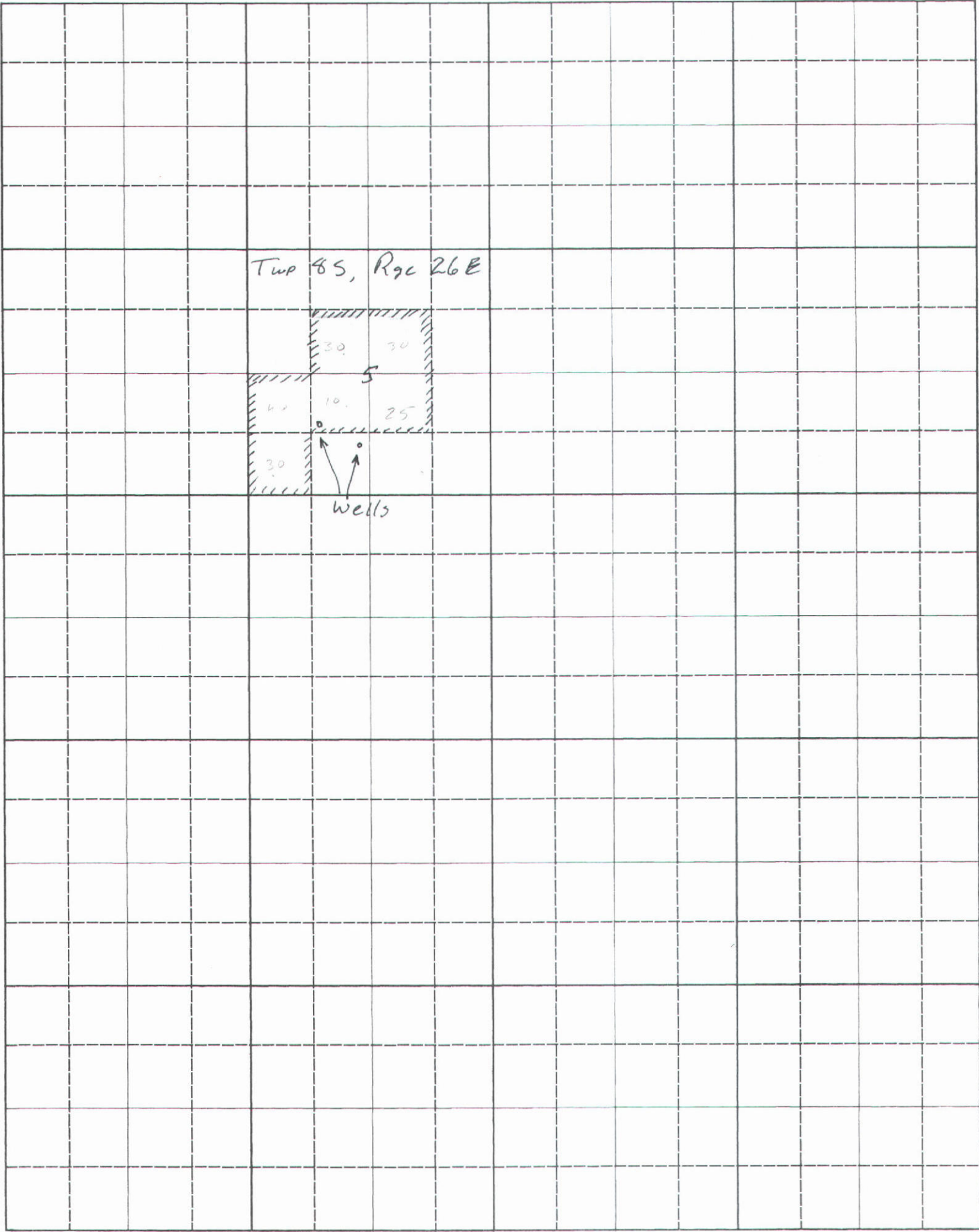


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

MICROFILMED

JAN 20 1991

Eugene Hays
(Applicant)

AFFIDAVIT of PUBLICATION

RECEIVED

OCT 9 1990

State of Idaho,

County of Blaine

SS.

