

AFFIDAVIT of PUBLICATION RECEIVED

State of Idaho,
County of Jerome }

ss.

FEB 24 1989

Department of Water Resources
Southern Region Office

Mike Thornberry, being first duly sworn,
deposes and says that he is the printer (publisher) of the Jerome
North Side News, a newspaper published every week in Jerome, County
of Jerome, State of Idaho; that said newspaper has been continuously
and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 2x consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication

of said advertisement was on the 15 day of Feb

19 89 and the date of the last publication was on the 22

day of Feb, 19 89

Mike Thornberry
Subscribed and sworn to before me this 22nd

day of Feb, 19 89

(SEAL)

Norma DeVoe
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line

Number of Lines in Notice

Number of Insertions 2x

Lines tabular at	5¢/Pica
<u>1638</u> Lines straight at	<u>65.52</u> 4¢/Pica
Subsequent lines at	<u>57.33</u> 3.5¢/Pica
TOTAL COST <u>122.85</u>	

COPY OF NOTICE (Paste Here)

Upp. Water Right
TITLE OF NOTICE

all N/SN
PLAINTIFF ATTORNEY app's.

DEFENDANT

Dept. of Water Resources
2148 4th Ave E
Twin Falls, ID
83301

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-08273
B P FARMS, P.O. BOX 88, CAREY, ID
83320
Source: GROUNDWATER
Diversión Pt: SESE Sec 21 T 06S R 23E
Use: IRRIGATION (.800 CFS)
Date Filed: 5/09/1985
In: T06S R23E S21 NESE NWSE SWSE
SESE - 40.0 ACRES TOTAL

36-08274
B P FARMS, P.O. BOX 88, CAREY, ID
83320
Source: GROUNDWATER
Diversión Pt: NWSW Sec 22 T 06S R
23E
Use: IRRIGATION (3.100 CFS)
Date Filed: 5/09/1985
In: T06S R23E S22 NWNW NENW
SWNW NESW
S22 NWSW SWSW SESW - 155.0
ACRES TOTAL

36-08275
B P FARMS, P.O. BOX 88, CAREY, ID
83320
Source: GROUNDWATER
Diversión Pt: NWSE Sec 28 T 06S R 23E
Use: IRRIGATION (6.000 CFS)
Date Filed: 5/09/1985
In: T06S R23E S21 SWNW SENW
NESW NWSW
S21 SWSW SESW
S28 NWNW SWNW NESW NWSW
S28 SWSW NWSE - 320.0 ACRES
TOTAL

36-08289
4 H FARMS INC., RT. 1 BOX 70A,
HAZELTON, ID 83335
Source: GROUNDWATER
Diversión Pt: NWSW Sec 28 T 10S R
20E
SESE Sec 29 T 10S R 20E
Use: IRRIGATION (.090 CFS)
Date Filed: 6/28/1985
In: T10S R20E S29 SESE - 3.0 ACRES
TOTAL

37-08063
WHITTAKER, JAMES, RT. 1 BOX 52,
DIETRICH, ID 83324
Source: GROUNDWATER
Diversión Pt: NWNE Sec 11 T 07S R
18E
Use: IRRIGATION (2.000 CFS)
Date Filed: 1/06/1983
In: T07S R18E S10 NENE SENE
S11 NENE SENE NWNW NESW
S11 NESE NWSE - 281.0 ACRES
TOTAL

37-08078
KISLING FARMS, RT. 2 BOX 2334,
DIETRICH, ID 83324
Source: GROUNDWATER
Diversión Pt: SENW Sec 26 T 06S R 18E
Use: IRRIGATION (2.000 CFS)
Date Filed: 4/07/1983
In: T06S R18E S26 NWNW NENW
NWNW - 120 ACRES TOTAL
The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301
on or before MARCH 8, 1989.
R. Keith Higginson, Director
Pub: 2-15, 22 N13587

