

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO



Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Application

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 TWO
consecutive issues, the first publication hav-

ing been made on December 29, 1977
and the last publication having been made

on January 5, 1978.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.



Subscribed to and sworn to before me

this January 6, 1978

(SEAL)

Notary Public.

My commission expires Lifetime

RECEIVED

JAN 16 1978

Department of Water Resources
Eastern District Office

PW
**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Laird & Sons, Inc.,
Dubois, Idaho has on 12-19-77 submitted Ap-
plication No. 31-7282 for a permit to appropriate
0.04 cubic feet per second of water from a
ground-water source by means of well and pump
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 12N, R. 39E,
B.M., Clark County; to be used from July 1 to
Nov. 1 for stockwatering purposes for 500 cows
and 2,000 sheep within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T.
11N, R. 39E, B.M., NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 35, T. 12N, R. 39E, B.M.

If issued, this permit will be subject to all prior
water rights. Protests against the granting of the
permit must be filed with the Idaho Department
of Water Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before January 16, 1978.

C. STEPHEN ALLRED

Director

Published in the Standard Journal, Rexburg,
Idaho on December 29, 1977 and January 5, 1978. *me*

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 1 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 31-07282

1. Owner: Laird & Sons Phone No. _____

Current Address: Box 145 Dubois Id 83234

2. Accompanied by: NO ONE EXAM. DATE: 8-17-1999

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

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

☐ Copies Attached

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

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

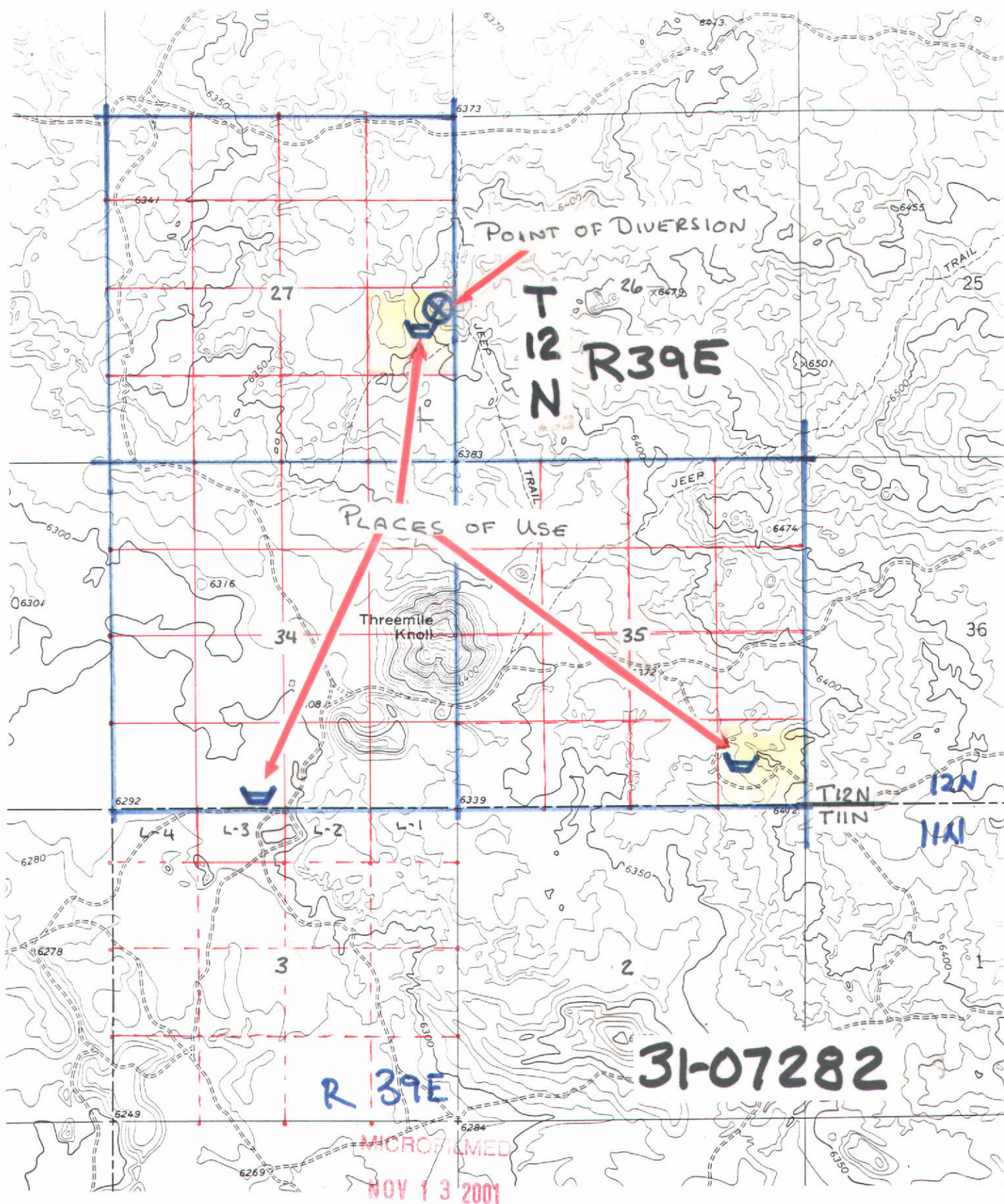
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

