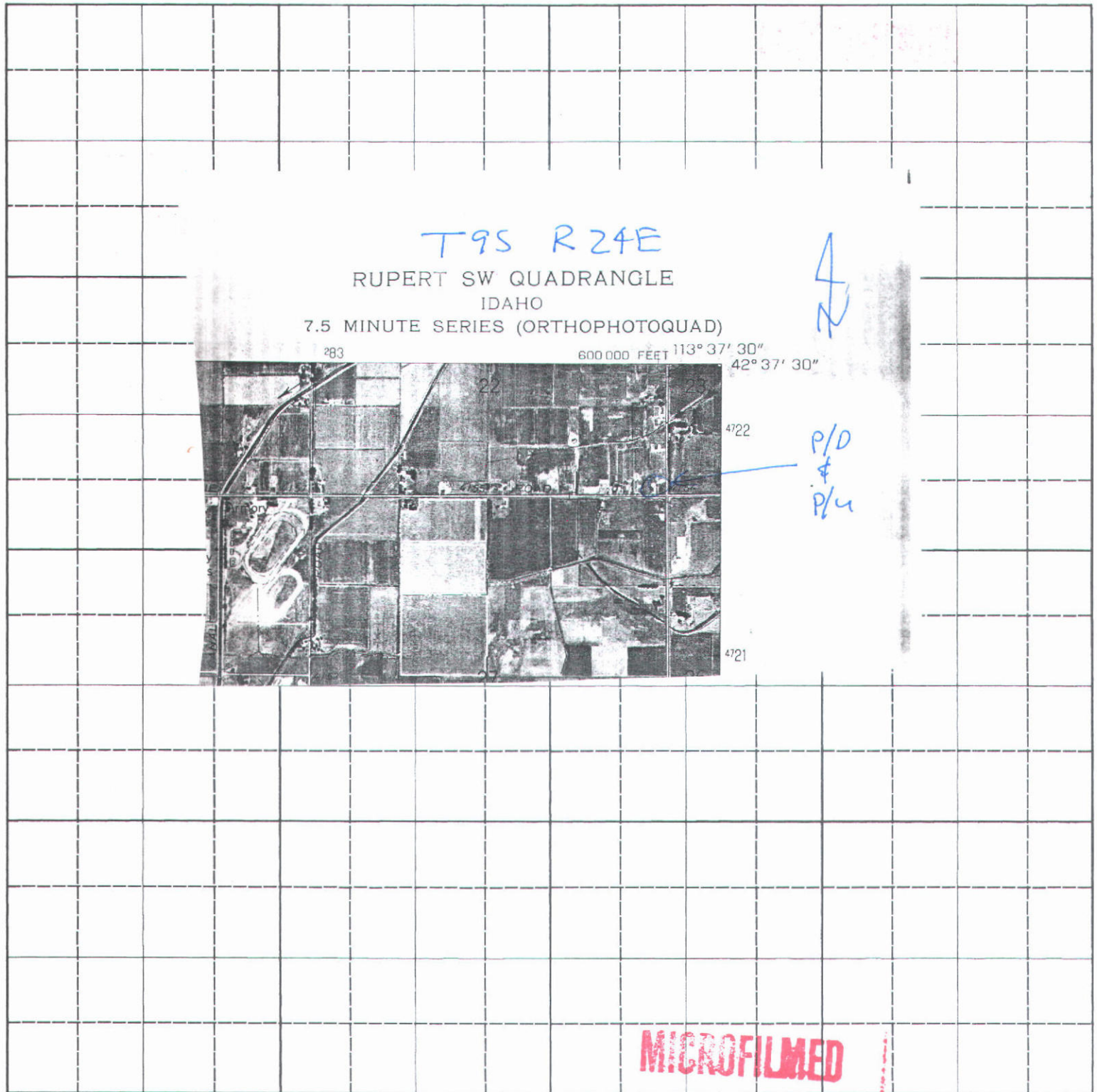


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

FEB 16 1990

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.

Phyllis A. Patterson
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 19 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08449

