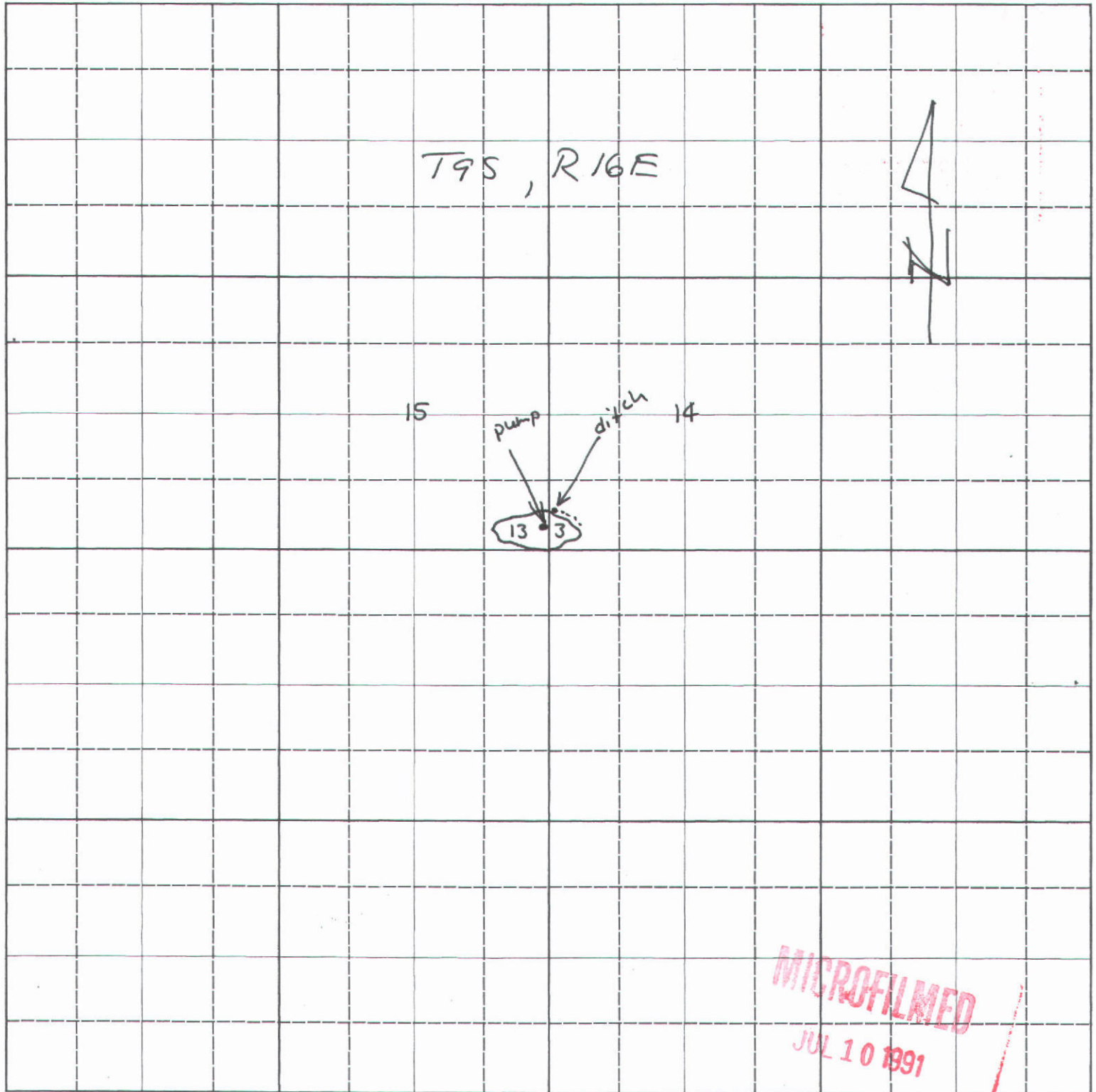


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Barbara Anington
(Applicant)

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Jerome } ss.

Patty Spance, being first duly sworn, deposes and says that she 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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1st day of May, 1991, and the date of the last publication was on the 8th day of May, 1991.

Patty Spance
Subscribed and sworn to before me this 8th day of May, 1991.
(SEAL)

Vincent Gandiaga
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 _____ 6¢/Pica
351.5 Lines straight at 17.58 5¢/Pica
Subsequent lines at 14.06 4¢/Pica
TOTAL COST 31.64

COPY OF NOTICE

(Paste Here)

Not. Appl. To Wat. Rt.
TITLE OF NOTICE
Mr. Arrington
36-08555
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. D. W. R. B.
BILL TO

NOTICE OF APPLICATION FOR TRUST WATER RIGHT 36-08555

ARRINGTON, MIKE
ARRINGTON, BARBARA
SCOTT, ETHEL
213 W. 580 S.
JEROME, ID 83338
Source: WASTE WATER
Diversion Pt: NWSWSW Sec 14 T 09S R 16E

SESESE Sec 15 T 09S R 16E
Use: IRRIGATION (.320 CFS)
Total Diversion: (.320 CFS)
Date Filed: 8/21/1990
In: T09S R16E S14 SWSW
S15 SESE
16.0 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, Statehouse Mail, Boise, Idaho 83720 on or before MAY 20, 1991.

-s- R. Keith Higginson
Pub: 5-1, 8 N4722

7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

MICROFILMED

JUL 10 1991

No 5035

47.22

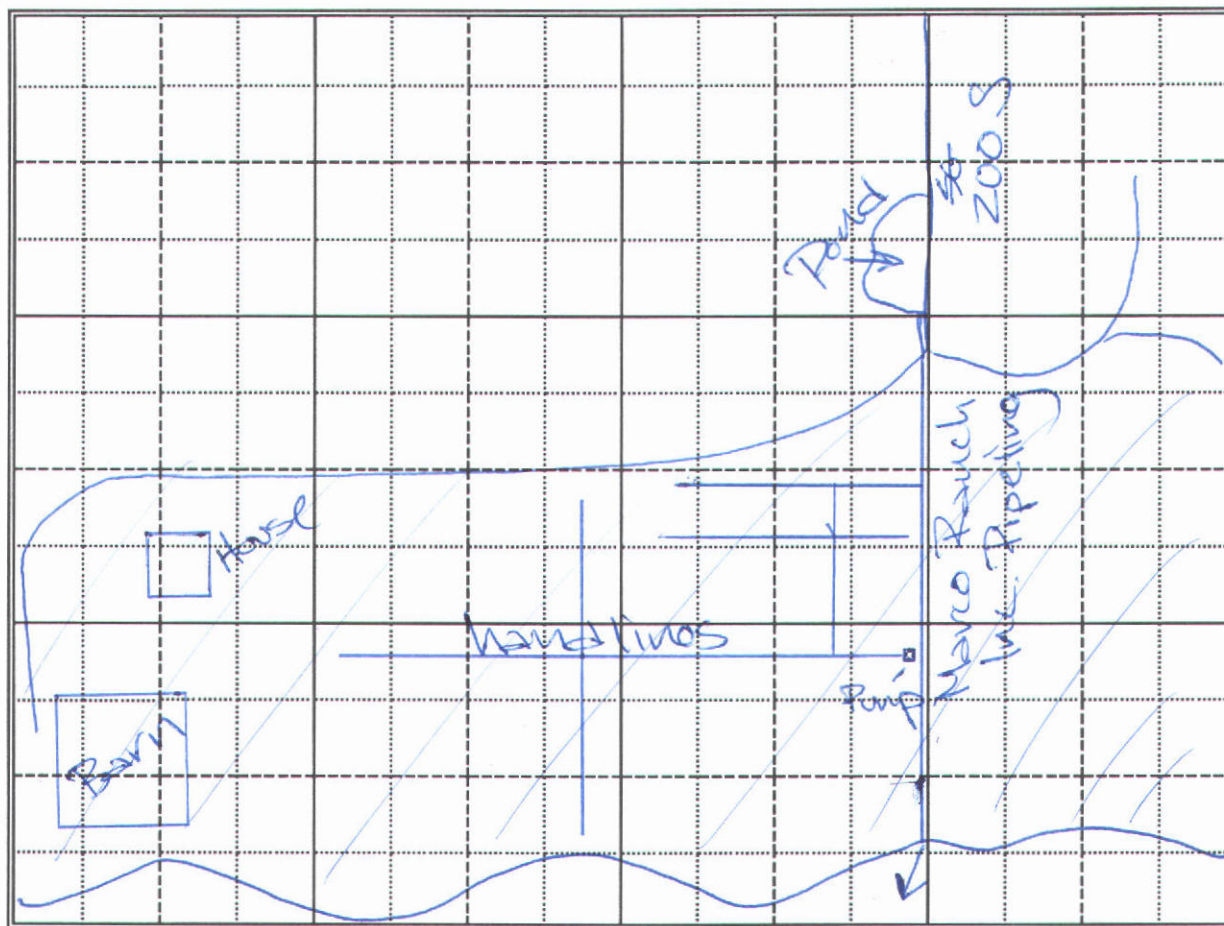
OK
TJ2
5-10-91

15

Sec. 14



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



Scale: 1" = _____

☒ Copy of USGS 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
	Baldor	7.5			

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

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FEB 25 2002

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Fuji	FLC 31011			TK0085TB		May 2000

2. Measurements: The Fuji recorded an average measurement of 89 gpm, which I converted to 0.70 cfs for the system capacity.