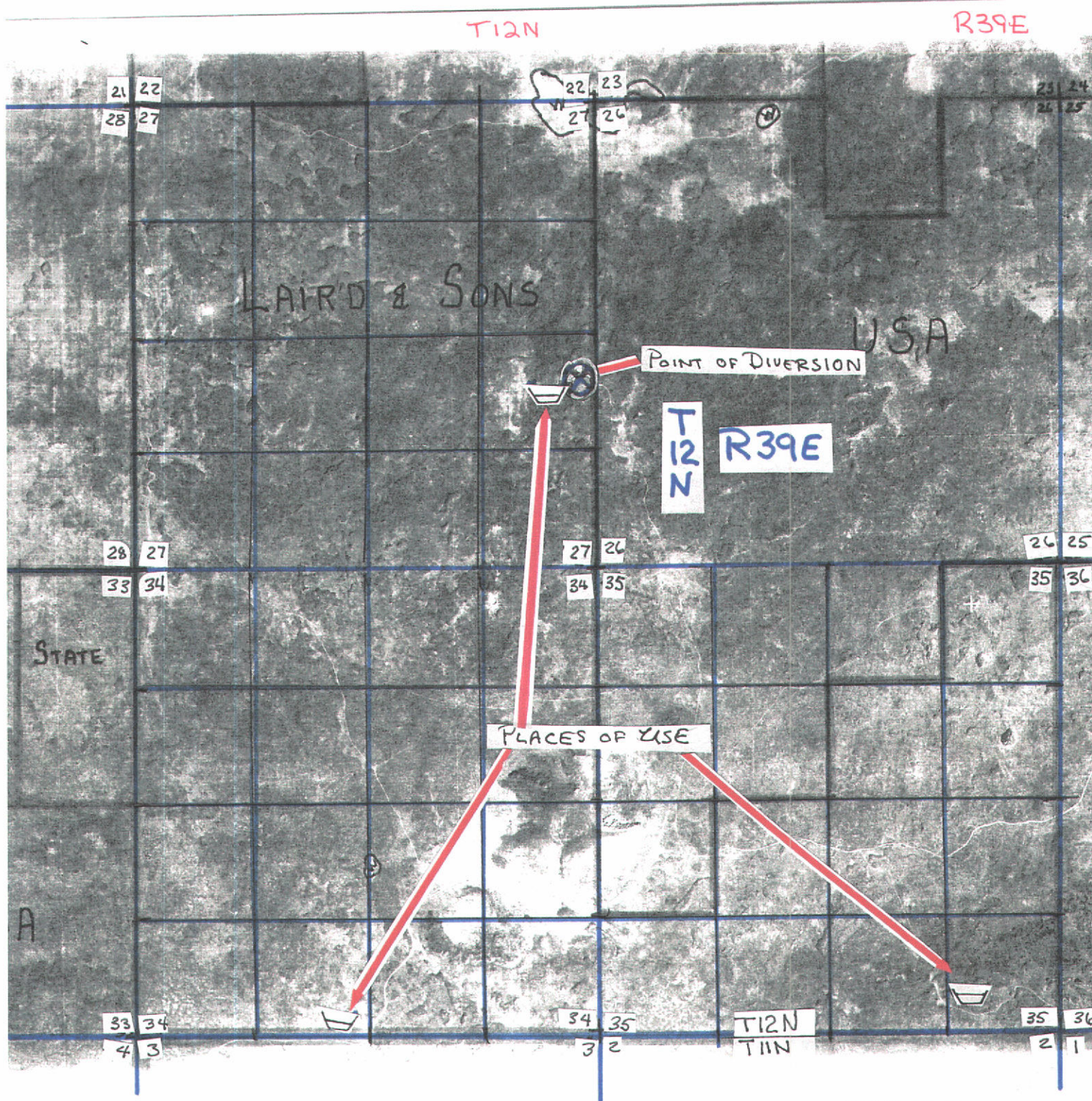
- ☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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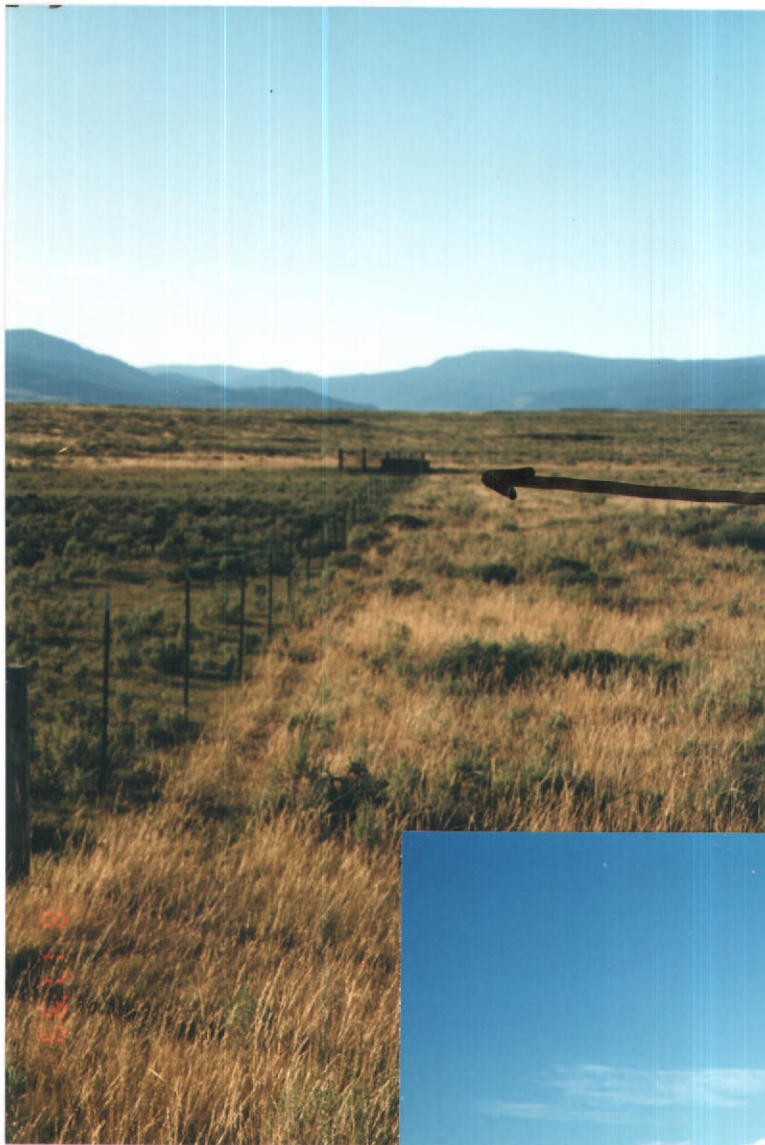




31-07282

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PLACE OF USE
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 34, T12N, R39E



PLACE OF USE SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 35, T12N, R39E

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31-07282



POINT OF DIVERSION
NE 1/4 SE 27
T12N R39E



PLACE OF USE
(NE 1/4 SE 27,
T12N, R39E

31-07282

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 31-07282

Priority: December 19, 1977

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 3.8 AF

It is hereby certified that LAIRD & SONS INC
PO BOX 145

DUBOIS ID 83423 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated December 19, 1977; and has submitted Proof of Beneficial Use on February 16, 1983. An examination indicates that the works have a diversion capacity of 0.05 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>
STOCKWATER	07/01 to 11/01	0.04 CFS	3.8 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, Twp 12N, Rge 39E, B.M., CLARK County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 39E 27																	X
12N 39E 35																	X

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 2ND day of NOVEMBER, 2001.


Acting for **KARL J. DREHER**
Director

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NOV 13 2001

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 31-7282

Name(s) of Permit Holder: Laird & Sons Inc

Post Office Address: Box 145, Dubois ID 83423

Tel. No. 314-5257

RECEIVED

Source of Water: Ground water

Extent of Use: ☐ Domestic (number of households)

FEB 16 1983 Stockwater 500 cows 200 sheep (number and type of stock)

☐ Irrigation (acres)

Department of Water Resources

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.

16 Feb 1983

Date

Laird & Sons Inc
Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Identification No. 31 7282

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Laird & Sons, Inc. Phone: 374-5257
post office address Box 145, Dubois, Idaho 83234
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 12N
Range 39E B.M. Clark County; additional points of diversion if any: _____