1. Owner: LARRY TORIX Phone No. 436-5752

Current Address: RT 1 BOX 257 RUPERT, ID 83350

2. Accompanied by: BRETT BARRY (IDWR) EXAM. DATE: 7/28/92

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

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

☐ Copies Attached

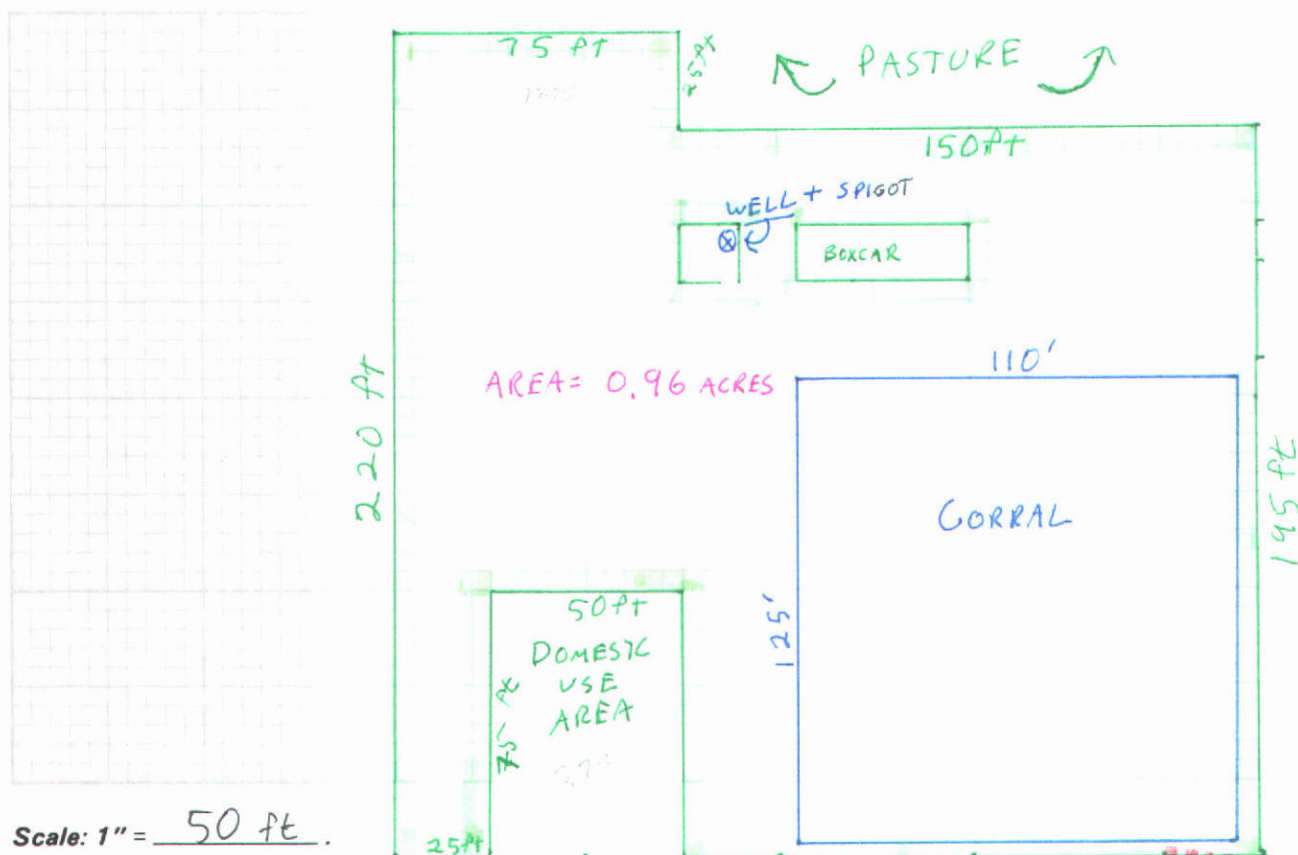
2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = 50 ft

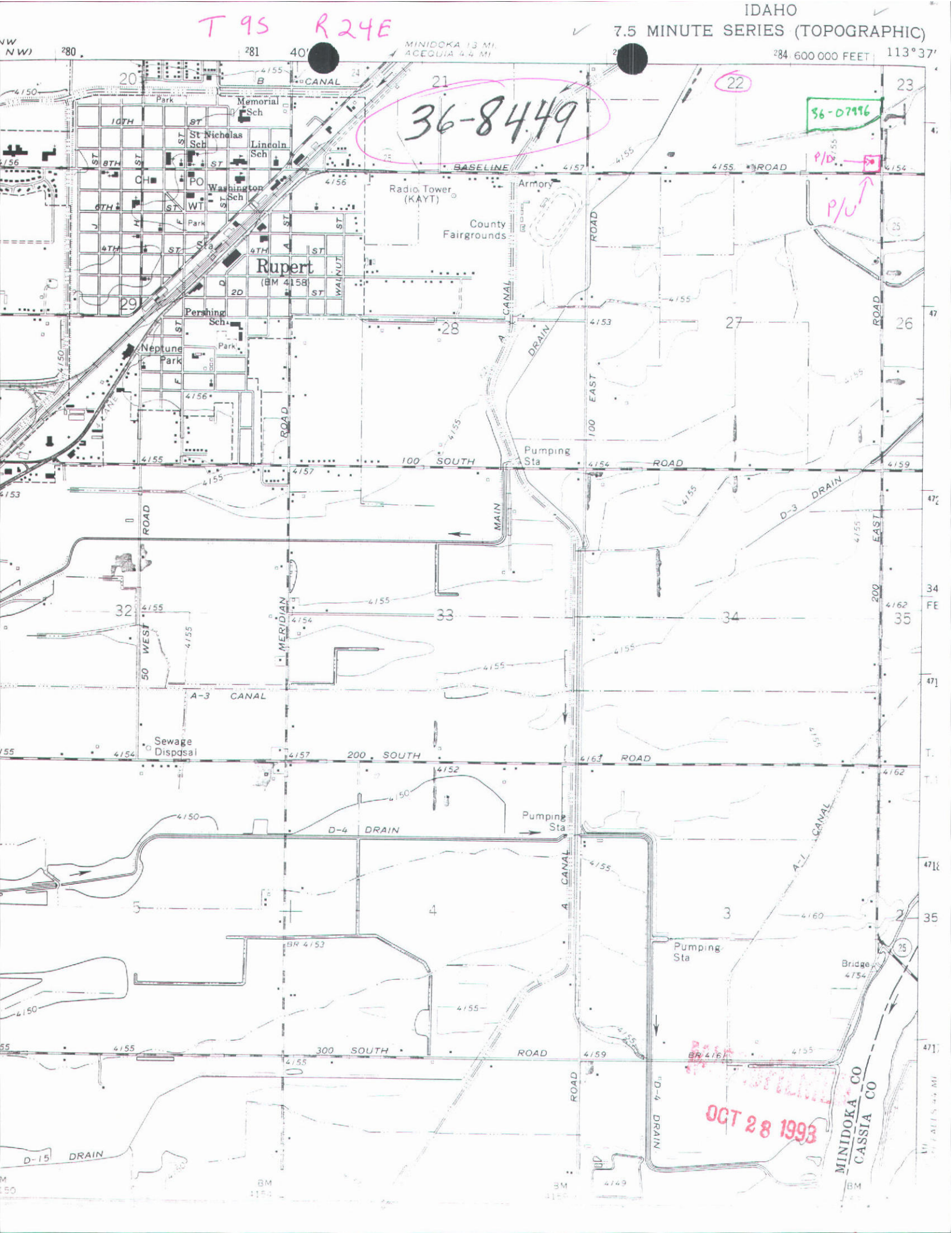
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ 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).