MICROFILMED

AUG 21 1989

1900 N

16 15
21 22

T 1752
1441

36-8273
System Diagram

TRACT HEL

LINCOLN
COL

CRP
87

CRP
87-91

CRP
87-91

88-91
2
23.2

3
23.4

CRP
88-97
8.7

10.0 36.5

10.0

Surface
mainline

20%

Buried
mainline

↓

Well
site

Surface
mainline

CRP
88-97
13
8.0

121.8

121.8

28

1800 N

SEE
G 5

MICROFILMED

OCT 26 1992

1900 N

16 15
21 22

T 1752
1441

36-8273

TRACT HEL

LINCOLN

COL

CR
87

CRD
87-91

CRD
87-91

88-97
2
23.2

3
23.4

CRD 8
88-97
8.7

4
36.3

10

6P%

for 36-8273

CRD CRD
88-97 88-97
13
18.0

121.8

9
121.8

CRD
88-97

28

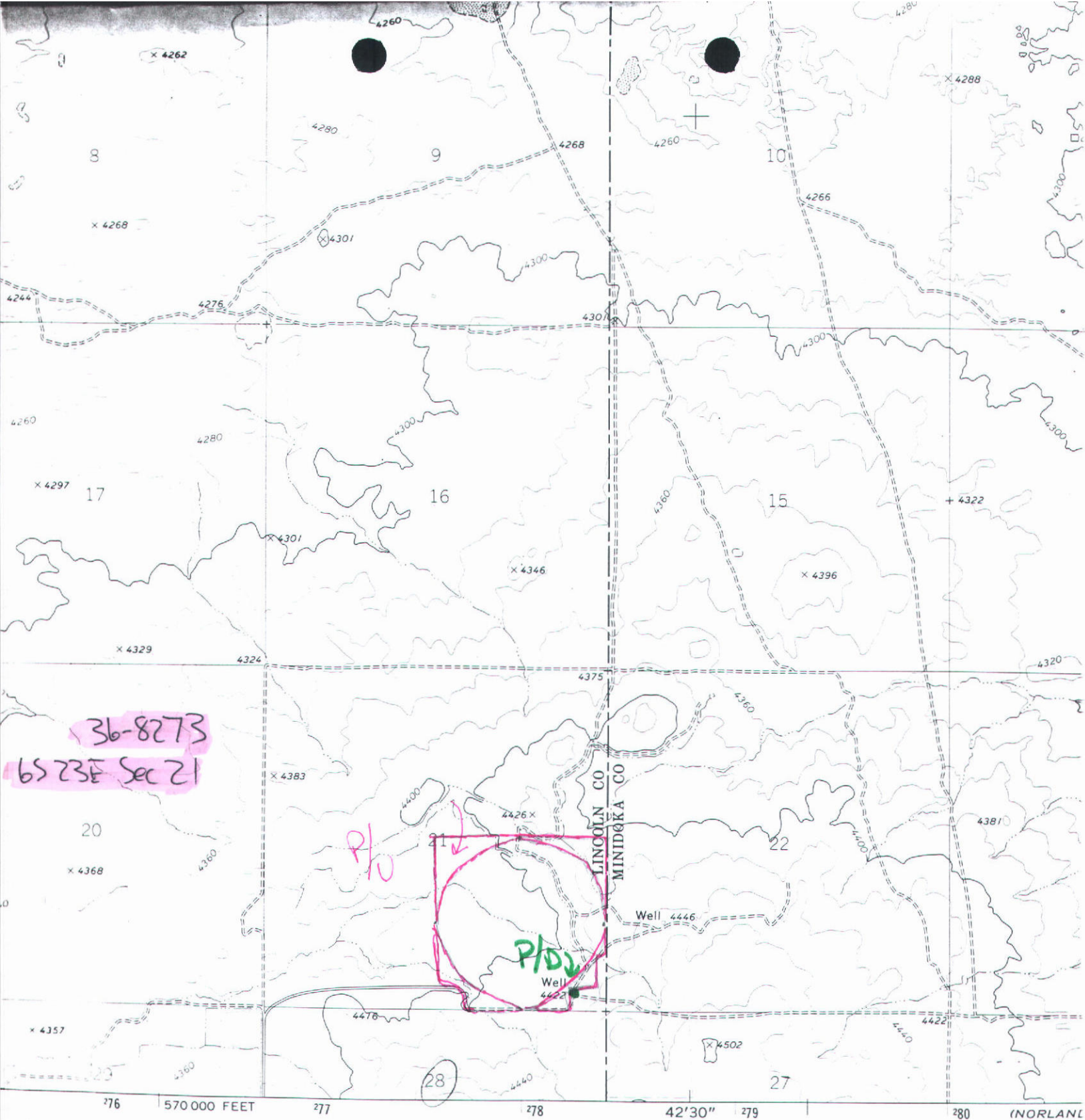
1800 N

SEE
G 5

MICROFILMED

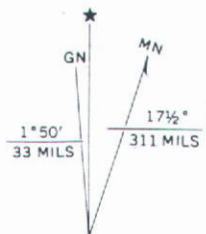
OCT 26 1992

170.0 Sec 21

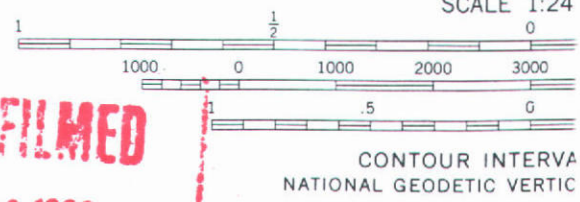


ped, edited, and published by the Geological Survey
 rol by USGS and NOS/NOAA

ography by photogrammetric methods from aerial
 ographs taken 1971. Field checked 1972
 ection and 10,000-foot grid ticks: Idaho coordinate
 m, central zone (transverse Mercator)
 0-metre Universal Transverse Mercator grid ticks,
 12, shown in blue. 1927 North American datum
 red dashed lines indicate selected fence lines



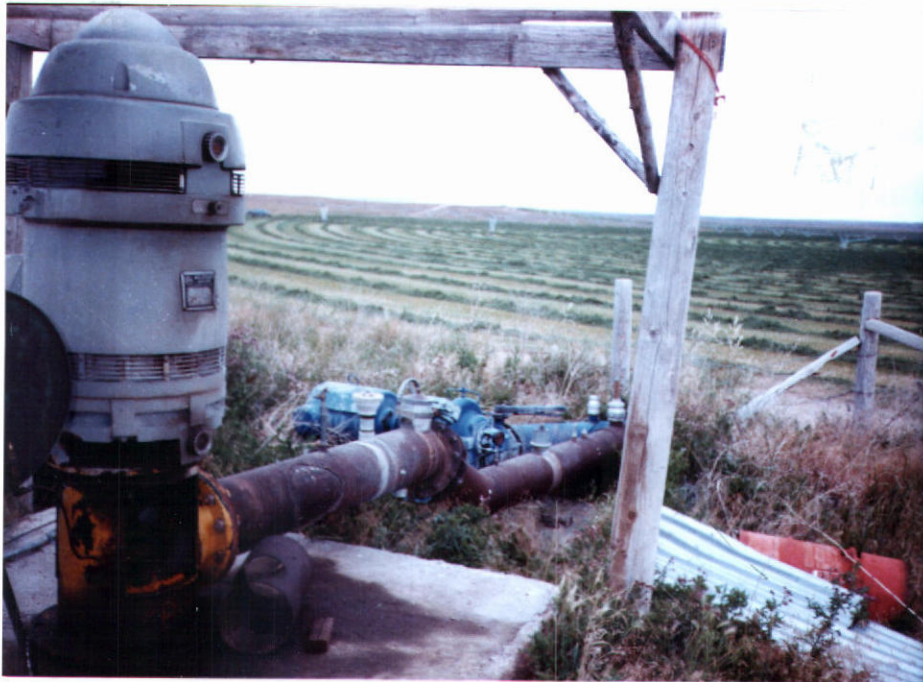
MICROFILMED
OCT 26 1992



UTM GRID AND 1972 MAGNETIC NORTH
 DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, CO

36-8273



↑ P/O



P/O →

RECEIVED

OCT 26 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08273

Priority: July 4, 1985

Maximum Diversion Rate: 0.68 CFS
Maximum Diversion Volume: 136.0 AF

This is to certify, that FLAT TOP SHEEP CO
PO BOX 88
CAREY ID 83320

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 9, 1985; and
has submitted Proof of Beneficial Use on July 27, 1990. An examination indicates
that the works have a diversion capacity of 3.400 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/31	0.68 CFS	136.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 21, Township 06S, Range 23E
LINCOLN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	23E	21	NESE 10	NWSE 10	SWSE 8	
			SESE 6			34

Total number of acres irrigated: 34

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. The maximum combined rate of diversion under this right and Right Nos. 36-02455 and 36-08275A shall not exceed 3.4 cfs.

NOT RECORDED

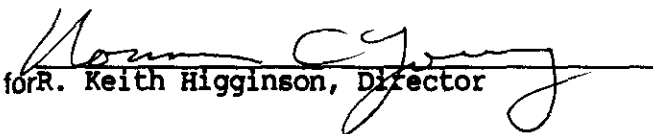
OCT 26 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08273

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 5TH
day of OCTOBER, 1992.


Acting for R. Keith Higginson, Director

MICROFILMED

OCT 26 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

I, B-P Farms, hereby assign to Flat Top Sheep Co.
of, P.O. Box 88, Carey, ID 83320
(Full Address)

No. 36-8274 36-8275 All my right, title, and interest in and to Application for Permit
36-8275 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this Aug 28 day of _____, 1992

John P. [Signature]
Applicant
Managing Partner, B-P Farms

State of Idaho)

ss

County of Twin Falls

On this 28 day of August, 1992, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Loren O. [Signature]
Notary Public

seal

My commission expires: 3/21/93

MICROFILMED

OCT 26 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-8274 IN THE
NAME OF B-P FARMS

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before June 1, 1990; and,

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

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

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 27, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-8274 be REINSTATED and the priority advanced to July 4, 1985.

Dated this 29th day of October, 1990.

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

DEC 17 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 36-8273

RECEIVED

APPROVED
JUL 14 1985
Department of Water
Boise, Idaho

To appropriate the public waters of the State of Idaho

1. Name of applicant B-P Farms Phone 788-2850

Post office address P. O. Box 88, Carey, Idaho 83320

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 6S

Range 23E B.M. Lincoln County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.8cfs for Irrigation purposes from Mar. 15 to Nov. 15 (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. 0.8 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, mainline, and
sprinkler system

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

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

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

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5-28-85
5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

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

Range _____ B.M.

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

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

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

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

MICROFILMED

AUG 21 1989

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	23E	21													10	10	10	10	40

