

0501

0	21
9	28

$$\begin{array}{r} 21 \overline{) 22} \\ \underline{28} \overline{) 27} \end{array}$$

TG✓ 6
G 23.5

7.5

13
105.5

12
5,4

14
8.1

15
4.9

16
130.3

6.1

T 34
07

9.5

3.9

5
6.0

2
60.9

4
53.4

7
59.5

8.4

8,
13.7

9
57.8

10
6.7
$$\begin{array}{r} 9 \ 28 \\ 2 \ 33 \end{array}$$

28	5
33	5

T2007

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JUN 24 1999

RECEIVED

DEC 20 1989

Department of Water Resources
Southern Region Office

N 7.2

29128
32133

FRANK M. WILFARLAND
3324 Hansen Drive
Bucley, Idaho - 83318

0 8.5

P 62.0

Q 7.4

R 67.3

28131
33134

H360
(7.7)
D 9.0

E 69.3

N 71.8

F 6.4

O 77.9

G 17.4

H477

H 34.0

MICROFILMED
MAY 23 1990

1978 ASCS maps
48 12-19-89

Attachment 1

36-08493

10/20/2019 10:20:00 AM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

MAY 23 1940

the undersigned hereby makes application for the same as herein set forth.

Frank McEneaney
(Applicant)

(Applicant)

42' 30"

950 WE

850

4732

4366

4326

4292

Well

28

4370

27

26

25

Well

4331

Substation

Well

500

NORTH

ROAD

4275

Well

Well

4257

3269 III NW
(BURLEY NW)

33

34

35

36

4286

4251

4729

4256

400

NORTH

ROAD

Wells

4241

4227

4728

2

1

MAIN

40'

Wells

4213

300

4209

BM 4211

ROAD

4200

4204

4727

ROAD

Well

ROAD

ROAD

RAIN

AH3

BB28

36-8493

9

10

11

12

MICROFILMED

MAY 23 1990



22E

4133

42' 30"

432

85

28

431

P/U

76
Photo

430

MAY 23 1990

429

428

AF 2

BB27

36-08493

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 36-8493

Phone No. 678-4313

✓ 1. Owner: Frank M. McFarland
Current Address: 2229 Hansen Drive, Burley, ID 83318

2. Accompanied by: — EXAM. DATE: 5-16-91

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

✓ 3. Source: Groundwater tributary to NONE.

B. OVERLAP REVIEW

1. Other water rights with same place of use: A36-11265

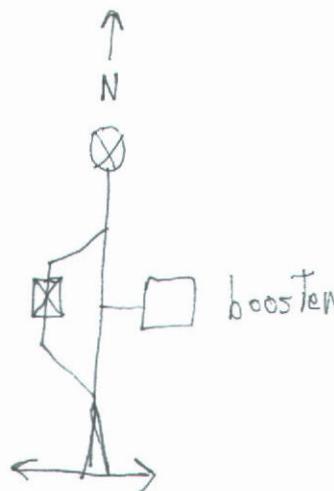
_____ ☒ Copies Attached

2. Other water rights with same point of diversion: 36-2074, 7015A

_____ ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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Scale: 1" = _____

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

☒ Photo of Diversion and System Attached

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

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

36-8493

135 total acres.

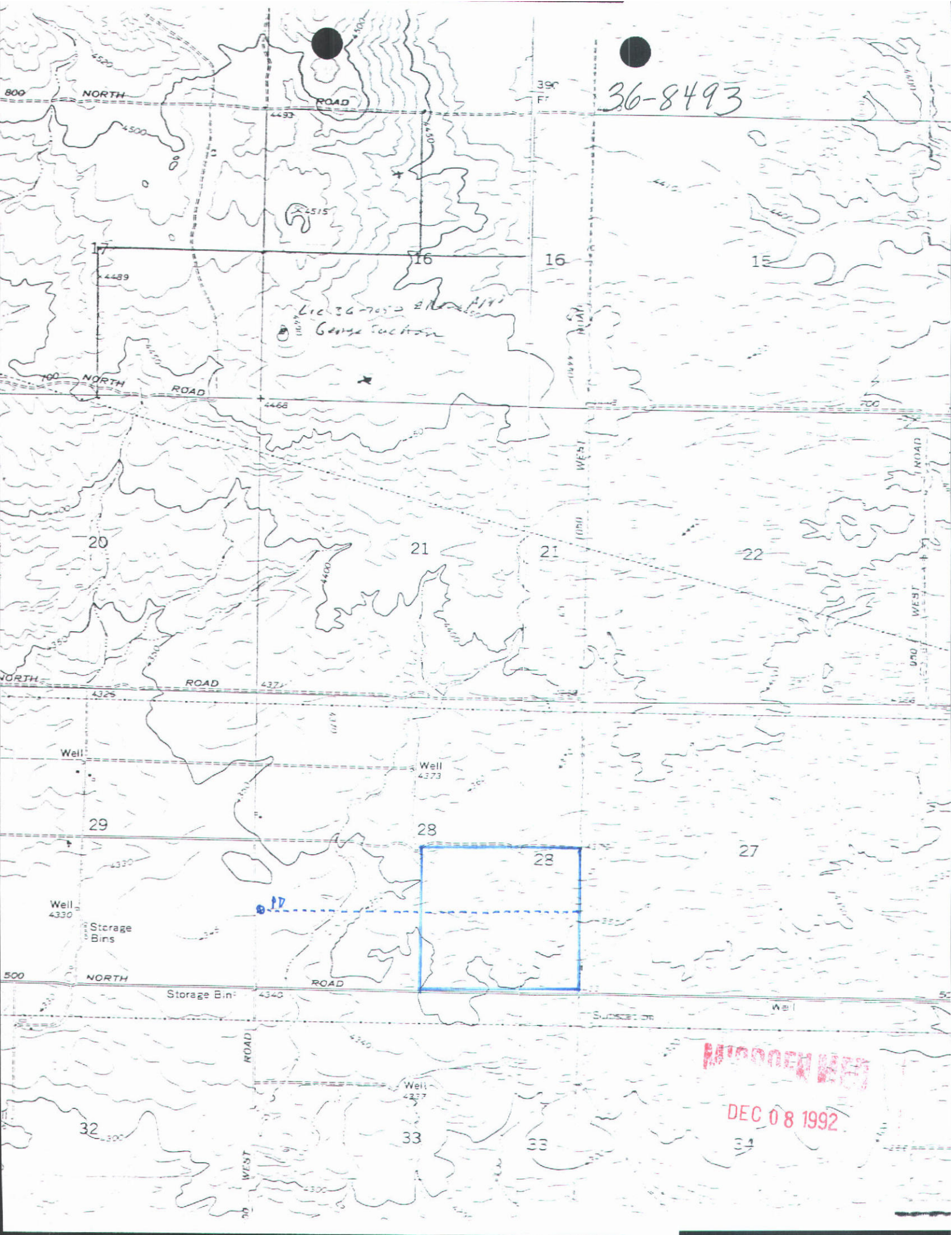
(32)