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

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

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 14 day of 9, 1990, and

the date of the last publication was on the 26 day of 9, 1990.

Subscribed and sworn to before me this 26th day of Sept, 1990.
(SEAL)

NOTARY PUBLIC

#7278
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions _____

Lines tabular at _____ 6¢ / Pica
Lines straight at \$44.55 5¢ / Pica
Subsequent lines at \$35.64 4¢ / Pica

TOTAL COST \$85.19 \$5.00 fee

COPY OF NOTICE

(Paste Here)

TITLE OF NOTICE

#36-08290

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

Four file on water rights

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-08290

HRUZA, EUGENE
P.O. BOX 66
MINIDOKA, ID 83343
Source: GROUNDWATER
Diversification Pt: NESW Sec 5 T 08S
R 26E; SESW Sec 5 T 08S R 26E
Use: IRRIGATION (3.300 CFS)
Total Diversification: (3.300 CFS)
Date Filed: 6/24/1985
In: T08S R26E S05 SWNE SENW
NESW NWSW SWSW NWSE
165.0 ACRES TOTAL

37-08663

ARMSTRONG, D. BRUCE
PO BOX 2047
KETCHUM, ID 83340
Source: GROUNDWATER
Diversification Pt: LOT 4 (SWSW) Sec
18 T 01N R 19E
Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)
STOCKWATER (.010 CFS)
Total Diversification: (.130 CFS)
Date Filed: 8/15/1990
In: T01N R19E S18 LOT 4
(SWSW)
3.0 ACRES TOTAL

37-08664

RYLE, THOMAS A.
PO BOX 94
KETCHUM, ID 83340
Source: GROUNDWATER
Diversification Pt: SENW Sec 10 T 02N
R 18E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Total Diversification: (.100 CFS)
Date Filed: 8/13/1990
In: T02N R18E S10 SENW
2.0 ACRES TOTAL

37-08665

DORWARD, DOREEN H.
PO BOX 1620
KETCHUM, ID 83340
Source: GROUNDWATER
Diversification Pt: SWNE Sec 9 T 03N
R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.050 CFS)
STOCKWATER (.020 CFS)
Total Diversification: (.110 CFS)
Date Filed: 7/19/1990
In: T03N R18E S09 SWNE
1.5 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, 222 Shoshone Street East, Twin Falls, Idaho 83301, on or before OCTOBER 8, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal-
September 19 & 26, 1990.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08290

Proposed Priority: June 24, 1985 Maximum Diversion Rate: 3.30 CFS
This is to certify, that **EUGENE HRUZA**
P.O. BOX 66
MINIDOKA, ID 83343
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	3.30 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SESW	Sec. 5, Township 08S, Range 26E
NESW	Sec. 5, Township 08S, Range 26E
	BLAINE 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 26E 5	SWNE 30	SESW 30	NESW 10	
	NWSW 40	SWSW 30	NWSE 25	165

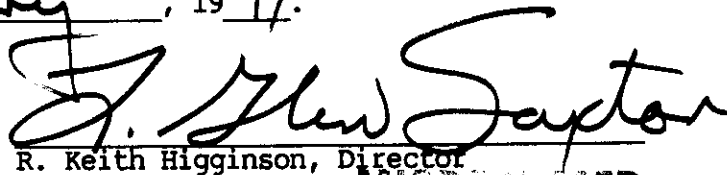
Total number of acres irrigated: 165

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1992.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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

18th day of January, 1991.

for 
R. Keith Higginson, Director

NOT RECORDED

JAN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Eugene Hruza Phone 531-5543

Post office address P. O. Box 66 Minidoka, ID 83343

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 5 Township 8S

Range 26E B.M. Blaine County, additional points of diversion if any: _____

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, T8S R26E

4. Water will be used for the following purposes:

Amount 3.30 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.30 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing wells and pumps.