Total number of acres to be irrigated 40

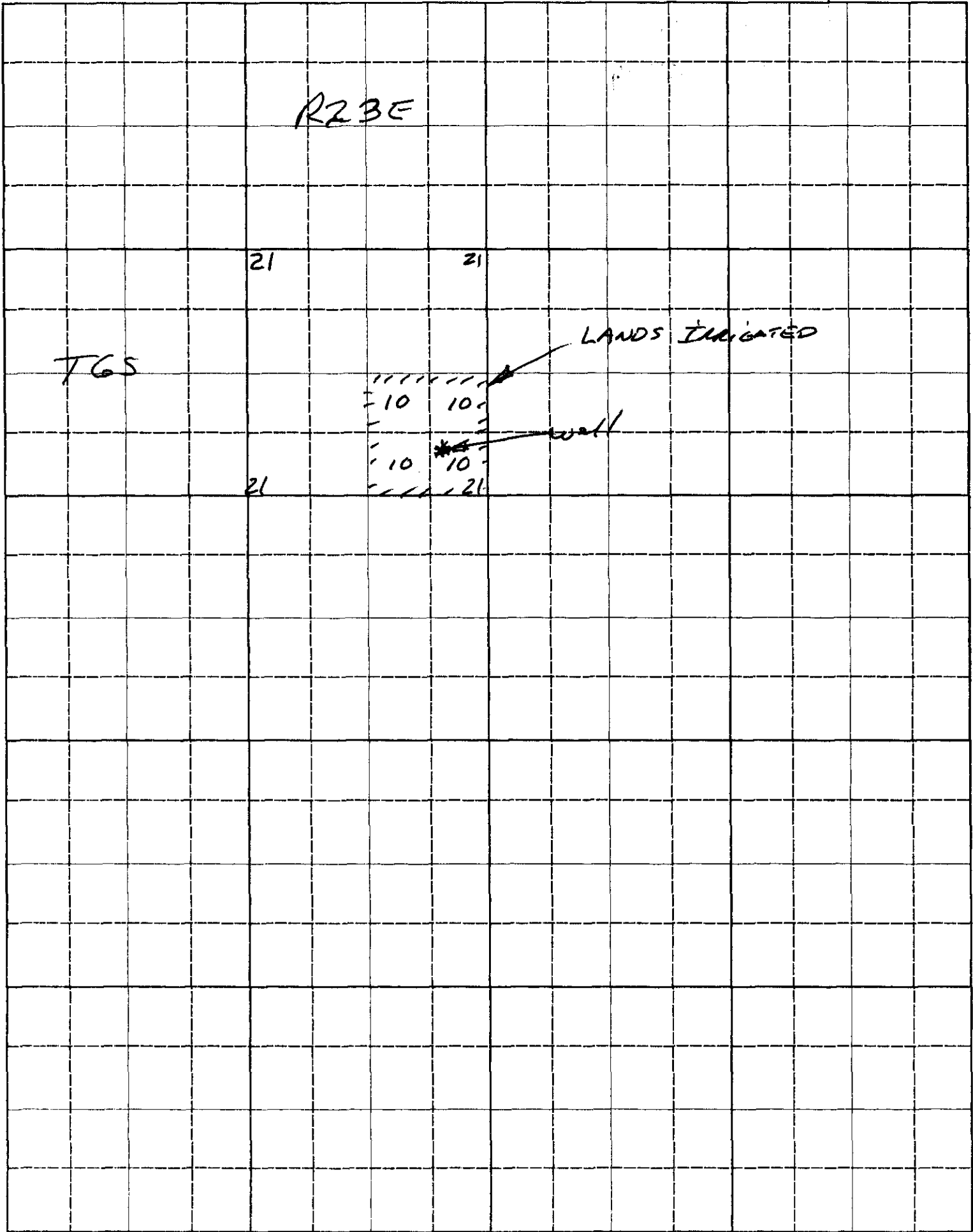
c. Describe any other water rights used for the same purposes as described above. 36-2455 -
same point of diversion and distribution system

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

10. Remarks Expansion occurred prior to November 19, 1982. Filing is being made to obtain benefits of Swan Falls Agreement. Applicant intends to claim actual date of beneficial use on these lands as a priority in the basin-wide adjudication in accordance with HB 71 enacted in 1985.

FILED
AUG 21 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.

RECORDED

AUG 21 1989

B. P. F. ...
John ...
(Applicant)
monoguy ...

Proposed Priority 5/9/85

may 5/14/85
Received by NCY Date 5/9/85 Time _____
Preliminary check by js Fee \$ 45⁰⁰ 36461
Received by 14 Date 5-9-85
Publication prepared by 16 Date 2/16/89
Published in northside News
Publication dates 2/05 & 2/23/89
Publication approved M. Belloni Date 3/13/89
Protests filed by: none

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

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. 36-8273, 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 June 1, 19 90.
- 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: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 9th day of may, 1989.

J. Allen Saylor

MICROFILMED

AUG 21 1989

AFFI' VIT of PUBLICATION RECEIVED

State of Idaho,
County of Jerome

SS.

FEB 24 1989

Department of Water Resources
Southern Region Office

Mike Thornberry, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2x consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 15 day of Feb

19 89 and the date of the last publication was on the 22

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Subscribed and sworn to before me this 22nd

day of Feb, 19 89.

(SEAL)

Norma DeVoe
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

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TOTAL COST <u>122.85</u>	

COPY OF NOTICE (Paste Here)

Upp. Water Right
TITLE OF NOTICE

All N/SN
PLAINTIFF ATTORNEY

app's

DEFENDANT

Dept. of Water Resources
2148 4th Ave E
Twin Falls, ID
83301

NOTICE OF APPLICATION
FOR WATER RIGHT
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36-08273
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Source: GROUNDWATER
Diversion Pt: SESE Sec 21 T 06S R 23E
Use: IRRIGATION (800 CFS)
Date Filed: 5/09/1985
In: T06S R23E S21 NESE NWSE
SESE-40.0 ACRES TOTAL

36-08274
B P FARMS, P.O. BOX 88, CAREY, ID 83320
Source: GROUNDWATER
Diversion Pt: NWSW Sec 22 T 06S R 23E
Use: IRRIGATION (3,100 CFS)
Date Filed: 5/09/1985
In: T06S R23E S22 NWNE NENW SWNW NESW
S22 NWSW SWSW SESW - 165.0 ACRES TOTAL

36-08275
B P FARMS, P.O. BOX 88, CAREY, ID 83320
Source: GROUNDWATER
Diversion Pt: NWSE Sec 28 T 06S R 23E
Use: IRRIGATION (5,000 CFS)
Date Filed: 5/09/1985
In: T06S R23E S21 SWNW SENW NESW NWSW

7-8 pt. p. S21 SWSW SESW
7-8 pt. p. S28 NWNW SWNW NESW NWSW
7-8 pt. p. S28 SWSW NWSE - 320.0 ACRES
TOTAL

36-08289
in 4 H FARMS INC., RT. 1 BOX 70A, HAZELTON, ID 83335
Source: GROUNDWATER
Diversion Pt: NWSW Sec 28 T 10S R 20E
SESE Sec 28 T 10S R 20E
Use: IRRIGATION (500 CFS)
Date Filed: 8/28/1985
In: T10S R20E S29 SESE - 3.0 ACRES
TOTAL

37-08063
WHITTAKER, JAMES, RT. 1 BOX 82, DIETRICH, ID 83324
Source: GROUNDWATER
Diversion Pt: NWNE Sec 11 T 07S R 18E
Use: IRRIGATION (2,000 CFS)
Date Filed: 1/08/1983
In: T07S R18E S10 NENE SENE S11 NENE SENE NWNW NESW
S11 NESE NWSE - 281.0 ACRES
TOTAL

37-08078
KISLING FARMS, RT. 2 BOX 2334, DIETRICH, ID 83324
Source: GROUNDWATER
Diversion Pt: SENW Sec 28 T 06S R 18E
Use: IRRIGATION (2,000 CFS)
Date Filed: 4/07/1983
In: T06S R18E S28 NWNE NENW NWNW - 120 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before MARCH 6, 1989.
R. Keith Higginson, Director
Pub: 2-16, 23 N12887

MICROFILMED

AUG 21 1989

This
Right has been
Decreed in the
SRBA.

Amended
JAN 12 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 13, 1992

FLAT TOP SHEEP CO
PO BOX 88
CAREY ID 83320

RE: WATER RIGHT NOS. 36-08273, 36-08274, 36-08275A & 36-08275B

Dear Water Right Holder(s):

Enclosed herewith are copies of the Water Right Licenses issued on the above referenced permits.

Sincerely,

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

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MICROFILMED
OCT 26 1992

MEMORANDUM

TO: Files 36-08273/08274/08275

FROM: Sharla

DATE: September 8, 1992

RE: License Review

These rights were recently examined. On September 4, Mel Schulte of Southern Region brought the exams to my office to discuss the background of the rights. The lands under each of the rights are currently under CRP. It would have been more convenient if the proof had been filed before the lands went into CRP so that the exams could be conducted while the diversion works were still intact. However, this was not the case and as documented in the narrative portion of the exams, Glen Saxton was contacted prior to the exams - it was determined that evidence of prior irrigation would be sufficient. Such evidence was present.