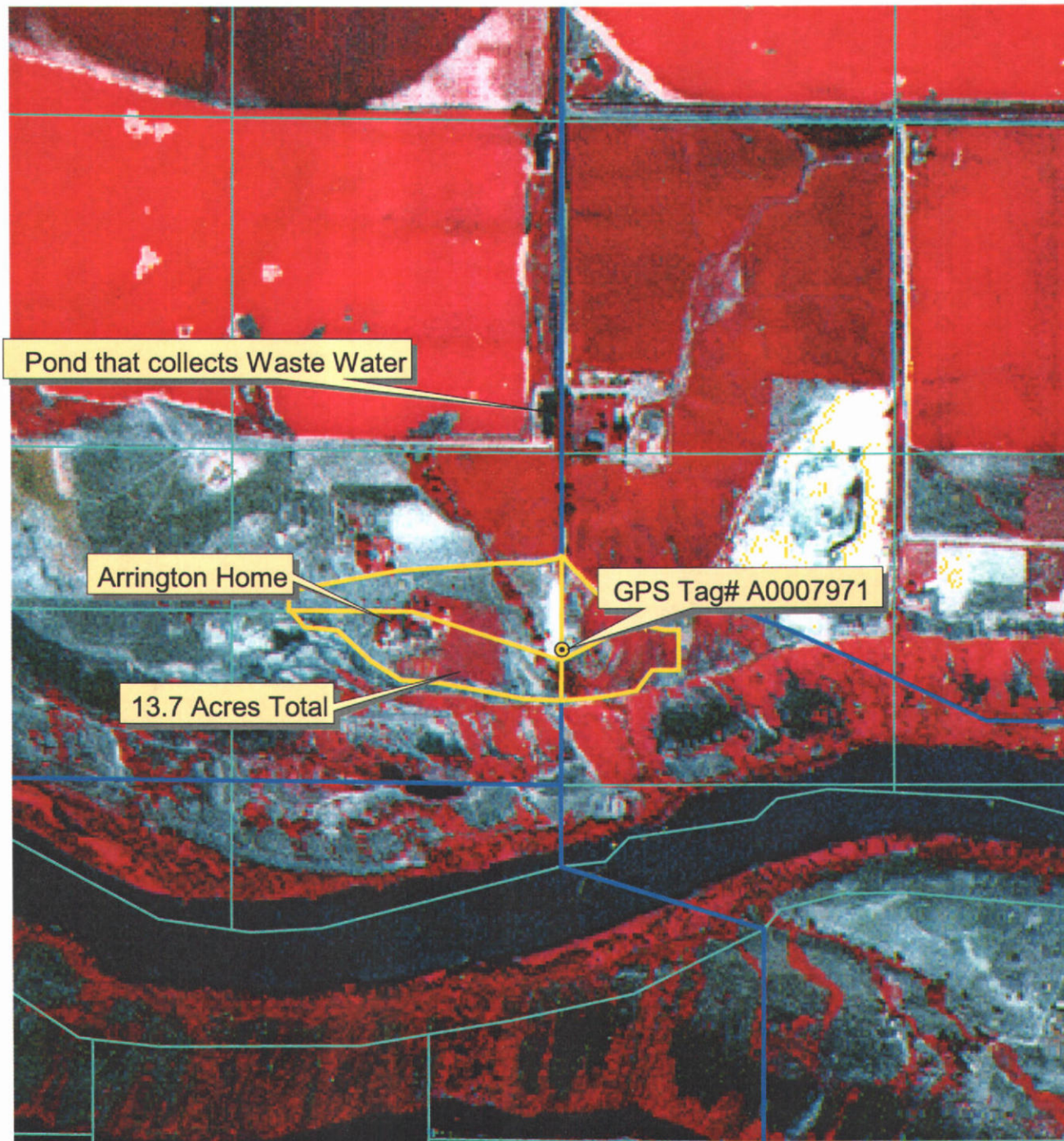
Idaho Department of Water Resource

Recommendation for 36-08555

Mike Arrington

T09S

R16E



● Points of Diversion

□ Quarter-quarter Lines

□ Section Lines

□ Place of Use

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FEB 25 2002



Point of Diversion
T09S R16E S14 & 15
Data entry on Oct 19, 2000

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom

NOT TO SCALE

MICROFILMED
FEB 25 2002

452

三

7123
1486

— 172 —

7140

14

1486-3-4
ALL NEV

85-14617-1

T6089
1486-4-4
ALL HELL

1172

52

107

069

4124

1276
1275

22

10

25

冬

9

1. *Staphylococcus aureus*

1

ALL

6

2

—

7

5



100

100

1000

1



Canyon

Irrg. Pipe line



House

Irrigated Acres



Looking NW'ly

MICROFILMED

FEB 25 2002



Looking NW'ly

Irrg. Main Line



Mike Arrington
FE: Amanda Folsom
DATE: August 15, 2000

36-08555



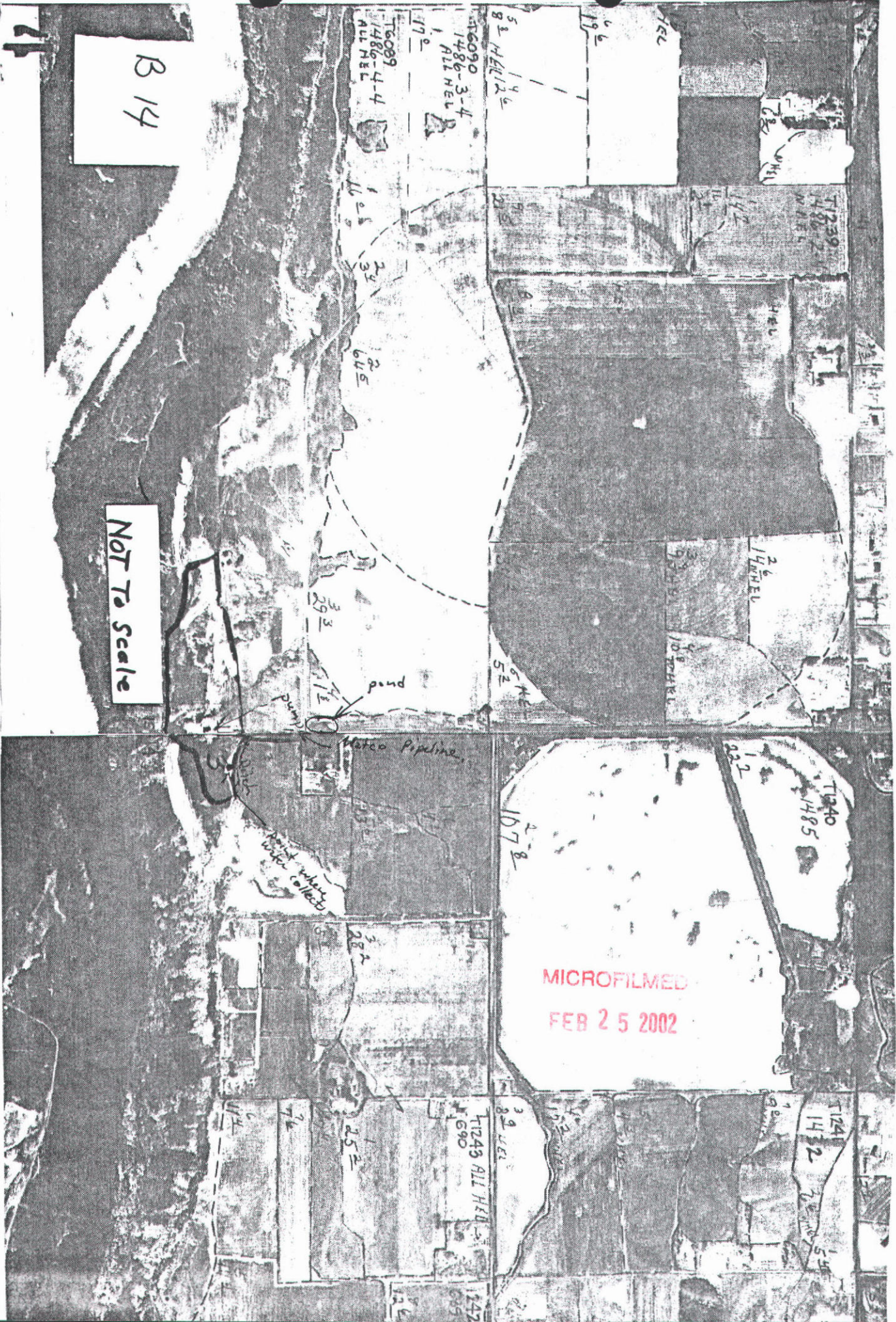
MICROFILMED
SEP 7 5 2002

Mike Arrington
FE: Amanda Folsom
DATE: August 15, 2000

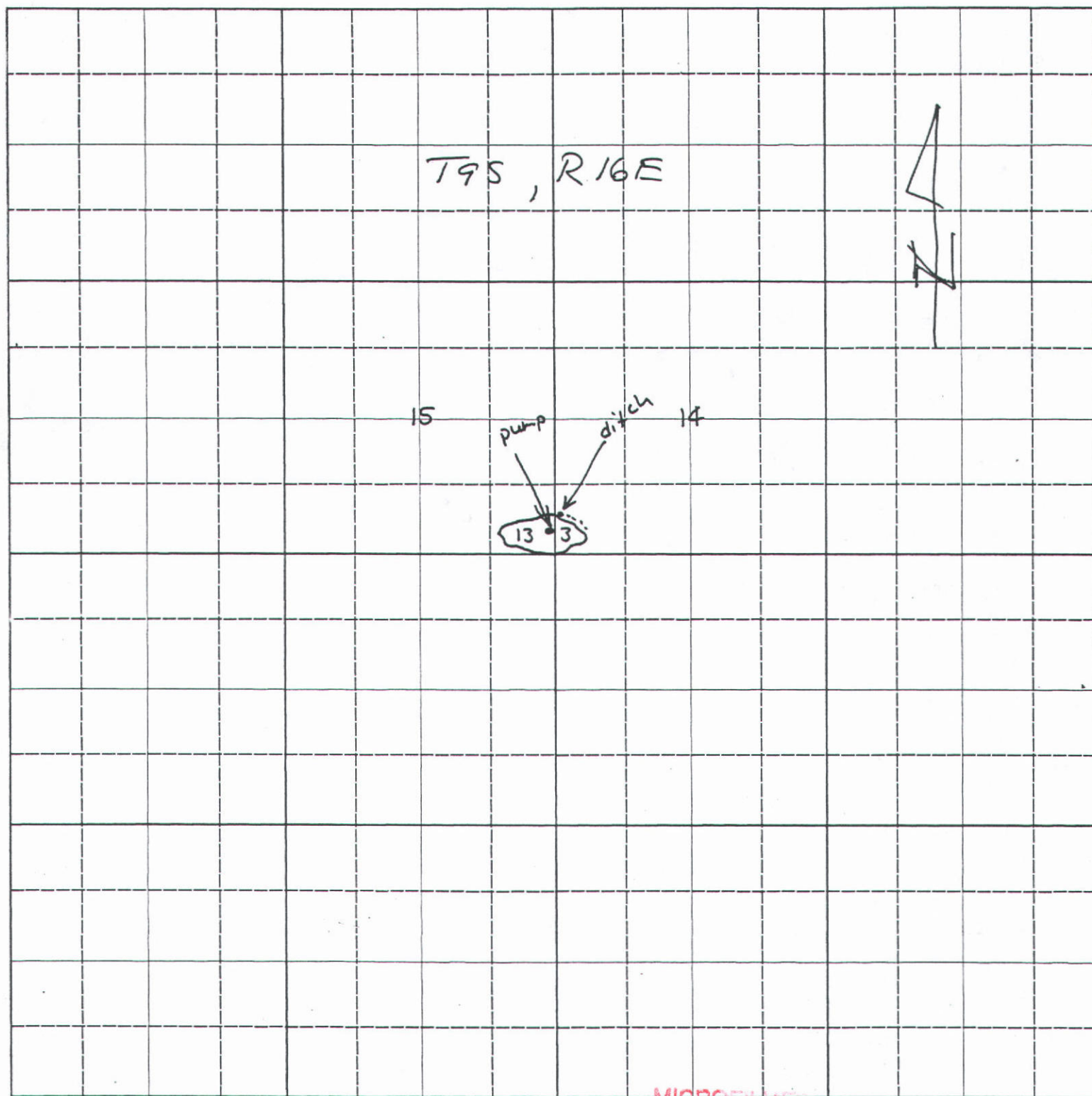
36-08555

B 14

NOT TO SCALE



13. 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.

