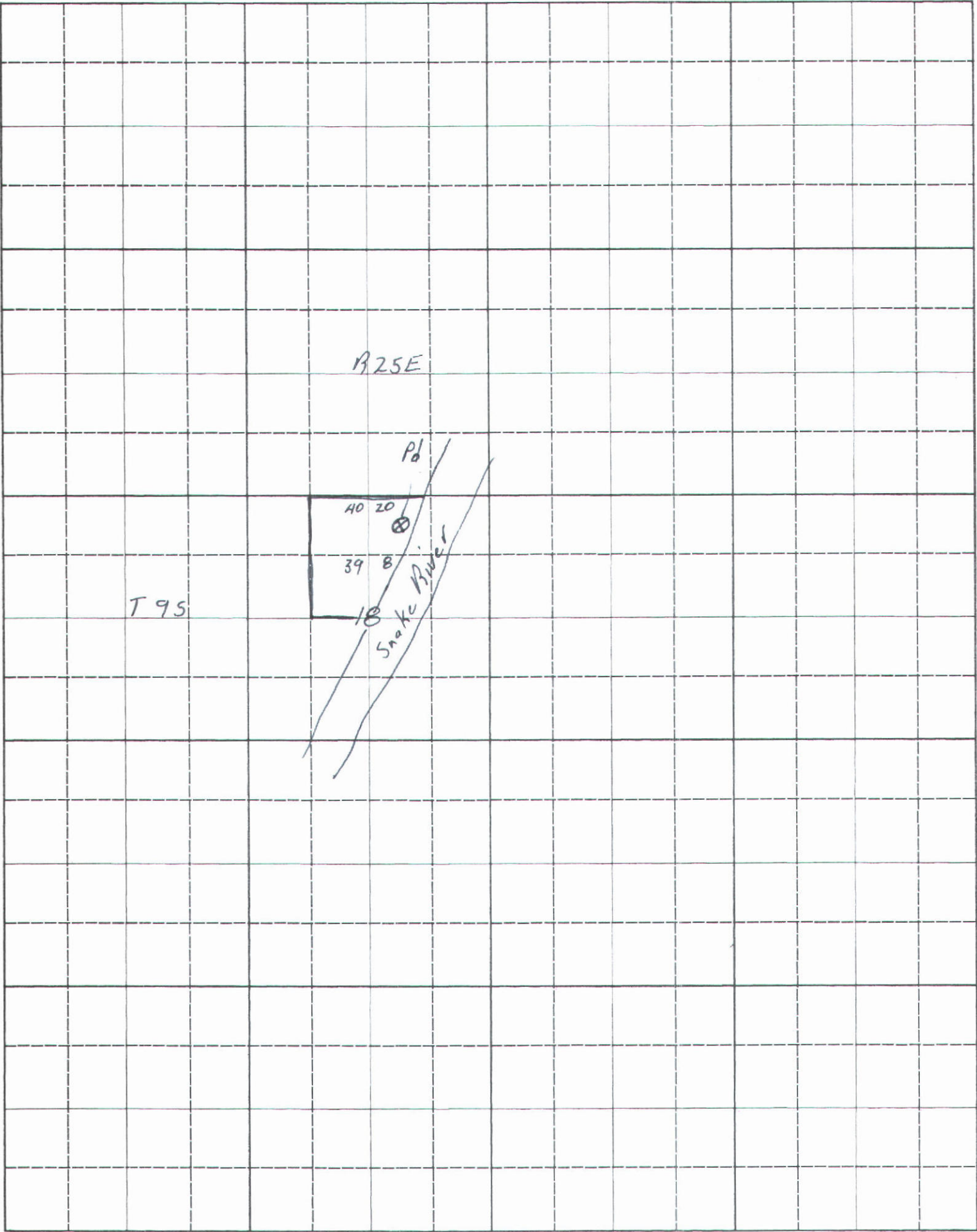


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



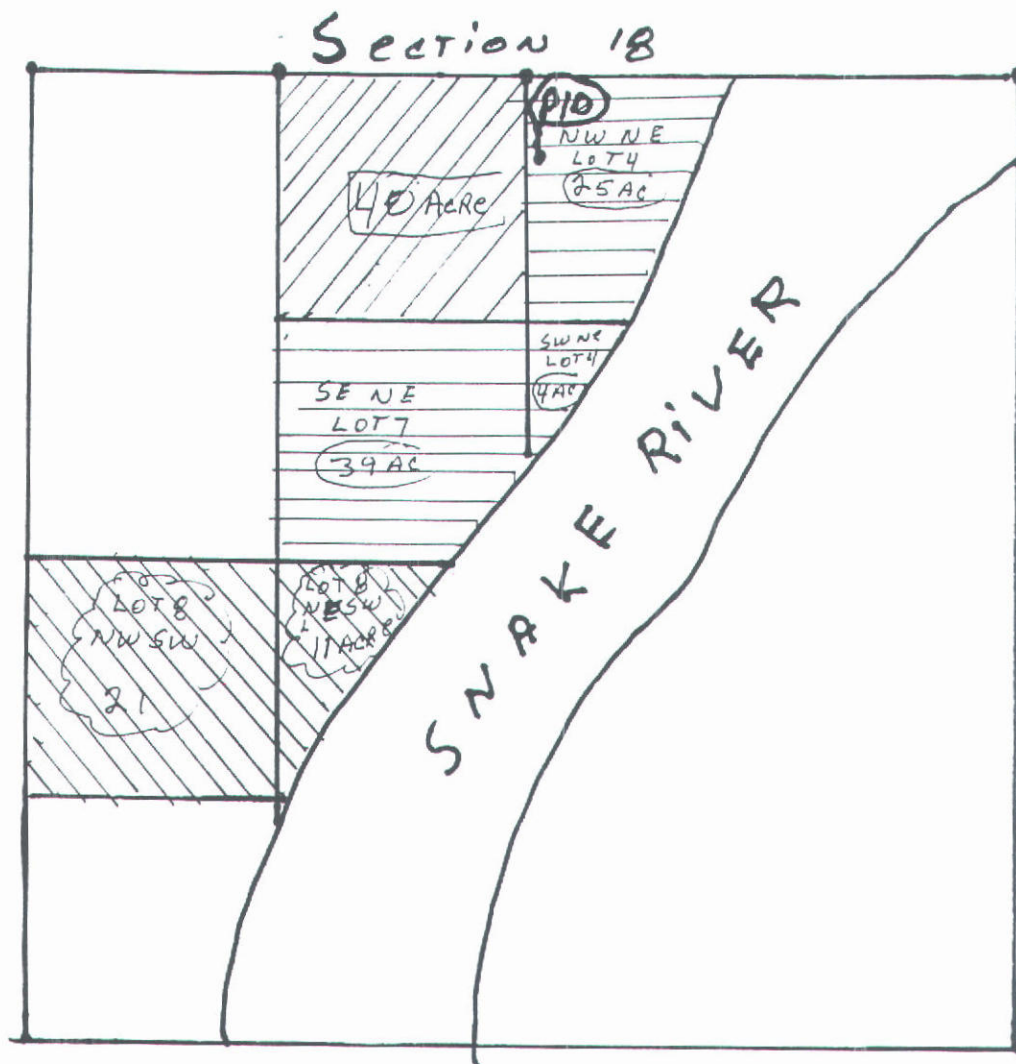
Scale: 2 inches equal 1 mile.