Because the delivery systems are no longer present, theoretical calculations for capacities were based upon 1981 pump efficiency tests which are documented in each file.

Assignments of the rights from BP Farms to Flat Top Sheep Co. were submitted along with the exams and the name changes have been incorporated into the licensing process.

All recommendations of the examiner have been used except for rates of diversion. The rates proposed by the examiner are based upon current rate/acre figures. The diversion rates shown on the licenses are instead the maximum 0.02 cfs/acre for the number of acres listed, with the limiting condition not to exceed the capacity.

Mel stated that Mr. Peavey was in the office last week and went over the field reports with him. Mr. Peavey agrees with the information contained therein; Mel did not feel that pre-license correspondence needed to be sent, rather the licenses can simply be issued. Upon issuance of the licenses, transfer applications will be filed to document leases which are proposed.

RECEIVED
OCT 26 1992

WR-NUMBER	SOURCE	NE			NW			SE			SW			NE			NW			SE			SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
L3608275	T06S R23E S21	GROUNDWATER																					34
		:																					
3602455	GROUNDWATE	:																					
A3602455	GROUNDWATE	:																					
R3602455	GROUNDWATE	:																					
36070078	GROUNDWATE	:																					
A36070078	GROUNDWATE	:																					
R36070078	GROUNDWATE	:																					
3607021	GROUNDWATE	:																					
A3607021	GROUNDWATE	:																					
R3607021	GROUNDWATE	:																					
3608275	GROUNDWATE	:																					
A3608275	GROUNDWATE	:																					
R3608275	GROUNDWATE	:																					
3608275	GROUNDWATE	:																					
A3608275	GROUNDWATE	:																					
R3608275	GROUNDWATE	:																					
L3608275A	GROUNDWATE	:																					
L36082758	GROUNDWATE	:																					
--86 MAP--	C63Q-AA 29	:																					
--86 MAP--	C67Q-AA 29	:																					

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 4 1992

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-8273

1. Owner: Flat Top Sheep Co.

Phone No. 788-2850

Current Address: P.O. Box 88 Carey 83320

2. Accompanied by: Tom Pewey / Mel Schulte IDWR EXAM DATE: 7-22-92

Address: _____ Phone No. _____

Relationship to Permit Holder: Son

3. Source: _____ 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: 36-8275A, L36-2455

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	21	06S	23E	Lincoln	Aerial Map / Inspection

2. Place(s) of Use:

Indicate Method of Determination Aerial Map

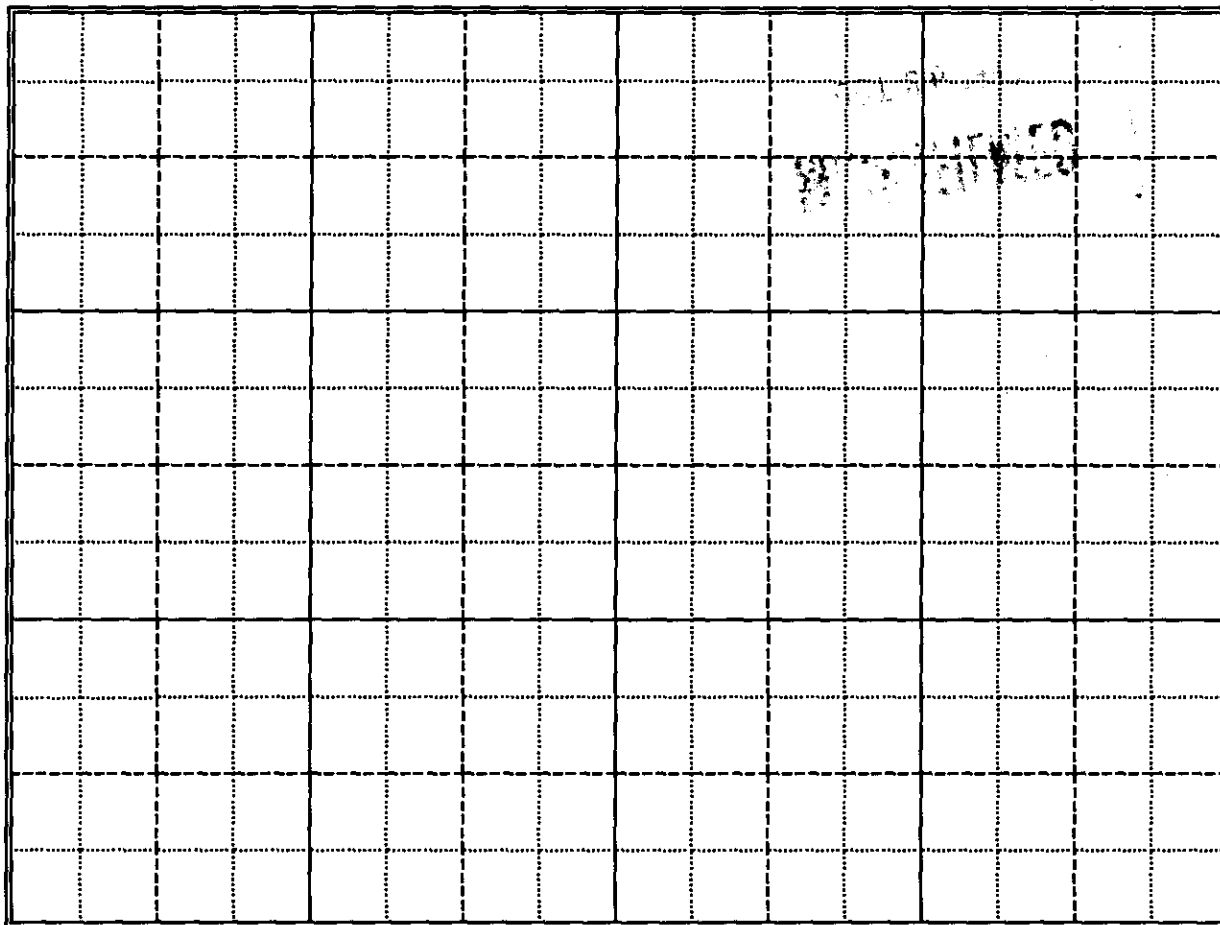
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	23E	21													10	10	8	6	34

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

See attached system diagram



Scale: 1" = _____

☒ Copy of USGS Quadrangle 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
	U.S. Electrical	200	1293583		
	Lincoln A.C.	75	1441884		
					RECEIVED

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

OCT 26 1992

D. FLOW MEASUREMENTS

1.

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

2. Measurements: No measurements were taken. Acreage was determined by the ASCS aerial map. A planimeter + aerial grid were used to determine proper P/U in the right tracts.

E. NARRATIVE/REMARKS/COMMENTS

The acres on this permit are the corners of a pivot and are now under CRP. The permit holder for this permit filed his proof of beneficial use after the land went under CRP. Loren Holmes & Glenn Sexton said that the timing of this filing was not important as long as the land was shown to have evidence of prior irrigation, which it indeed did. The only documentation found by the owner on the lift was a pump efficiency test in 1981.

L36-2455 & P36-8275A overlap P/D with this permit. All of P36-8275A is in use while part of L36-2455 is in use & part under CRP. Based on L36-2455, P36-8275A, & the ASCS aerial map, I can only recommend 34 acres on this permit.

I was also concerned with whether or not this system could supply enough water for this permit, P36-8275A, & L36-2455. I gave the permit holder the benefit of the doubt and used the total lift found in 1981. The theoretical capacity of this system was calculated to be 3.4 cfs, not enough for this permit to receive a full inch to an acre. The flow rate recommended for this permit is .35 cfs. A complete overlap analysis is attached. Please note the imposed condition.