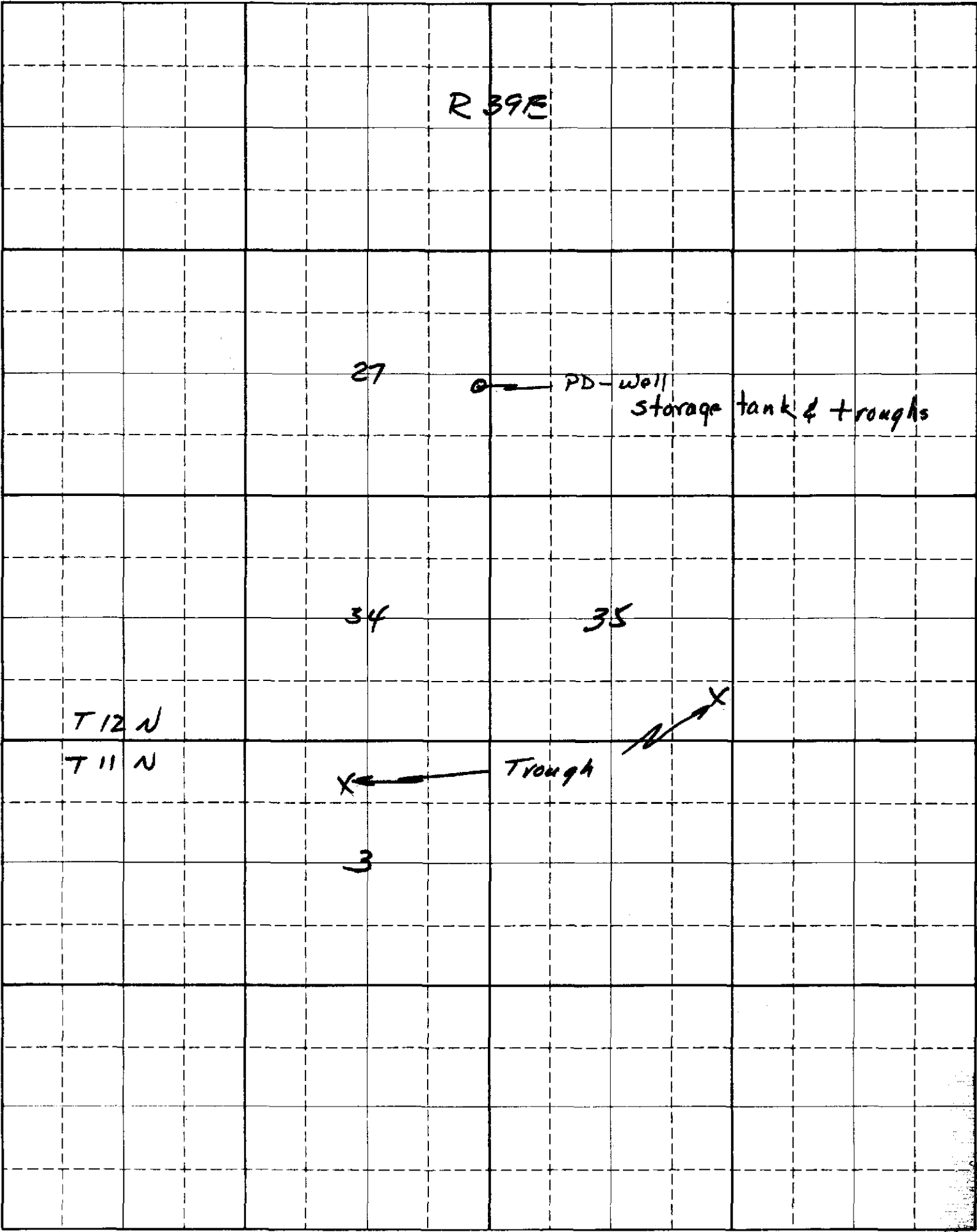
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for Stockwater purpose from July 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump storage tank & troughs

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 6 inches; proposed depth of well is 690 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 18,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: SEE ITEM 8b
(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: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 500 cows, 2,000 sheep

(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: _____



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.

[Signature]
(Applicant)

12/19/77

Received by Cal Date 12-19-77 Time 4:45P
Preliminary check by Cal Fee \$ 10.00
Received by Cal Date 12-19-77 # 9141
Publication prepared by Cal Date 12-12-77
Published in Standard Journal
Publication dates 12-19-77 to 12-19-78
Publication approved the Date January 16, 1978
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Cal

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. 31-7282, 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 March 1, 1983.
c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 8 day of March 1978.

Deputy Director

[Signature]

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

§

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Application

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 TWO
consecutive issues, the first publication hav-

ing been made on December 29, 1977
and the last publication having been made

on January 5, 1978.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

[Signature]

Subscribed to and sworn to before me

this January 6, 1978

(SEAL)

[Signature]
Notary Public.

My commission expires Lifetime

RECEIVED

JAN 16 1978

Department of Water Resources
Eastern District Office

W
**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Laird & Sons, Inc.,
Dubois, Idaho has on 12-19-77 submitted Ap-
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within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 12N, R. 39E,
B.M., Clark County; to be used from July 1 to
Nov. 1 for stockwatering purposes for 500 cows
and 2,000 sheep within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T.
11N, R. 39E, B.M., NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 35, T. 12N, R. 39E, B.M.

If issued, this permit will be subject to all prior
water rights. Protests against the granting of the
permit must be filed with the Idaho Department
of Water Resources, 1515 Lincoln Road, Idaho
Falls, Idaho, 83401 on or before January 16, 1978.

C. STEPHEN ALLRED
Director

Published in the Standard Journal, Rexburg,
Idaho on December 29, 1977 and January 5, 1978.

RECORDED



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

November 5, 2001

LAIRD & SONS INC
PO BOX 145
DUBOIS ID 83423

RE: License No. 31-7282 - 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)

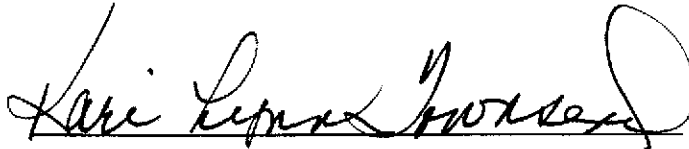
MICROFILMED
NOV 13 2001

CERTIFICATE OF MAILING

I hereby certify that on November 5, 2001 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. 31-7282

**LAIRD & SONS INC
PO BOX 145
DUBOIS ID 83423**

A handwritten signature in black ink, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

NOV 13 2001

**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).

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NOV 13 2001

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.

MICROFILMED
NOV 13 2001

Comment Report

31-7282

1. kwalker ^{kw} 11/2/2001 License Process

Comment: The permit for this right was decreed in the SRBA in July of 1998. In discussions with SRBA and water allocations staff it was determined that the permit still had to be licensed in order to remain valid. I prepared and mailed a licensing amendment to the permit holder on June 5, 2001. On June 27, 2001, Jerry Dowling contacted me and stated he had owned the property under this right for several years. He also stated he disagreed with the season of use recommended to be licensed. We did not receive any response to our request for submittal of the licensing amendment and filing fee for the amendment. On July 24, 2001, we sent out a second request for licensing amendment and filing fee. On September 10, 2001, we received a note from Mr. Dowling and the licensing amendment with all kinds of changes penciled in. We did not receive a fee for the amendment. On September 11, 2001, I sent a letter back to Mr. Dowling in which I requested an assignment of the permit and relayed to him that we could not allow an expansion of the permit in regard to the amount of water, season of use and diversion volume. I gave Mr. Dowling 30 days to submit the assignment form so we could change the permit to his ownership. I also told him in my letter that if we did not receive an assignment for the permit we would proceed with licensing the permit for the places of use that had been permitted and found beneficially used. I also told him we would issue the developed portion of the permit in the current permit holders name. As of November 1, 2001, I had not received any new information from Mr. Dowling or Laird & Sons (who are the current permit holders of record) regarding this permit. I believe we have given these folks plenty of time to take action towards this permit and we should license what we can under the permit. The license will allow 2 stock troughs under this right, rather than the 1 trough that was partially decreed so the right holders are still getting more than they were decreed. I should also mention that there is one trough in the SESW, Sec 34, 12N, 39E that has not been included on this license since an amendment was not submitted. Since this right is for stockwater from a well there should not be a problem in regard to the use from the well.

MICROFILMED

NOV 13 2001



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

September 11, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JERRY & NINA DALLING
4423 N 1000 E
SUGAR CITY ID 83448

RE: Permit No. 31-07282

Dear Mr. and Mrs. Dalling:

We are in receipt of the licensing amendment of the above referenced permit. We cannot accept this amendment form since it was not signed by the permit holder of record. In Idaho a water right permit is considered personal property and only the permit holder of record can take action towards changing the permit. Enclosed, for your convenience, is an "Assignment of Permit" form which can be used to change the ownership of this permit to you. Please note that there is a \$25.00 assignment fee for submittal of this form and the form must be signed by a representative of Laird and Sons, Inc. in the presence of a notary public.