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.

UNRECORDED

AUG 21 1989

Patterson Farms of Idaho, Inc.
* Russell Patterson V.P.
(Applicant)



These OVERLAPPING WATER RIGHTS ARE ALL DIVERTE OUT OF THE SAME P/D.



is a combination of water right #36-02733 & #36-0290



water right #36-08226

MICROFILMED

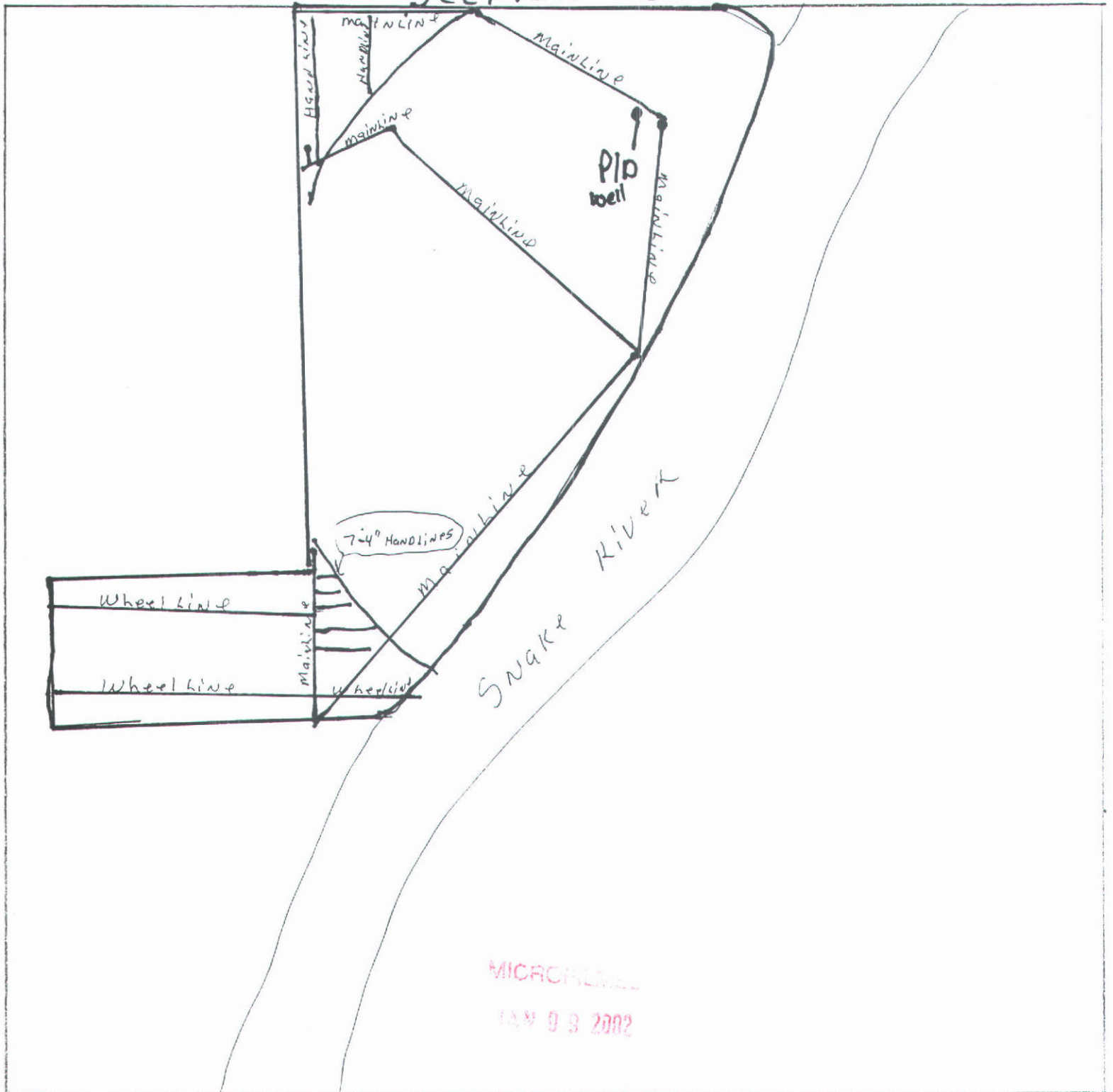


water right #36-08288

JAN 09 2002

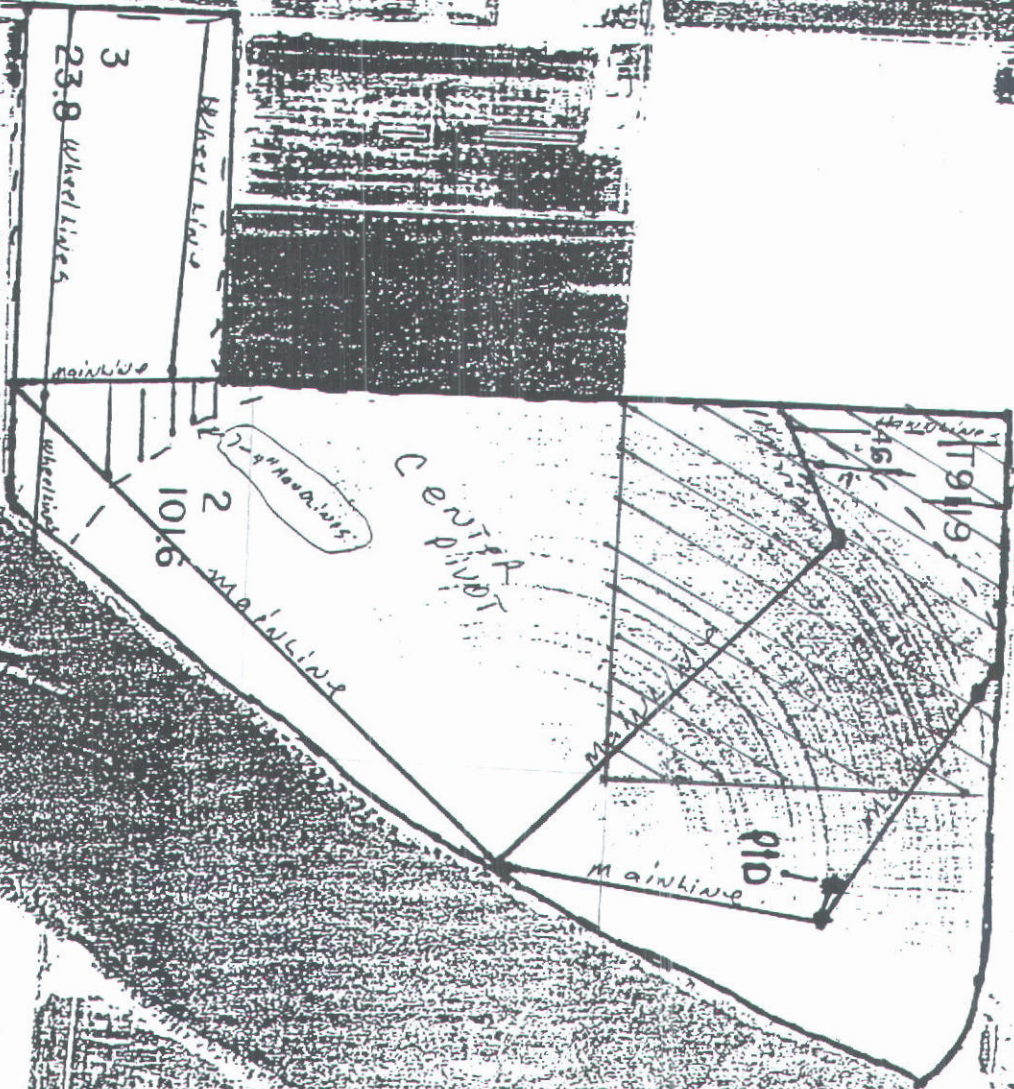
* PLEASE NOTE: All lands ARE COVERED BY 01-00008 (miniboka irrigation district water), BUT NONE OF THIS water is used BECAUSE IT CAN'T ENTER THE SYSTEM.