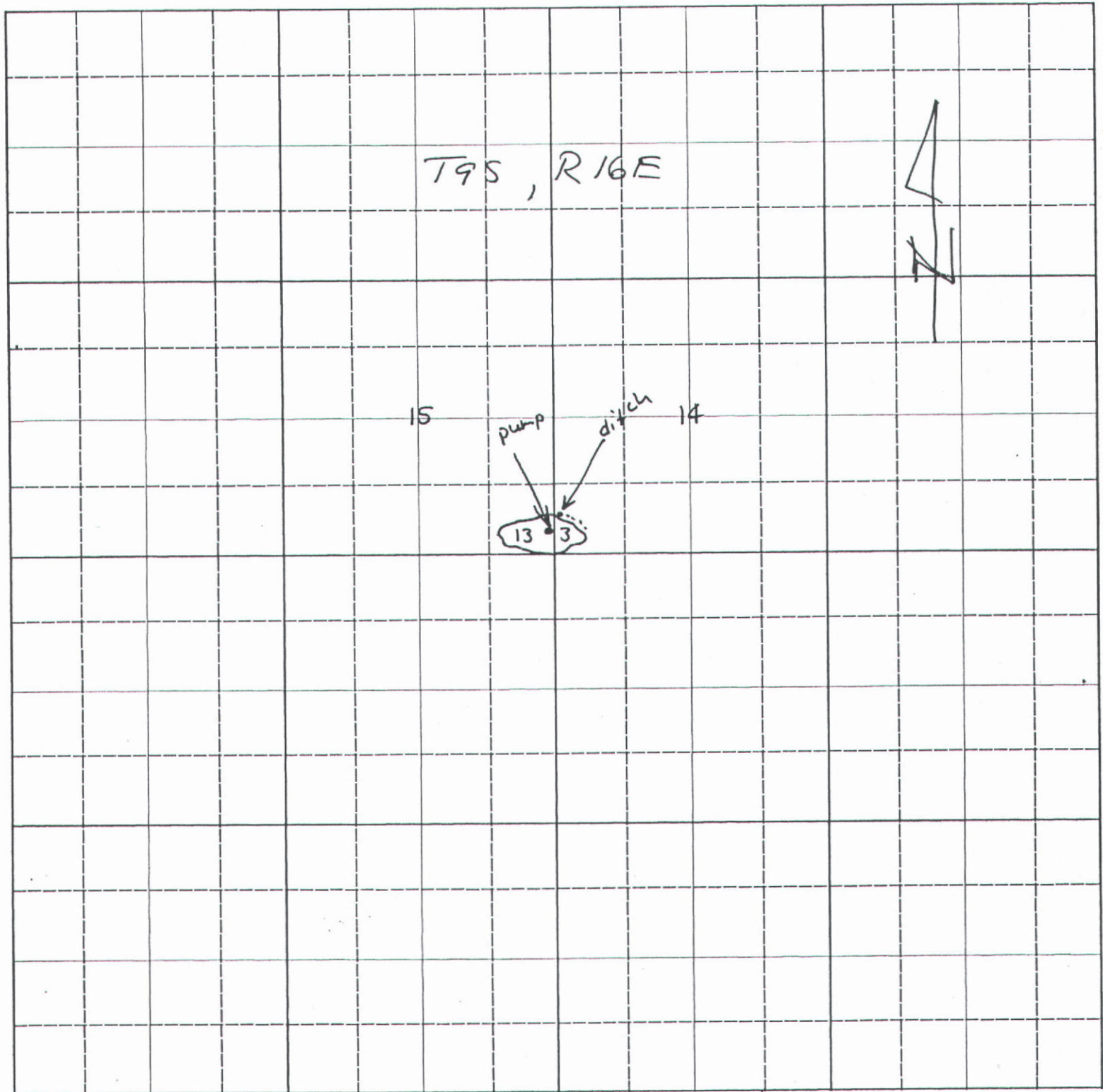
MICROFILMED

FEB 25 2002

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.

Barbara Anington
(Applicant)

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

FEB 25 2002

Barbara Anington
(Applicant)

34
59
REL

9
67°

7
60°

62

357

16°

28
78

3
56°

4
6°



1514

MICROFILMED
FEB 25 2002



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08555

Priority: August 21, 1990

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 52.0 AF

It is hereby certified that ETHEL SCOTT And/Or
BARBARA ARRINGTON And/Or
MIKE ARRINGTON
213 W 580 S
JEROME ID 83338 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 21, 1990; and have
submitted Proof of Beneficial Use on May 18, 1992. An examination indicates that the works have a
diversion capacity of 43.5 cfs of water from:

SOURCE

WASTE WATER

Tributary: SNAKE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	3/15 to 11/15	0.20 CFS	52.0 AF

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, Twp 9S, Rge 16E, B.M. JEROME County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	Govt. Lot	Tract	Acres
09S	16E	14	3	SWSW	1.5
09S	16E	14	4	SWSW	2.0
09S	16E	15	4	SESE	5.0
09S	16E	14	5	SESE	4.5

Total Acres: 13

CONDITIONS OF APPROVAL

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 36-8019 and 36-8269 are also diverted through the point of diversion described above.

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

Signed and sealed this 7TH day of February, 2002.

MICROFILMED

SEP 15 2002

Acting for 
KARL J. DREHER, Director

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08555

FEB-4-1990

Date of Priority: August 21, 1990

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 52.0 AF

Comes now ETHEL SCOTT
213 W 580 S
JEROME ID 83338

And/Or

BARBARA ARRINGTON
213 W 580 S
JEROME ID 83338

And/Or

MIKE ARRINGTON
213 W 580 S
JEROME ID 83338

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. 36-08555, and requests that the permit be changed as follows:

Source: WASTE WATER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.20 CFS	52.0 AF

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER
JEROME County

NE1/4SE1/4

Sec. 15, Twp 09S, Rge 16E, B.M.

PLACE OF USE: IRRIGATION

T09S R16E S14 Lot 3 SWSW 1.5
T09S R16E S14 Lot 4 SWSW 2.0
T09S R16E S15 Lot 4 SESE 5.0
T09S R16E S15 Lot 5 SESE 4.5

Total Acres: 13

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 31 day of Jan., 2002.

MICROFILMED

FEB 25 2002


(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08555

FOR DEPARTMENT USE ONLY

Preliminary check by SJK Fee = \$50.00 Received by J. Mac # 0059699 Date 2/5/02

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. 36-08555 with the following:

CONDITIONS OF APPROVAL

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 36-8019 and 36-8269 are also diverted through the point of diversion described above.

Witness my hand this 7TH day of February, 2002.

Acting for 
KARL J. DREHER
Director

MICROFILMED

FEB 25 2002

RECEIVED

MAY 18 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 5-18-92
Receipt No. CO24195
Receipt by WLB50.00
CO24199
5-18-92
WLB**PROOF OF BENEFICIAL USE**

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08555 Telephone No. 324-4757
2. Name(s) of Permit Holder(s): Mike Arrington, Barbara Arrington
3. Mailing Address: 213 W. 580 So. Jerome, ID 83338
4. Source of Water: Ditch or Canal - waste water 5/18/92 Klg
- If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: 7 hsp. Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

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

6. Total rate and/or volume for which proof is submitted 0.32 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes X No Installed? _____ Yes _____ No

OR

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

8. Fee Enclosed: \$ 100⁰⁰ (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Mike or Barbara Arrington 324-4757
Name Telephone No.
213 W. 580 So. Jerome Idaho
Address

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

MICROFILMED

May 14, 1992 Barbara Arrington
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08555

Proposed Priority: August 21, 1990 Maximum Diversion Rate: 0.32 CFS
This is to certify, that **MIKE ARRINGTON**

BARBARA ARRINGTON
ETHEL SCOTT
213 W. 580 S.
JEROME, ID 83338

has applied for a permit to appropriate water from:

WASTE WATER tributary of **SNAKE RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.32 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u>	NWSWSW SESESE	Sec. 14, Township 09S, Range 16E Sec. 15, Township 09S, Range 16E JEROME County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>					
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	16E	14	SWSW 3			3
		15	SESE 13			13

Total number of acres irrigated: 16

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1992.
2. Subject to all prior water rights.
3. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

JUL 10 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08555

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

14 th day of June, 1991.

for R. Keith Higginson, Director
[Signature]

RECEIVED

JUL 10 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 36-08555

To appropriate the public waters of the State of Idaho

1. Name of applicant Mike #/or Barbara Arrington #/or Ethel Scott Phone 324-4757

Post office address 213 W. 580 S. , Jerome, ID 83338

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

3. Location of point of diversion is NW SE ¼ of SW SE ¼ of SW SE ¼, Govt. Lot Pump

Sec. 14 Township 9S. Range 16E B.M. Jerome County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.32 for irrigation purposes from 3/15 to 11/15 (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 is (a) 0.32 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two diversion points from waste water from N.S.C.C. The one is Sec. 14 is a ditch collecting waste water from above. The second is our pump connected to Marco Ranch Pipeline Inc. Pipeline to their turbines.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to beneficial use is 4 years (minimum 1 year).

MICROFILMED
JUL 10 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	16E	14											3						3
		15															13		13

Total number of acres to be irrigated 16

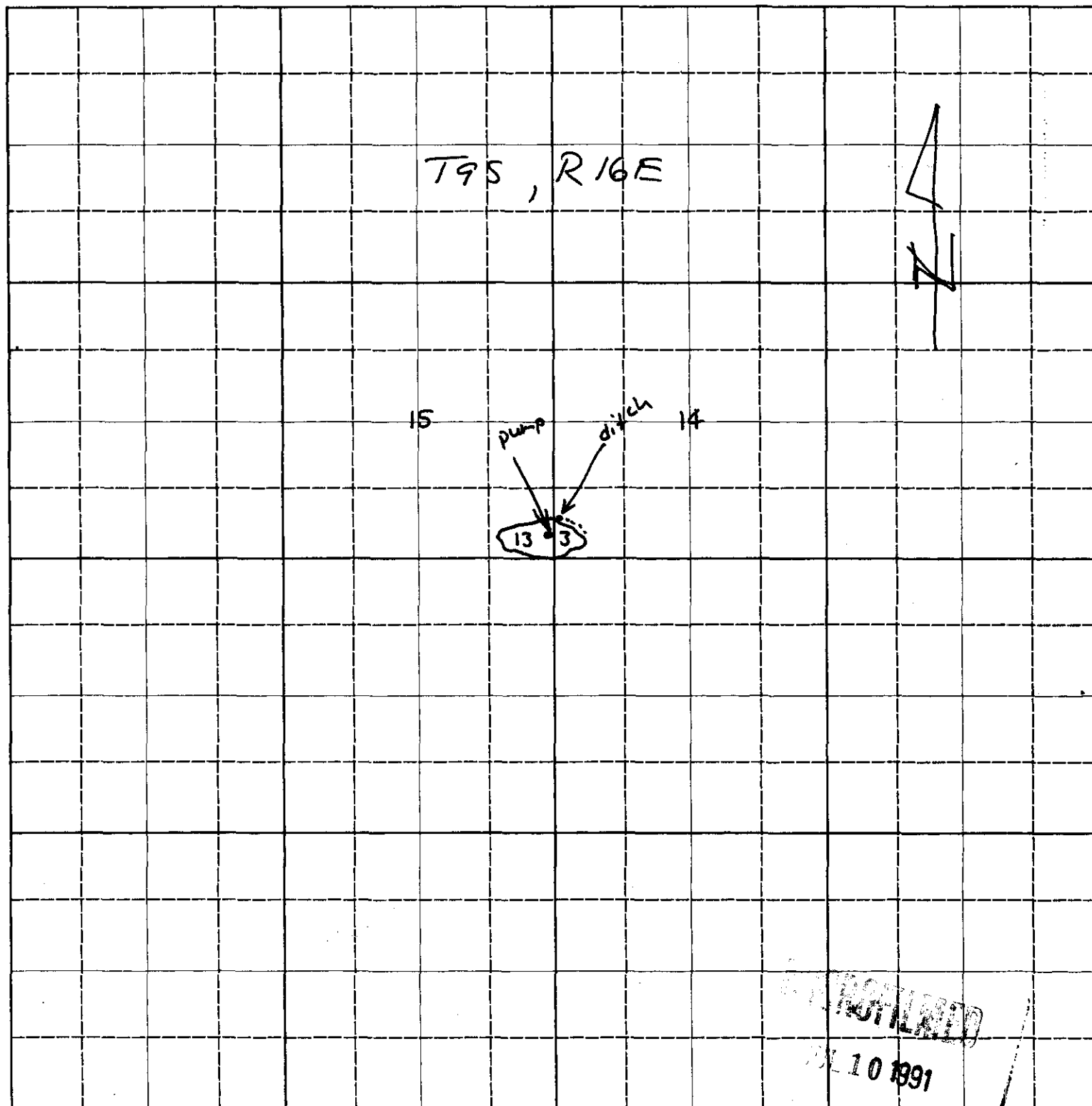
10. Describe any other water rights used for the same purposes as described above. None

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

MICROFILMED
JUL 10 1991

12. Remarks: These lands were first irrigated from waste water in 1958 but in 1967 grandfather died and use was not re-established for lands in Sec 15 until 1980. The land in Sec 14 has been continuously irrigated since 1958. This filing is made to record the existing use.

13. 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.

Barbara Arington
(Applicant)

Received by Adm Date 8/21/90 Time 14:35 Preliminary check by JJ
Fee \$ 45⁰⁰ Receipted by Adm # 5012584 Date 8/21/90
Publication prepared by P. B. M. Date 8/21/90 Published in Idaho State News
Publication approved JJL Date 5-10-91

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. _____, and said application is hereby _____.