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

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F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

Total system

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (326)(4.0) = 1304 \text{ cfs}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (3.4)(214)(1.9835) = 1443 \text{ cfs}$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1304 \text{ cfs}$$

2. Volume Calculations for Other Uses:

Allocated to L36-7455 680 cfs
Allocated to P36-8775A 488 cfs
Allocated to this permit 136 cfs
1304 cfs

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	10/31	.35	136
Totals:			.35 cfs	136 cfs

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

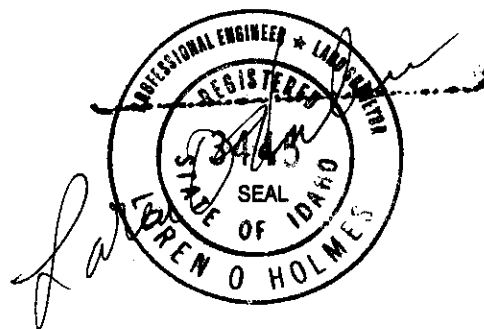
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OCT 26 1992

I. AUTHENTICATION

Field Examiner's Name Brett Barry Date 8-25-92

Reviewer Mel Schulte Date 9-3-92



36-8273--OVERLAP REVIEW AND ANALYSIS

Point of Diversion: SESE, S21, 6S, 23E

Requested flow rate: .80 cfs for 40 acres

Theoretical diversion rate: 3.4 cfs

OVERLAP REVIEW:

License No.: 36-2455

Point of Diversion: SESE, S21, 6S, 23E

Licensed flow rate: 3.4 cfs for 170 acres

Permit No.: 36-8273

Point of Diversion: SESE, S21, 6S, 23E

Recommended flow rate: .35 cfs for 34 acres

Permit No.: 36-8275A

Point of Diversion: SESE, S21, 6S, 23E

Recommended flow rate: 1.27 cfs for 122 acres

CALCULATIONS:

Old rate: $L36-2455 = 3.4/170 = .02 \text{ cfs/acre}$

Current rate: $3.4/326 = .0104 \text{ cfs}$

Old rate exceeds current rate therefore old acres are not included in recommendation for new license.

Flow rate recommended for new acres: $34 \text{ acres} \times .0104 = .35 \text{ cfs}$

VOLUME CALCULATIONS:

System diversion capacity: $3.4 \text{ cfs} \times 214 \times 1.9835 = 1443.2 \text{ afa}$

Allocated to L36-2455 = $170 \text{ acres} \times 4 = 680 \text{ afa}$

Allocated to P36-8275A = $122 \text{ acres} \times 4 = 488 \text{ afa}$

Allocated to P36-8273 = $34 \text{ acres} \times 4 = \underline{136 \text{ afa}}$
1304 afa

The capacity of the system is 3.4 cfs. Total licensed flow of 5.02 cfs exceeds the capacity, therefore, the following condition must be imposed. "THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT, 36-2455 AND 36-8275A SHALL NOT EXCEED 3.4 CFS."

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OCT 26 1992

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-8273
DATE: 8-25-92
BY: Brett Barry

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (...275...) \times (0.70)}{[(...376...) + (...55... \times 2.31)]} = 3.4 \text{ cfs}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner (✓)	owner ()	U.S. Electric 200 H.P.; Lincoln 1.75 H.P.
area estimate ()	estimate (✓)	Pump Make, Serial or ID, rating
well logs ()	owner gage ()	
Booster (Y) (N)		
REMARKS	The lift information came from a 1981 pump efficiency test.	
A booster has been added since this test.		

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL = $\frac{(214 \text{ days}) \times (1.98) \times (.34 \text{ cfs})}{(...326 \text{ acres})} = 4.47 \text{ af/a/acre}$

REQUIRED Acre Feet/Acre/Annum = 4.0 af/a/acre
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

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OCT 26 1992

Average Analysis for -36-8273

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
PERMIT																						
FOUND																						
OVERLAP																						
DIFFERENCE																						

P/D OVERLAP BUT ACRES NOT OVERLAPPING, USE FOR SYSTEM TOTAL CALCULATIONS

[illegible]