In regard to the changes you noted on the licensing amendment form, I offer the following. The amount of water to be licensed is limited by the amount of water applied for on the permit. The permit was issued for the diversion of 0.04 cfs of water for watering 500 cows and 2000 sheep. We cannot increase the permitted amount even though the well was found to produce 0.05 cfs because that would expand the permitted use. The season of use must be limited to the permitted season also. The permitted season of use was July 1 to November 1. I have enclosed a copy of the permit, as issued by the Department, for your information. In regard to the maximum diversion volume, we have proposed to license, the amount is based upon 500 cows at 12 gallons per day per head and 2000 sheep at 2 gallons per day per head for 124 days a year.

Please submit the assignment of permit form with the \$25.00 filing fee within the next 30 days so we can change the ownership of this permit to you. We will then be able to address all correspondence in regard to licensing of this permit to you, as current owners of the water right. If we don't receive the assignment form within the 30 day period, we will proceed with licensing the permit in the name of Laird and Sons for the use of the trough in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 12N, Rge. 39E since that is the only place of use developed that was within the permitted place of use. If you have any questions in regard to this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:K
Enclosures

MICROFILMED
NOV 13 2001

9-6-01

Dear Kay,

We purchased the Land
property some years ago!

We have corrected the
information on the form.

Let us know if

there are any more
steps to take.

Thanks Jerry
(208) 356-7980

UNRECORDED
NOV 15 2001

RECEIVED

SEP 10 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)

WATER RIGHT NO. 31-07282

Date of Priority: December 19, 1977

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

3.8 AF

Comes now LAIRD & SONS INC
PO BOX 145
DUBOIS ID 83423

Jerry and Nina Dalling

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. 31-07282, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	07/01 to 11/01	0.04 CFS	3.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, Twp 12N, Rge 39E, B.M., CLARK County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 39E 27													X				
12N 39E 34												X					
12N 39E 35																X	

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 this 6th day of Sept, 2001.

Jerry & Nina Dalling
(Signature)

 **Jerry & Nina Dalling**
4423 N. 1000 E.
Sugar City, Idaho 83448

168 days @ .1 AF/day

MICROFILMED

NOV 13 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 31-07282

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 31-07282 with the following:

Witness my hand this _____ day of _____, 2001.

KARL J. DREHER
Director

MICROFILMED
NOV 13 2001



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

July 24, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LAIRD & SONS INC
PO BOX 145
DUBOIS ID 83423

RE: Permit 31-07282

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

NOV 13 2001

Memorandum

To: Files 23-07020 and 31-07282

From: Kay Walker *KW*

RE: Amendments Required for Licensing

Date: July 23, 2001

.....

We had previously sent out requests for licensing amendments on these permits so we could complete our processing of the permits to licenses. We did not get the licensing amendments back from the permit holders so I discussed the situation with Susan Hamlin Nygard.

For Permit 23-07020 – The diversion point is located in a different location than what was permitted so our next step would be to void the permit if no licensing amendment is received.

For Permit 31-07282 – The place of use is different than originally permitted but does contain some of the permitted place of use. We can issue the license with a smaller place of use than what the examiner found if we don't receive the licensing amendment.

Susan feels we have given plenty of notice in our request for amendment letters and it is up to us to complete the process. We will proceed with the second reminder notices that we are still waiting for the licensing amendments and proceed from there.

MICROFILMED

NOV 13 2001



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

June 5, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LAIRD & SONS INC
PO BOX 145
DUBOIS ID 83423

RE: Water Right No. 31-07282

Gentlemen:

The Department is reviewing the above referenced permit prior to issuing a water right license. We find that this right has been partially decreed in the Snake River Basin Adjudication (SRBA), however, pursuant to Section 42-1421, Idaho Code, we must complete the statutory licensing procedure in accordance with Section 42-219, Idaho Code. We have included copies of the above referenced sections of Idaho Code for your convenience. Once the license has been issued the Department will reflect the completion of the licensing process in its water rights database. By issuing a license on this permit, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the place of use is in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict this water right as it was actually developed.

The enclosed Application for Amendment form depicts the place of use and other information, as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented please sign the form and return it with the \$50.00 filing fee within 30 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur with the field examiner's findings, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

Enclosures

MICROFILMED

JUN 13 2001

possible
new owner :

Terry Dowling
208-356-7980

left
voice
mail

called on 6/27/01 & said
he has owned for several
years & period of use in error-

LICENSE REVIEW CHECKLIST

Permit No. 31-07282 Date: 7-11-2000 Reviewer: Kay Walker

Change/OK change zip code to correct one

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 change

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

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

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

Rate of Diversion:

Permitted rate 0.04 cfs

Fee Limit cfs

Measured cfs

Theoretical 0.05 cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Irrigation cfs af
Stockwater 0.04 cfs 3.8 af
Domestic cfs af
cfs af
cfs af
Total 0.04 cfs 3.8 af

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

~~supp. Gw (WB7/065/079)~~

~~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 (081/R07)~~

~~Payette - (W22/047/27A)~~

~~Stockwater for US (R37)~~

Volume Determination

0.04 cfs x 1.9835 x 124 days = 9.8 af (vs)

$V = (500 \text{ cows} \times 0.0134) + \left(\frac{3000}{6.45} \times 0.0134 \right) = \left(\frac{124}{365} \right) = 3.8 \text{ AFA}$

Remarks:

Additional Conditions 31 pp-gw

~~Watermaster Control~~

~~GW Measurement/Measuring Device~~

~~Other~~

~~Trust (052/R55 - remove 051)~~

~~Non-trust (048/049)~~

Government Lots?

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim?

yes - partial decree issued

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

topo U94

capacity = 0.05

examiner used 243 days but 500 cows only 124 days

North water mnt. dist. - no measurement or reporting req'd per meas. device flow chart in WeNet

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-07282

NAME AND ADDRESS: LAIRD & SONS INC
PO BOX 145
DUBOIS, ID 83234

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/19/1977

POINT OF DIVERSION: T12N R39E S27 NENESE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	07-01 TO 11-01	0.04 CFS

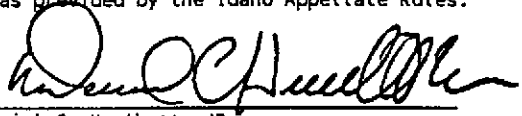
PLACE OF USE: Stockwater Within Clark County
T12N R39E S27 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
NOV 13 2001

Partial Decree

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 1 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 31-07282