Section 18



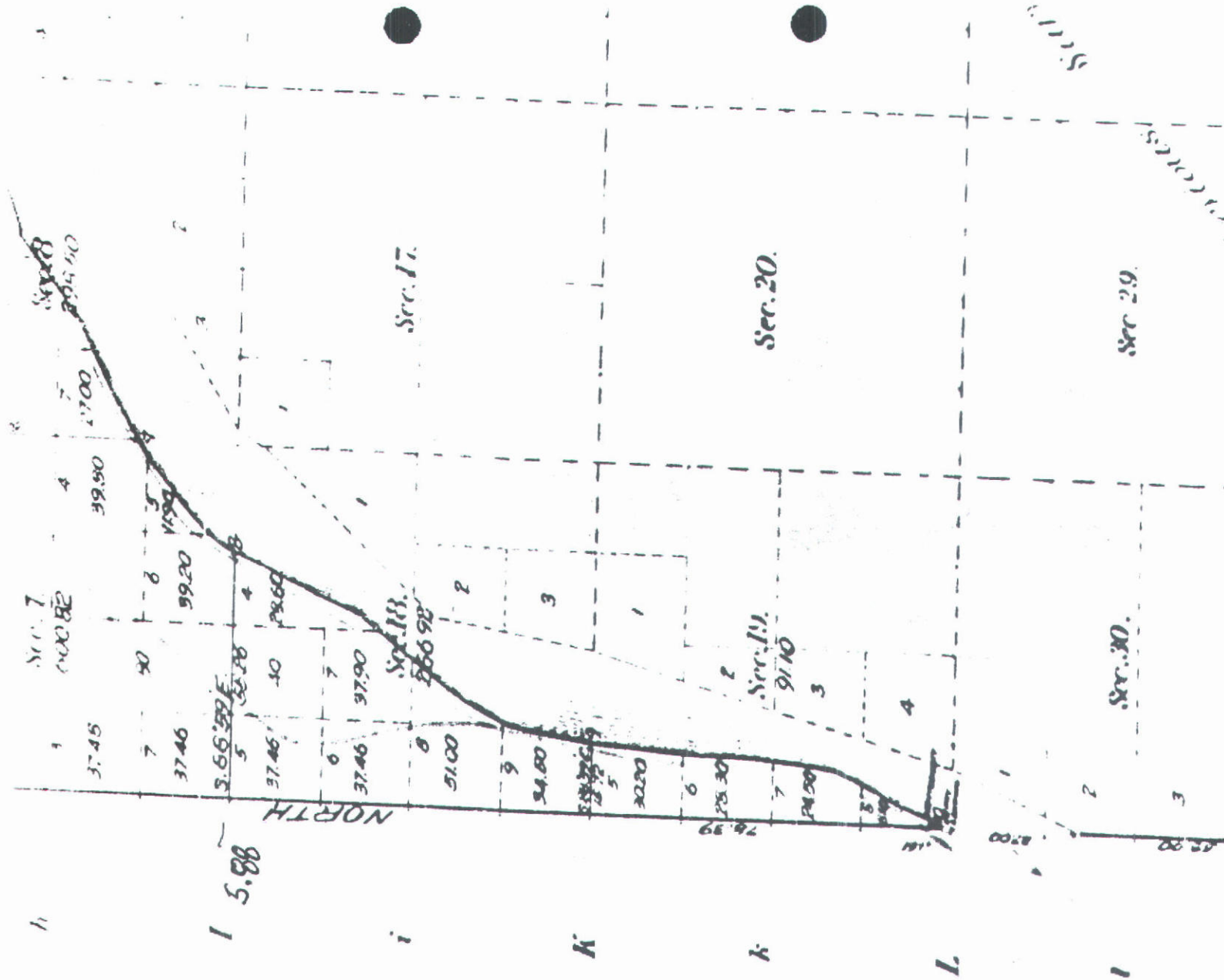
MICROFILMED
JAN 03 2002

Diversion works



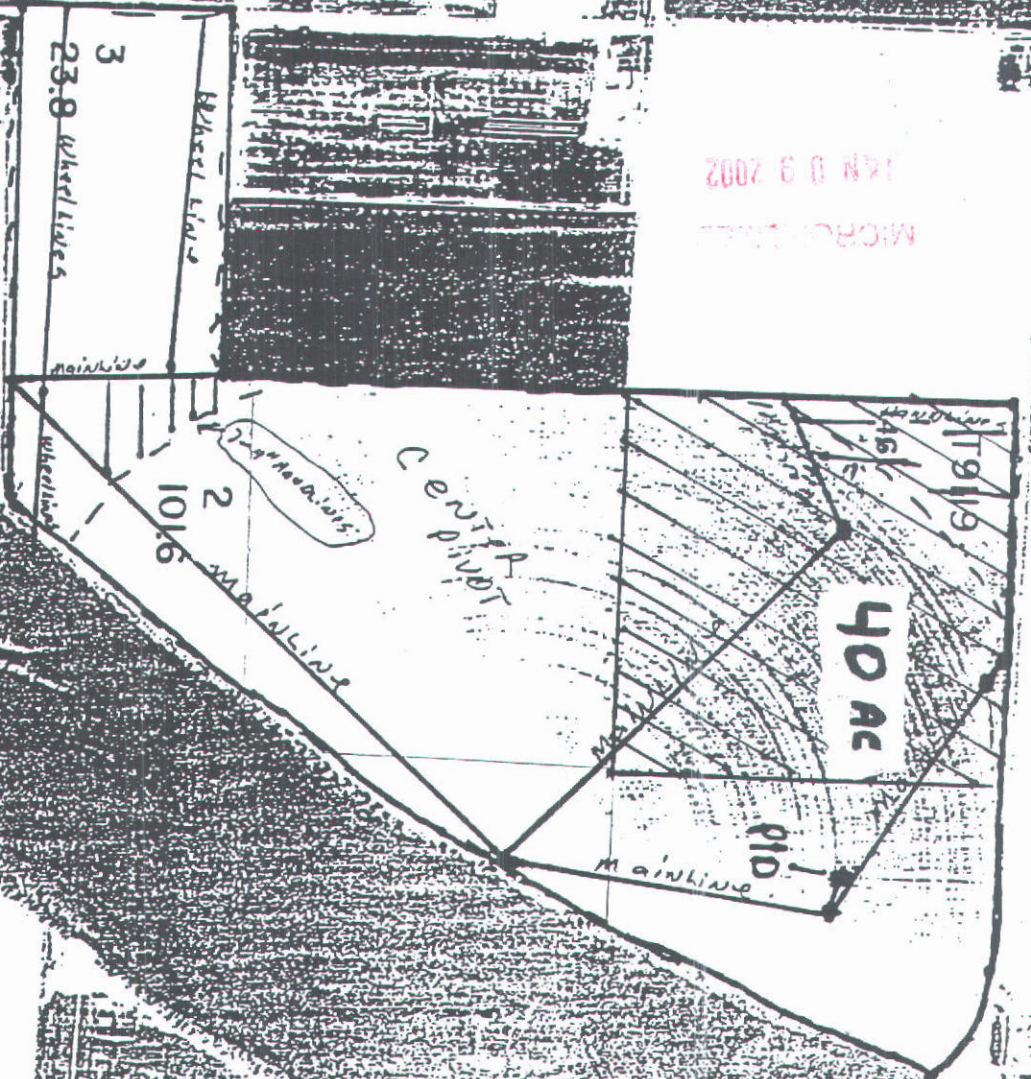
Diversions works
 FOR PERMIT
 # 36708226

MICROFILMED
 JAN 09 2002



MICROFILM
JAN 09 2002

2002 6 6 NDT
MICROFILM



FOR PERMIT
36708226

MICROFILMED

MAY 09 2002



This is the well FOR this permit
 The main line comes out of the well and then
 splits, one line heads north west to irrigate the
 corner of the center pivot while the other travels
 south west to the center pivot.

