaire concerning any prior development under the permit and/or your plans for pursuing completion of the proposed project. The correspondence further requested that you submit with the questionnaire either a re-advertisement fee in the amount of twenty dollars (\$20) and/or evidence showing that development under the permit was complete prior to July 1, 1985. Finally, the letter notified you that failure to submit the required fee or information within thirty (30) days of the date of the letter was cause for the Department to cancel the permit.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order cancelling the permit pursuant to Water Appropriation Rule 4,2,3,4.

If no development has been completed as authorized by the permit, and you are no longer interested in pursuing the development, please complete and return the enclosed relinquishment form.

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE

Sr. Water Resource Agent

Enclosure
cc: Region

MICROFILMED

OCT 18 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 6, 1989

RE: PERMIT NO. 31-7310

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

MICROFILMED

OCT 18 1989

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

OCT 18 1989

KIM YEARSLEY
P.O. BOX 186
HAMER, ID 83425

January 31, 1989

138892

PROOF DUE NOTICE

RE: PERMIT NO. 31-07310

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 April 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

MICROFILMED
OCT 18 1989



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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECEIVED

OCT 18 1985

July 12, 1984

Kim Yearsley
Box 186
Hamer, ID 83425

Dear Mr. Yearsley:

Re: Extension of Time for Permit No. 31-7310

Enclosed is the approved extension of time in connection with the above referenced permit. The time within which to submit the statement of beneficial use is extended to April 1, 1989. The request has been approved with the following condition:

"The Department reserves jurisdiction of this permit for the purpose of adding any applicable conditions to protect the public interest."

Such conditions may be necessary due to statutory or regulatory changes occurring after the date of the extension and before the date that beneficial use is made. However, if conditions are added to your permit, you will be given an opportunity to object to them.

The department has been holding the extension of time request without action because of the ongoing Swan Falls litigation. Even though that dispute has not been settled, it has been determined that a decision is now necessary on your request for extension to clarify for you and all other parties to the Idaho Power lawsuit the status of the permit you hold. If the permit is valid, the extension request can be approved under existing law, but development and continued use of water under terms of the permit may be adversely affected when the Swan Falls litigation is ultimately resolved.

In 1982 the Idaho Legislature added a requirement that as a permit holder you should commence the excavation or construction of diverting works within one year of the date a permit is issued or in the case of

this extension, within one year of the date the extension is signed. The enclosed blue postcard must be completed and returned to this office as soon as you commence construction. The commencement of works requirement and the approval of this extension of time should not, however, be considered as encouraging you to commence construction. The Swan Falls litigation is still pending and there are inherent risks in making expenditures on a project that is subject to litigation. Pending litigation will be considered as a cause for delaying the commencement of works construction and applying for and receiving additional extensions of time for the proof of beneficial use submittal if the Swan Falls matter is not resolved in the near future.

If you have questions on this extension approval, please feel free to contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosure

27 Mar. '84

Dear Sirs,

I send this as an application for
my not completing the work on permit
#31-7310

At the time I applied for this permit, I
had purchased a piece of property which I
intended to develop and had made a sub-
stantial earnest money payment.

Before I could begin development of the
irrigation project I found out that another
party had also signed a contract for the
same property.

To date we have not been able to settle
this matter.

If I were to lose this permit, in light of
the moratorium and the Scoy Povee
law, suits I would not be able to procure
water when this is settled.

Therefore it is necessary to ask that this
permit be extended, so I can try to resolve my
problem and still be able to develop the
ground as planned.

Otherwise it would be needless for me
to try to pursue this and end up with land
I can't irrigate.

I ask for your consideration in this
matter and hope that you will see fit to
work with me.

Sincerely
Jim Yeakley
Box 186
Homer, Idaho 83425

MICROFILMED

April 25, 1984

Kim Yearsley
Box 186
Hamer, ID 83425

Dear Mr. Yearsley:

Re: Permit No. 31-7310

This office received your Request for Extension of Time form and letter explaining the circumstances under which you make this request.

Please be advised that the Idaho Code allows granting of an extension of time when no work is done if litigation has presented development. It appears that your extension request can be considered under this provision. However, before action can be taken more information is needed about what attempts you have made to resolve the question of property ownership.

Please supply this information as soon as possible. If you should have questions concerning this matter, feel free to contact me at 334-4290.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

MICROFILMED

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 31-7310

4-20-1984

Y Date received stamp
Y Fee received and receipted
Y Name on request same as on permit
N Address same as on permit
Y Proof due date within six months of due date
Y Signature same as permit
/ Source of water the same
Y Permit holder named in Swan Falls lawsuit
 Proceed diligently
 Is delay caused by litigation:
 Date lit. completed
 Date lit. began
 Period of delay
 New proof due date

ACTION: *Write letter requesting specific info concerning what attempts have been made to acquire the property.*

 Does the permit need reinstated:
 Extension received
 Proof due date
 Days late
 Priority date
 Adjusted priority date
 Is there commencement of works?
 Cover letter
 Coding sheet - *address*
 Rolodex card updated and refiled

Reviewed by *[Signature]* Date: 7-12-84

MICROFILMED



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

EXTENSION OF TIME

March 30, 1984

Kim Yearsley
Box 186
Hamer, ID 83425

PERMIT NO. 31-7310

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 33872.