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 _____, 19 ____.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

INDEXED

JUL 10 1991

B 14

B 14

Not To Scale

EASEMENT AGREEMENT

THIS AGREEMENT is made this ^{24th}~~23~~ day of October, 1984, by and between ETHEL I. SCOTT, a widow, of Jerome County, Idaho, hereinafter referred to as "Scott" and MARCO RANCHES, INC., an Idaho corporation, with its principal offices located in Jerome County, Idaho, hereinafter referred to as "Marco";

WITNESSETH:

WHEREAS, Marco wishes to acquire from Scott an Easement for the purposes of constructing an above ground water pipeline and an electrical powerline over and across the real property of Scott; and

WHEREAS, Scott is willing to convey unto Marco the desired easement in return for certain considerations and promises;

NOW, THEREFORE, it is agreed as follows:

1. That for good and valuable consideration as is hereinafter set forth, Scott does hereby grant unto Marco an easement over and across her property with the said easement described as follows:

Commencing at the meander corner of fractional Sections 14 and 15 on the right bank of the Snake River in Township 9 South, Range 16 East, Boise Meridian. Said Point lies South 00°13'45" West, 2146.02 feet from the East quarter corner of said Section 15. Thence, North 72°12'15" West, 56.74 feet along the South boundary of Lot 4, Section 15 to the REAL POINT OF BEGINNING of the centerline of a 20.00 foot wide easement.

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JUL 10 1991

1 Thence South 28°56'28" West 165.72 feet
2 along the centerline of said easement.

3 Thence South 11°32'31" West 52.61 feet,
4 to a point on the rim of the Snake River
5 Canyon which is the REAL ENDING POINT of
6 the centerline of said 20.00 foot wide
7 easement.

8 2. Marco shall be entitled to use the said easement
9 as above described for the purposes of constructing an electrical
10 powerline and an above ground water pipeline.

11 3. It is understood and agreed that Scott shall be
12 entitled to make use of the lands within the boundaries of the
13 above described easement for any and all agricultural purposes
14 or uses which she may desire, provided the said uses or purposes
15 do not interfere with the continued powerline and pipeline
16 improvements to be located thereon by Marco.

17 4. That as consideration for the grant of this ease-
18 ment by Scott to Marco, it is agreed by Marco that it will
19 acquire and install on behalf of Scott, a sprinkler irrigation
20 system which will permit Scott to sprinkle irrigate that irri-
21 gable land now owned by Scott consisting of approximately five
22 acres. This shall include irrigation lines, irrigation pump,
23 and electrical equipment and hookup required in order to operate
that sprinkler irrigation system. That Marco further agrees to
allow a sufficient quantity of irrigation water during the irri-
gation season to flow through the existing coulee running
through the property of Scott and to reach the irrigation pump

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JUL 10 1991

1 to be provided by Marco, and to enable Scott to irrigate those
2 irrigable lands contemplated under the terms of this agreement.
3 It is agreed that Scott will be responsible for the cost of
4 operating and maintaining that irrigation system once the same
5 is placed into operating condition.

6 5. The terms of this agreement shall be binding upon
7 the heirs, personal representatives, successors and assigns of
8 the respective parties hereto.

9 IN WITNESS WHEREOF the parties hereto have set their
10 hands on the day and year first set forth above.

11 Ethel I. Scott
12 ETHEL I. SCOTT

MARCO RANCHES, INC.

13 By: Jim Marten
14 Vice-President

15 ATTEST:

16 Brent Marten
17 Secretary

18
19
20
21
22 MICROFILMED

23 JUL 10 1991

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Jerome } ss.

Patty Nance, being first duly sworn, deposes and says that she 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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1st day of May, 1991, and the date of the last publication was on the 8th day of May, 1991.

Subscribed and sworn to before me this 8th day of

(SEAL)

Vivian Jaramila
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 _____ 6¢/Pica

351.5 Lines straight at 17.58 5¢/Pica

_____ Subsequent lines at 14.06 4¢/Pica

TOTAL COST 31.64

COPY OF NOTICE

(Paste Here)

Not. Appl. For Wat. Rt.
TITLE OF NOTICE
M. Arrington
36-28555
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. H. K. B.
BILL TO

NOTICE OF ~~WATER~~ FOR TRUST

ARRINGTON, M.
ARRINGTON, SARAH
SCOTT, ETHEL
213 W. 5th St.
JEROME, ID 83428
Source: WASTE WATER
Diversion Pt: NW 1/4 Sec 14 T 089 R 16E

SEWER Sec 14 T 089 R 16E
Use: IRRIGATION (.320 CFS)
Total Diversion: (.320 CFS)
Date Filed: 5/27/1990
In: TOWN 15E S14 RWSW
S15 SESE
16.6 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 43-601A, Idaho Code and/or the new public interest criteria of Sec. 43-603C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mall, Boise, Idaho 83726 on or before MAY 20, 1991.

- R. Keith Higgins
H4722

Pub: 5-1, 8

7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

MICROFILMED

JUL 10 1991

No 5035

24 7.22



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 10, 2004

MIKE ARRINGTON
213 W 580 S
JEROME ID 83338

RE: Water right number(s): 36 8555

Dear Water Right Holder(s):

The purpose of this letter is to notify you in advance that present drought conditions in Eastern Idaho may result in the flow of the Snake River falling below the minimum stream flow of 3,900 cubic feet per second ("cfs") established by the Swan Falls Agreement at the Murphy gage on the Snake River. Your water right bears a later priority date than July 1, 1985, the priority date for the minimum stream flow. As a result, if the flow falls below 3,900 cfs, the department will send you another letter advising you to cease diversion of water.

This notice is being provided so that you have advance warning to make arrangements to minimize impacts to growing crops or other loss that could occur if your water diversion is curtailed. Such arrangements may include temporary transfers as provided under Section 42-222A, Idaho Code, for areas declared a drought emergency. Declaration of a drought emergency can be initiated by petition of the Board of County Commissioners to the director of this department subject to approval by the Governor.

There are many variables that affect stream flows in the Snake River. Normally, the flows in the Snake River at Murphy gauge are lowest during June and July.

Information about your water right can be found on the department's website at the following address: <http://www.idwr.state.id.us/apps/ExtSearch/SearchWRAJ.asp>. Real time flow data for the Murphy gage can also be found at the following address: <http://www.idahopower.com/riversrec/waterlevels/streamflow/showgraph.cfm>

Thank you for your cooperation in this matter. If you have questions, please feel free to contact the department.

Sincerely,

Gary Spackman
Water Allocations Bureau Chief

State of Idaho
Department of Water Resources
PO BOX 83720
BOISE ID 83720-0098

PRSRT STD
U.S. POSTAGE
PAID
PERMIT NO.
BOISE, ID

MIKE ARRINGTON
213 W 580 S
JEROME ID 83338



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 10, 2004

ETHEL SCOTT
213 W 580 S
JEROME ID 83338

RE: Water right number(s): 36 8555

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Thank you for your cooperation in this matter. If you have questions, please feel free to contact the department.

Sincerely,

Gary Spackman
Water Allocations Bureau Chief

State of Idaho
Department of Water Resources
PO BOX 83720
BOISE ID 83720-0098

PRSRT STD
U.S. POSTAGE
PAID
PERMIT NO.
BOISE, ID

ETHEL SCOTT
213 W 580 S
JEROME ID 83338



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

February 8, 2002

MIKE ARRINGTON
BARBARA ARRINGTON
ETHEL SCOTT
213 W 580 S
JEROME ID 83338

RE: License No. 36-8555 - 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.

Enclosed is a copy of the approved Application for Amendment.

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:klit

Enclosure(s)

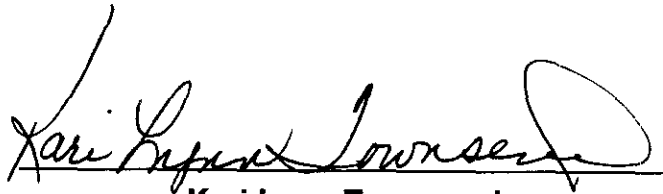
MICROFILMED
FEB 25 2002

CERTIFICATE OF MAILING

I hereby certify that on February 8, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 36-8555

**MIKE ARRINGTON
BARBARA ARRINGTON
ETHEL SCOTT
213 W 580 S
JEROME ID 83338**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
FEB 25 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
FEB 23 2002

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.



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

January 30, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MIKE ARRINGTON
213 W 580 S
JEROME ID 83338

RE: Water Right Permit 36-08555

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 been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the \$50.00 filing fee for this amendment has not been paid.

If you have any questions regarding this matter, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure

MICROFILMED

FEB 25 2002



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

01/09/2002

MIKE ARRINGTON
213 W 580 S
JEROME ID 83338

RE: Water Right Permit No. 36-08555

Dear Mr. Arrington:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ Point(s) of Diversion

☐ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they 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 14 days.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosure(s)

MICROFILMED

NOV 20 2002

Comment Report

36-8555

1. skeen 01/09/2002 Licensing Review

Comment: Licensing review and data entry by S. Keen on 1/9/2002.

The examiner indicates that the diversion is shared with water rights 36-8019 and 36-8269. I have recommended that the right be licensed with the point of diversion described in those two rights. The place of use will be limited to 13 acres, not 13.7, because that is all I could find when digitizing the place of use.

2. VAULT 05/18/1992 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

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FEB 25 2002

Sec. 14

Sec. 23

MICROFILMED

FEB 25 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 09 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08555

1. Owner: Mike & Barbara Arrington Phone No. 208-329-4757

Current Address: 213 W 580 S Jerome ID 83338

2. Accompanied by: Mike & Barbara Arrington EXAM DATE: August 15, 2000

Address: Same Phone No. Same

Relationship to Permit Holder: Owners

3. Source: Waste Water tributary to Snake River

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	SW	14	09S	16E	Jerome	GPS TAG # A0007971

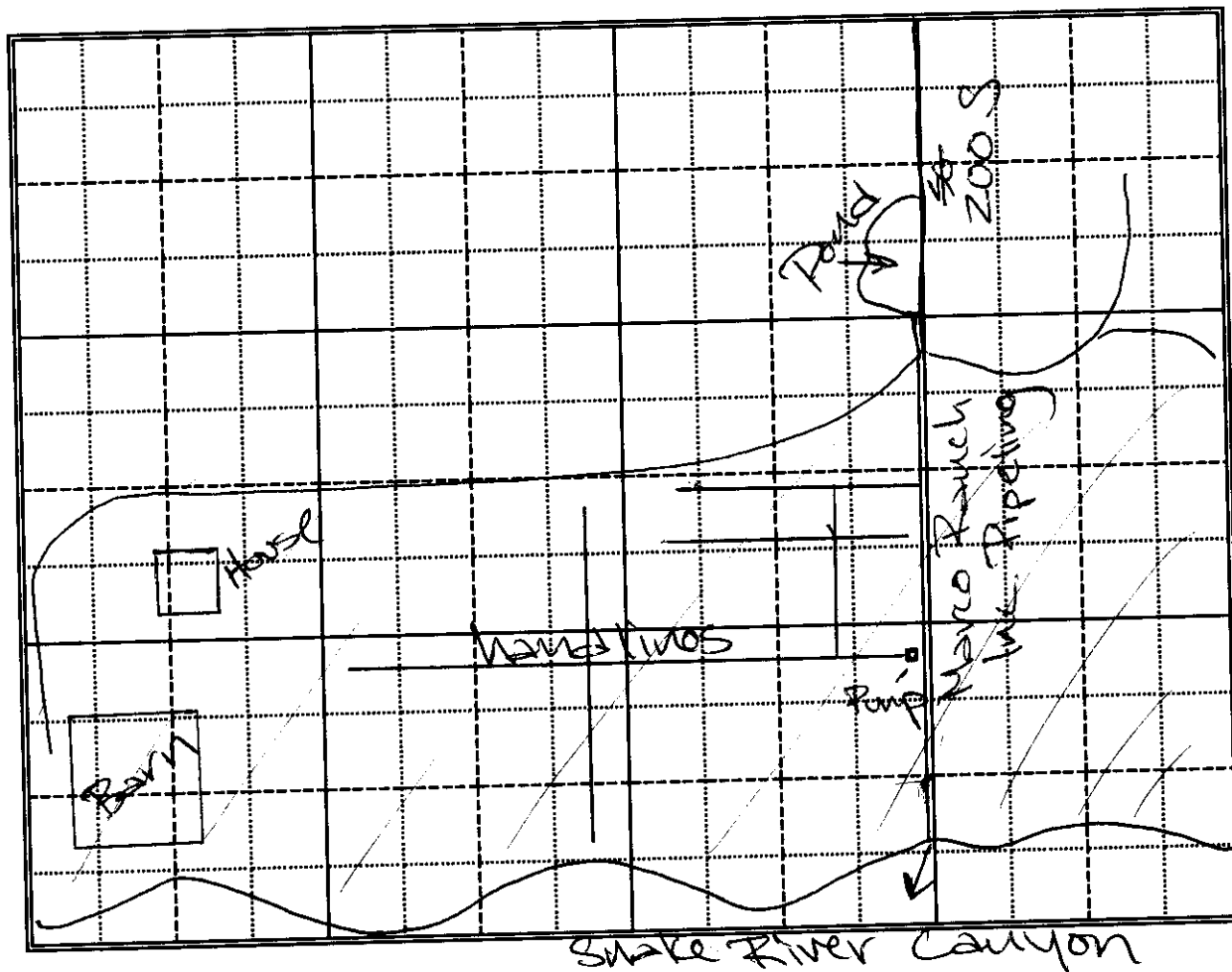
2. Place(s) of Use:

Indicate Method of Determination GIS

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	16E	14											3.7						
		15															10		

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FEB 25 2002

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



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
GIS

☒ 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
	Baldor	7.5			

MICROFILMED

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

FEB 25 2002

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Fuji	FLC 31011			7K0085TB		May 2000

2. **Measurements:** The Fuji recorded an average measurement of 89 gpm, which I converted to 0.20 cfs for the system capacity.