1. Owner: Laird & Sons Phone No. _____

Current Address: Box 145 Dubois ID 83234

2. Accompanied by: NO ONE EXAM. DATE: 8-17-1999

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

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

☐ Copies Attached

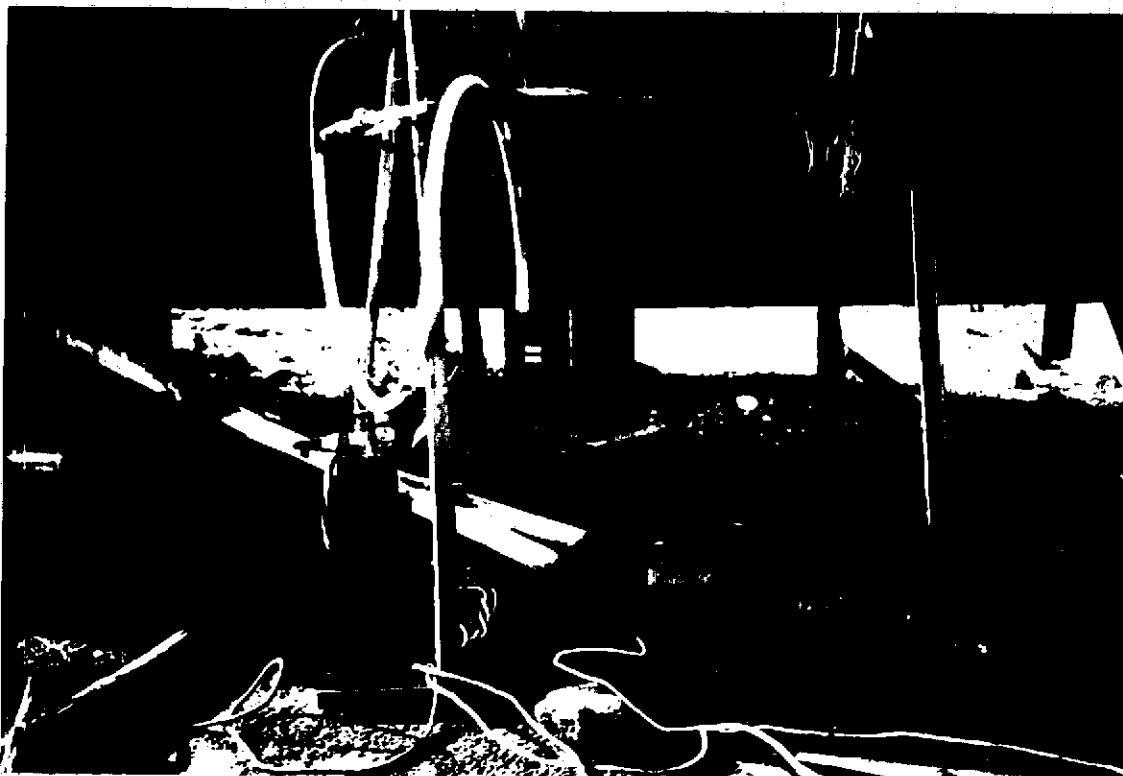
2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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NOV 13 2001

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

well pump, mainline to gas storage tank (33.4 long x 6 diameter) with distribution lines to stock troughs; pond just south of diversion

[Handwritten notes on lined paper]

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Sta-rite	5	181P	Pump Make	-

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

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination ON SITE USGS Q and TSA

[illegible]

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Theoretical

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

Q = 0.05 cfs

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

Meter Input HP: (6) x 1.34 = _____ (7)

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

Sheep use 2gpd cattle 12gpm ∴ Sheep = 1/6 cattle

243 days

$$V_{\text{Stock}} = \frac{(500 \text{ cows})}{6.7} + \frac{(2000 \text{ sheep})}{4.466} = \frac{500(0.0134)}{6.7} + \frac{(2000)(0.0134)}{4.466} = 11.2 \text{ cfs} \left(\frac{243 \text{ d}}{365} \right) = 7.5 \text{ afa}$$

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BOX 1 9 2001

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
	From To	Q (cfs)	V (ata)
Stock water	7/1 11/1	0.04 cfs	7.5 af

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ None

☐ Other

J. AUTHENTICATION

Field Examiner's Name Kerry C. Wilson

Signature Kerry C. Wilson

Certification Date _____

Field Report Preparation Date _____

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

CONSULTANT SEAL

UNRECORDED
NOV 13 2001

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp) (8.814) (Eff)] \div [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{5} \\ Eff &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ \text{Static Water Level} &= \underline{507} \text{ ft.} \\ \text{Assumed Draw down} &= + \underline{93} \text{ ft.} \\ \text{Lift} &= \underline{600} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

OPEN DISCHARGE

$$\text{psi} = \text{Operating Pressure} = \underline{\hspace{2cm}} \text{ psi}$$

$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{0.7}{Eff} \right] \div \left[\frac{600}{Lift} + \left(\frac{0}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{30.8} \right] \div \left[\underline{600} \right]$$

$$Q_{cfs} = \underline{0.05} \text{ cfs}$$

MICROFILMED

NOV 13 2004

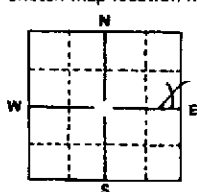
PERMIT NO. 31-07282

WELL DRILLER'S REPORT

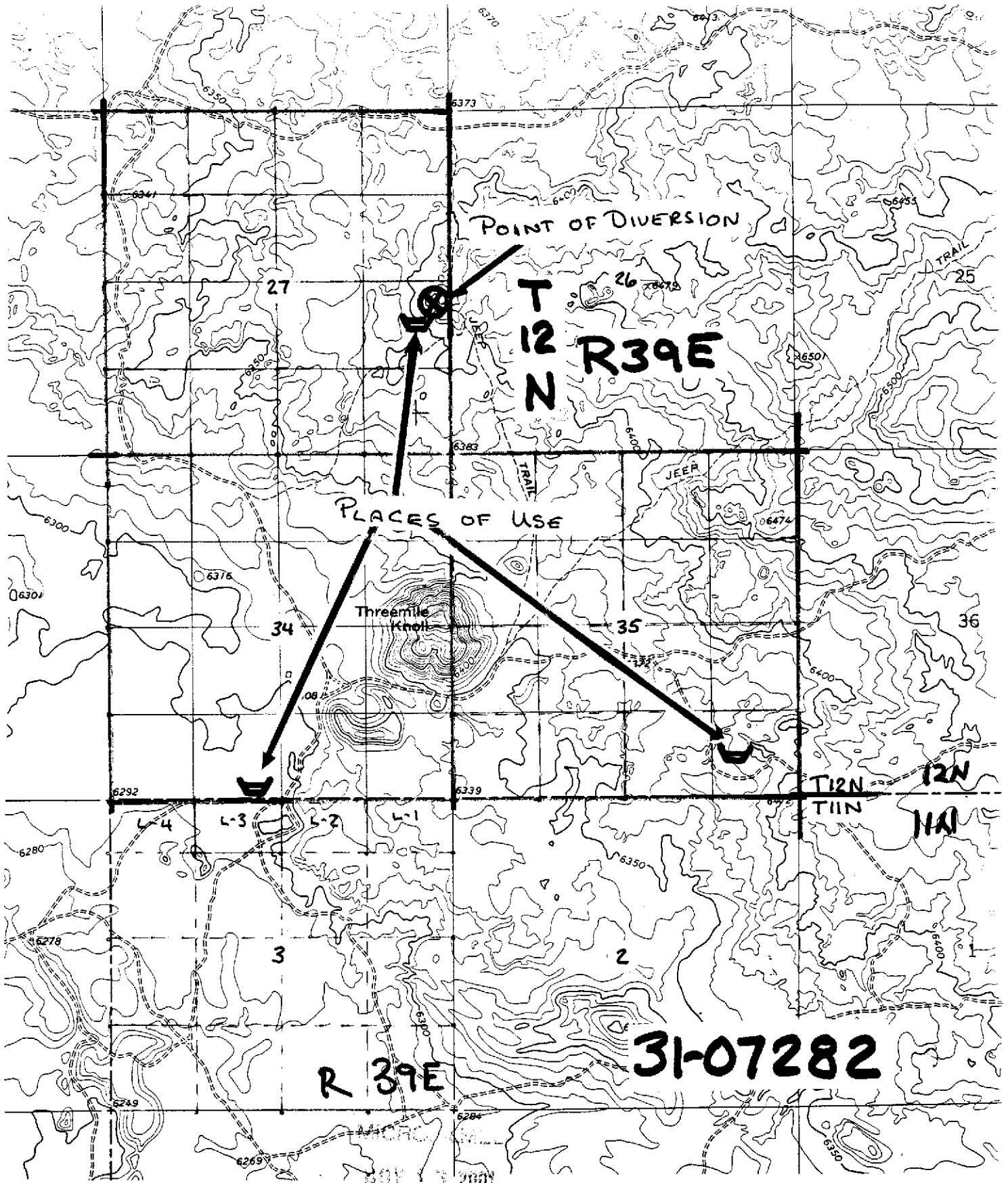
MAR 20 1978

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.