MISSING

OCT 8 1993



T 9S R 24E

IDAHO 7.5 MINUTE SERIES (TOPOGRAPHIC)

36-8449

36-07996

OCT 28 1993

36-8449 ✓

PATTERSON/ TORIX



P/U



P/U

OCT 28 1993

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.
..... Lannette Sellers being first
duly sworn, deposes and says that she is the
Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for Two (2)
consecutive weeks, commencing with the issue
dated November 2 1989, and ending
with the issue dated November 9 1989.
Lannette Sellers

STATE OF IDAHO

COUNTY OF

On this 16th day of November in the year of 1989, before me,
a Notary Public, personally appeared Lannette Sellers,
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.

Walter Phibey
Notary Public for Idaho

Residing at Burley, ID

My commission expires: 11-24-89

Cost of Publication 31.32
Notary Fee .50
Total Cost 31.82

89-571

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

36-08449

PATTERSON, E.F.

PATTERSON, PHYLLIS A.

RT. 1 BOX 257

RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SESESE Sec 22 T 09S R 24E

Use: IRRIGATION (.040 CFS)

Date Filed: 10/12/1989

In: T09S R24E S22 SESE

2.0 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, 2148 4th Avenue East, Twin
Falls, Idaho 83301 on or before NOVEM-
BER 20, 1989.

R. Keith Higginson, Director
Published in the South Idaho Press on No-
vember 2 and 9, 1989.

RECEIVED

NOV 20 1989

Department of Water Resources
Southern Region Office

MICROFILMED

FEB 16 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08449

Priority: October 12, 1989

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

4.0 AF

This is to certify, that E F PATTERSON
PHYLLIS A PATTERSON

RT 1 BOX 257

RUPERT ID 83350

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 13, 1985; and has submitted Proof of Beneficial Use on June 18, 1990. An examination indicates that the works have a diversion capacity of .100 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	0.03 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 22, Township 09S, Range 24E
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>
09S	24E	22	SESE	1		1

Total number of acres irrigated: 1

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 is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Irrigation use under this right is authorized only in connection with a domestic use.

RECORDED

OCT 28 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08449

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 21st
day of OCTOBER, 1993.

Acting for *R. Keith Higginson*, Director

OCT 28 1993

RECEIVED
JUN 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

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

Permit No. P 36-08449 Telephone No. 436-6218

Name(s) of Permit Holder(s): E. F. and Phyllis A. Patterson

Post Office Address: Rt. #1 Box 257 Lupat, Id 83350

Source of Water: Ground water

If ground water, well driller's name: This well was already drilled & in use when we bought place in 1972 (April) Date drilled: 8-4-65 (we were told)

Extent of Use:
Domestic 1 (No. of households) Irrigation 2 (No. of acres)
Stockwater 3 to 5 horses (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .04 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 5-5-90

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

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

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

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

Phyllis Patterson 436-6218
Name Telephone No.

Address

RECEIVED

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.

6-14-90 E. F. Patterson Phyllis A. Patterson
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08449

Proposed Priority: October 12, 1989 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **E. F. PATTERSON**
PHYLLIS A. PATTERSON
RT. 1 BOX 257
RUPERT, ID 83350

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	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: SESESE Sec. 22, Township 09S, Range 24E
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>
09S	24E	22	SESE	2		2

Total number of acres irrigated: 2

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Irrigation use under this permit is authorized only in connection with a domestic use.
5. 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.