(34)



PROPERTY MAP

DEC 08 1992



36-8493

Lic 36-7050 Elmer Pitt
George Suchan

IMPROVED WEST

DEC 08 1992

36-8493



P/D



P/A (In CRP Program)

Microfilm

DEC 08 1977

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right Number(s) 36-07015A, 36-02074B and Water Right No. 36-08493
 Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Frank and and Dorothy McFarland Trust
11192 Agnes Way
Grass Valley, California 95949

4. New Owner/Claimant(s) Minidoka Lumber Company
 Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
 New Mailing Address P. O. Box 730

 City, State and ZIP Code Paul, Idaho 83347
 New Telephone Number () -

5. Date you acquired the property April 17, 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) MINIDOKA LUMBER COMPANY
 By: Costa Delis Date 4-17-98
Costa Delis, Partner
 By: Katina Dickson Date 4-17-98
Katina Dickson, Partner

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

APR 24 1998

WARRANTY DEED

#29811MC

434929

For Value Received

FRANK M. MCFARLAND and DOROTHY M. MCFARLAND, Trustees of the "Frank and Dorothy McFarland Trust"

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MINIDOKA LUMBER COMPANY, an Idaho general partnership
Address: P. O. Box 730
Paul, Idaho 83347

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 28: S½

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources Adjudication Nos. 36-07015A, 36-02074B and Water License No. 36-08493

SUBJECT TO:

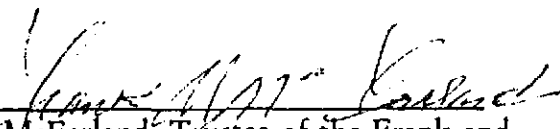
All reservations in patents or deeds in the chain of title.

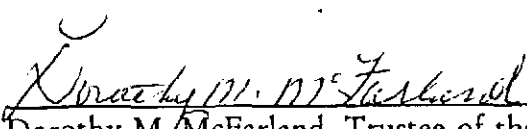
Taxes for 1998 and subsequent years.

Assessments of the Magic Valley Ground Water District.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 17, 1998


Frank M. McFarland, Trustee of the Frank and Dorothy McFarland Trust JTE


Dorothy M. McFarland, Trustee of the Frank and Dorothy McFarland Trust JTE

MICROFILMED

JUN 24 1999

MINIDOKA COUNTY, IDAHO
CLERK OF COUNTY, RECORDER
E. J. DEPUTY

APR 23 14 : 06

RECORDED AT REQUEST OF
Land Title Bureau
BOOK NO.

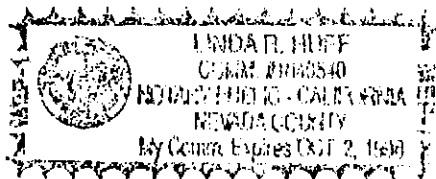
434929

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF California
 COUNTY OF Nevada } SS.

On April 20, 1998 before me, the undersigned, a Notary Public in and for said State personally
 appeared Frank M. McFarland and Dorothy M. McFarland
 Name(s) of Signer(s)

☐ Personally known to me OR ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose
 name(s) is/are subscribed to the within instrument and
 acknowledged to me that he/she/they executed the same in
 his/her/their authorized capacity(ies), and that by his/her/their
 signature(s) on the instrument the person(s), or the entity
 upon behalf of which the person(s) acted, executed the
 instrument.



Witness my hand and official seal.