Land was irrigated during the 1984 irrigation season.

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

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

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

* Existing 12" x 200' and 12" x 295' wells

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 — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

MICROFILMED

JAN 28 1991

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	26E	5			30				30	10	40	30			25				165

Total number of acres to be irrigated 165

c. Describe any other water rights used for the same purposes as described above. 36-2270

9. a. Who owns the property at the point of diversion Applicant

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

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

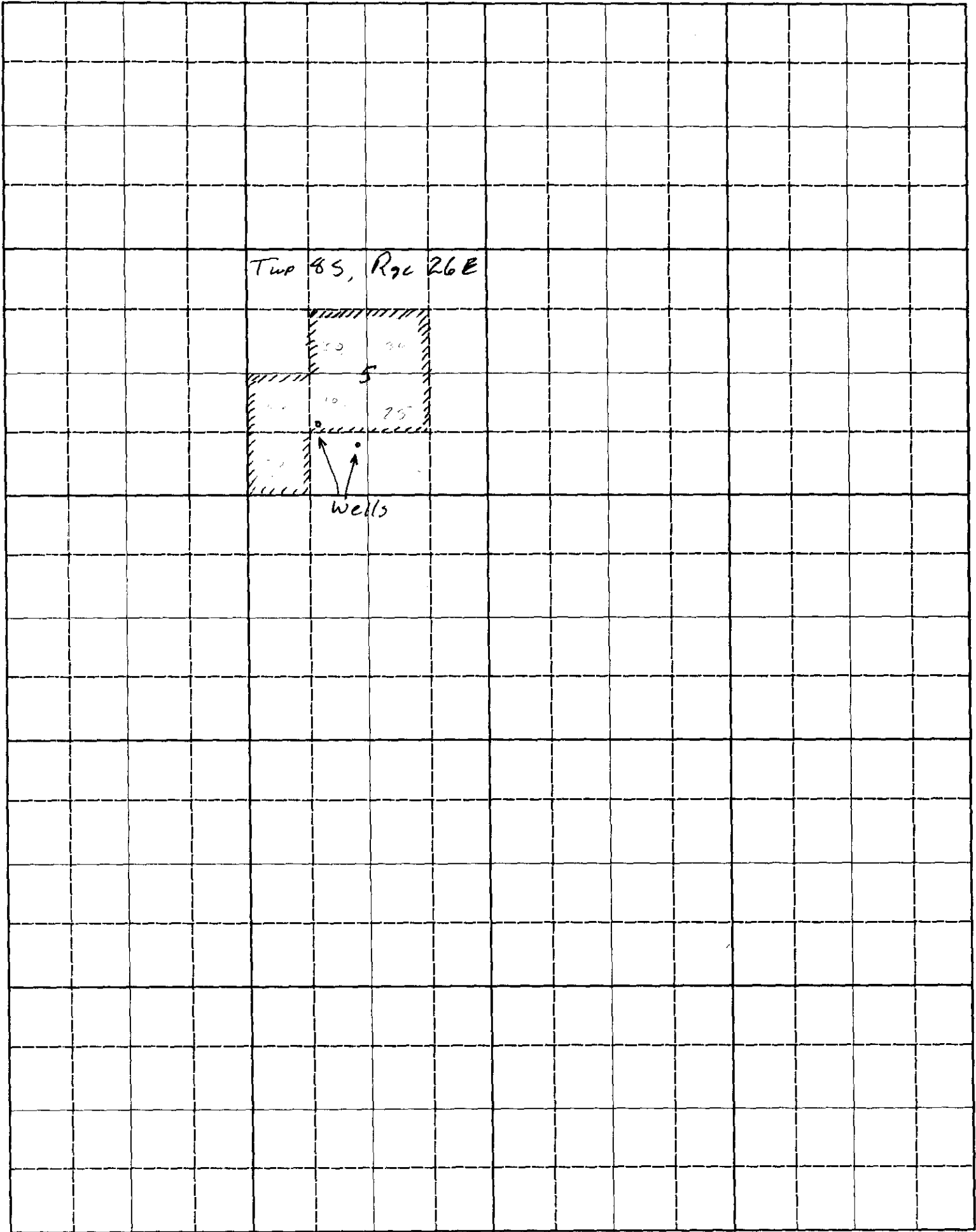
This application represents enlargements of lands under license 36-2270
in 1984.