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

8th day of January, 1990.

R. Keith Higginson
R. Keith Higginson, Director

MICROFILMED

FEB 16 1990

RECEIVED

Form 202
6/85

SEP 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 36-08449

Department of Water Resources
Southern Region Office

To appropriate the public waters of the State of Idaho

1. Name of applicant E. F. Patterson & / or Phyllis A. Patterson Phone 436-6218
Post office address Rt. 1 Box 257, Rupert, ID 83350
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 22 Township 9S Range 24E B.M. Mindok County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 cfs for Irrig. 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) 0.04 cfs 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

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 Existing 6" inches; proposed depth of well is 120' 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
5 years (minimum 1 year).

MICROFILMED

FEB 16 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	
9S	24E	22																$\frac{1}{2}$ 2 ^{6F}	$\frac{1}{2}$ 2 ^{6F}

Total number of acres to be irrigated

$\frac{1}{2}$ 2

- Describe any other water rights used for the same purposes as described above. A36-11595
covers first $\frac{1}{2}$ acre
- 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. _____

12. Remarks: This is for additional irrig. land above
 $\frac{1}{2}$ acre included on A36-11595.

MICROFILMED

FEB 16 1990

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.

FEB 16 1990

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.

Phyllis A. Patterson
(Applicant)

10/12/89
Received by ADR Date 9/13/85 Time 13:07 Preliminary check by [Signature]
Fee \$ 30⁰⁰ Receipted by ADR # M004228 Date 9/13/85
Publication prepared by M. Baldwin Date 10/2/89 Published in So. ID. Press
Publication approved M. Baldwin Date 11-24-89

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

FEB 16 1990



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, 1993

LARRY TORIX
RT 1 BOX 257
RUPERT ID 83350

RE: WATER RIGHT NO. 36-08449

Dear Water Right Holder(s):

Enclosed is a copy of the license issued on the above referenced water right.

When the field examination of the property was conducted on July 28, 1992, the change of ownership was discovered. When the right is in the permit stage it is classified as personal property; therefore, when a change of ownership occurs it must be assigned to the new owner by the former owner. Since we have no record of an assignment having been submitted on this permit, the license was issued in the original owners names.

In Idaho, a licensed water right is considered real property; therefore, proof of owning the land is proof of owning the water right, unless it was specifically excluded in the sale.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Donna Corless'.

DONNA CORLESS
Clerical Specialist

Enclosure

RECEIVED
OCT 28 1993

MEMORANDUM

DATE: October 26, 1993
TO: File 36-08449
FROM: Donna Corless
SUBJECT: Returned Mail

=====

Mail addressed to E.F. and Phyllis Patterson, at Rt. 1 Box 257
Rupert, ID 83350, on October 22, 1993, was returned by the U.S.
Post Office as Undeliverable as Addressed - Forwarding Order
Expired.

A call to the Minidoka County Assessor's Office revealed no
forwarding address for the addressees, and that the property
was sold to Larry Torix (listed as the property owner on the
Beneficial Use Field Report) on January 31, 1992. The license
was forwarded to:

Larry Torix
Rt. 1 Box 257
Rupert, ID 83350

OCT 28 1993



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 21, 1993

E F PATTERSON
PHYLLIS A PATTERSON
RT 1 BOX 257
RUPERT ID 83350

RE: WATER RIGHT NO. 36-08449

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 black ink, appearing to be 'Jim Johnson', written over a horizontal line.

for JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECORDED

OCT 28 1993

DATE: 10/13/93
PAGE: 1

Audit: 10/13/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 36-08449

Date 10-13-93

Brenda Chapman

NAME

Yes No

☒

☒

Or Address Change? New owner - no assignment

PRIORITY DATE

☐

☒

Advance?

Memo to Advance

☐

☒

Order to Reinstate Needed?

☒

☒

Incorrect Fee for rate recommended?

SOURCE

☐

☒

Changes?

Clarification of Originally

Intended source

☐

☒

Notice of Intent to Void - Source change.

P/D

☐

☒

Amendment Needed?

☐

☒

Overlap(s)

P/U

☐

☒

Amendment Needed?

☐

☒

Overlap(s)

TOTAL CFS

☒

☒

Disagree/Measurement

NOTE: Examiner
reduced to
1 acre + rate
to .02 CFS.

☐

☒

Theoretical $(8.8 \times .70 \times 1.5 \text{ HP}) / (8' + 2.31 \times 35 \text{ PSI}) = .10 \text{ CFS}$

☐

☒

Capacity .10

☐

☒

Allowable Amount: 1 acre @ .03

TOTAL VOLUME

☐

☒

Disagree with Examiner's Calculations?

☐

☒

1 acre @ 4AF = 4.0

☐

☒

Flow limit: $.03 \times 214 \times 1.9835 = 12.7$
Season C/4.0 4-1 to 10-31

USES

☐

☒

Change(s) in Nature of Use?

☐

☒

Amendment Needed?

REMARKS

☐

☒

Multiple P/Ds in 1/4 1/4?