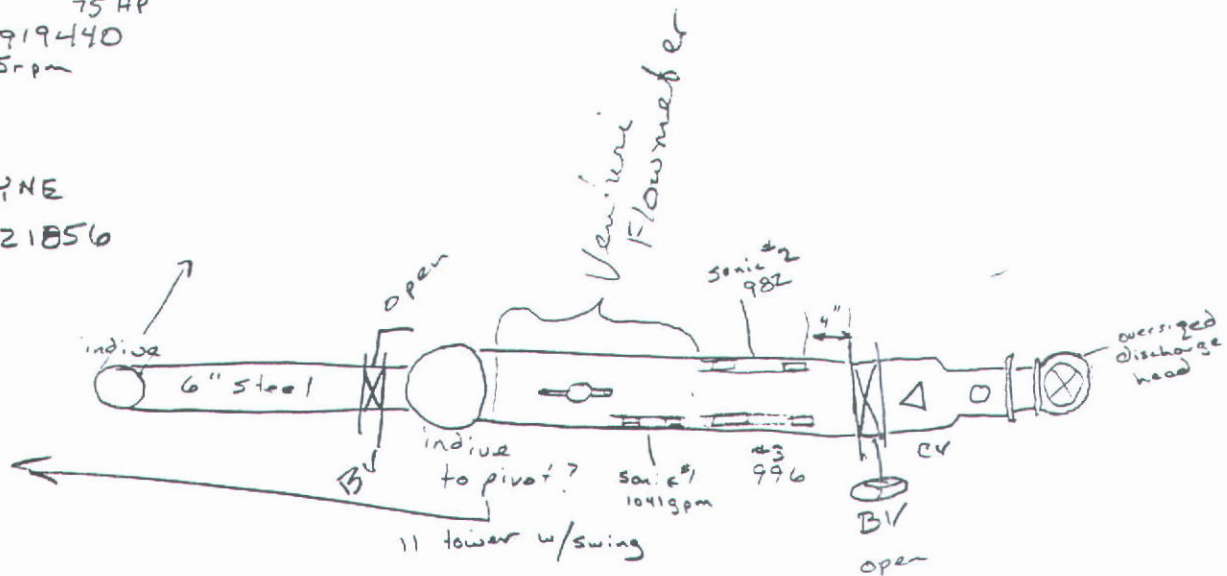
MICROFILMED

JAN 03 2002

Sketch and or photograph of installation:

MOTOR
GE 75 HP
J55919440
1775 rpm

Pump
LAYNE
SN 21856



Comments:

Checked 8" SLV shut venturi. Sonic not in very good location but readings at 3 locations were only 6% different. Aug = 1006 sonic 1017 SLV

Owner's meter working well at this flow rate. Flow not adjusted.

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature Scott King
(person performing measurements)

Date 9/10/96

For Department Use Only

Received by _____

Date _____

Reviewed by _____

Date _____

Data Entry by _____

Date _____

MICROFILMED

189 0 9 2002

137000 - 31597 - 2 21.67 = 1108

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08226

Priority: July 23, 1983

Maximum Diversion Rate: 0.74 CFS
Maximum Diversion Volume: 148.0 AF

It is hereby certified that W H SHILLINGTON
PO BOX 535
RUPERT ID 83350 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 30, 1983; and has
submitted Proof of Beneficial Use on June 26, 1992. An examination indicates that the works have a
diversion capacity of 2.24 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 11/15	0.74 CFS	148.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L4 NW¼NW¼NE¼ Sec. 18, Twp 09S, Rge 25E, B.M. MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 25E 18					37.0												37.0

Total Acres: 37

CONDITIONS OF APPROVAL

1. Rights 36-2733, 36-2902, and 36-8288 are also diverted through the point(s) of diversion described above.
2. Rights 36-2733, 36-2902, 36-8226, and 36-8288 when combined shall not exceed a total diversion rate of 2.24 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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

Signed and sealed this 24TH day of DECEMBER, 2001.

MICROFILMED
JAN 03 2002


KARL J. DREHER
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-08226)
IN THE NAME OF W.H. SHILLINGTON) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before June 1, 1992; and,

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

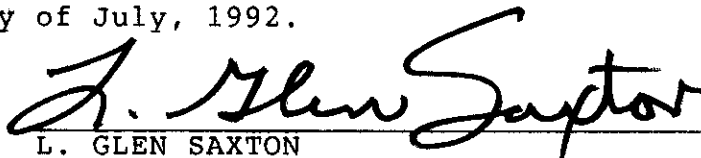
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on June 26, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-08226 be REINSTATED with an advance in priority to July 23, 1983.

Dated this 7th day of July, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

JUL 23 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
FLOW MEASUREMENT PORT OR)
MEASURING DEVICE CONDITION)
OF APPROVAL FOR PERMIT NO.)
35-08226 IN THE NAME OF)
W.H. SHILLINGTON)

ORDER

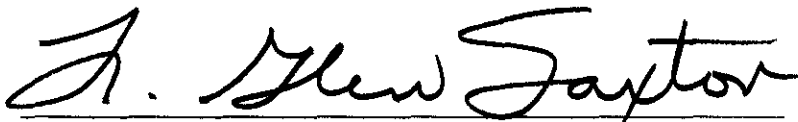
WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a flow measurement port or other device to facilitate the measurement and determination of the rate of diversion by the department; and

WHEREAS, the department has determined that the rate of diversion for certain ground water uses can be estimated by the department without the use of an installed flow measurement port; and,

WHEREAS, the department has determined that the rate of flow for the above captioned permit can be estimated without the use of a flow measurement port;

IT IS THEREFORE, hereby ordered that the condition of approval requiring the installation of a flow measurement port or other device for the above captioned permit is REMOVED.