10. Remarks _____

RECORDED

JAN 30 1984

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



Scale: 2 inches equal 1 mile.

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

RECEIVED

JAN 20 1951

Eugene Hays
(Applicant)

Received by LH Date 8/24/90 Time 5:00
Preliminary check by VB Fee \$ 105.00
Receipted by LH Date 8/24/90 134422
Publication prepared by MB Date 8/31/90
Published in Wood River Journal
Publication dates 9/9 + 9/26/90
Publication approved MB Date 10/11/90
Protests filed by: _____

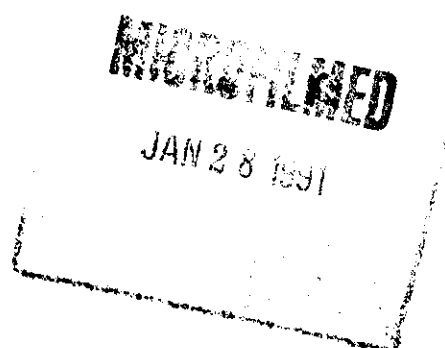
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by LH

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. Other:



AFFIDAVIT of PUBLICATION

RECEIVED

OCT 9 1990

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Boise Office

DANIEL J. CORHAM

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

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 14 day of 9, 19 90, and

the date of the last publication was on the 26 day of 9, 19 90.

Subscribed and sworn to before me this 26th day of Sept. 1990.
(SEAL)

NOTARY PUBLIC

#7278
WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 81
Number of Insertions 2

Lines tabular at 44.55 6c / Pica
Lines straight at 35.64 5c / Pica
Subsequent lines at 35.64 4c / Pica

TOTAL COST 85.19 \$5.00

COPY OF NOTICE

(Paste Here)

App. for Water Rights
TITLE OF NOTICE #36-08290

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
BILL TO J.J.

FOR THE
ON WATER

NOTICE OF APPLICATION
FOR WATER RIGHT

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

36-08290

HUZA, EUGENE
P.O. BOX 86
MINIDOKA, ID 83343
Source: GROUNDWATER
Diversion Pt: NESW Sec 5 T 08S
R 26E, SESW Sec 5 T 08S R 26E
Use: IRRIGATION (3,300 CFS)
Total Diversion: (3,300 CFS)
Date Filed: 8/24/1985
In: T08S R26E S05 SWNE SENW
NESW NWSW SWSW NWSE
165.0 ACRES TOTAL

37-08863

ARMSTRONG, D. BRUCE
PO BOX 2047
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: LOT 4 (SWSW) Sec
18 T 01N R 18E
Use: IRRIGATION (.080 CFS)
DOMESTIC (.040 CFS)
STOCKWATER (.010 CFS)
Total Diversion: (.130 CFS)
Date Filed: 8/15/1990
In: T01N R18E S18 LOT 4
(SWSW)
3.0 ACRES TOTAL

37-08864

DALE, THOMAS A.
PO BOX 94
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SENW Sec 10 T 02N
R 18E
Use: IRRIGATION (.080 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.100 CFS)
Date Filed: 8/13/1990
In: T02N R18E S10 SENW
2.0 ACRES TOTAL

37-08865

DORWARD, DOREEN H.
PO BOX 1820
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SWNE Sec 9 T 03N
R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.050 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.110 CFS)
Date Filed: 7/19/1990
In: T03N R18E S09 SWNE
1.5 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, 222 Shoshone Street East, Twin Falls, Idaho 83301, on or before OCTOBER 8, 1990.