☐

☒

Special Overlap

☐

☒

Other

CONDITIONS

☐

☒

Measuring/Locking Devices

☐

☒

W/Master Control

☒

☒

Irrigation Overlap

☐

☒

Water Quality

Water Dist

App Rec'd

Exam Made

4-13-85
7-28-92
ONLY (NOT .02)

COMMENTS:

Reduce to 1 acre; reduce rate to .03 CFS - NOT a
Buried system - just hose + sprinkler.

RECOMMENDED

CFS

DIV VOL

Irrigation

.03

4.0

LICENSE

AMEND

2ND AMEND

☒

☐

☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 19 1993

Department of Water Resources

A. GENERAL INFORMATION

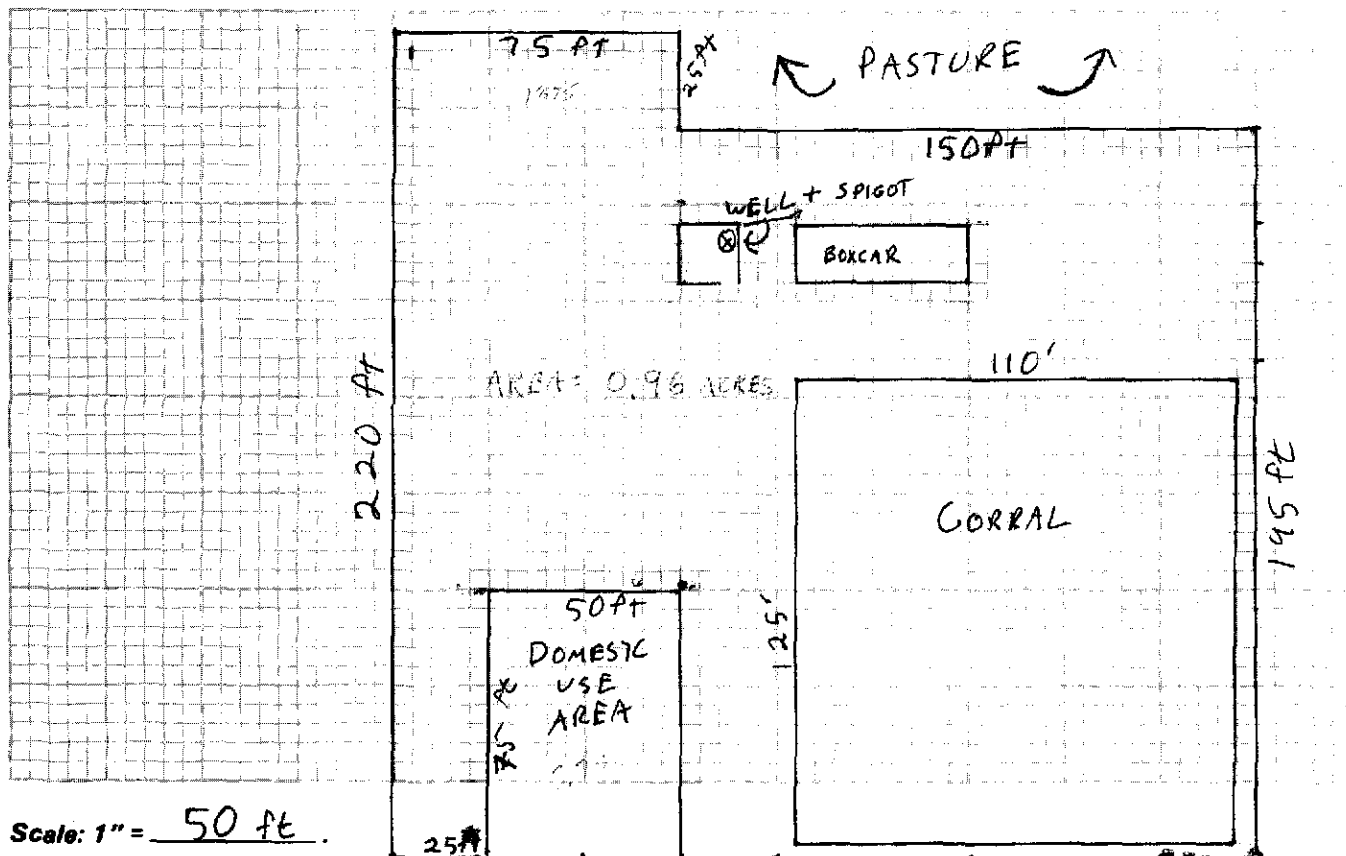
1. Owner: LARRY TORIX Permit No. 36-08449
Current Address: RT 1 BOX 257 RUPERT, ID 83350 Phone No. 436-5752
2. Accompanied by: BRETT BARRY (IDWR) EXAM. DATE: 7/28/92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = 50 ft

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

OCT 8 1993

System Description (continued)