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OCT 26 1992

1900 N

16 15
21 22

T 1752
1441

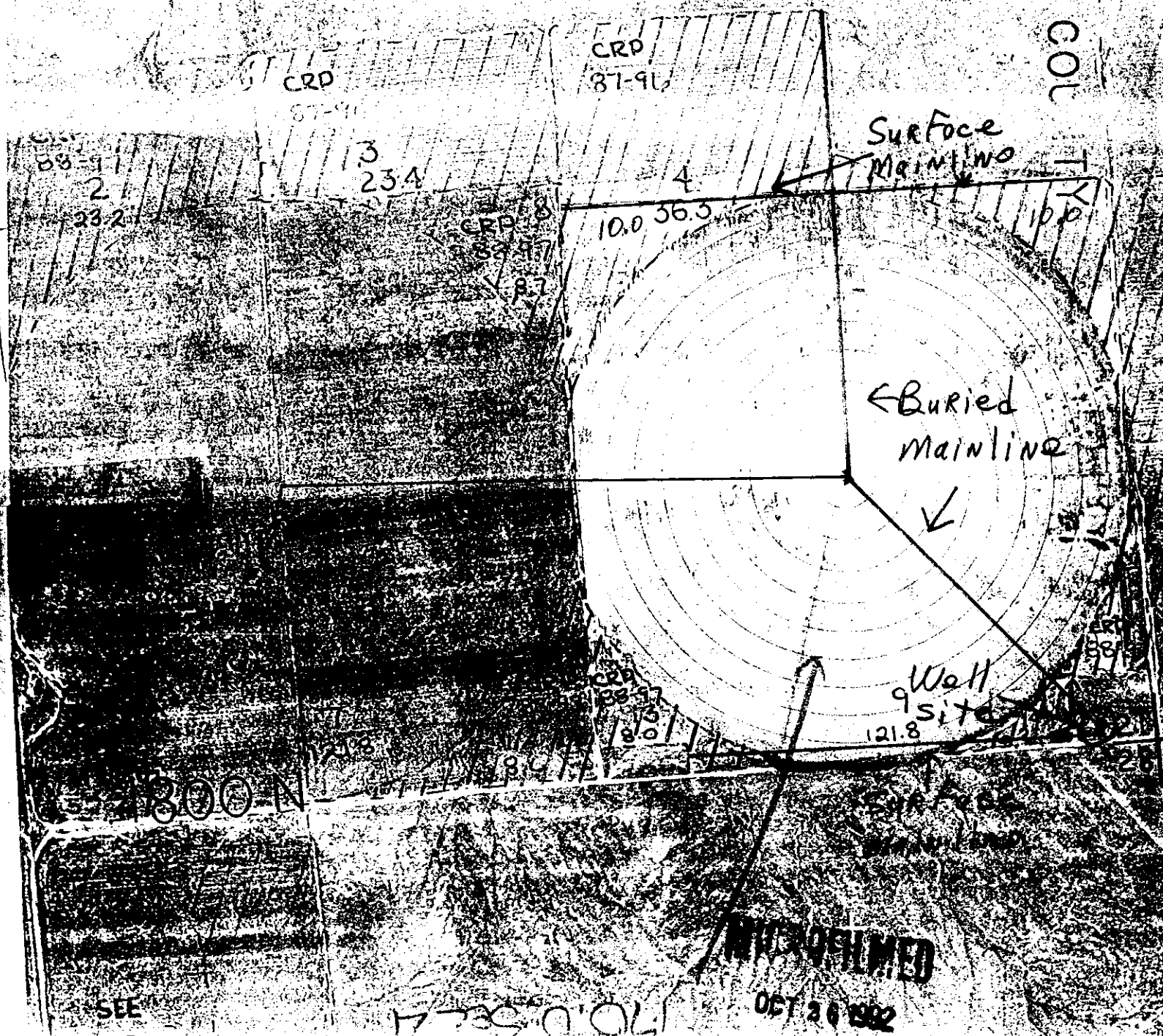
36-8213

System Diagram

TRACT HEL

LINCOLN
COL

CRD
87



1900 N

16 15
21 22

T 1752
1441

30-8273

TRACT HEL

LINCOLN

COL

C2
87

CRD

CRD

87-91

89-91

2

23.2

3

23.4

CRD

87-91

8.7

4

36.3

10

for 30-8273

P/D

9

121.8

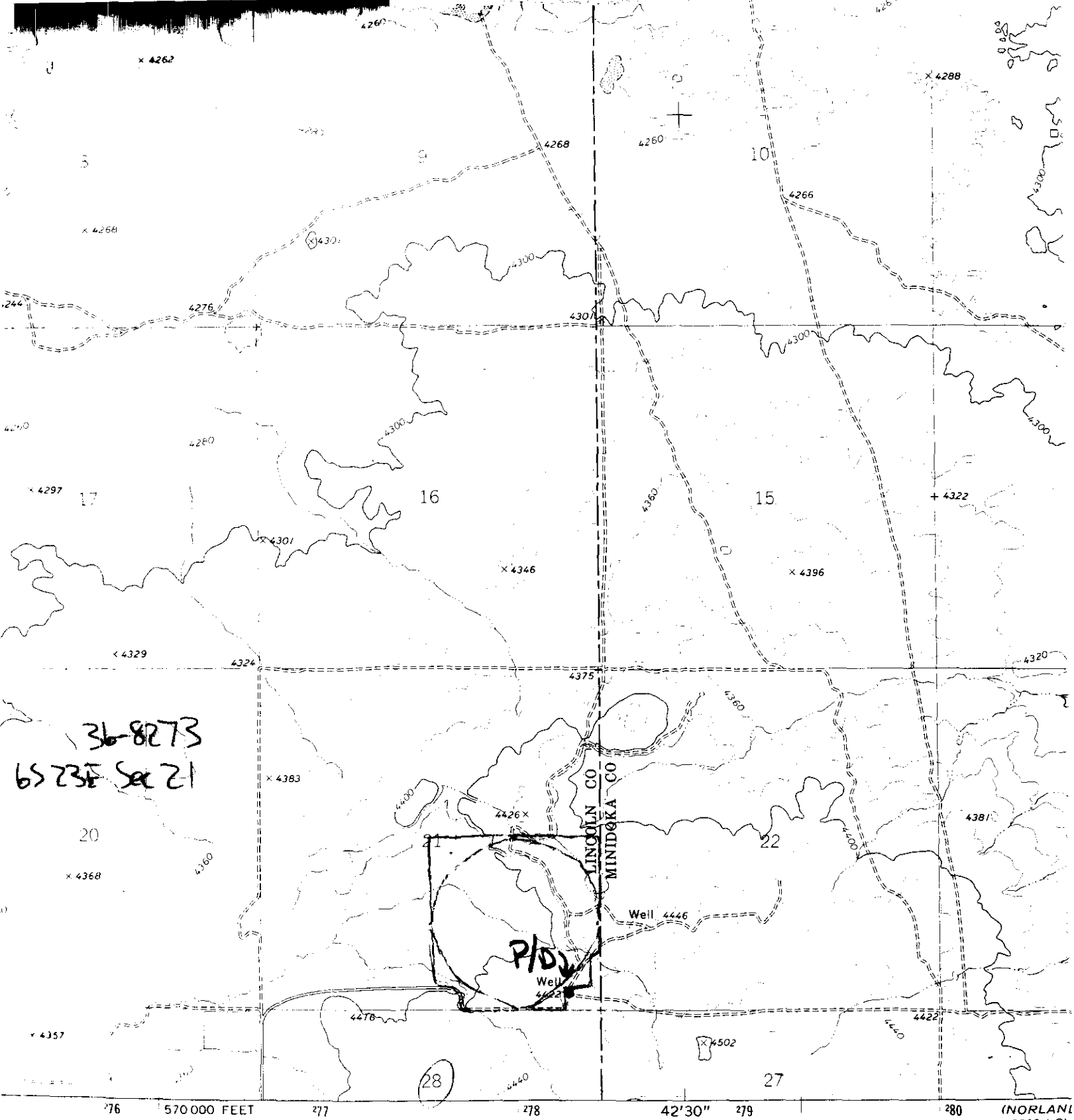
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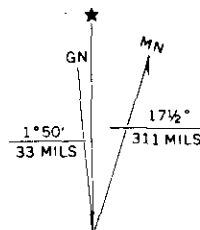
17-39 0.04

MICROFILMED

OCT 28 1992

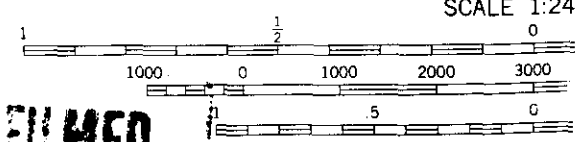


ped, edited, and published by the Geological Survey
 rot by USGS and NOS/NOAA
 graphy by photogrammetric methods from aerial
 graphs taken 1971. Field checked 1972
 ction and 10,000-foot grid ticks: Idaho coordinate
 m, central zone (transverse Mercator)
) metre Universal Transverse Mercator grid ticks,
 12, shown in blue. 1927 North American datum
 red dashed lines indicate selected fence lines



REPRODUCED

OCT 26 1992



CONTOUR INTERVAL
 NATIONAL GEODETIC VERTI

UTM GRID AND 1972 MAGNETIC NORTH
 DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, CO

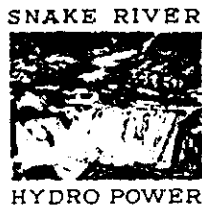
36-8273



↑ P/O

P/O →





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AUG 13 1992

Department of Water Resources
Southern Power

BOX 70 • BOISE, IDAHO 83707

PUMP EFFICIENCY TEST RESULTS Page 1 of 2

District Rupert Date June 19, 1981 Acct.# 1956-001183-4
Customer B P Farms C/O John Peavey Pump Identification Sta. #703
P. O. Box 88, Carey, ID 83320 200 Hp and 30 Hp booster
Pump Test Team Dick Wentworth & Jim Horting

Thank you for participating in the pump efficiency test program. Cost effective changes that reduce your costs and require less power from Idaho Power Company at a critical time of the year are expected to result from these measurements.

The results of the efficiency test and your record of the measurements are as follows:

Date of Test June 16, 1981

Pumping Plant Efficiency 54.0 % - 200 Hp only producing 39 psi

Water Level Measurements:

estimated Ground to well water 368 feet with pump off - based on 1965 measurement
estimated Ground to well water 376 feet with pump on and 1981 measurement of Sta. #694

Pressure Measurements:

39 psi at location of gage at the turbine pump
____ psi at location of gage ____
____ psi at location of gage ____

(TDH) Total Dynamic Head - total of ground to well water and pressure.

466 feet

Flow & Power Measurements 901 gpm at 466 ft TDH at 181 Hp
____ gpm at ____ ft TDH at ____ Hp
____ gpm at ____ ft TDH at ____ Hp

Comments and Evaluation of the test result and measurements:

The friction loss of the water going through the valves, pipe and booster pump at 901 gpm flow was 12 psi.

If the impellers have not been adjusted recently, an adjustment might produce a noticeable improvement.

Results with the booster running are on the next page.

OCT 26 1992

signed

[Signature]
Agricultural Engineer

After changes are made to increase the pump efficiency or reduce kilowatt hour usage, one free efficiency test will be conducted to assure the customer that savings are occurring.

SNAKE RIVER



HYDRO POWER

IDAHO POWER COMPANY

BOX 70 • BOISE, IDAHO 83707

PUMP EFFICIENCY TEST RESULTS Page 2 of 2

District Rupert Date June 19, 1981 Acct.# 1956-001183-4
 Customer B P Farms C/O John Peavey Pump Identification Sta. #703
P. O. Box 88, Carey, ID 83320 200 Hp and 30 Hp booster
 Pump Test Team Dick Wentworth & Jim Horting

Thank you for participating in the pump efficiency test program. Cost effective changes that reduce your costs and require less power from Idaho Power Company at a critical time of the year are expected to result from these measurements.