R. Keith Higginson, Director

Publish: Wood River Journal-
September 19 & 26, 1990.

January 8, 1992

EUGENE HRUZA
P.O. BOX 66
MINIDOKA ID 83343

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08290

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 21 1992

RECEIVED

STATE OF IDAHO

DEC 31 1991

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

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

1. Permit No. 36-08290 Telephone No. 531-5543
2. Name(s) of Permit Holder(s): EUGENE HRUZA
3. Post Office Address: PO Box 66 MINIDOKA, IDAHO 83343
4. Source of Water: GROUNDWATER
 - a. If ground water, well driller's name: UNKNOWN Date drilled: 1952
 - b. Pump horsepower: 200 Pressure (psi): EST. 50 Dynamic pumping level (ft.): STATIC 240'
5. Extent of Use:

Domestic _____ (No. of households)	Irrigation <u>165</u> (No. of acres)
Stockwater _____ (No. and type of stock)	Other _____

TWO WELLS USED; WEST WELL IS BEING INCREASED IN FLOW
6. Total rate and/or volume for which proof is submitted 3.3 cfs _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device:	Required? <u>Yes</u> ☒ No ☒	Installed? <u>Yes</u> ☐ No ☐
OR		
Flow Measurement Port:	Required? ☒ Yes ☐ No ☐	Installed? ☒ Yes ☐ No ☐
8. Fee Enclosed: \$ 175.00 (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:

<u>EUGENE HRUZA</u>	<u>531-5543</u>
Name	Telephone No.
<u>PO Box 66 MINIDOKA, ID 83343</u>	
Address	

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

12-30-91
Date

Eugene Hruza
Signature (and title if on behalf of a company or organization)

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08290

Reviewed by Klg

Date 1/2/92

GENERAL CONSIDERATIONS

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

SOURCE OF WATER

 Surface water source

✓ Ground water source

NA Drilling permit required?

1452 / Copy in the file? Drilling Permit No.

/ Amount paid for permit Correct?

/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
175 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>NA</u>	<u> </u>
Date proof due	<u>/</u>	<u>-</u> <u> </u>
No. of days late	<u>/</u>	<u>=</u> <u> </u>
Priority Date	<u>/</u>	<u>+</u> <u> </u>
New Priority Date	<u>/</u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 1/31/91
1/8/92 Klg

EUGENE HRUZA
P.O. BOX 66
MINIDOKA ID 83343

138153
October 31, 1991

PROOF DUE NOTICE
RE: PERMIT NO. 36-08290

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 January 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Nina Shields
Secretary/Records Manager

Enclosures

MICROFILMED

JAN 21 1992

January 22, 1991

EUGENE HRUZA
P.O. BOX 66
MINIDOKA, ID 83343

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08290

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

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.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED

JAN 28 1991

APPLICATION FOR PERMIT REVIEW

Application #: 36-8290 Reviewer: Pam Skaggs *CS*
Date: 1-10-91

Existing:

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

Yes

Proof not submitted - P16
Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
LT. 0.7 cfs - N/A

Drilling Permit:

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

Location:

Water Districts - WD No. 01
Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)
Groundwater *existing* - 005
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
Swan Falls Flag *Exempt* - 8 (1 or Blank)
Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
or Irr & Dom)
Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....
Boise (63) - 11D-P72
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044
Power - (less than 25cfs P18), 01F-P19, 08A(Req.),
17K, 17G-17M(Choose One), 025
Mining - 06A, 006, 09E-P10, 010, 54
Storage - 18A-P09(In W.D.), 18B-P09(Size)
Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

Beneficial Use Due Date: - 01-01-1992

Other Conditions Recommended _____

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

HRUZA, Eugene

INITIAL REVIEW BY: T.G. Blau

APPLICATION NUMBER: 36-8290

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

☒ Fee.