Dated this 1st day of July, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

JUL 23 1992

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	36-08226	Patterson Farms of Idaho	1.38
Full Assignment	36-08226	W H Shillington	1.38

RECEIVED
JUN 25 1992

RECEIVED
JUN 8 1992

State of Idaho

Department of Water Resources

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Patterson Farms of Idaho, hereby assign to W.H. Shillington
of Box 535 Rupert, Idaho 83350
Address

All my right, title, and interest in and to Permit No. 36-8226
to appropriate the public waters of the State of Idaho. 36-8288

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

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 22 day of May, 19 92.

Patterson Farms of Idaho, Inc.

Charlene Patterson
Permit Holder

President

Spouse of Permit Holder

State of Idaho)

County of Minidoka) ss

On this 22nd day of May, 19 92, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

seal

Dany M. Sleeth
Notary Public residing at

Rupert, Idaho

My commission expires:

9-1-92

RECORDED
JUN 25 1992

4/86

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 FEE Receipted by AC
Date 5/29/90
Receipt # 5012355

MAY 20 1990

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Southern Region OfficeTo provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 36-08226Name(s) of Permit Holder: Patterson Farms of Idaho, IncPost Office Address: Rt. # 1, Box 1272, Paul, Idaho 83347Telephone No. 208-438-4800Date Proof is Due: June 1, 1990

Describe what work has been completed toward the development of this water right: _____
(This must be filled out! If no work has been completed, show "none".)

The well has been drilled and system has been put on farm temporarily.

Costing \$50,000 +

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

We are unable to continue as the permit may need to be amended to another piece of property.

Permit holder(s) request an extension to June 1, 1995.
(1 yr. minimum)

Patterson Farms of Idaho, Inc
by Russell V. Patterson vs
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

JUN 19 1990

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1992.

Signed this 7th day of June, 19 90.

A. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Patterson Farms of Idaho, Inc. Phone 438-4800

Post office address At 1 Box 1272, Paul, Id 83347

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

3. Location of point of diversion is Lot 4 NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 9S

Range 25E B.M. Minidoka County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.38 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. 1.38 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well with pump and
pipeline into sprinklers

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.

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: _____

MINIDOKA

AUG 21 1989

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	25E	18		4 20	7 8		40			39									107

Total number of acres to be irrigated 107

c. Describe any other water rights used for the same purposes as described above. 36-2733

For one acre

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

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

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

10. Remarks _____

RECORDED

AUG 21 1989

Proposed Priority 6/30/83

Received by LL Date 6-30-83 Time 4:03 PM

Preliminary check by TC Blau Fee \$ 65.00 # 29127

Receipted by manga Date 6/30/83

Publication prepared by LC Date 2/6/89

Published in South Idaho Press

Publication dates 2/16 & 2/23/89

Publication approved M. Baldwin Date 3/3/89

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LL

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-8226, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

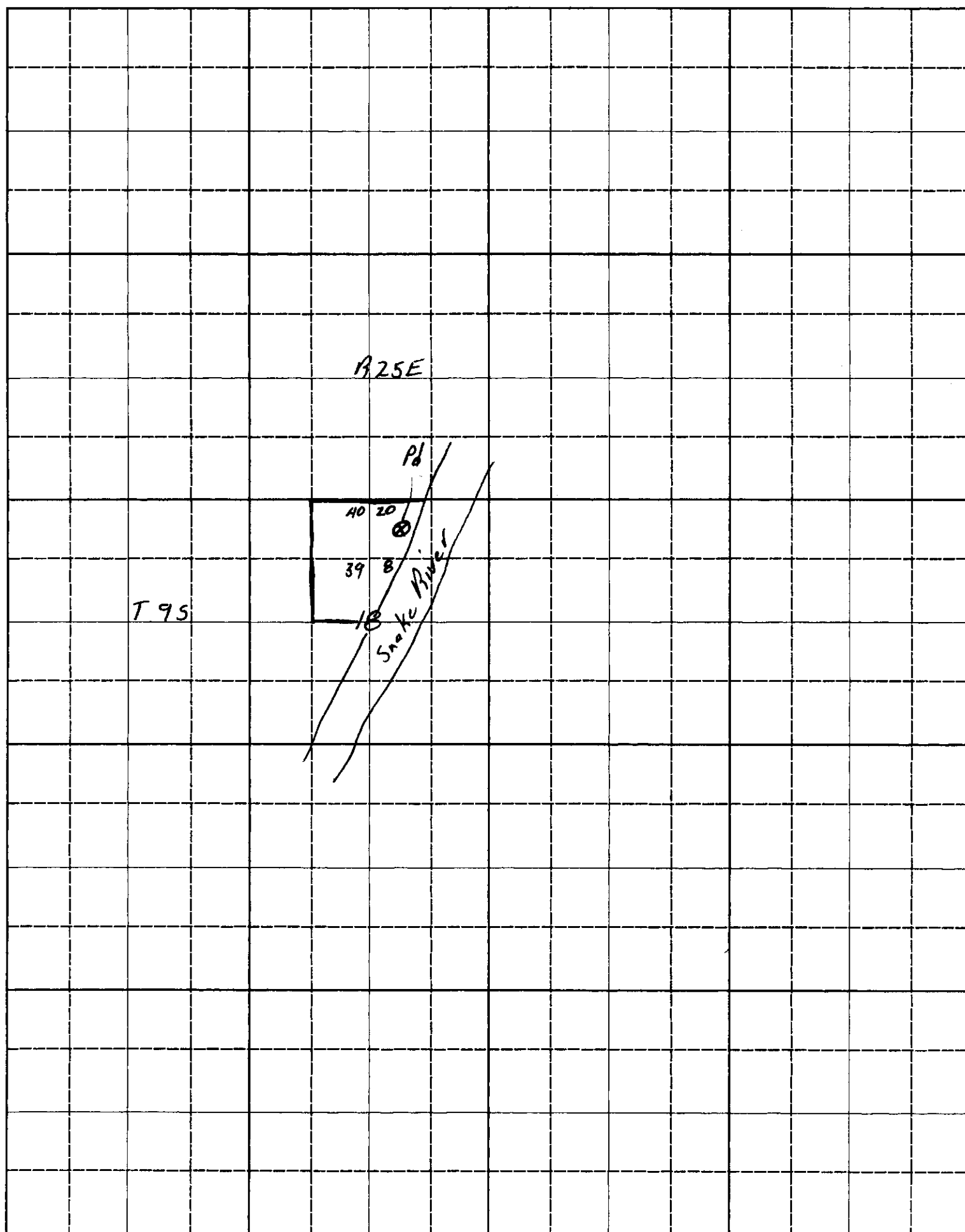
Witness my hand this 9th day of May, 1989.