E. NARRATIVE/REMARKS/COMMENTS

FILE: 36-08555

FROM: Amanda Folsom

DATE: October 23, 2000

I met with Mike and Barbara Arrington on August 15, 2000, at their home. The Arrington's irrigate 13.7 acres with wastewater. The land is used for pasture and sits on the edge of the Snake River Canyon.

The Arrington's and Marco Ranch Inc. formed a contract that gave Marco Ranch the permission to build a huge pipeline across the Arrington property. In exchange the Arrington's get to pump water out of the pipeline to irrigate their 13.7 acres. The water used by the Arrington's and Marco Ranch is collected in a large pond north east of the Arrington home. The water then moves into a very large pipe that crosses the Arrington property and then drops of the side of the canyon wall and runs to the hydropower plant on the banks of the Snake River. Water Right License 36-08019 covers the use of the water from the unnamed stream to the hydropower plant for Marco Ranch Inc. I GPS'd the location of the pump where the Arrington's divert the water from the pipeline.

The Arrington's use aluminum pipes and Rainbirds to irrigate their land. I took a measurement using the Fuji on the aluminum piping. The Fuji recorded an average measurement of 89gpm, which I converted to 0.20cfs. I am recommending the 0.20cfs for irrigation along with 54.8afa.

MICROFILMED
FEB 25 2002

No.08

LOG NAME:A1

START :08-15 17:54

END :08-15 18:04

INTERVAL:00:01:00

8/15/00 17:54

+2.442E+0 ft/s
+8.909E+1 gal/m
+TOTAL 0000002 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 18:00

+2.424E+0 ft/s
+8.844E+1 gal/m
+TOTAL 0000531 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 17:55

+2.437E+0 ft/s
+8.890E+1 gal/m
+TOTAL 0000085 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 18:01

+2.447E+0 ft/s
+8.926E+1 gal/m
+TOTAL 0000620 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 17:56

+2.448E+0 ft/s
+8.929E+1 gal/m
+TOTAL 0000175 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 18:02

+2.433E+0 ft/s
+8.874E+1 gal/m
+TOTAL 0000709 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 17:57

+2.413E+0 ft/s
+8.803E+1 gal/m
+TOTAL 0000264 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 18:03

+2.431E+0 ft/s
+8.867E+1 gal/m
+TOTAL 0000798 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 17:58

+2.442E+0 ft/s
+8.908E+1 gal/m
+TOTAL 0000353 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 18:04

+2.421E+0 ft/s
+8.831E+1 gal/m
+TOTAL 0000887 gal
-TOTAL 0000000 gal
NORMAL

8/15/00 17:59

+2.444E+0 ft/s
+8.916E+1 gal/m
+TOTAL 0000442 gal
-TOTAL 0000000 gal
NORMAL

MICROFILMED

SEP 21 1992

36-08555

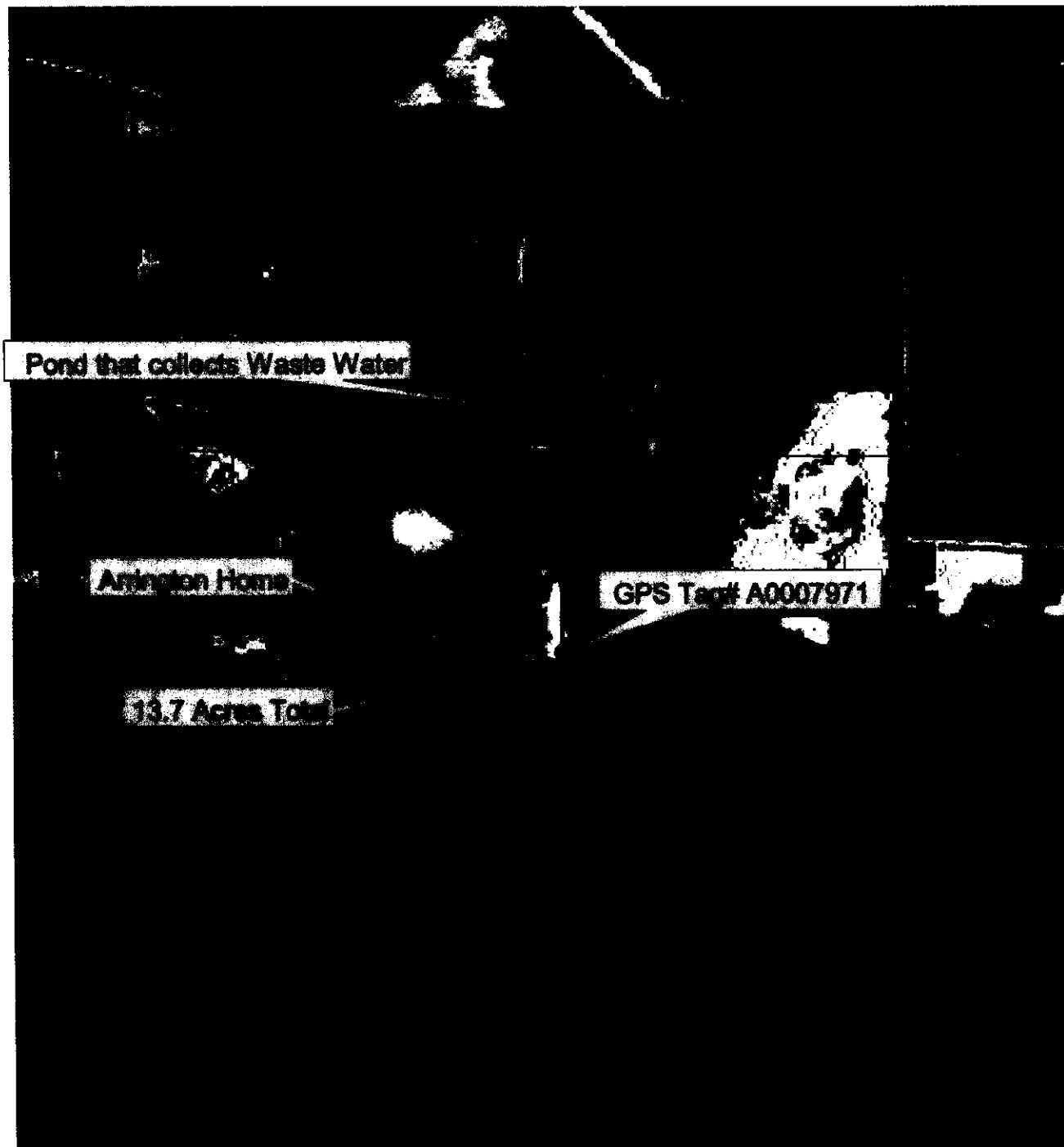
Idaho Department of Water Resource

Recommendation for 36-08555

Mike Arrington

T09S

R16E

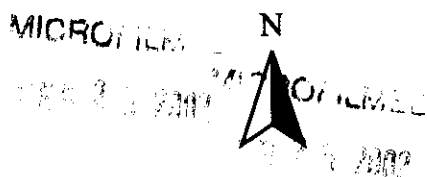


● Points of Diversion

□ Quarter-quarter Lines

□ Section Lines

Place of Use



Point of Diversion

T09S R16E S14 & 15

Data entry on Oct 19, 2000

Point of Diversion Presentation

1987/1988 NAPP Photography

Data Entry By: Amanda Folsom

B 14

NOT TO SCALE

1940
1985
222

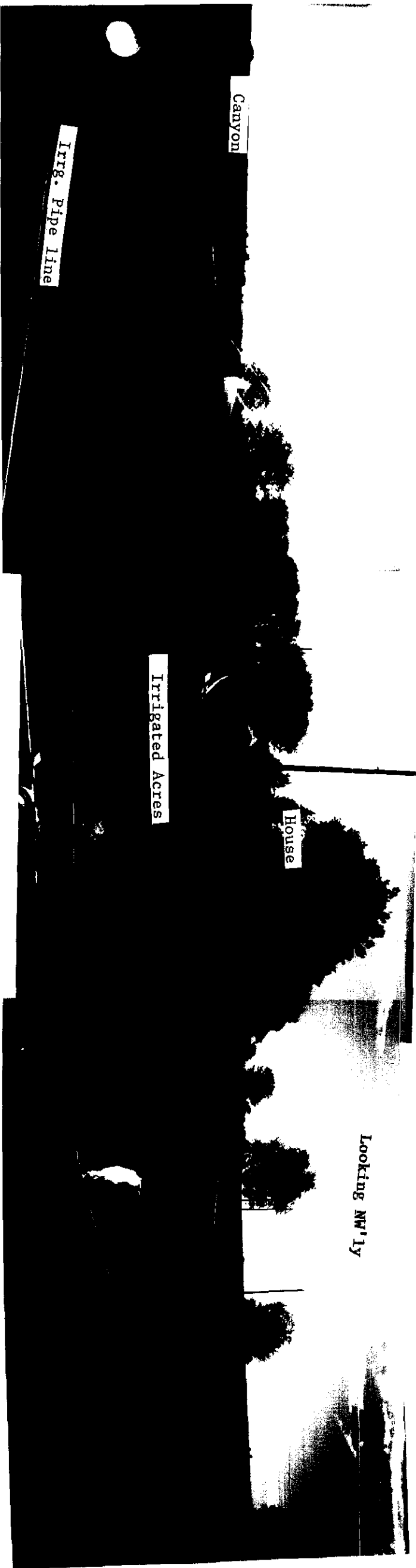
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1078