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

1.5 HP, 8 FT SAND POINT WELL SUPPLIES WATER TO A SPIGOT WITH GARDEN HOSE & SPRINKLER USED TO IRRIGATE ONE ACRE OF LAWN, GARDEN + CORRAL PASTURE, OWNER ONLY USES ONE GARDEN SPRINKLER, AND OWNER'S PSI GAGE SHOWED 35 PSI DURING ITS OPERATION

☐ 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
	SMITH	1.5	1A88	SANDPOINT	

*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
		SE	SE	SE	22	9S	24E	MINIDOKA	QUAD

6. Place(s) of Use:

Indicate Method of Determination

QUAD

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	
9S	24E	22																1	1

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:

OWNER PSI GUAGE SHOWED 35 PSI WITH ONE SPRINKLER RUNNING

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: $\text{THEORETICAL} \frac{(8.8)(.7)(1.5 \text{ HP})}{(8 \text{ FT})(35 \text{ PSI} \cdot 2.31)} = 0.10 \text{ CFS}$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{40}{1} \times 4 \text{ AFA}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{0.02}{1} \times 215 \times 1.9835 = 21.5 \text{ AFA } 8.5$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4 \text{ AFA}$

2. Volume Calculations for Other Uses:

OCT 28 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

NO OVERLAP: CLAIM 36-07996 LIES NORTH OF THE PROPERTY

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRR</u>	<u>4/1</u>	<u>11/1</u>	<u>0.02 cfs</u>	<u>4 afa</u>
Totals:			<u>0.02 cfs</u>	<u>4 afa</u>

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

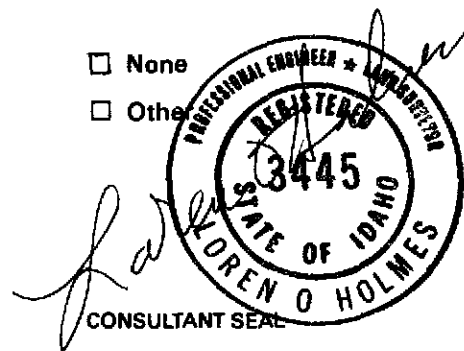
☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

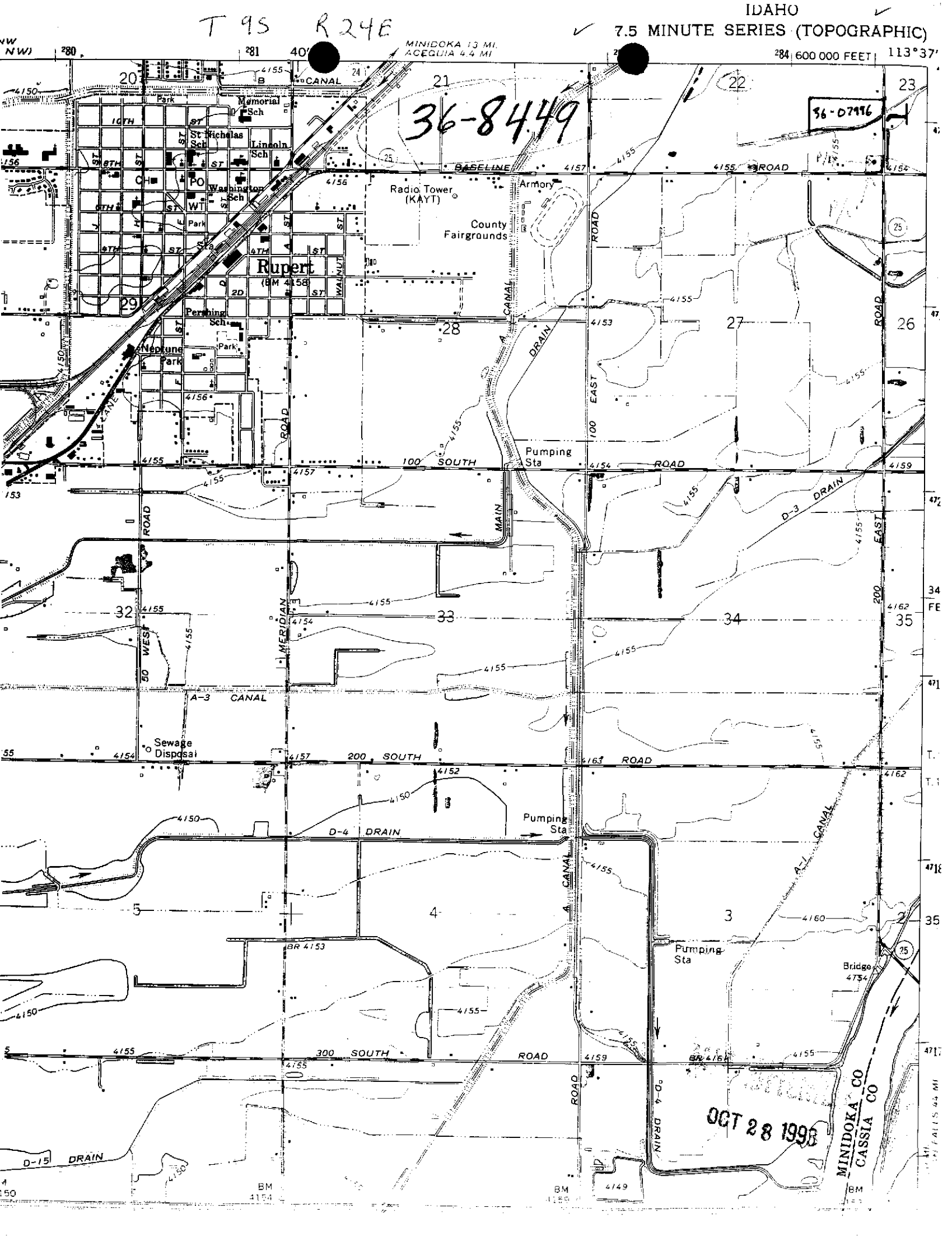
Field Examiner's Name MIKE HARSHBARGER
Signature Michael Harshbarger
Certification Date 3/31/93
Field Report Preparation Date 7/29/92