Linda R. Huff
 Signature of Notary

LINDA R. HUFF
 Name (Typed or Printed)

(This area for official notarial seal)

Capacity Claimed by Signer

Description of Attached Document

- ☒ Individual(s)
☐ Corporate Officer(s) - Title(s) _____

☐ Partner(s)
☐ Attorney-In-Fact
☒ Trustee(s)
☐ Guardian/Conservator
☐ Other: _____

This certificate must be attached to the document
 described below:

Title or type of document Power of Attorney

Number of Pages 1

Date of Document 4-17-98

Signer(s) Other than Named Above [Signature]

Signer Is Representing:

Name of person(s) or Entity(ies)

ATTENTION NOTARY

Although the information requested above is **optional**, it
 could prevent fraudulent attachment of this certificate to
 another document.

MICROFILMED

JUN 24 1999

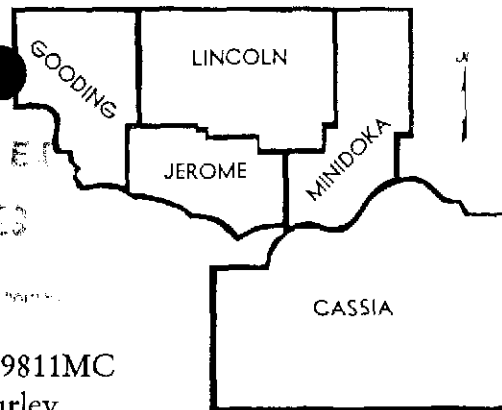
Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY

RECEIVED
MAY 12 1999

Department of Water Resources

REFER TO: #29811MC
OFFICE: Burley



May 11, 1999

KariLynn Townsend
1301 N. Orchard
Boise, Idaho 83706-2237

Re: Frank M. McFarland/Minidoka Lumber Company

Dear KariLynn:

Enclosed with this letter please find photostatic copies of the letter, Notice of Water Right Ownership, Warranty Deed and aerial photo on the above referred to transaction that I spoke to you today about.

Please let me know when this transfer is complete.

Should you have any questions concerning this matter, please don't hesitate to contact me.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

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JUN 2 * 1999

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08493

Priority: December 19, 1989

Maximum Diversion Rate: 2.70 CFS
Maximum Diversion Volume: 540.0 AF

This is to certify, that FRANK M MC FARLAND
2224 HANSEN DR
BURLEY ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 19, 1989; and has submitted Proof of Beneficial Use on June 27, 1990. An examination indicates that the works have a diversion capacity of 2.980 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	04/01 to 10/31	2.70 CFS	540.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 28, Township 08S, Range 22E
MINIDOKA 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>
08S	22E	28	NESE 34	NWSE 32	SWSE 34	135
			SESE 35			

Total number of acres irrigated: 135

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. 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.
6. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.

RECORDED

DEC 08 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08493

CONDITIONS/REMARKS:

7. 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.
8. The total combined rate of diversion under this right and rights 36-02074B and 36-07015A shall not exceed 2.98 cfs nor a volume of 1,259 afa.
9. This right is for use of Trust Water and is subject to review to determine availability of water for the use and to re-value the public interest on May 21, 2010.

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 27TH day of NOVEMBER, 1992.

Acting for R. Keith Higginson, Director

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NOV 24 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08493

Proposed Priority: December 19, 1989 Maximum Diversion Rate: 3.12 CFS
This is to certify, that **FRANK M. MC FARLAND**

2224 HANSEN DR.

BURLEY, ID 83318

has applied for a permit to appropriate water from: **GROUNDWATER**
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	3.12 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSW Sec. 28, Township 08S, Range 22E
MINIDOKA 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>
08S	22E	28	NESE 39	NWSE 39	SWSE 39	156
			SESE 39			

Total number of acres irrigated: 156

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1991.
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. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. 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.
8. 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.

RECORDED
MAY 23 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08493

CONDITIONS/REMARKS:

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

21st day of May, 1990.

for R. Keith Higginson, Director

RECEIVED
MAY 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Frank M. McFarland Phone 678-4313

Post office address 2224 Hansen Drive, Burley, ID 83318

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

3. Location of point of diversion is _____ 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____

Sec. 28 Township 8S Range 22E B.M. Minidoka County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.12 cfs 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 is (a) 3.12 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump, sprinklers

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 16 inches; ~~proposed~~ depth of well is 360 feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

1 years (minimum 1 year).

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MAY 23 1990

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	
8S	22E	28													39	39	39	39	156

Total number of acres to be irrigated 156

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

SRBA Claim A36-11265

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

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

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

12. Remarks: Application represents an expansion of licenses 36-02074B & 36-07015A that occurred in 1975. SRBA claim covers this same expansion.

MAY 23 1990

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DEC 20 1989

Department of Water Resources
Southern Region Office

72

29128 8.5

62.0

7.4

67.3

28

3134

FRANK M. WILKINSON
2224 HANSEN DRIVE
BUELEY, Idaho - 83318

693

H360
(747) D-1
9.0

6.4

H477

H 340

MAY 28 1990

Attachment 1

36-08493

1978 ASCS Maps
12-19-89

A hand-drawn map on a grid. The map shows a road layout. The road starts at the bottom left, goes right, then up, then right again. It is labeled "R. 22E" at the top right, "T. 8S" in the middle, and "28" at the bottom. A small square area is marked with "39" and "PD".

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.