41243 ALL HEL-
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1124
1432

15-1



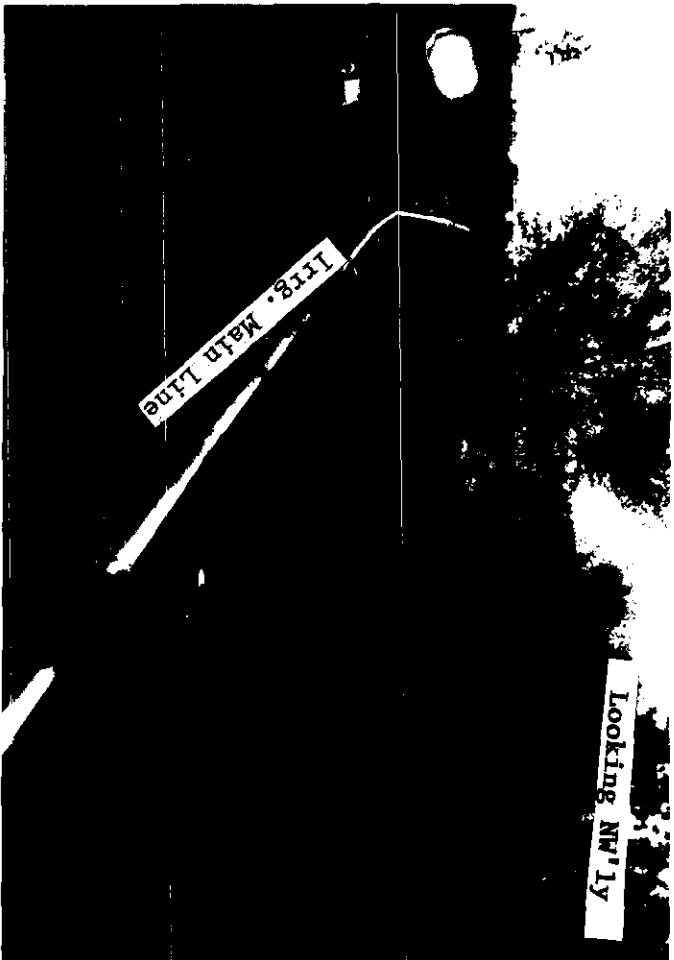
Canyon

Irrg. Pipe line

Irrigated Acres

House

Looking NW'ly

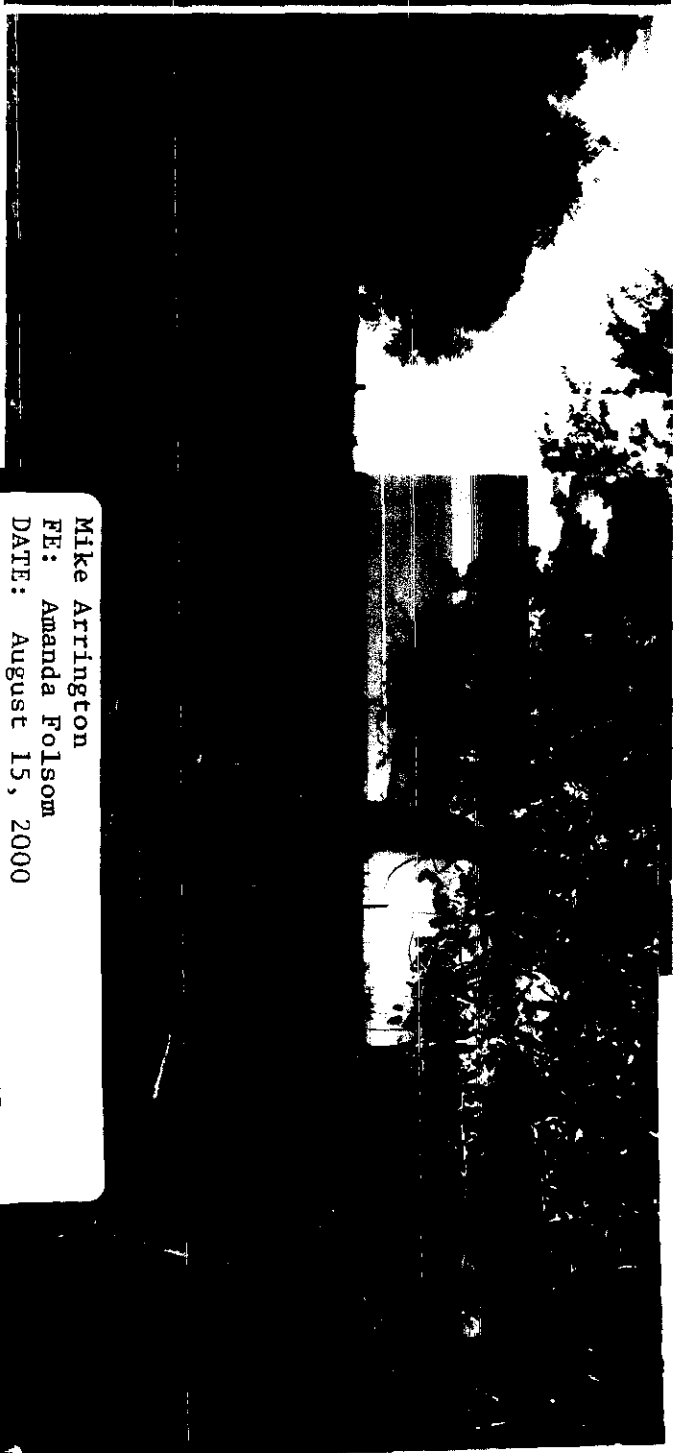


Looking NW'ly

Irrg. Main line

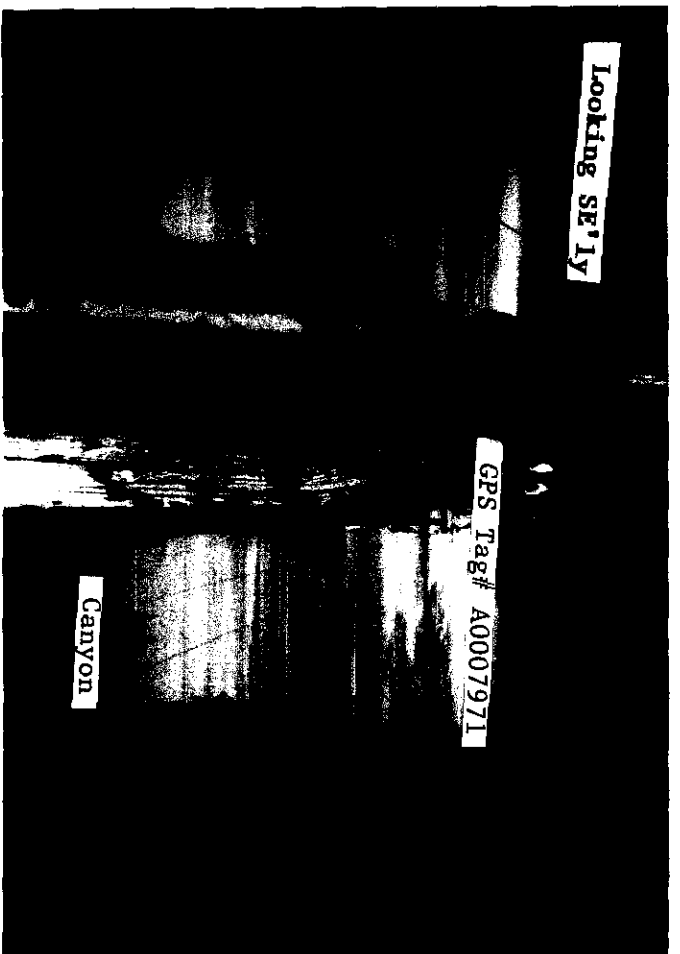
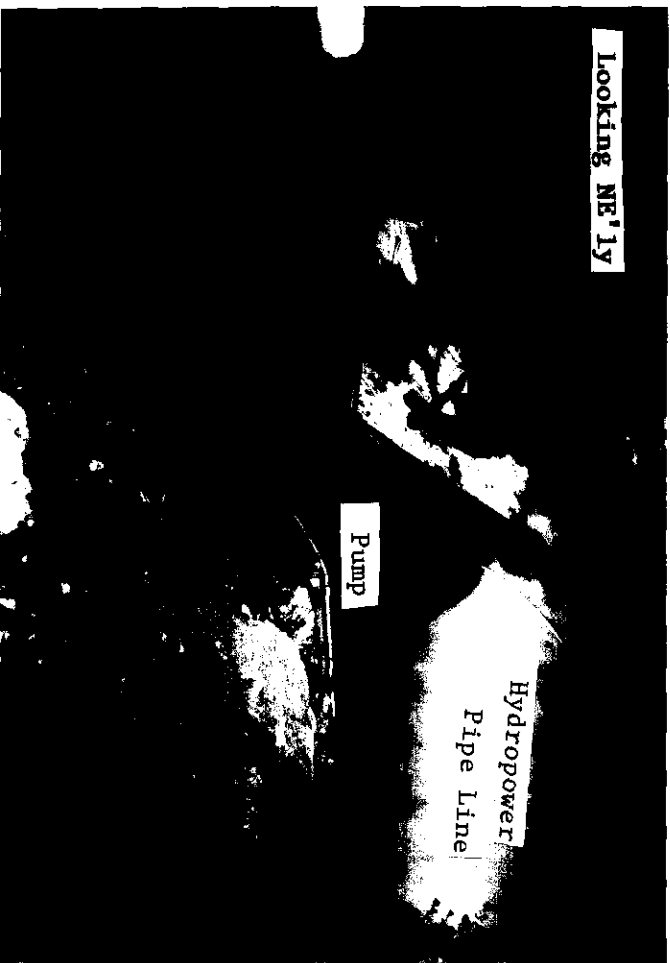
MICRO

FEF 2.5 1000



Mike Arrington
FE: Amanda Folsom
DATE: August 15, 2000

36-08555



MICROFILMED

1992

Mike Arrington
FE: Amanda Folsom
DATE: August 15, 2000

36-08555

E. NARRATIVE/REMARKS/COMMENTS

Lined area for narrative/remarks/comments.

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

MICROFILMED
FEB 7 1992

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\text{Fuji Measurement} \rightarrow \frac{89 \text{ gpm}}{448.83} = \boxed{0.20 \text{ cfs}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 13.7(4) = 54.8$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.20 \text{ cfs}(246)(1.9835) = 97.6$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 54.8$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	0.20	54.8
Totals:			0.20	54.8

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name Amanda Flynn Date 10-24-00

Reviewer _____ Date _____

SEAL

MICROFILMED
APR 28 2002

RECEIVED

MAY 27 1992

May 22, 1992

MIKE ARRINGTON
BARBARA ARRINGTON
ETHEL SCOTT
213 W. 580 S.
JEROME ID 83338

Department of Water Resources
Southern Region Office

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08555

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

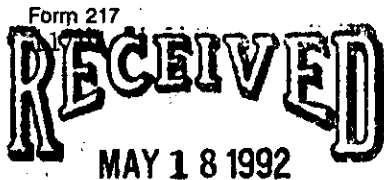
If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
MAY 25 1992



OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 5-18-92
Receipt No. CO24195
Receipt by u/b

50.00
CO24199
5-18-92
LOB

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08555 Telephone No. 324-4757
2. Name(s) of Permit Holder(s): Mike Arrington, Barbara Arrington
3. Mailing Address: 213 W. 580 So. Jerome, ID 83338
4. Source of Water: Ditch, or Canal waste water 5/18/92 Rlg

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: 7 hsp. Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 15 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.32 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ____ Yes X No Installed? ____ Yes ____ No

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

8. Fee Enclosed: \$ 100⁰⁰ (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Mike or Barbara Arrington 324-4757
Name Telephone No.

213 W. 580 So. Jerome Idaho
Address

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

May 14, 1992
Date

Barbara Arrington
Signature (and title, if on behalf of a company or organization)

MICROFILMED
MAY 25 2012

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND FILE 36-08555

RE: OVERLAPPING RIGHTS W/ 36-02901

DATE 12-12-91

NAME OF PARTY

BARBARA ARRINGTON

She found the old records for the license #30293 or 36-02901 and wanted to know if they should stop the new permit 36-8555.

After discussing their options and the history of the lands it appears they are following the correct plan of action.

The old license was used on other lands than they currently irrigate and it has not been used for irrigation or fish use since 1967 when her grand father died.

She said they began to use the water for irrigation on their property in August of 1991.

They do not plan to pursue the old right under the adjudication process. She told me the entire right for fish and irrigation had not been used for over 5 years since 1967. I told her it appears that right has been forfeited by non-use.

MICROFILMED

NOV 2 1992

36-08555

Mike ^{for} Barbara Arrington ^{for} Ethel Scott 324-4

4 years (minimum 1 year)

36-8555

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	16E	14											3						3
		15															13		13

Total number of acres to be irrigated 16

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. FEB 25 2002

12. Remarks: These lands were first irrigated from waste water in 1958 but in 1967 grandfather died and use was not re-established for lands in Sec 15 until 1980. The land in Sec 14 has been continuously irrigated since 1958. This filing is made to record the existing use.