The results of the efficiency test and your record of the measurements are as follows:

Date of Test June 17, 1981

Pumping Plant Efficiency 58.9 % - combined efficiency of both pumps

Water Level Measurements:

Ground to well water 368 feet with pump off

Ground to well water 376 feet with pump on

Pressure Measurements:

72 psi at location of gage discharge side of the 30 Hp booster

33 psi at location of gage between 200 Hp and 30 Hp

 psi at location of gage

(TDH) Total Dynamic Head - total of ground to well water and pressure

 feet

Flow & Power Measurements 991 gpm at 542 ft TDH at 210 Hp

 gpm at ft TDH at Hp

 gpm at ft TDH at Hp

Comments and Evaluation of the test result and measurements:

Individual plant efficiencies of the 200 Hp and 30 Hp are as follows:

200 Hp - 452 feet total head - 57.3% plant efficiency (Motor producing 181 Hp)

30 Hp - 90 feet total head - 70.3% plant efficiency (Motor producing 29 Hp)

FILED

OCT 26 1992

signed

[Signature]
Agricultural Engineer

After changes are made to increase the pump efficiency or reduce kilowatt hour usage, one free efficiency test will be conducted to assure the customer that savings are occurring.

PUMP TEST FIELD DATA

1

District RUPERT Date 6-16-81
 Customer JIM PEAVEY Account Number _____
 Address _____ City _____ State _____ Zip _____
 Meter Number 2592X *Turbine only operating*
 Pump Location _____ Type TURBINE
 Motor Nameplate U.S. MOTORS 200 HP 440V. 240 AMPS.
SER. # 1293583

703

Pump Nameplate BYRON JACKSON SIZE 14" CGL TYPE 4 STG
SER. # 397093 370 HEAD FT. GPM 1800 RPM 1770

Bowl Size _____ Column Size _____ Depth Setting _____ (ft)

Pump Design _____ GPM @ _____ TDH _____ (ft)

Well Depth _____ Diameter _____ Static Water Level _____

Pumping Level _____ Usual Discharge Pressure _____ Suction Pressure _____

Meter Disc Revolutions _____ Meter Constant _____ Seconds (time) 23.75

CT Ratio _____ PT Ratio _____ Or Multiplier _____ Inst. Demand _____

Flow Meter Device COLLINS Recorded Demand 4.48 KW

FORMULA

EST. to water level in 1965 water level measurement, 90' 365+3+8' = 376' EST.

- Line
1. Total Head Pressure (2.31 x Pressure) + Pumping Level
 against the pump: (2.31 x 39) + 376 = 466 TDH in feet
 2. Flow: Pipes under 10" $2.55(ID)^2 - ID \times \text{Meter Reading} =$ Flow in GPM
 Pipes over 10" $2.45 \times (\text{Pipe ID})^2 \times \text{Meter Reading}$
 $2.45 \times (10.28)^2 \times 3.48 =$ 901 Flow in GPM
 3. Water Horsepower: Flow x TDH / 3960
 $(901) \times (466) / 3960 =$ 106 Water Horsepower
 4. Input KW: .PF x Avg Volts x Avg Amps x 1.732 / 1000
OR $() \times () \times () \times 1.732 / 1000 =$ _____
 4. Input KW: Rev x Kh (x multiplier x 3.6) ÷ seconds = 146.4 KW
 5. Horsepower Input: Input KW / .746
 $146.4 / .746 =$ 196.3 Input Horsepower
 6. Plant Efficiency: Water H P / Input H P x 100
 $106.0 / 196.3 \times 100 =$ 54.0 % Plant Efficiency

RECORDED

OCT 26 1982

all line flow readings

Well Depth _____ Diameter _____ Static Water Level _____

Pumping Level _____ Usual Discharge Pressure _____ Suction Pressure _____

Meter Disc Revolutions _____ Meter Constant _____ Seconds (time) 23.75

CT Ratio _____ PT Ratio _____ Or Multiplier _____ Inst. Demand _____

Flow Meter Device Collins Recorded Demand 4.48 KW

FORMULA

Line

EST. to verify level on 1965 water level measurements, 365' + 3' + 8' = 376' EST.

1. Total Head Pressure (2.31 x Pressure) + Pumping Level
against the pump: (2.31 x 39) + 376 = 466 TDH in feet

2. Flow: Pipes under 10" $2.55 (ID)^2 - ID \times \text{Meter Reading} =$ Flow in GPM
Pipes over 10" $2.45 \times (\text{Pipe ID})^2 \times \text{Meter Reading}$
 $2.45 \times (10.28)^2 \times 3.48 = \underline{901}$ Flow in GPM

3. Water Horsepower: Flow x TDH / 3960
 $(901) \times (466) / 3960 = \underline{106}$ Water Horsepower

4. Input KW: .PF x Avg Volts x Avg Amps x 1.732 / 1000
OR $() \times () \times () \times 1.732 / 1000 =$ Input KW
 $5 \times 4.8 \times 40 \times 1.732 / 1000 = \underline{23.2}$

4. Input KW: Rev x Kh (x multiplier x 3.6) ÷ seconds = 146.4 KW

5. Horsepower Input: Input KW / .746
 $146.4 / .746 = \underline{196.3}$ Input Horsepower

6. Plant Efficiency: Water H P / Input H P x 100
 $106.0 / 196.3 \times 100 = \underline{54.0\%}$ Plant Efficiency

Collins Flow Readings

	A	B
1	3.8	3.85
2	3.95	3.7
3	3.5	3.24
4	3.3	3.4
5	3.35	3.2
6	3.2	3.2

Power Read. at Various Pressures

	PSI	Rev.	Seconds	KW	Produced Hp
1		5	23.6		
2	30	5	23.6		
3	39	5	23.6		
4	39	5	23.75	146.4	181

$0.010 \times \frac{13.5}{16} = 10\% = 10.28 / 25$
THICK $\frac{4.5}{16}$ UNLOADED VOLTS: 484-485-485
AMPS -

12 Readings Total 41.85 ÷ 12
= 3.48 (Line 2 Meter Reading)

2-1 3-10 - 4-11

Miscellaneous Observations--Over

PROBABLE

OCT 22 1962

PUMP TEST FIELD DATA

District _____ Date 6-17-81
 Customer JOHN PEAVEY Account Number _____
 Address _____ City _____ State _____ Zip _____
 Meter Number _____
 Pump Location _____ Type CENTRIFUGAL
 Motor Nameplate U.S. MOTORS 30 HP. 460 V. 73 AMPS
S.F. 1.0 ID# R-9510-00-025 C

#703

Pump Nameplate PACIFIC PUMPING CO.
GPM 1700 TH 78 FT. SER. IAG 5HP 58268

Bowl Size _____ Column Size _____ Depth Setting _____ (ft)

Pump Design _____ GPM @ _____ TDH _____ (ft)

Well Depth _____ Diameter _____ Static Water Level _____

Pumping Level _____ Usual Discharge Pressure _____ Suction Pressure _____

Meter Disc Revolutions _____ Meter Constant _____ Seconds (time) _____

CT Ratio _____ PT Ratio _____ Or Multiplier _____ Inst. Demand _____

Flow Meter Device _____ Recorded Demand 4.48 X KW

FORMULA

ine

1. Total Head Pressure (2.31 x Pressure) + Pumping Level
 against the pump: (2.31 x 72) + 376 = 542 TDH in feet

2. Flow: Pipes under 10" $2.55(ID)^2 - ID \times \text{Meter Reading} =$ Flow in GPM
 Pipes over 10" $2.45 \times (\text{Pipe ID})^2 \times \text{Meter Reading}$
 $2.45 \times (10.28)^2 \times 3.83 = 991$ Flow in GPM