Frank McEwen
(Applicant)

Received by JF Stanton Date 12-19-89 Time 1:40 pm Preliminary check by DRS
Fee \$ 105.00 Received by JF Stanton # 5010720 Date 12-19-89
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:

RECORDED

MAY 23 1990

42' 30"

4732

950 WE

850

4292

Well

184
Photo

4731



P/W

Substation

Well

500 NORTH ROAD

3269 III SW
(BURLEY NW)



4729

400 NORTH

ROAD Wells

36

4728

40'

Wells

2

MAIN

1

4727

ROAD

Well

NOTED

23 1990

AH3
BB28
36-8493

9

10

WEST

WEST

22E

4733

42' 30"

4732

28

4731

P/U

Storage
Inst

Storage Bin

76
Photo

4730

4729

1930

4728

A#2

BB27

36-08493

T

T

NORTH

ROAD

4230

SOUTH IDAHO PRESS

BURLEY, IDAHO

RECEIVED

MAY 10 1990

Department of Water Resources

AFFIDAVIT OF PUBLICATION

County of Cassia, } ss.
STATE OF IDAHO }

Jody Johnson being first
duly sworn, deposes and says that she
is the owner of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated April 4 1990, and
ending with the issue dated April 11,
1990. Jody Johnson

90-132
NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
38-08493
MC FARLAND, FRANK M.
2224 HANSEN DR.
BURLEY, ID 83318
Source: GROUNDWATER
Diversion Pt. NWSW Sec 28 T 08S R 22E
Use: IRRIGATION
Total Diversion: (3.120 CFS) (3.120 CFS)
Date Filed: 12/19/1989
In: T08S R22E S28
NESE.....NWSE.....SWSE.....SESE
156.0 ACRES TOTAL
Permits will be subject to all prior water
rights. Protests may be submitted based on
the 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 April 23,
1990.

R. KEITH HIGGINSON,
DIRECTOR

Published in the South Idaho Press on April
4, 11, 1990

STATE OF IDAHO }
COUNTY OF CASSIA }

On this 4 day of May in the year of 1990, before me,
a Notary Public, personally appeared Jody Johnson,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Dolores Maley
Notary Public for Idaho

Residing at Burley, ID

My commission expires: 2/4/93

Cost of Publication: 24.84
Notary Fee: .50
Total Cost: 25.34

MICROFILMED

MAY 23 1990



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

June 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MINIDOKA LUMBER COMPANY
PO BOX 730
PAUL ID 83347-0730

RE: Water Rights 36-07015A/36-02074B/36-08493

Dear Water Right Holder(s) :

The Department is in receipt of the correspondence changing the ownership of the above referenced water rights to you. We have modified our records to reflect these changes in ownership and computer-generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a circular stamp.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

JUN 24 1999



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

December 2, 1992

FRANK M MC FARLAND
2224 HANSEN DR
BURLEY ID 83318

RE: WATER RIGHT NO. 36-08493

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

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

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

DEC 08 1992



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 26, 1992

FRANK M MC FARLAND
2224 HANSEN DR
BURLEY ID 83318

RE: WATER RIGHT NO. 36-08493

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

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

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

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DEC 08 1992

LICENSE REVIEW CHECKLIST

Permit # 36-08493

Date 10-23-92

CR

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended? _____
	☒	☐	Disagree with Actual Measurement? _____
			<u>135 x .02 = 2.7 cfs (IRR)</u>
	☐	☒	Disagree with Theoretical? _____
	☐	☒	Limited by Capacity? <u>2.98 cfs</u>
TOTAL VOLUME			Rate/ac <u>4.0</u> AFA Irr. Season <u>C</u>
			<u>4-1 to 10-31</u> Standard Irr. Season
			<u>Same/Reduced From Permit</u> Season Recommended
	☐	☒	Disagree with Examiner's Calculations? _____
			<u>135 x 4.0 = 540 afa (IRR)</u>
	☐	☒	Limited by Flow? <u>2.7 x 213 x 1.9835 = 1140.77540</u>
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D	☐	☒	Verify with Map
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
P/U	☐	☒	Verify with Map
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
USES	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☐	☒	Non-Irr. Uses _____
	<u>WB1</u>	☐	Special Overlap Condition <u>P/D 36-2074B & 7015A</u>
		☐	Other <u>2.98 x 213 x 1.9835 = 1259 afa</u> <u>2.98 cfs</u>
CONDITIONS	<u>WA1, RS6, RS7</u>	☒	Trust Conditions
		☒	Measuring Device
		☒	W/Master Control
	<u>R31</u>	☐	Overlap
		☒	Water Quality
		☒	DATES/MISC
		☒	Water Dist.
		☒	App Rec'd
		☒	Exam Made

COMMENTS/MEMOS NEEDED: Reduced acres, rate, season

License ☐ 10-Day ☒ 15-Day ☐ Special Correspondence _____

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANK M MC FARLAND 2224 HANSEN DR BURLEY ID 83318 (208) 678-4313	12/19/1989	IRRIGATION	04-01 10-31	2.70 CFS	540.0 AFA
TOTAL DIVERSION:					2.70 CFS	540.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 2.98 CFS

Point(s) of Diversion: T08S R22E S28 NW SW

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
08S	22E	28	:					:					:					:	34	32	34	35	:	135.0
																					TOTAL ACRES		:	135.0

Pou County: MINIDOKA

Other Water Rights with Same Point(s) of Diversion and Source:
36-07015A 36-07015B 36-08493

Other Water Rights Listing Overlapping Place(s) of use:
36-08493

Conditions of Approval:

- R56 - 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.
- R57 - The Director retains jurisdiction of the right issued to
 - change, add or remove any requirement as determined to be
 - appropriate.
- R31 - 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.