B 14

NOT TO SCALE

107

1-2

1-2

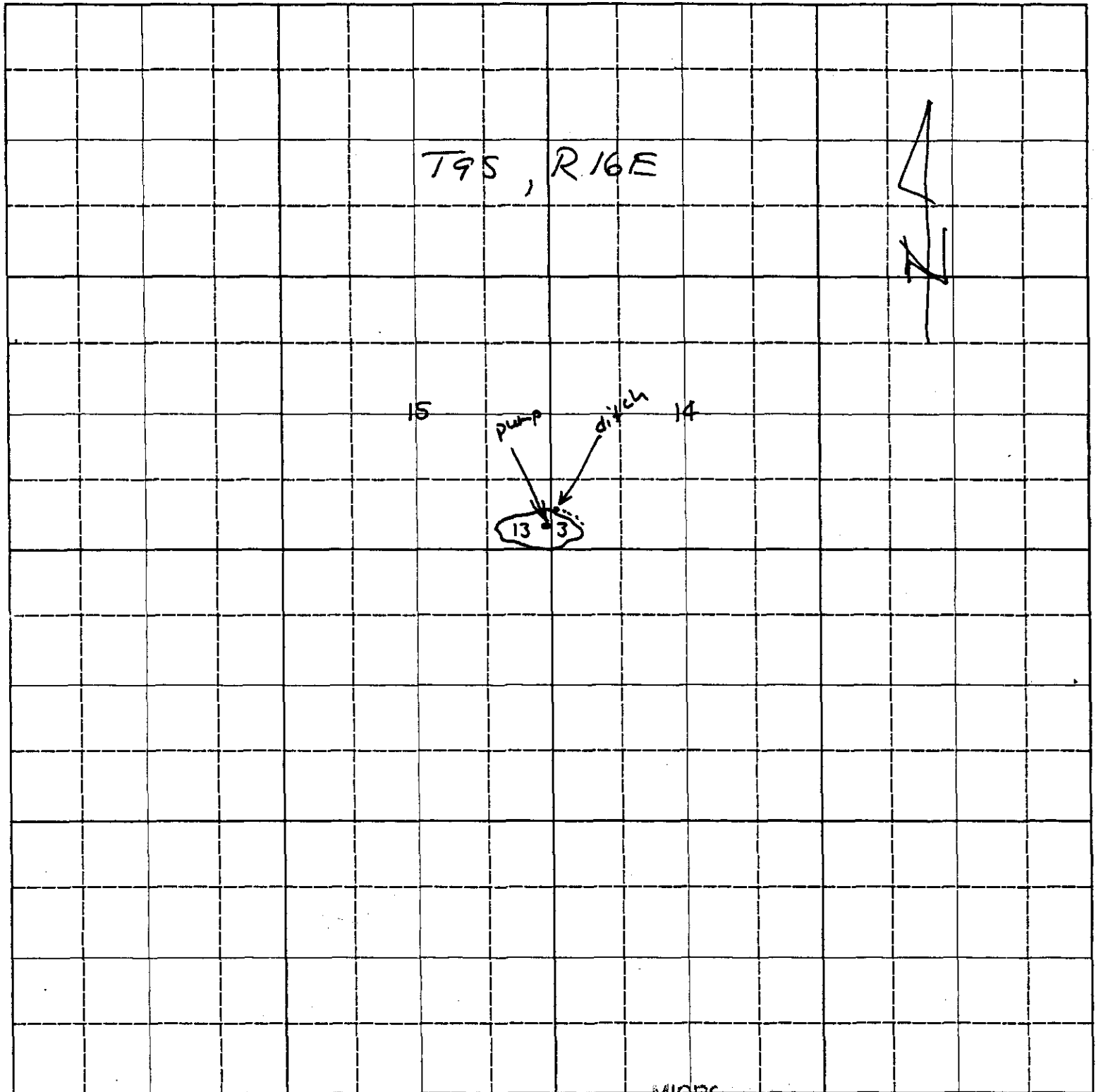
1485

MICROFILMED

107

2009 2 2 2009

13. 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.

Barbara Arington
(Applicant)

Received by ADr Date 8/21/90 Time 14:35 Preliminary check by AF
Fee \$ 45⁰⁰ Receipted by ADr # 5012584 Date 8/21/90
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED
JUN 24 2002

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08555

Proposed Priority: August 21, 1990 Maximum Diversion Rate: 0.32 CFS
This is to certify, that

MIKE ARRINGTON
BARBARA ARRINGTON
ETHEL SCOTT
213 W. 580 S.
JEROME, ID 83338

has applied for a permit to appropriate water from:

WASTE WATER

tributary of SNAKE RIVER

JUN 21 1991

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.32 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSWSW
SESESE

Sec. 14, Township 09S, Range 16E
Sec. 15, Township 09S, Range 16E
JEROME County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

09S 16E 14
15

SWSW 3
SESE 13

3
13

Total number of acres irrigated:

16

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1992.
2. Subject to all prior water rights.
3. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

JUN 21 1991

36-8555

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08555

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

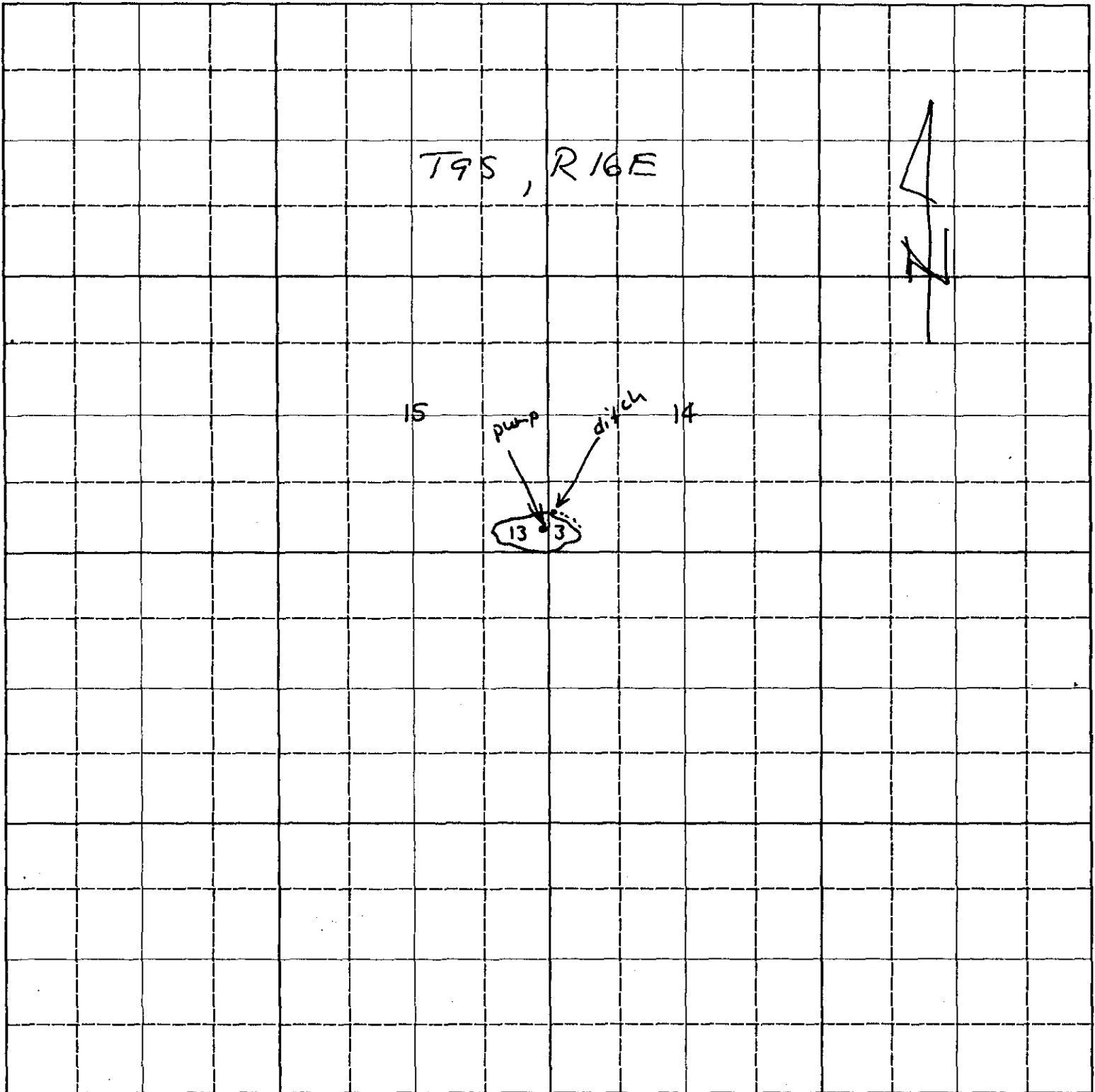
14 th day of June, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

SEP 13 2012

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

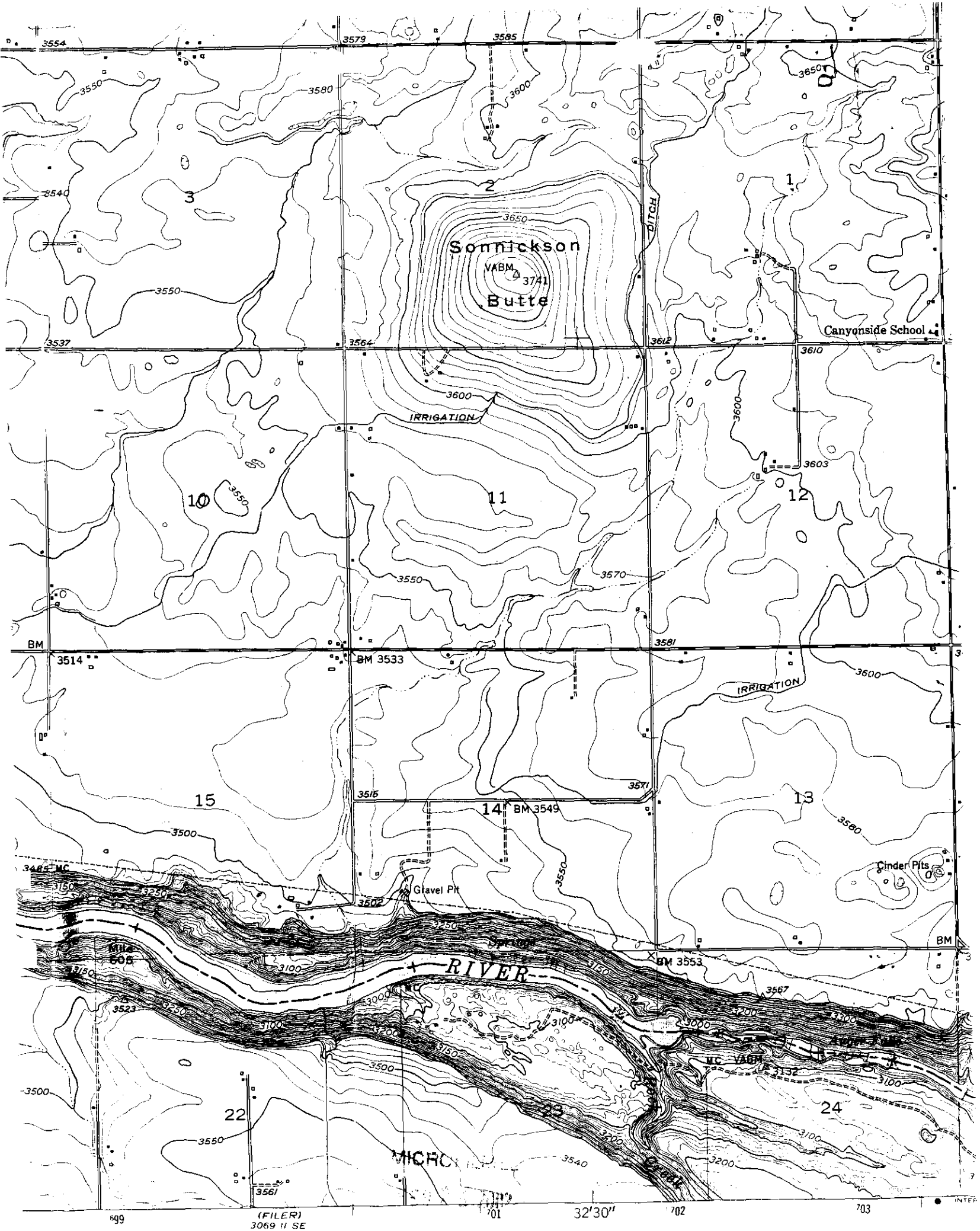
APR 7 1982

Barbara Arington
(Applicant)