3. Water Horsepower: Flow x TDH / 3960
 $(991) \times (542) / 3960 = 135$ Water Horsepower

4. Input KW: .PF x Avg Volts x Avg Amps x 1.732 / 1000
 OR () x () x () x 1.732 / 1000 = Input KW

4. Input KW: Rev x Kh (x multiplier x 3.6) ÷ seconds = 171 KW

5. Horsepower Input: Input KW / .746
 $171 / .746 = 229$ Input Horsepower

6. Plant Efficiency: Water H P / Input H P x 100
 $135 / 229 \times 100 = 58.9\%$ Plant Efficiency

72 after Boster 32 at well Running Boster
 Collins Flow Readings Amps

	A	B
1		

Power Read. at Various Pressures

PSI Rev. Seconds KW Produced Hp

CT Ratio _____ PT Ratio _____ Or Multiplier _____ Inst. Demand _____

Flow Meter Device _____ Recorded Demand 4.18 X KW

FORMULA

ine

1. Total Head Pressure (2.31 x Pressure) + Pumping Level
against the pump: (2.31 x 72) + 376 = 542 TDH in feet

2. Flow: Pipes under 10" $2.55(ID)^2 - ID \times \text{Meter Reading} =$ Flow in GPM
Pipes over 10" $2.45 \times (\text{Pipe ID})^2 \times \text{Meter Reading}$
 $2.45 \times (10.28)^2 \times 3.83 = 991$ Flow in GPM

3. Water Horsepower: Flow x TDH / 3960
 $(991) \times (542) / 3960 = 135$ Water Horsepower

4. Input KW: .PF x Avg Volts x Avg Amps x 1.732 / 1000
OR () x () x () x 1.732 / 1000 = Input KW

4. Input KW: $\frac{5}{48} \times \frac{40}{20.2} \times \text{multiplier} \times 3.6 \div \text{seconds} = 171$ KW

5. Horsepower Input: Input KW / .746
 $171 / .746 = 229$ Input Horsepower

6. Plant Efficiency: $\frac{\text{Water H P}}{\text{Input H P}} \times 100$
 $\frac{135}{229} \times 100 = 58.9\%$ Plant Efficiency

72 after Boster 32 at well Running Boster
Collins Flow Readings Amps

	A	B	
1	4.35	4.35	33
2	4.4	4.4	72 PSI
3	4.4	4.0	31
4	3.85	3.95	31
5	3.7	3.75	32
6	3.7	3.65	31.3 AVE.

Power Read. at Various Pressures

	PSI	Rev.	Seconds	KW	Produced Hp
1	58	5	19.7		
2	72	5	20.2		
3					
4					

12 Readings Total 46 ÷ 12
= (Line 2 Meter Reading)

Miscellaneous Observations--Over

00120000

MEMORANDUM

To: Files 36-8273 and 36-8274
From: L. Glen Saxton *LS*
RE: DEPARTMENT LETTER DATED NOVEMBER 1, 1990
Date: December 6, 1990

The above referenced letter requested certain information from the permit holder in connection with the nature of the diversion and application system. The system has since been removed from the project since the land is in the CRP program.

The submittal of the requested information at this point does not need to be pursued since the department can seek the information at the time the field examination is conducted.

MICROFILMED
DEC 17 1990

November 1, 1990

B-P Farms
P. O. Box 88
Carey, ID 83320

Gentlemen:

Re: Permit Nos. 36-8273 and 36-8274

The department received and processed the proof of beneficial use forms for the above-referenced permits. Enclosed is a copy of the reinstatement order issued for each permit. The priority date has been advanced since the proofs were received after the proof due date.

The department requests that you provide information showing when hardware was purchased, the results of pump tests conducted and when water was first used.

The next step is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Southern Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

If you have questions, please contact me or the regional office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

DEC 17 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8273

Date: 10-24-90

General Considerations:

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

Source of Water:

Y Surface water
Y Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

*Well drilled in 1970
Proof acceptable*

Y Priority Calculation:
Date proof received July 27 208
Date proof due June 1 -152
No. of days late =56
Priority date May 9, '85 +129
NEW PRIORITY DATE July 4, 85 =185

lb
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED
JUL 27 1990

For Office Use Only
Amt. of Fee \$ 100.00
Date 7/27/90
Receipt No. 0017821
Received by C. Wong

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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. 36-8273 Telephone No. 788-2850 or 726-7568

Name(s) of Permit Holder(s): B-P FARMS

Post Office Address: P.O. Box 88, CAREY, IDAHO, 83320

Source of Water: GROUND WATER

If ground water, well driller's name: BILL STRASSER Date drilled: 1970 prior to

Extent of Use:

Domestic _____ (No. of households)

Irrigation .8 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted .8 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: prior to 11/17/82

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

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

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No
REMOVED BECAUSE LAND IS IN EXP. DOCUMENTATION IS AVAILABLE AS TO SYSTEM NOW
Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule) Hardware as to hardware and pump tests.

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

JOHN PEAVEY 788-2850 or 726-7568
Name Telephone No.

P.O. Box 88, CAREY, IDAHO, 83320
Address

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

July 27, 1990 John T. Peavey
Date Signature (and title if on behalf of a company or organization)

MICROFILMED

DEC 17 1990

June 13, 1990

B P FARMS
P.O. BOX 88
CAREY, ID 83320

LAPSE NOTICE

RE: PERMIT NO. 36-08273

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated March 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

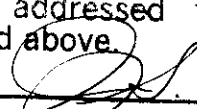
LGS:RF

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DEC 17 1990

CERTIFICATION OF MAILING

I hereby certify that on 6.15.90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



138461
March 31, 1990

B P FARMS
P.O. BOX 88
CAREY, ID 83320

PROOF DUE NOTICE

RE: PERMIT NO. 36-08273

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 June 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

MICROFILMED

DEC 17 1990

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

=====

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

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

MICROFILMED

DEC 17 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 10, 1989

B P FARMS
P.O. BOX 88
CAREY, ID 83320

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 36-08273

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

MONOTYPED

AUG 21 1989

L. _____ J

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
AUG 11 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

B-P Farms

INITIAL REVIEW BY: J. P. Stanton

APPLICATION NUMBER: 36-8273

CHECK:

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

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: J. P. Map No. AA-29
☒ Yes ☐ No Other rights on same place of use.
36-2455 (no overlap if pending transfer is approved) 2
☒ Yes ☐ No* In form for advertising.
Final date for protests: 3/6/89
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2/24/89
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 495/36461
☒ Publication dates and paper, recorded on application. Northside News 2/15 & 2/22/89
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01-P05
5/9/85 Date of priority recommended.
Special conditions of approval or cover letter. OIG

App. in TRUST area - see remarks for development statement -

Allow 1 yr. for B/U development

By: Laura O'Halloran Date: 3/15/89

STATE OFFICE REVIEW:

P05, P03, P23, P16 46 OIG

- ☐ See attached sheet for more information.

By: kw

Date: 4/12/89



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 2, 1989

B-P Farms
P.O. Box 88
Carey ID 83320

Re: Application for Permit Nos. 36-8273, 36-8274 & 36-8275

Dear Applicants:

On March 25, 1988, the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application. This process includes the preparation of a notice of the application which shall be published once a week for two consecutive weeks in a newspaper printed within the county wherein the point of diversion lies.

The Department wishes to know of any reason why it should not plan to process your above-referenced application. If there is a reason for not processing this particular application or you no longer have any interest in seeking a water right permit under this application, please notify the Department within ten days of the date of mailing this notice.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Loren O. Holmes".

Loren O. Holmes
Manager, Southern Regional Office

LOH:jg

MICROFILMED

AUG 21 1989

36-08273

B P FARMS
P.O. BOX 88
CAREY, ID 83320

Source: GROUNDWATER

Diversion Pt: SESE Sec 21 T 06S R 23E

Use: IRRIGATION (.800 CFS)

Date Filed: 5/09/1985

In: T06S R23E S21 NESE NWSE SWSE SESE

40.0 ACRES TOTAL

MICROFILMED

AUG 21 1989