Remarks: The total combined rate of diversion under this right and rights 36-020748 and 36-07015A shall not exceed 2.98 cfs nor a volume of 1,259 afa.
This right is for use of Trust Water and is subject to review to determine availability of water for the use and to re-value the public interest on May 21, 2010.

Dates: App. Received: 12/19/1989 Priority Date: 12/19/1989
Proof Due Date: 06/01/1991 Proof Made Date: 06/27/1990
Exam Made Date: 05/16/1991 Exam Sent to S.O.: 09/18/1992
Licensed Date:

orm 219-S.A.
6/86

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SEP 21 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

36-8493
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index JS 5-16-91 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☒ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index JS 5-16-91 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed JS Stanton 5-21-91 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date) OK

Exam Reviewed by Manager of Regional Office SLH 9/18/92 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

DEPARTMENT OF WATER RESOURCES

LICENSING EXAMINATION

CHECKLIST

WATER RIGHT 36-8493

REVIEWER MTS.

DATE 4-13-92

RULE 5, EXAMINATION FOR BENEFICIAL USE; (FIELD EXAM ITEM IN PARENTHESES)

1,2. ✓ (H,I1) 1,3. ✓ (C3,C4) 1,4. ✓ (C1,H) 1,5. ✓ (H)
1,6. ✓ (H) 1,7. ✓ (C2) 1,8. ✓ (C6) 1,9. NA (C2,C6)
1,10. NA (I1) 1,11. NA (C3,I1) 1,12. ✓ (H) 1,13. ✓ (I1)
1,14. NA (D,E) 1,15. ✓ (I1) 1,16. ✓ (I2) 1,17. ✓ (C2)

RULE 6, MEASUREMENT TECHNOLOGY; (FIELD EXAM ITEM IN PARENTHESES)

1,1. ✓ (D,E,I1) 1,2. ✓ (G,I1) 2. NA (D,E) 3. NA (D,E)
4. ✓ (D,E) 5. NA (D,E)

RULE 7, DRAWINGS, MAPS, PHOTOS, SCHEMATIC DIAGRAM; (ALL ITEM C2)

1,1. ✓ 1,2. ✓ 1,3. ✓ 1,4. ✓
1,5. ✓

RULE 5,2. FIELD REPORT ACCEPTABILITY (STATE OFFICE REVIEW)