J. Glen Saxton

MICROFILMED

NOV 31 1989

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



Scale: 2 inches equal 1 mile.

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

UNRECORDED

AUG 21 1989

Patterson Farms of Idaho, Inc.
Russell Patterson V.P.
(Applicant)

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
 STATE OF IDAHO)
MARGE BARENDREFF being first
 duly sworn, deposes and says that he is the
Clark 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 Feb. 16 1989, and ending
 with the issue dated Feb. 23 1989.
Marge Barendreff

STATE OF IDAHO

COUNTY OF

On this 27th day of Feb in the year of 1989, before
 a Notary Public, personally appeared Marge Barendreff
 known or identified to me to be the person whose name subscribed to the within inst
 and being by me first duly sworn, declared that the statements therein are true,
 acknowledged to me that he executed the same.

Rolene Blakey
 Notary Public for Idaho

Residing at Burley, ID

My commission expires: 7/4/92

Cost of Publication 201.14
 Notary Fee 50
 Total Cost 201.64

RECEIVED

MAR 01 1989

Department of Water Resources
 Southern Region Office

MICROFILMED

AUG 21 1989

89-71

NOTICE OF APPLICATION FOR WATER RIGHT

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

36-08172
 MONSON, WESLEY E.
 MONSON, MABEL R.
 RT. 2 BOX 2504
 PAUL, ID 83347
 Source: GROUNDWATER
 Diversion Pt: NWNW Sec 24 T 08S R 22E
 Use: IRRIGATION (1,000 CFS)
 Date Filed: 4/14/1983
 In: T08S R22E S24 NENE NWNE SWNE
 SENE
 NENW NWNW SWNW SENW
 NESW NWSW SWSW SESW
 167.0 ACRES TOTAL
 36-08180
 CHURCH OF JESUS CHRIST LATTER DAY
 SAINTS
 C/O JOHN A. STEVENSON
 RT. 5 BOX 139
 RUPERT, ID 83350
 Source: GROUNDWATER
 Diversion Pt: NWNW Sec 34 T 09S R 23E
 Use: IRRIGATION (240 CFS) DOMESTIC (.060 CFS)
 Date Filed: 5/05/1983
 In: T09S R23E S34 NWNW
 12.0 ACRES TOTAL
 36-08201
 HAWKES, PHIL
 HAWKES, WESTON
 RT. 1
 PAUL, ID 83347
 Source: GROUNDWATER
 Diversion Pt: NWNW Sec 8 T 09S R 24E
 Use: IRRIGATION (150 CFS) STOCKWATER
 (020 CFS) DOMESTIC (040 CFS)
 Date Filed: 5/31/1983
 In: T09S R24E S08
 5.0 ACRES TOTAL
 36-08212
 MAX HERBOLD INC.
 P.O. BOX 67
 RUPERT, ID 83350
 Source: GROUNDWATER
 Diversion Pt: SENW Sec 19 T 07S R 25E
 Use: IRRIGATION (1,220 CFS)
 Date Filed: 6/22/1983
 In: T07S R25E S19 Lot 1 (NWNW) Lot 2
 (SWNW) Lot 3 (NWSW) Lot 4 (SWSW)
 61.0 ACRES TOTAL
 36-08213
 MAX HERBOLD INC.
 P.O. BOX 67
 RUPERT, ID 83350
 Source: GROUNDWATER
 Diversion Pt: NESW Sec 18 T 07S R 25E
 Use: IRRIGATION (2,800 CFS)
 Date Filed: 6/22/1983
 In: T07S R25E S18 NENW Lot 1 (NWNW) Lot
 2 (SWNW) SENW Lot 3 (NWSW) Lot 4
 (SWSW) SESW
 140.0 ACRES TOTAL
 36-08226
 PATTERSON FARMS OF IDAHO INC.
 RT. 1 BOX 1272
 PAUL, ID 83347
 Source: GROUNDWATER
 Diversion Pt: LOT 4 (NWNE) Sec 18 T 09S R
 25E
 Use: IRRIGATION (1,380 CFS)
 Date Filed: 6/30/1983
 In: T09S R25E S18 Lot 4 (NWNE) Lot 7
 (SWNE) NENW SENW
 107.0 ACRES TOTAL
 36-08277
 WEEKS, KENYON
 P.O. BOX 67
 MINIDOKA, ID 83343
 Source: GROUNDWATER
 Diversion Pt: NENW Sec 9 T 08S R 26E
 Use: IRRIGATION
 Date Filed: 6/03/1985
 In: T08S R26E S04 NESW SESW NWSE SWSE
 S09 NWNE NENW NWNW SWNW
 266.0 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 MARCH 6,
 1989.