☐ Yes ☒ No

Field check required.

☐ Yes ☒ No

Critical groundwater area.

☐ Yes ☒ No

Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No*

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No

Platted by: _____ Map No. X-74 BB-31

☒ Yes ☐ No

Other rights on same place of use. 36-2270

☒ Yes ☐ No*

In form for advertising.

☐ Yes ☒ No

Final date for protests: _____

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 10/9/90

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No

Measuring device required.

☒ Yes ☐ No

Access port required.

☐ Yes ☒ No

Will water be delivered by watermaster? If yes, what district? _____

6/24/85 Date of priority recommended.

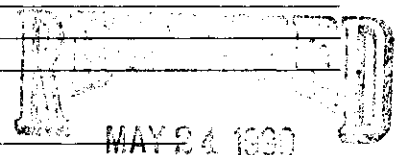
Special conditions of approval or cover letter. 016

By: James O. Halpern Date: 11/6/90

STATE OFFICE REVIEW:

☐ See attached sheet for more information.

By: _____ Date: _____



POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----
IDAHO STREAM CODE INDEX						



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

RECEIVED

JUL 11 1990

Department of Water Resources
Southern Region Office

July 6, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: APPLICATION FOR PERMIT NO. 36-8290

Dear APPLICANT:

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

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

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

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

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

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (in particular, Rules 4,5,3. thru 4,5,3,5, apply to your project if it is more than 200 acres).

MICROFILMED

JAN 26 1991

36-8290

Page 2

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

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

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

144 3 R 7901

36-08290

HUZA, EUGENE
P.O. BOX 66
MINIDOKA, ID 83343

Source: GROUNDWATER

Diversion Pt:	NESW	Sec 5 T 08S R 26E
	SESW	Sec 5 T 08S R 26E

Use: IRRIGATION (3.300 CFS)
Total Diversion: (3.300 CFS)

Date Filed: 6/24/ 1985

In: T08S R26E S05	SWNE	SENE	NESW	NWSW
	SWSW	NWSE		

165.0 ACRES TOTAL

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JAN 28 1991

RECEIVED

SEP 12 1990

Department of Water Resources
Southern Region Office

Disk: Legals/4NofAp

Four file on water rights

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-08290 ✓

HRUZA, EUGENE
P.O. BOX 66
MINIDOKA, ID 83343
Source: GROUNDWATER
Diversion Pt: NESW Sec 5 T 08S
R 26E; SESW Sec 5 T 08S R 26E
Use: IRRIGATION (3.300 CFS)
Total Diversion: (3.300 CFS)
Date Filed: 6/24/1985
In: T08S R26E S05 SWNE SENW
NESW NWSW SWSW NWSE
165.0 ACRES TOTAL

37-08663

ARMSTRONG, D. BRUCE
PO BOX 2047
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: LOT 4 (SWSW) Sec
18 T 01N R 19E
Use: IRRIGATION (.090 CFS)
DOMESTIC (.040 CFS)
STOCKWATER (.010 CFS)
Total Diversion: (.130 CFS)
Date Filed: 8/15/1990
In: T01N R19E S18 SWSW
3.0 ACRES TOTAL

37-08664

PYLE, THOMAS A.
PO BOX 94
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SENW Sec 10 T 02N
R 18E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.100 CFS)
Date Filed: 8/13/1990
In: T02N R18E S10 SENW
2.0 ACRES TOTAL

37-08665

DORWARD, DOREEN H.
PO BOX 1620
KETCHUM, ID 83340
Source: GROUNDWATER
Diversion Pt: SWNE Sec 9 T 03N
R 18E
Use: DOMESTIC (.040 CFS)
IRRIGATION (.050 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.110 CFS)
Date Filed: 7/19/1990
In: T03N R18E S09 SWNE
1.5 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, 222 Shoshone Street
East, Twin Falls, Idaho 83301, on
or before OCTOBER 8, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal--
September 19 & 26, 1990.