2,1. _____ 2,2. _____ 2,3. _____ 2,4. _____

REVIEWER _____ DATE _____

N/A = NOT APPLICABLE

* = SEE ITEM _____ IN BENEFICIAL USE REPORT

** = SEE ATTACHMENT NO. _____

*** = SEE REMARKS ATTACHED

RECEIVED

SEP 02 1992

Department of Water Resources

CHANGE IN ADDRESS OF NOTICE OF CLAIM Southern Region Office

[] Water Right Number (s): 36-08493

A 36-07015 A & 9/3/92

[] Old Mailing Address: 2224 Hansen Drive

Burley Idaho 83318

[] New Mailing Address: 2916 Janis Drive

Burley, Idaho 83318

New Telephone Number: (2) - SAME - 678-4313

[] Signature of Claimant: Frank M. McFarland

Date: 9-2-92

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9/3/92 By: L

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 9/3/92 By: L

UNRECORDED

DEC 08 1992

36-08493

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 36-8493

Phone No. 678-4313

1. Owner: Frank M. McFarland
Current Address: 2229 Hansen Drive, Burley, ID 83318

2. Accompanied by: — EXAM. DATE: 5-16-91

Address: — Phone No. —

Relationship to Permit Holder: —

3. Source: Groundwater tributary to NONE

B. OVERLAP REVIEW

1. Other water rights with same place of use: A36-11265

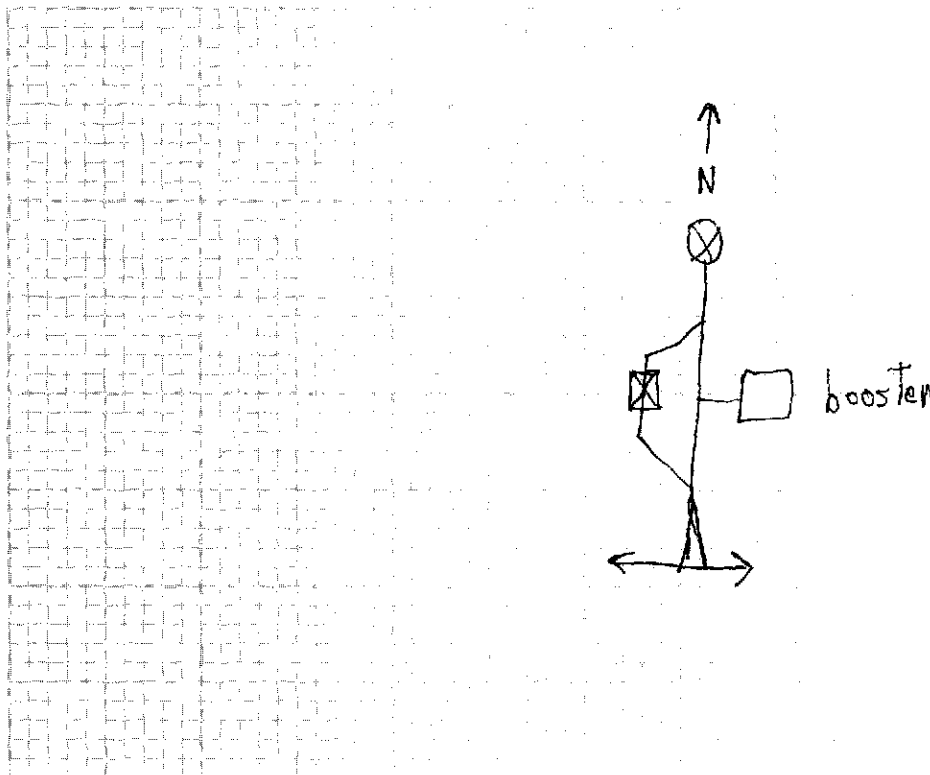
☒ Copies Attached

2. Other water rights with same point of diversion: 36-2074, 7015A

☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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DEC 08 1992

Scale: 1" = —

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

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

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

System Description (continued)

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

Well, motor, pump, booster motor & pump, mainline to 2 pivots, corner handlines.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	200	EDJ516139	Lyne-Powler	44570
Booster	Lincoln	60	1791566	Pacific	IACBP23819
					rated 1950 gpm @ 117' hd

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NW	SW	28	85	22E	Minidoka	

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
85	22E	28													34	32	34	35	156/35
															27	40	27	28	

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Theoretical capacity is 2.98 cfs at 352' head, 80 psi.

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{135}{156} \times 4 = \frac{540}{624}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.7 \times 240 \times 1.9835 = 1,317.4$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \frac{624 \text{ of a } 540 \text{ AFA}}$

2. Volume Calculations for Other Uses:

NA

MISSOURI

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Land has been in CRP Program for 5 years, and has 5 more years to go. Sprinklers have been removed, but diversion works & mainline are still in place. Theoretical well capacity could not run two pivots and some headlines as permittee claimed, would run 1 pivot & several headlines. Water level is 390' according to permittee; level from well log was used in calculations. Either figure would provide full volume if run long enough. Not to exceed 2.98 cfs for all rights diverted from this well. Place of use does comply with HSCS actual map.

I. 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	2.98-2.7 cfs	540624 afa
Totals:			2.98-2.7 cfs	540624 afa

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

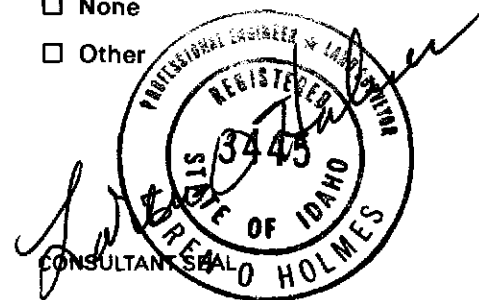
J. AUTHENTICATION

Field Examiner's Name J.E. Stanton

Signature J.E. Stanton

Certification Date 3/20/92

Field Report Preparation Date 5-21-91



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

RECEIVED
DEC 8 1992

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-8493
DATE: 5-16-91
BY: J.F. Stanton

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

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])

$$Q = \frac{(8.8) (\dots 260 \dots) (0.70)}{[(\dots 352 \dots) + (\dots 80 \dots \times 2.31)]} = \underline{2.98 \text{ cfs}}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner (X)	owner (X)	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs (X)	owner gage ()	
Booster (Y) (N)		
REMARKS <u>Well runs both pivots & some handlines at the same time, according to owner.</u>		
<u>Land is in CAP Program - sprinklers have been removed.</u>		

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	POTENTIAL = $\frac{(\dots 246 \dots) \times (1.98) \times (\dots 2.98 \dots)}{(\dots 3/2 \dots)}$
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL = 4.65

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

DEC 08 1992

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

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()