Department of Water Resources
Eastern District Office

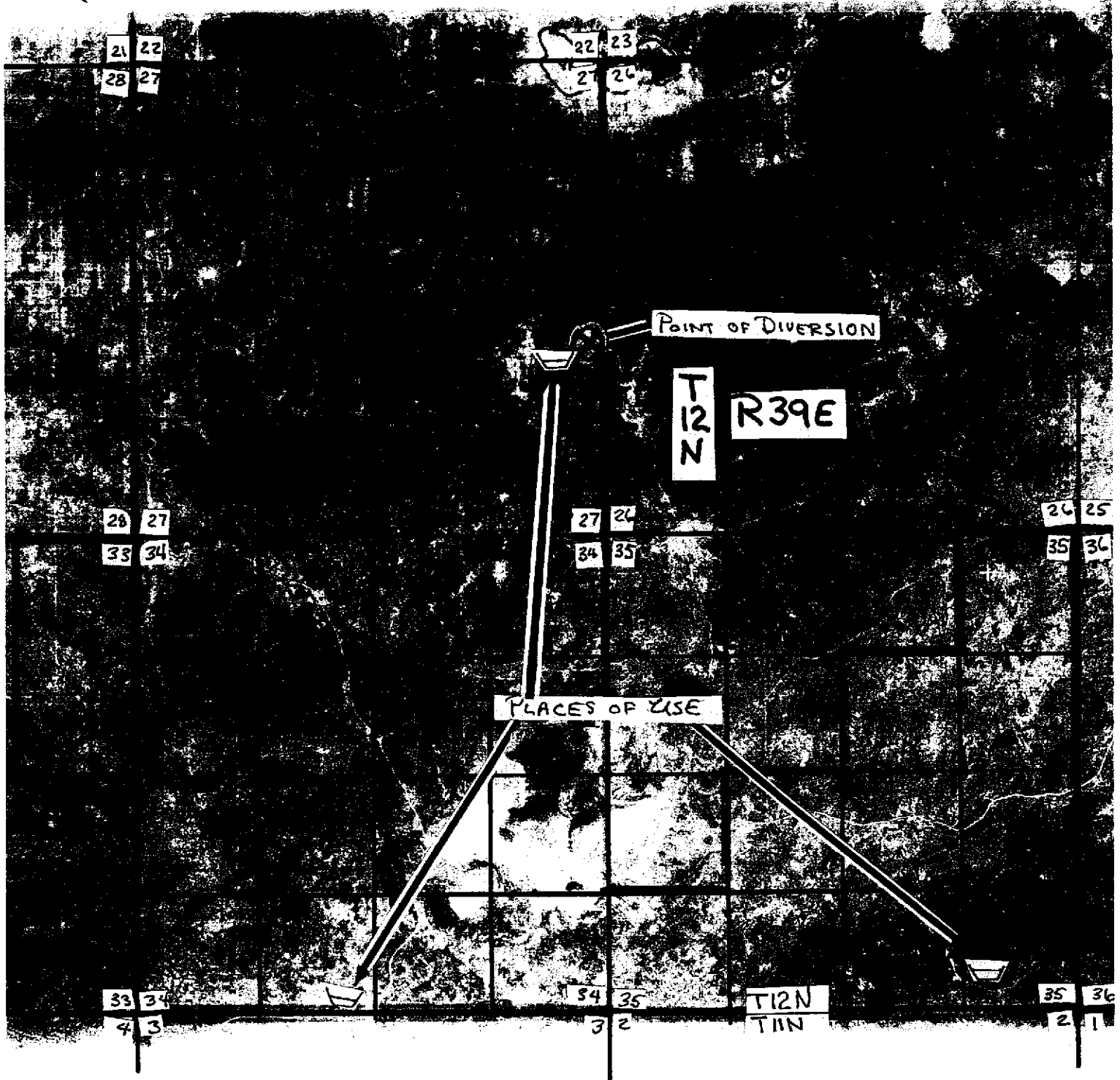
1. WELL OWNER Name <u>AB LAIRD</u> Address <u>Dubois - Idaho</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>507</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																											
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Draw Down</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Draw Down	Hours Pumped																																																							
Discharge G.P.M.	Draw Down	Hours Pumped																																																											
3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☐ Industrial ☒ Stock ☐ Waste Disposal or Injection		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>8</td><td>0'</td><td>2'</td><td>dirt</td><td> </td><td> </td></tr><tr><td>6</td><td>2</td><td>135</td><td>Basalt w/ crinoids hard & soft</td><td> </td><td> </td></tr><tr><td> </td><td>135</td><td>165</td><td>Broken Basalt</td><td> </td><td> </td></tr><tr><td> </td><td>190</td><td>198</td><td>Broken (crinoids)</td><td> </td><td> </td></tr><tr><td> </td><td>195</td><td>212</td><td>Soft</td><td> </td><td> </td></tr><tr><td> </td><td>212</td><td>322</td><td>Hard Rock</td><td> </td><td> </td></tr><tr><td> </td><td>322</td><td>330</td><td>Red crinoid sand</td><td> </td><td> </td></tr><tr><td> </td><td>330</td><td>690</td><td>Basalt with varying degrees of hardness</td><td> </td><td> </td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	8	0'	2'	dirt			6	2	135	Basalt w/ crinoids hard & soft				135	165	Broken Basalt				190	198	Broken (crinoids)				195	212	Soft				212	322	Hard Rock				322	330	Red crinoid sand				330	690	Basalt with varying degrees of hardness		
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4. METHOD DRILLED ☐ Cable ☒ Rotary ☐ Dug ☐ Other																																																													
5. WELL CONSTRUCTION Diameter of hole <u>8</u> inches Total depth <u>690</u> feet Casing schedule: ☒ Steel ☐ Concrete <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>1250</u> inches</td><td><u>8</u> inches</td><td><u>1</u> feet</td><td><u>20</u> feet</td></tr><tr><td><u>250</u> inches</td><td><u>6</u> inches</td><td><u>1</u> feet</td><td><u>215</u> feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18'</u> Material used in seal ☐ Cement grout ☐ Puddling clay ☒ Well cuttings Sealing procedure used ☐ Shurry pit ☐ Temporary surface casing ☒ Overbore to seal depth		Thickness	Diameter	From	To	<u>1250</u> inches	<u>8</u> inches	<u>1</u> feet	<u>20</u> feet	<u>250</u> inches	<u>6</u> inches	<u>1</u> feet	<u>215</u> feet													Number	From	To																																	
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Number	From	To																																																											
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name <u>MICROTON</u> Lot No. _____ Block No. _____ County <u>CLARK</u> <u>SE 1/4 NE 1/4 Sec. 27 T. 12 N. S. R. 39 E. W.</u>		10. Work started <u>Oct 28, 77</u> finished <u>Nov 16, 77</u>																																																											
		11. DRILLERS CERTIFICATION Firm Name <u>Dennis Well Drilling</u> Firm No. <u>10</u> Address <u>Box 64 Ucon Ida</u> Date <u>Nov 23, 77</u> Signed by (Firm Official) <u>Dennis Dennis</u> and (Operator) <u>Jody Dennis</u>																																																											