OK
WB
9/12/90

NOT RECORDED

JAN 28 1991

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, 222 Shoshone St. East, Twin Falls, Idaho 83301 on or before OCTOBER 8, 1990.

R. Keith Higginson, Director

Published 9/19/1990 & 9/26/1990

RECEIVED

JAN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)734-3578

AUGUST 31, 1990

WOOD RIVER JOURNAL
P.O. BOX 988
HAILEY, ID 83333

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 OCTOBER 8, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

AUG 31 1990

31-Aug-1990

EUGENE HRUZA
PO BOX 66
MINIDOKA ID 83343

Re: Application for Permit No. 36-08290

Dear MR. Hruza:

On March 25, 1988 the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application.

This office will be advertising the application in the Wood River Journal on 9/19 & 9/26/90. 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,

RECEIVED

JAN 28 1991

Gary Funderburg
Sr. Water Resource Agent

I HO DEPARTMENT OF WATER RE URCES

MEMO-REPLY	Date <u>8-13-90</u>
-------------------	---------------------

To Mr. Southern
Mary B.

From Tim Luke

☒ Take Appropriate Action ☐ Draft A Reply ☐ Action Required By _____ ☐ See Me ☐ Call Me ☐ Return To Me	☐ For Your Information ☐ For Your Approval ☐ For Your Comments ☐ As You Requested ☐ Copy (____ Copies) ☐ File
--	--

Comments *THIS App. has been reviewed & recommended exempt from Trust Water Processing. Pkg Advertise routinely from your office.*

Reply

R E C E I V E D

AUG 15 1990

Department of Water Resources
Southern Region Office

Signed _____
Date _____

MEMORANDUM

TO: FILE/APPLICATION NO. 36-8290

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 8-13-90

=====

The applicant has returned the trust water information questionnaire and has claimed that the development under this filing was completed prior to October of 1984.

On the original application, the applicant stated that the filing represented enlargement of lands under an existing license and that the additional lands under this application were irrigated in 1984.

After reviewing infrared aerial photography from 1984 (NHAP) available at the Idaho SCS office in Boise, I confirm that the lands under this application were irrigated at that time.

Since this filing was made prior to July 1, 1985 to validate development prior to October of 1984, the application is exempt from the review requirements of section 42-203C, Idaho Code. The application will be returned to the region for routine advertising and processing.

MICROFILMED

JAN 28 1991

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

JUL 30 1990

Department of Water Resources
Southern Region Office

Application No. 36-8290

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

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

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

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

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

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

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

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

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

36-2270

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

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

Applicant Eugene J. [Signature]

Date 7-30-90

MICROFILMED

JAN 28 1991

PAGE: 1

PLACE OF USE 1/4 1/4 OVERLAP REPORT

07/31/90

WR-NUMBER	NAME	SIG	SOURCE	T	R	S	NE			NW			SW			SE			SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3608290	DEAN	L	GROUNDWATER	08S	26E	5	:	:	:	:	10	10	10	10	10	10	40	:	105
3602270	HRUZA	A	GROUNDWATER	08S	26E	5	30	:	:	:	10	40	30	:	:	25	:	:	165
3608290	1986 MAPPING DATA	---	COUNTY 13 QUAD AA	81	08S	26E	5	18	14	:	14	2	:	:	20	19	30	29	273

1984 MAP Photo # 257-121 9-13-84
on file @ ACS. RARE

Photo Sanborns ILLINOIS UNDER 36-8290

Tyler 8-13-90

MICROFILMED
JAN 2 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 6, 1990

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MAILED

JAN 28 1991

Page 2

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Boise, Idaho 83720
Attn: Tim Luke

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Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

RECEIVED
JAN 17 1981

JAN 17 1981