REPRODUCTION

NOV 19 1962



WR0749NP
No. 36-08019

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARCO POWER CO INC RT 3 JEROME ID 83338	11/12/1981	POWER	01/01 12/31	15.000 CFS	19041.00 AFA
TOTAL DIVERSION:					15.000 CFS	19041.00 AFA

Water Source: UNNAMED STREAM

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 43.540 CFS

Point(s) of Diversion: T09S R16E S15

SENE

JEROME County

Place of use Legal Description for: POWER

NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09S	16E	22	:	06-P	:	:	:	:	:	:	:	:	:	:	:

Pou County: JEROME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
36-08269

Other Water Rights Listing Overlapping Place(s) of use:
36-02901

Conditions of Approval:

- R23 - The water right confirmed in this license for hydropower purposes
- shall be junior and subordinate to all rights to the use of
 - water, other than hydropower, within the State of Idaho that are
 - initiated later in time than the priority of this license and
 - shall not give rise to any right or claim against any future
 - rights to the use of water, other than hydropower, within the
 - State of Idaho initiated later in time than the priority of this
 - license.
- R20 - The diversion and use of water under this right is subject
- to review by the Director 35 years from the date of issuance.
 - Upon appropriate findings relative to the interest of the public,
 - the Director may cancel all or any part of the use authorized
 - herein and may revise, delete or add conditions under which the
 - right may be exercised.

Remarks: GEN The maximum combined volume when this right is used together with
Right No.36-8318 shall not exceed 19041.0 afa.
Source of water used for this right is also known as N-32 Coulee.

Dates: App. Received: 11/12/1981 Priority Date: 11/12/1981
Proof Due Date: 01/01/1986 Proof Made Date: 11/15/1985
Exam Made Date: 10/21/1986 Exam Sent to S.O.:
Licensed Date: 04/28/1992

WR0749NP
No. 36-08019

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/24/00
PAGE: 2

=====

Misc:	Water District Number:	Field Exam Fee:
Audit:	09/22/87 05/28/88 CONVERT	08/30/88 JOHNSON 04/29/92 MILLER
	02/06/98 CLEARFLD	

MICROFILMED
10-2-2000

WR0749NP
No. 36-08659

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WALDO MARTENS 249 W 500 S JEROME ID 83338 (208) 324-4127	05/15/1992	IRRIGATION FISH PROPAGATION POWER	03/15 11/15 01/01 12/31 01/01 12/31	3.000 CFS 3.000 CFS 3.000 CFS	
TOTAL DIVERSION:					3.000 CFS	
C	MARCO RANCHES INC 249 W 500 S JEROME ID 83338					

Water Source: GROUNDWATER

Tributary to:

Stage: APPLICATION

Point(s) of Diversion: T09S R16E S15 NENENE JEROME County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM						
09S	16E	15	:	36		40		40		39	:	39				40	:	40		40	:	38		40	:	392.0
																			TOTAL ACRES	392.0						

Place of use Legal Description for: FISH PROPAGATION

09S 16E 15 : : : : F : :

Place of use Legal Description for: POWER

09S 16E 22 : P : : : : :

Pou County: JEROME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
36-02903

Other Water Rights Listing Overlapping Place(s) of use:
36-02903

Remarks: GEN This application proposes diversion of trustwater.
Application being held pending withdrawal of drought moratorium.

Dates: App. Received: 05/15/1992 Priority Date: 05/15/1992
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

MICROFILMED
NOV 21 1999

WR0749NP
No. 36-08659

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/24/00
PAGE: 2

Comments: Date: 05/19/1992 User-ID: BALDWIN Subject:
525 ft. head/90 KW.
Fish propogation prior to discharge into power generation system.

Audit: 05/19/92 BALDWIN 06/22/92 SKAGGS 07/22/92 BALDWIN 02/08/98 CLEARFLD

CAUTION
10/24/00

DIVERSION

Stage: PERMIT

SE NW
SE SE
SE SE

Sh

TOTAL ACRES

Other Water Rights Listing Overlapping Place(s) of use:

✓ Paper

051 - Any license issued by IDWR pursuant to the right or portion

- thereof for the use of trust water is subject to a term review
- of 20 years after the date of this approval to determine
- availability of water for the use and to re-evaluate the public
- interest at the end of the term.

052. Diversion and use of water under this right is subject to an

- annual use fee if rules are subsequently promulgated which
- provide for the submittal of the fee.

053. The Director retains jurisdiction of this right and/or

- subsequent license issued to change, add or remove any
- requirement as determined to be appropriate.

03A. The rate of diversion of water for irrigation under this right

- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

Dates:		
App. Received:	08/21/1990	Priority Date: 08/21/1990
Proof Due Date:	06/01/1992	Proof Made Date: 05/18/1992
Exam Made Date:		Exam Sent to S.O.:
licensed Date:		

Misc: Water District Number: Field Exam Fee: R (Received)

MICRO: 2000
1000 2000

WR5809NP
No. 36-08555

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/27/92
PAGE: 6

Comments: Date: 05/18/1992 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 08/29/90 BALDWIN 09/06/90 CURTIS 12/31/90 LUKE 06/19/91 MILLER
05/10/91 MILLER 06/10/91 SKAGGS 06/12/91 SKAGGS 05/18/92 COMMENTS
05/22/92 GUSTAFSSO

MICROFILMED
1992-06-10

June 12, 1992

ETHEL SCOTT
213 W. 580 S.
JEROME ID 83338

RE: Water Right No. 36-08555

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

MICROFILMED
SEP 25 2002

June 8, 1992

ETHEL SCOTT
213 W. 580 S.
JEROME ID 83338

RE: Water Right No. 36-08555

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

MICROFILMED
FEB 25 2002

June 12, 1992

MIKE ARRINGTON
BARBARA ARRINGTON
213 W. 580 S.
JEROME ID 83338

RE: Water Right No. 36-08555

Dear Water Right Holder(s):

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Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

MICROFILMED

JUN 15 2002

June 8, 1992

MIKE ARRINGTON
BARBARA ARRINGTON
213 W. 580 S.
JEROME ID 83338

RE: Water Right No. 36-08555

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

MICROFILMED

SEP 15 1992

May 19, 1992

ETHEL SCOTT
213 W. 580 S.
JEROME ID 83338

RE: Water Right No. 36-08555

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

MICROFILMED

JUN 15 2002

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

MICROFILMED

FEB 25 2002

May 22, 1992

MIKE ARRINGTON
BARBARA ARRINGTON
ETHEL SCOTT
213 W. 580 S.
JEROME ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08555

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

FEB 25 2002

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08555

Reviewed by Klg

Date 5/18/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

irrigate -15
yes Correct Uses?

SOURCE OF WATER

☒ Surface water source
☐ Ground water source

NA Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

proof acceptable

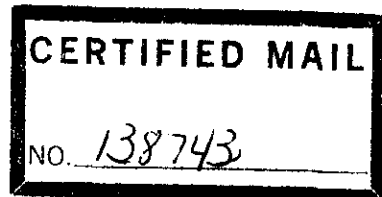
DATA ENTRY

New Address _____

Proof Made 5/18/92
5/22/92 Klg

March 31, 1992

MIKE ARRINGTON
BARBARA ARRINGTON
ETHEL SCOTT
213 W. 580 S.
JEROME ID 83338



RE: PERMIT NO. 36-08555 PROOF DUE NOTICE

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, 1992. (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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

MICROFILMED
SEP 25 2002



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

June 20, 1991

MIKE ARRINGTON
BARBARA ARRINGTON
ETHEL SCOTT
213 W. 580 S.
JEROME, ID 83338

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08555

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.

Enclosed is 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 is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

MICROFILMED

JUL 10 1991

APPLICATION FOR PERMIT REVIEW

Application #: 36-8555

Reviewer: Pam Skaggs

Date: 6-12-91

Existing:

- No - 26A-P17
- Complete in 1 year - P16

Yes

- Proof not submitted - P16
- Proof submitted - N/A

Groundwater:

- GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)
- LT. 0.2 cfs - N/A

Drilling Permit:

- Approved w/permit - P99
- Not included - 046-P23(All GW, even existing wells)

Location:

- Water Districts - WD No. _____
- Surface water - 005, 005-01H-P01(LT.2 w/pump)
005-01J-P08(GT.2)
- Groundwater - P05
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- Swan Falls Flag - 7 (1, Blank or Other)
- Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)
- Power - Use Power Review
- Mining - 06A or 010, 09E-P10 & 054(req.)
- Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
- Rec. & Aesthetic - 027(Non-Consumptive)
- Domestic - 021(restricted areas)
- Ownership: Non land owner - 004
- Protested: Agreement - 020

- Beneficial Use Due Date: - 06-01-1992
- Other Conditions Recommended

JUL 10 1991

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

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

APRIL 24, 1991

Northside News
Box 468
Jerome, ID 83338

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before MAY 20, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

MICROFILM

MAY 10 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08555

ARRINGTON, MIKE
ARRINGTON, BARBARA
SCOTT, ETHEL
213 W. 580 S.
JEROME, ID 83338

Source: WASTE WATER

Diversion Pt: NWSWSW Sec 14 T 09S R 16E
 SESESE Sec 15 T 09S R 16E

Use: IRRIGATION (.320 CFS)
 Total Diversion: (.320 CFS)

Date Filed: 8/21/ 1990

In: T09S R16E S14 SWSW
 S15 SESE

16.0 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, Statehouse Mail, Boise, Idaho 83720 on or before MAY 20, 1991.

R. Keith Higginson, Director

Published 5/ 1/1991 & 5/ 8/1991

MICP **ED**

JUL 10 1991

RECEIVED

APR 17 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Department of Water Resources Application No. 36-8555

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes ☒ No ☒

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

We own 4 acres of the land grandmother owns the rest and she told us to do this for her as she is 84 yrs old and can't do it herself.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ☒ No ☒

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

Only used by a gas pump part of the time to irrigate lawn 1983 on.

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. 10

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 10

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Barbara Arington

Date April 12, 1991

MICROFILMED

JUL 10 1991

Note: Based on response above there appears to be NO beneficial use prior to 10-1-84. Count all acreage AS trust acreage.

4-17-91



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

April 10, 1991

RE: APPLICATION FOR PERMIT NO. _____

Dear APPLICANT:

Due to the Swan Falls litigation and subsequent backlog of pending applications, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

NOT RECORDED

JUL 10 1991

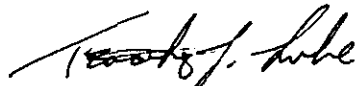
Page 2

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

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

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

Sincerely,



TIM LUKE
Sr. Water Resource Spec.

Enclosures

JUL 10 1991

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

98
Arrington, Mike & Barbara
SCOTT, Ethel

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY [Signature] DATE 8/23/90 APPLICATION NUMBER 36-08555

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt ***PROPOSED PRIORITY DATE 8/21/90

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☒ Yes ☒ No Field check required
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

SWAN FALLS HOLD? X

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from:

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other <u> </u>

Project impacts/implications report

COMMENTS



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

30-Aug-1990

R. KEITH HIGGINSON
Director

MIKE &/OR BARBARA ARRINGTON
&/OR ETHEL SCOTT
213 WEST 580 SOUTH
JEROME ID 83338

Re: Application for permit No. 36-08555

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

MICROFILMED

JUL 10 1991