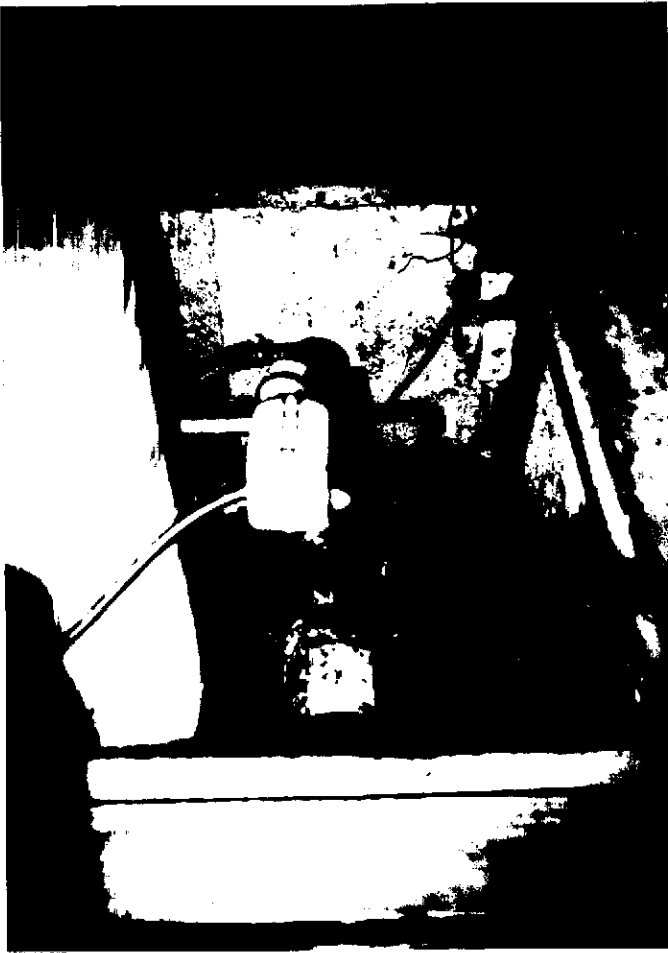
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOT REFILED

OCT 20 1993



36-8449 ✓
PATTERSON/ TORIX



P/O



P/O

OCT 28 1993

December 17, 1990

E. F. PATTERSON
PHYLLIS A. PATTERSON
RT. 1 BOX 257
RUPERT, ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08449

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)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MicroFILMED

JAN 04 1991

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8449

Date: 12-13-90

General Considerations:

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

Source of Water:

- ☒ Surface water
☒ Groundwater
_____ 1. well log in file
_____ 2. drilling permit N/A - well drill in ~ 1965
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

proof acceptable

N/A Priority Calculation:
Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE _____

LB
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Dear Sir:

6-14-90

You did not mention how you would get in touch with us on inspecting the additional ground water we are using. My husband has no short term memory so wouldn't even know what I have done to try improve the quality of the pasture.

We have to pay for irrigation water for 5.67 acres although it can't all be watered from the canal. (With M & D water) just do enough watering to get it growing again, so it shouldn't cause any problems. I am home most of the time to be able to show you but would like to know when you are coming - ahead of time as I work graveyard shift. I hope I have filled the form out OK.

We have our place listed for sale but guess who ever comes can tell me how to handle this if when it sells. It may be a while as its a very nice place.

Thank you for your help.

MICROFILMED

JAN 04 1991

Very truly

Phyllis A. Patterson

If you notify us by mail please address letter to me - or by fore ask for me or I may not get the message. Sometimes we throw things (mail) away. P.P.

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
January 8, 1990

E. F. PATTERSON
PHYLLIS A. PATTERSON
RT. 1 BOX 257
RUPERT, ID 83350

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

RE: PERMIT NO. P36-08449

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.

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

UNRECORDED

FEB 16 1990

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

MICROFILMED

FEB 16 1990

13-Oct-1989

E. F. &/or Phyllis Patterson
Rt. 1 Box 257
Rupert, ID 83350

Re: Application for Permit No. 36-08449

Dear Mr. & Mrs. Patterson:

The Department of Water Resources acknowledges receipt of your letter requesting that the above referenced application be amended. Enclosed please find a copy of the amended application for your information. Please note that the priority date reflects the date that the amending request was received in our office.