35

27

34

49

28

35

CRP

8

137

NOV

CRP

6

84

28

NOV

12

7.7

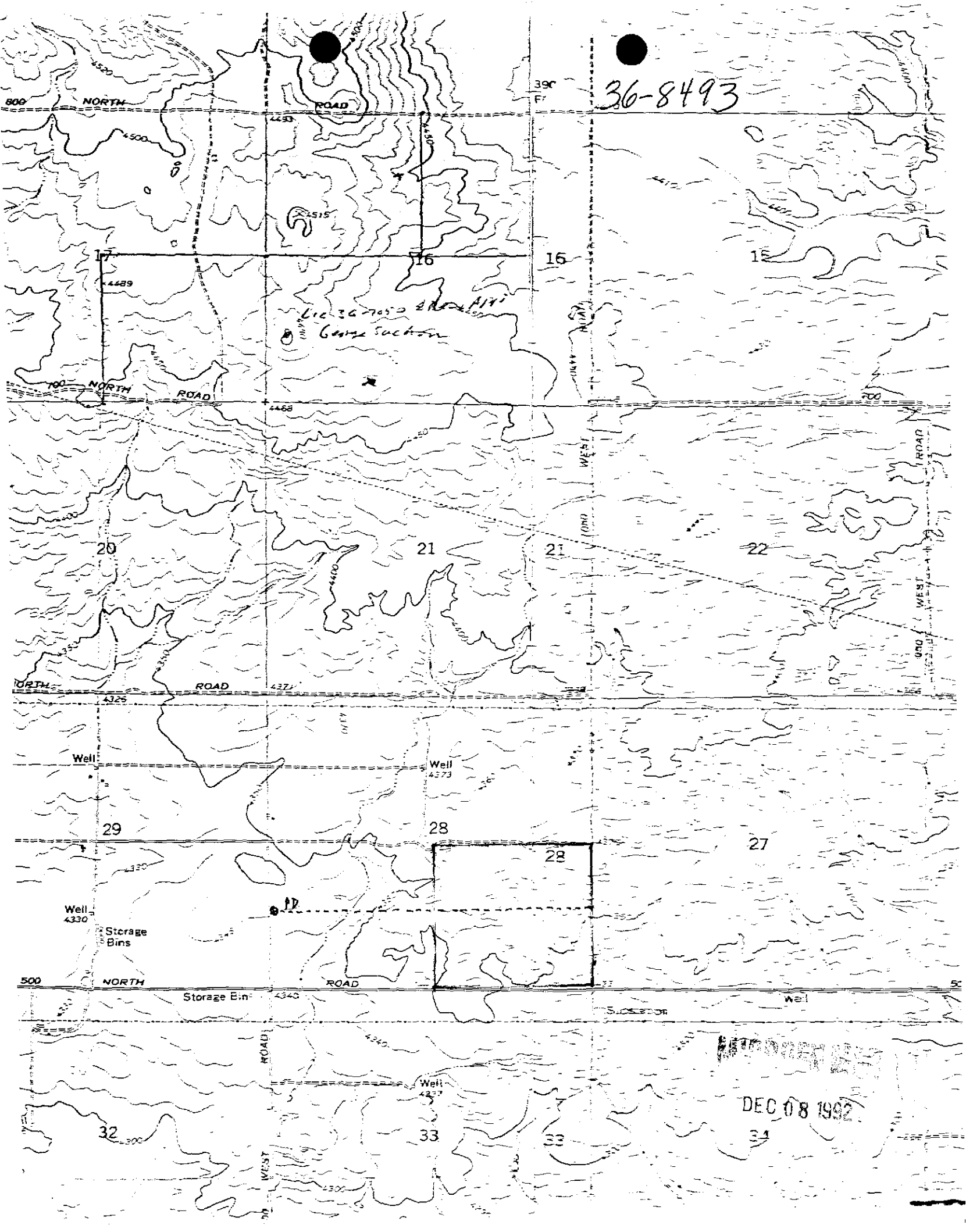
29

32

4

49.0

DEC 08 1982



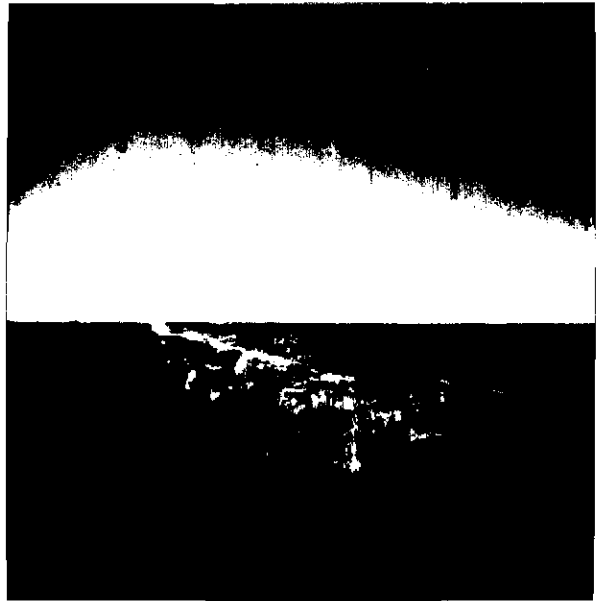
36-8493

DEC 08 1992

36-8493



P/D



P/A (In CRP Program)

NOV 1964

DEC 68



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

May 24, 1991

FRANK M. MC FARLAND
2224 HANSEN DR.
BURLEY, ID 83318

PROOF ACKNOWLEDGMENT LETTER

copy

RE: PERMIT NO. 36-08493

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.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUL 10 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 36-8493

Date 5-23-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
NA Drill permit req'd?
Copy in file? Drill permit no. _____
Amt paid for drilling permit? _____ Correct?
Well log in file?

LICENSE EXAMINATION FEE

- yes Required?
15.00 Amount submitted?
yes Correct amount?

MEASURING DEVICE

- yes Measuring device or access port required?
No Installed?
Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

needs flow meas.

Proof acceptable

PRIORITY CALCULATION

Date proof received NA
Date proof due _____
No. of days late _____
Priority date _____
NEW PRIORITY DATE _____

LB

RECEIVED

MAY 16 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

For Office Use Only
 Amt. of Fee \$ 175.00
 Date 6-27-90
 Receipt No. 5612443
 Received by g. f. [signature]

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. 36-08493 Telephone No. 678-4313

Name(s) of Permit Holder(s): Frank M. McFarland

Post Office Address: 2224 Hansen Drive, Burley, ID 83318

Source of Water: Groundwater

If ground water, well driller's name: Strasser Drilling Date drilled: 1968

Extent of Use:
 Domestic _____ (No. of households) Irrigation 156 (No. of acres)
 Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 3.12 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1974

NOTE: Land is in federal CRP Program until 1998

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

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

OR

Flow Measurement Port: Required? X Yes No Installed? Yes X No Will be installed

Fee Enclosed: \$ 175. (See License Examination Fee Schedule)

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

Permittee _____
 Name _____ Telephone No. _____

_____ Address _____

JUL 10 1991

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.