31-07282



T12N

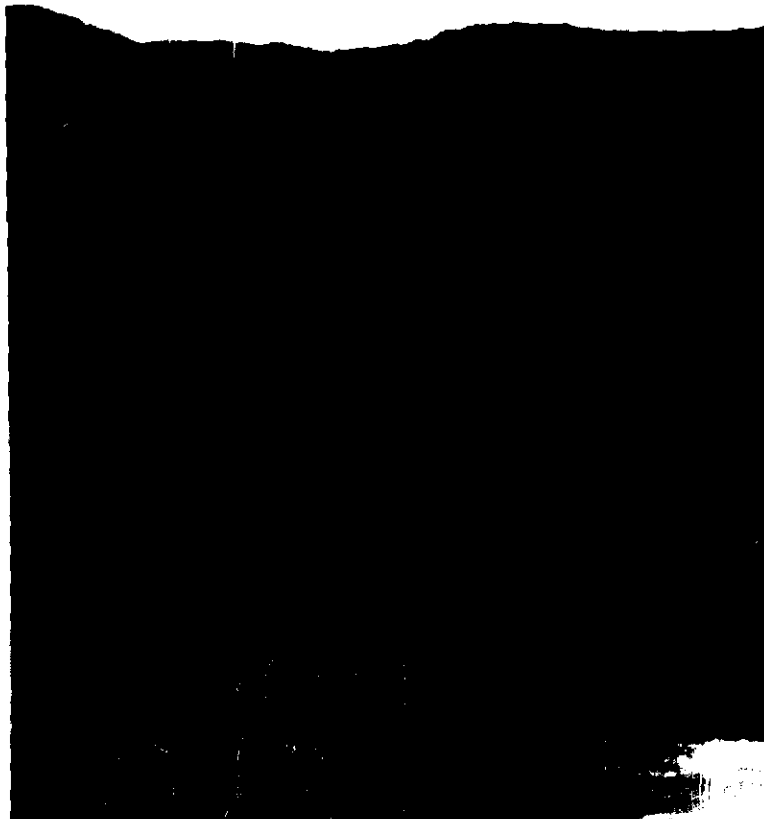
R39E



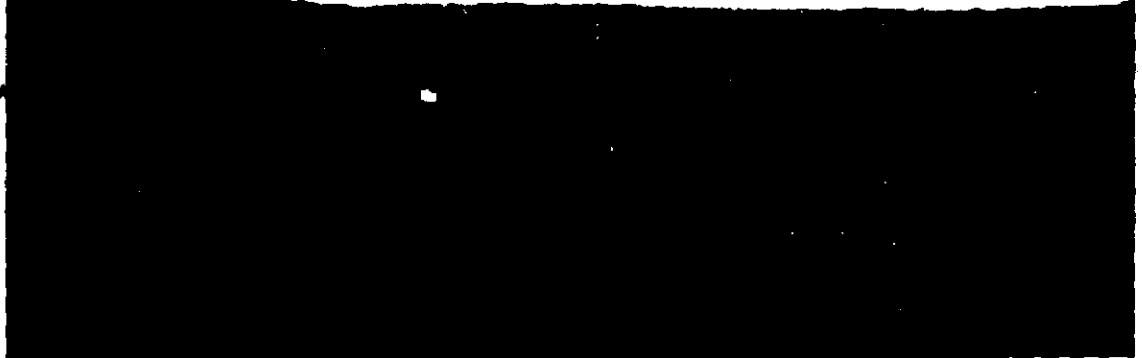
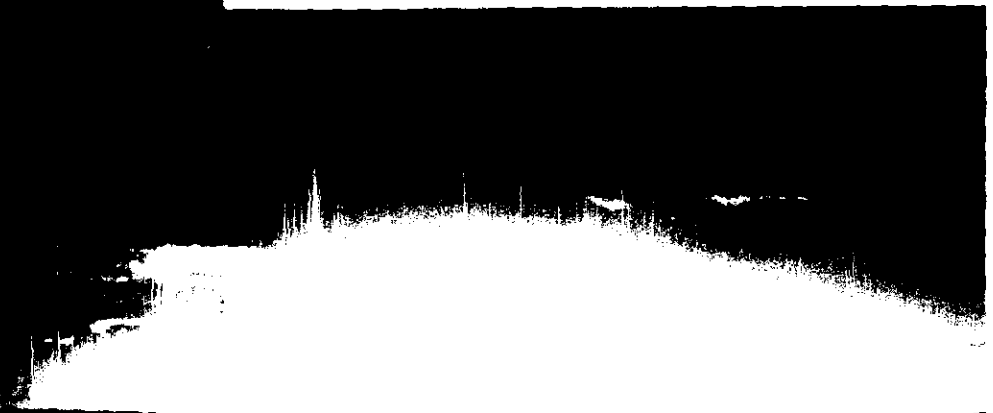
31-07282

MICROFILMED

NOV 13 2001



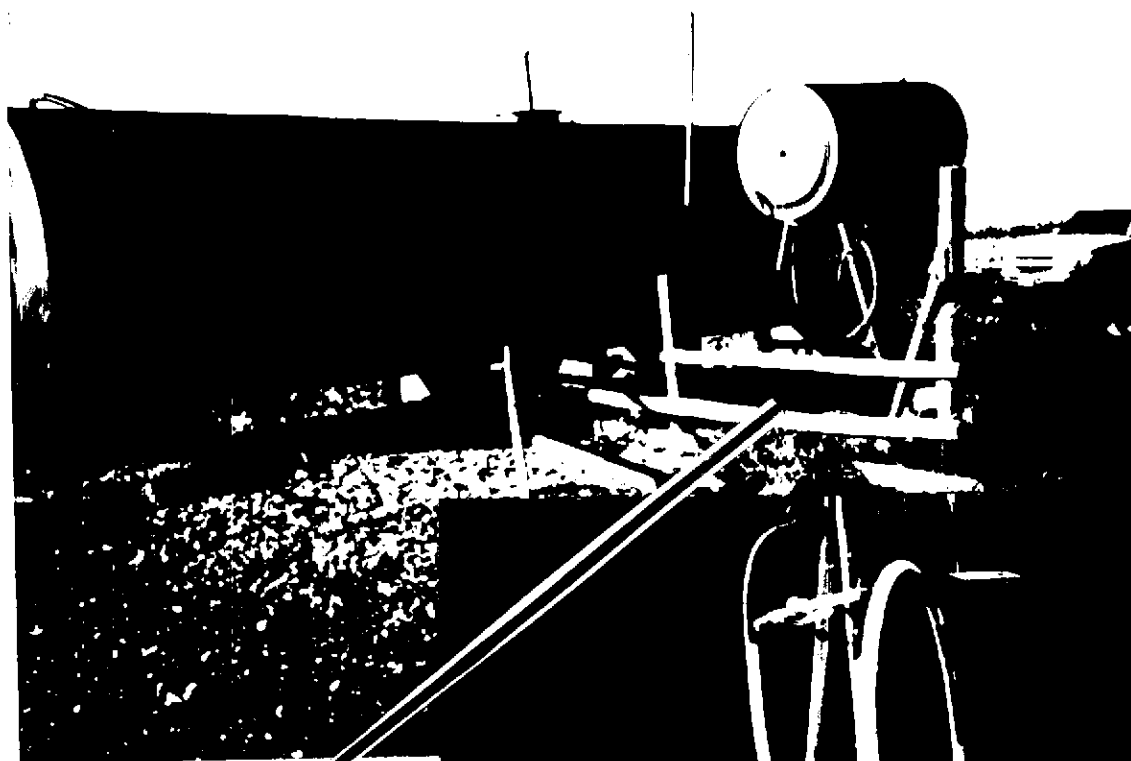
PLACE OF USE
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 34, T12N, R39E