This office will be advertising the amended application in the South Idaho Press on 11/2 & 11/9/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

RECEIVED

FEB 16 1990

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.
..... Lannette Sellers being first
duly sworn, deposes and says that she is the
Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for Two (2)
consecutive weeks, commencing with the issue
dated November 2, 1989, and ending
with the issue dated November 9, 1989.
Lannette Sellers

STATE OF IDAHO

COUNTY OF

On this 16th day of November in the year of 1989, before me,
a Notary Public, personally appeared Lannette Sellers,
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.

[Signature]
Notary Public for Idaho

Residing at [Signature]

My commission expires: 11-24-89

Cost of Publication 31.32
Notary Fee 50
Total Cost 31.82

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The Following application(s) have been
filed to appropriate the public waters of the
State of Idaho: 36-08449
PATTERSON, E.F.
PATTERSON, PHYLLIS A.
RT. 1 BOX 257
RUPERT, ID 83350
Source: GROUNDWATER
Diversion Pt: SESESE Sec 22 T 09S R 24E
Use: IRRIGATION (.040 CFS)
Date Filed: 10/12/1989
In: T09S R24E S22 SESE,
2.0 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, 2148 4th Avenue East, Twin
Falls, Idaho 83301 on or before NOVEM-
BER 20, 1989.
R. Keith Higginson, Director
Published in the South Idaho Press on No-
vember 2, 1989.

OK
MB
11-24-89
RECEIVED

NOV 20 1989

Department of Water Resources
Southern Region Office

MICROFILMED

FEB 16 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

OCTOBER 13, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 NOVEMBER 20, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

FEB 16 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

FEB 16 1990

36-08449

PATTERSON, E. F.
PATTERSON, PHYLLIS A.
RT. 1 BOX 257
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SESESE Sec 22 T 09S R 24E

Use: IRRIGATION (.040 CFS)

Date Filed: 10/12/1989

In: T09S R24E S22 SESE

2.0 ACRES TOTAL

MICROFILMED

FEB 16 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before NOVEMBER 20, 1989.

R. Keith Higginson, Director

Published 11/02/1989 & 11/09/1989

MICROFILMED

FEB 16 1990

Rupert, Id. 83350
Oct. 11, 1989

Dear Mr. Funderburg:

On Application for Permit no. 36-08449

Concerning our phone conversation this morning: We would like to amend our application to read from $\frac{1}{2}$ acre and .02 water TO ~~FROM~~ 2 acres and .04 water. Thank you very much for your help in this matter. (We are doing this change through the mail because of health problems of both my husband and I.)

Very truly yours,

Phyllis Patterson
E. F. Patterson

RECEIVED

OCT 12 1989

Department of Water Resources
Southern Region Office

MICROFILMED

FEB 16 1990

INTER-DEPARTMENT MEMO — 1

FROM Mary Baldwin, Office Coord.
MICROFILMED

DATE 10/11/89

TO File

FEB 16 1990

SUBJECT Cancellation of ad for publication 10/19 & 10/26/89

Per telephone call with Mrs. Patterson on this date, WR agent, Gary Funderburg was informed she wished to amend her application to read irrigation of 2 acres. She was advised to submit the request in writing and that the scheduled publication for 10/19 & 10/26 be canceled. Subsequent telephone call to South Idaho Press was made to Lynette. Mary Baldwin
Office Coord. SIGNATURE

03-Oct-1989

E.F. &/or Phyllis Patterson
Rt. 1 Box 257
Rupert, ID 83350

Re: Application for Permit No. 36-08449

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.

This office will be advertising the application in the South Idaho Press on 10/19 & 10/26/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

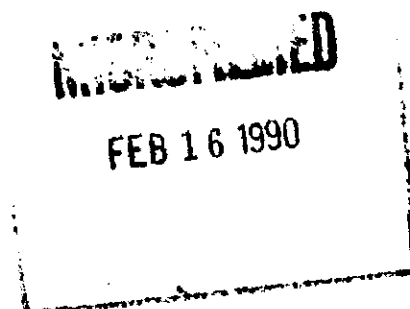
If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

OCTOBER 2, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 NOVEMBER 6, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
FEB 16 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

INDEXED

FEB 16 1990

36-08449

PATTERSON, E.F.
PATTERSON, PHYLLIS A.
RT. 1 BOX 257
RUPERT, ID 83350

Source: GROUNDWATER

Diversion Pt: SESESE Sec 22 T 09S R 24E

Use: IRRIGATION (.020 CFS)

Date Filed: 9/13/1989

In: T09S R24E S22 SESE

0.5 ACRES TOTAL

*Cancelled per applicant
telephone request to
Gary J. Jundberg, WR
Agent on 10/11/89*

MICROFILMED

FEB 16 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before NOVEMBER 6, 1989.

R. Keith Higginson, Director

Published 10/19/1989 & 10/26/1989

MICROFILMED

FEB 16 1990