Frank M. McFarland June 27 1990
 Date _____ Signature (and title if on behalf of a company or organization)

March 31, 1991

FRANK M. MC FARLAND
2224 HANSEN DR.
BURLEY, ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 36-08493

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, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED
JUL 10 1991

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) 327-7900
May 22, 1990

FRANK M. MC FARLAND
2224 HANSEN DR.
BURLEY, ID 83318

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

RE: PERMIT NO. P36-08493

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.

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.

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.

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MAY 23 1990

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. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

MAY 23 1990

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DRJ DATE 12/28/89 APPLICATION NUMBER 36-08493REQUIRED 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 12/19/1989

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 check by _____
- ☐ 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? Maybe
route to Tim
Luke prior
to advertising

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

Date Requested 12/28/89

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☐ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-205
☐ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 12-19-1989
By _____ Date _____

STATE OFFICE REVIEW P05, P23, P03, P16 51 52 53 46 013

By KW See below for additional information
Date 5-15-90

ADDITIONAL INFORMATION

App. in TRUST area - Trust Water

Error noted on p/d description - Tim does not want to re-advertise - can amend at time of licensing...

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

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

MARCH 27, 1990

South Idaho Press
Box 190
Burley, ID 83318

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 APRIL 23, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

RECEIVED

MAR 27 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08493

MC FARLAND, FRANK M.
2224 HANSEN DR.
BURLEY, ID 83318

Source: GROUNDWATER

Diversion Pt: NWSW Sec 28 T 08S R 22E

Use: IRRIGATION (3.120 CFS)
Total Diversion: (3.120 CFS)

Date Filed: 12/19/ 1989

In: T08S R22E S28 NESE NWSE SWSE SESE

156.0 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 APRIL 23, 1990.

Published 4/ 4/1990 & 4/11/1990

R. Keith Higginson, Director

MICROFILMED
MAY 23 1990

MEMORANDUM

TO: FILE/APPLICATION NO. 36-8493

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 2-21-90

=====

The applicant has requested that this application be processed out of sequence. The basis for this request is that the project represented by the application was developed prior to October 1, 1984. The applicant has stated on the application that the development is an expansion of two existing licenses and that the expansion occurred in 1975. The applicant has submitted several photocopies of aerial photos from different years.

A 1976 department orthophoto and 1978 ASCS aerial photo do not provide conclusive evidence of irrigation on the lands described under the application. A 1984 department orthophoto however does show irrigation of the same land with a center pivot system. A 1983 infrared photo at the department also shows a center pivot system and irrigation of the same land. The department's remote sensing report based on 1986 data has this same land classified as irrigated in that year.

The above information provides sufficient evidence of development prior to October 1, 1984. The application may be processed out of sequence. Due to the late filing date, trust water conditions are applicable.

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MAY 23 1990

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE	
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
3608493																				
3602074A	JULION CLAWSON FARMS	L	GROUNDWATER	08S	22E	28	:			:	40	40	:				80			
3602074B	MC FARLAND	L	GROUNDWATER	08S	22E	28	:			:	40	40	:				80			
3602344	BRANDON	L	GROUNDWATER	08S	22E	28	:	40	40	:			:				80			
3602557	BRANDON	L	GROUNDWATER	08S	22E	28	40	40	39	40	:	40	40	40	:		319			
3607015A	MC FARLAND	L	GROUNDWATER	08S	22E	28	:			:	38	39	39	37	:		153			
3608493	MC FARLAND	A	GROUNDWATER	08S	22E	28	:			:					:	39	39			
1986 MAPPING DATA --- - COUNTY 67 QUAD 88-19 08S 22E 28 40 40 40 39 :							40	41	43	41	:	39	40	39	39	:	39	39	38	636

MAY 23 1990

RECEIVED

2321
2320

88-095

FROM DR Jones

DATE 2/9/90

TO Tim Luke

SUBJECT 36-8493 Out-of-sequence Processing

Attachment 1, behind application, was submitted and held forth as proof of prior to '84 development, as per Stanton Memo dated 12-19-89. Att 2 & Att 3 were added by me from orthophotographs in the office. We ask that you review ^{file} and advise on next step. Thanks

Douglas

SIGNATURE

DATE 12-19-89

FROM Jim Stanton

TO File

SUBJECT App. for Permit, Frank McFarland

MICROFILMED

MAY 23 1990

Today I assisted Mr. McFarland with filing an application for permit to cover the ~~existing~~/ expansion of existing licenses onto the SE $\frac{1}{4}$ Sec. 28 T. 8S R. 22E that occurred in 1974 or 1975. I told him that his application could receive out-of-sequence processing under the Swan Falls rules if he could show that the expansion was completed before 1984. I suggested that he supply us with a dated ASCS aerial photo.

He also asked about leasing water to Blaine Larsen in the Mud Lake area. I told him that the area was now closed to further groundwater developments, and that Mr. Larsen could not move additional groundwater rights into the area. I also told him that moving water to different land required a transfer done thru us, not just a ~~priv~~ private lease agreement between the parties. I'm not sure that he understood this, however. He said something about leasing water to Mr. Larsen last year. I said that this could continue as long as there was an approved transfer.



SIGNATURE

36-08493