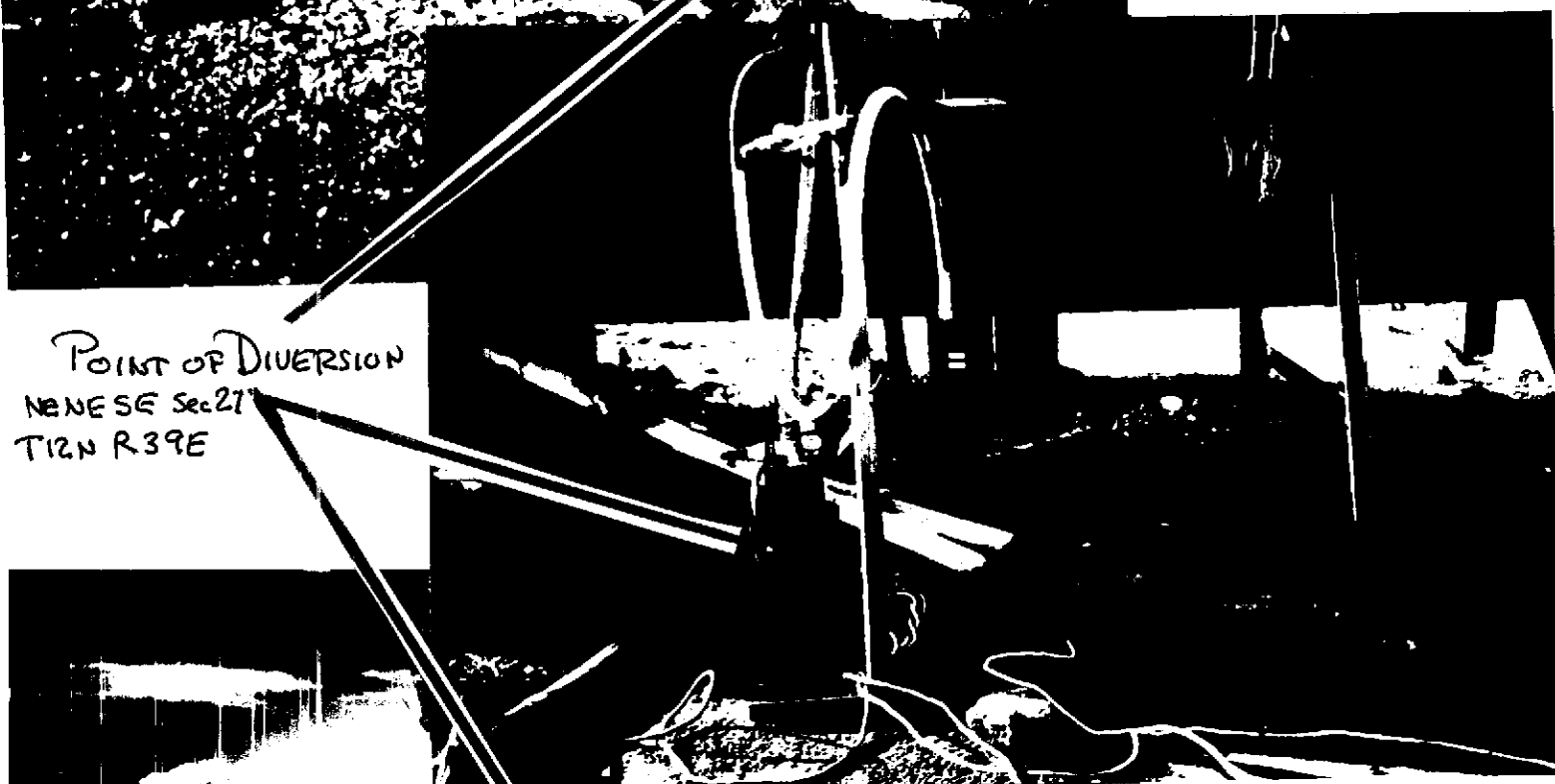
PLACE OF USE SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 35, T12N, R39E

MAY 13 2001

31-07282



POINT OF DIVERSION
 NENE SE Sec 27
 T12N R39E



PLACE OF USE
 (NE 1/4 SE 1/4 Sec 27,
 T12N, R39E

31-07282

NOV 18 2007



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

March 10, 1983

Laird & Sons, Inc.
Box 145
Dubois, Idaho 83423

RE: Permit No. 31-7282

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.

☒ 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
NOV 13 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138009

LAIRD & SONS INC.
P.O. BOX 145
DUBOIS, ID 83234

DECEMBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 31-7282 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1





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

Dear Wateruser:

Forwarded for your information in regard to your water permit is a self-explanatory letter which this office is now forwarding to holders of recently issued water right permits.

This is being mailed retroactively for informational purposes to persons who submitted applications on approximately December 30, 1977 and later.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON

Chief, Operations Bureau

LGS:kw

Enclosure

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 14, 1978

Re: Permit No. 31-7282

Laird & Sons, Inc.
Box 145
Dubois, ID 83234

Gentlemen:

Your approved copy of Application for Permit No. 31-7282 is enclosed and we direct your attention to the conditions of approval on the fourth page.

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.

MICROFILMED

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,



L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 13, 1978

Re: Permit No. 31-7282

Laird & Sons, Inc.
Box 145
Dubois, ID 83234

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 31-7282. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw

Enclosure

ENCLOSURE

December 23, 1977

RE: Application for Permit No. 31-7282 LAIRD

Standard Journal
P.O. Box 10
Rexburg, Idaho 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 116-78 by rw

RDC:CW

Enc: Legal Notice (1)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Laird & Sons, Inc., Dubois, Idaho has on 12-19-77 submitted Application No. 31-7282 for a permit to appropriate 0.04 cubic feet per second of water from a ground-water source by means of well and pump within the NE¼SE¼, Sec. 27, T. 12N, R. 39E, B.M., Clark County; to be used from July 1 to Nov. 1 for stockwatering purposes for 500 cows and 2,000 sheep within the NE¼NW¼, Sec. 3, T. 11N, R. 39E, B.M., NE¼SE¼, Sec. 27, SE¼SE¼, Sec. 35, T. 12N, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before January 16, 1978.

C. STEPHEN ALLRED
Director

Published in the Standard Journal, Rexburg, Idaho on December 29, 1977 and January 5, 1978.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Laird & Sons, Inc.,
Dubois, Idaho

has on 12-19-77 submitted Application No. 31-7282
for a permit to appropriate 0.04 cubic feet per second XXXXXXXXXXXXXXXXXXXX acre feet per annum
of water from a ground-water source
by means of well and pump
within the NE 1/4, Sec. 27, T. 12N, R. 39E, B.M., Clark County;

to be used from July 1 to Nov. 1
for stockwatering purposes for 500 cows and 2,000 sheep

within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 11N, R. 39E, B.M., NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 12N, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
January 16, 1978

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Standard Journal, Rexburg, Idaho
on December 29, 1977 and January 5, 1978

the - J.
the - A.
the - A.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Land & Sons, Inc.

☒ 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) ARK 12/19/77

In form to receipt yes

(2) 7

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 yes

(5)

Platted on Map No. PN 39E new plat

(6)

Located within Water District No. Basin 31

(7)

Critical groundwater area: yes no X

(8)

Groundwater levels:

Declining, X Stable, Increasing

(comment) No obs wells in area

(9)

Other rights on the same place of use none

(10)

Comments: None

(11) cu 1-16-78

Affidavit of Publication received (date) Jan 16-1978

(12) cu 1-16-78

Final date for protests January 16-1978

Protests received: yes no X

(13) Jay 1/16/78

All requested information received from agencies or applicant: yes ✓ no

(14) Jay 1/16/78

Action recommended:

✓ Approve Deny

✓ Proposed Priority 12/19/77

NA Reason for Reduction

NA Measuring device required

NA See attached sheet for other conditions of approval

None No special conditions for approval

(15) District Eastern By Larry Johnson Date 1/16/78

Copy Sent