Roberta Garrett
Records Supervisor

Enclosure

MAILED 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138381

YEARSLEY, KIM
BOX 403
HAMER, ID 83425

PROOF DUE NOTICE

JANUARY 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 31-7310 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

April 19, 1979

Re: Permit No. 31-7310

Kim Yearsley
Box 403
Hamer, Idaho 83425

Dear Mr. Yearsley:

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 an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

Enclosures

DRT:L

31-7310

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. W Source
3. 2 Point of Diversion
4. 6.4 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. N/A Place of Use for other than irrig.
8. 320 Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 95 Fee & Rec't. No.

Copies Sent To:

NO Idaho Health Department
7 Idaho Fish & Game Dept.
1 Bureau of Land Management

NO U.S.F.S.
7 Dept. of Lands
1 Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land

None plotted

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. NO

ID Power Co. Letter - G.W. & Tribs. Yes

Snake River Condition NO

Payette River Letter NO

Priority Date 2/22/79

Water Quality #16 NO

Water Quality #10 7

intrastate interstate

Meas. Dev. or Sc. Meas. Yes

Totalizing meter NO

Supplemental 7

Right-of-Way Cond. 7

Watermaster Cond. 7

Wtr. Dist No. 7

Meas. Dev. Cond. for apps within a Water Dist. 7

Jan

Reviewer

4/16/79

Date

March 20, 1979

Fremont-County Chronicle
Box 568
St. Anthony, Idaho 83445

Gentlemen:

Re: Application for Permit No. 31-7310 - Yearsley

Please send us an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published March 1 and 8, 1979. Your cooperation in this matter is appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

FEBRUARY 23, 1979

Fremont County Chronicle News
Box 568
St. Anthony, Idaho 83445

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 sales 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 19, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

MICROFILMED

elien CN legal
galley needed

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:

Application No.: 31-7310
Applicant: YEARSLEY, KIM, BOX 403,
HAMER, ID 83425

Source: GROUNDWATER

Date Filed: 02/22/1979

Amount: 6.40 CFS

Diversion Point: SENW Sec 22 T 08N R
37E SENW Sec 15 T 08N R 37E, FREMONT

Co.

Use: IRRIGATION (6.40 CFS) from 04/01

to 11/01

Place of Use: NESW NWSW SWSW

SESW Sec 15 T 08N R 37E NENW NWNW

SWNW SENW Sec 22 T 08N R 37E for 320

ACRES

Division Means: WELL, PUMP,

SPRINKLER SYSTEM

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, 1515 Lincoln Rd., Idaho

Falls, Idaho 83401 on or before MARCH 19,

1979.

C. STEPHEN ALLRED
Director

Publ. March 1, 8, 1979CN

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:

31-2310-

YEARSLEY, KIM

BOX 403, HAMER, ID 83425

Source: GROUNDWATER

Date Filed: 02/22/1979

Amount: 6.40 CFS

Diversion Point: SENW Sec 22 T 08N R 37E SESW Sec 15 T 08N R 37E,
FREMONT Co.

Use: IRRIGATION (6.40 CFS) from 04/01 to 11/01

Place of Use: NESW NNSW SWSW SESW Sec 15 T 08N R 37E NENW NWNW SWNW SENW
Sec 22 T 08N R 37E FOR 320 ACRES

Diversion Means: WELL, PUMP, SPRINKLER SYSTEM

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, 1515 Lincoln Rd., Idaho Falls, Idaho 83401 on or before MARCH 19, 1979.

C. STEPHEN ALLRED

Director

Published 3/1 & 3/8/79.

EMAC

RECEIVED
MARCH 19 1979
IDAHO DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

31

Item Initial Date

Application No. Kim Yearley

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(1) S.M. 2/23/79

In form to receipt

(2)

Send Copies to:

- Idaho State Health Department
- Idaho Fish and Game Department
- Bureau of Land Management

(3)

- Request Special Use Permit from U.S.F.S.
- Request Easement from B.L.M.
- Request Information from Applicant
- Request Dam Safety Information

(4)

In form for advertising

(5)

Platted on Map No. BN 37E

(6)

Located within Water District No. 31 ^{Baum}

(7)

Critical groundwater area: yes no

(8)

Groundwater levels:

Declining, Stable, Increasing

(comment)

(9)

Other rights on the same place of use

(10)

Comments:

(11) dh 3-29-79

Affidavit of Publication received(date) 3-28-79

(12) dh 3-29-79

Final date for protests MARCH 19, 1979

Protests received: yes no X

(13) RDC 3/30/79

All requested information received from agencies or applicant: yes no

(14) ll ll

Action recommended:

☒ Approve

Den

2/22/79 Proposed Priority

Reason for Reduction

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E By RDC Date 3/30/79

RECEIVED
APR 12 1979

Department of Water Resources

MICROFILMED

ow-h.