/s/ R. Keith Higginson
 Director

Published in the South Idaho Press on February
 18 and 23, 1989.

OK
 MB
 3/3/89

WR 36-08226 - phoned McKee
+ LM - Ket 1.18.00

Lice McManis
436 5670
Shillington
POB 4575
Ketchum 83340
% Kevin Davies

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

SHIL535 833502227 IN 04 01, ILLINGTON
RETURN TO SENDER 535
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER
ID 83350
very address
p/s forwarded



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 2, 2002

W H SHILLINGTON
PO BOX 535
RUPERT ID 83350

RE: License No. 36-8226 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

JAN 9 2002

CERTIFICATE OF MAILING

I hereby certify that on January 2, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 36-8226

**W H SHILLINGTON
PO BOX 535
RUPERT ID 83350**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 09 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

36-8226

1. skeen 12/21/2001 License Review

Comment: License review and data entry by S. Keen on 12/21/2001. Point of diversion overlaps are 36-2733, 36-2902, 36-8226, and 36-8288, with a capacity of 2.24 cfs. No place of use overlap. Heads-up digitizing showed the place of use to be 37 acres, not 40 acres. The highway runs across the northern edge of the 40-acre tract.

2. VAULT 06/05/1992 Lapse Notice Sent

Comment: Lapse Notice Sent

3. VAULT 06/09/1992 Extension of Time Received

Comment: Extension of Time Received

4. VAULT 06/26/1992 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

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JAN 09 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 1 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08226

1. Owner: W. H. Shillington Phone No. (208) 436-6761

Current Address: PO Box 535, Rupert, Idaho 83350

2. Accompanied by: Bill McManus EXAM DATE : 7-12-96

Address: 100 N 6³⁴ E, Rupert, Idaho 83350 Phone No. (208) 436-5670

Relationship to Permit Holder: Lessor / Manager

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: There are also Minidoka Irrigation District shares (license # 01-00008) but they are not used due to lack of delivery.

2. Other water rights with the same point of diversion: 36-08288, 36-02733, and 36-02902

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge	County	Method of Determination/Remarks
P/D WELL	4	N	N	N	18	09S	25E	MINIDOKA	Visual inspection and ASCS photos.
		W	W	E					

2. Place(s) of Use:

Indicate Method of Determination Visual inspection ASCS photos and government plat maps.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	25E	18					40												40 AC

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

PLEASE SEE ATTACHED SHEET

YES Copy of U.S.G.S. Quadrangle attached showing location(s) of point(s) of diversion and place(s) of use (required).

YES Aerial Photo attached (required for irrigation of 10 acres or more)

YES Photo of Diversion and System attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
P/D WELL	GENERAL ELECTRIC	75 Hp	JJJ919440	LAYNE BOWLER	21856

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic Portable Flowmeter	TYME FLYTE	149744	TF*P	N7H5506		APRIL 1996

2. Measurements: SEE ATTACHED SHEET

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E. NARRATIVE/REMARKS/COMMENTS

The water for this permit is pumped out of well located in the NW 1/4 - NW 1/4 - NE 1/4 of section 18 - township 09S - range 25 E - lot 4. The water is pumped by a 75 Hp pump into a mainline that splits into two mainlines. The first mainline travels northwest to the boundary of section 18 and section 7 and then travels west parallel to the border for approximately 1/8 of a mile to the end of the farm. This mainline is used to irrigate the northwest corner of the center pivot located in the center of the farm.

The second mainline travels due south for an 1/8 of a mile to the feed the center pivot located in the middle of this farm. From the center pivot this mainline splits into two

mainlines. The first mainline after the center pivot travels northwest for a 1/4 of a mile and then turns to the southwest to finish irrigating the northwest corner of the center pivot. The second mainline after the center pivot travels southwest for over a 1/4 of a mile to a point located 1/4 of a mile from the western border of section 18 and on the southern border line of the farm. From this point the mainline turns north and travels approximately 1/4 of a mile. This mainline feeds two wheel lines and seven small hand lines used to irrigate the corners of the center pivot.

Hand lines and part of the center pivot cover the 40 acres licensed in this permit.

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

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F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Polysonic - $1006 \text{ gpm} / 448.8 = 2.24 \text{ cfs}$ (see attached sheet for readings)Flow meter - $1017 \text{ gpm} / 448.8 = 2.27 \text{ cfs}$ (see attached sheet for readings)**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 40 \times 4.0 = 160 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .80 \times 214 \times 1.9835 = 339.75 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 160 \text{ afa}$$

B

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>APRIL 1</u>	<u>OCT. 31</u>	<u>.80 cfs</u>	<u>160 afa</u>

Totals: .80 cfs 160 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**I. AUTHENTICATION**Field Examiner's Name Daniel A. Nelson Date 9-2-96

Reviewer _____ Date _____

SEAL

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RECOMMENDATIONS:

I recommend that this permit be licensed under the following conditions:

1. That this permit be limited to 40 acres. Water right numbers 36-02733, 36-02902, and 36-08288 have put all of the rest of the 98 acres of this farm at the maximum rate of .02 cfs per acre. when this permit is include the Shillington farm will have .02 cfs of water covering all of the 140 acres of this farm.
2. That this permit be licensed for .80 cfs will give the .02 cfs per acre maximum for these 40 acres and when combined with all other licenses that the diversion rate from this well does not exceed 2.24 cfs.
3. Since this permit will put the diversion rate at .02 cfs per acre that no other license be granted of the lands of this permit.
4. That the water associated with the Minidoka Irrigation District not be used on this land where as this has become the primary right for this land and has fulfilled the .02 cfs requirement for these 40 acres.

CFS PER ACRE AMOUNTS FOR EACH PERMIT:

Permit # 36-02733 &
36-02902 (combined right) $1.34 \text{ cfs} / 68 \text{ acres} = .02 \text{ cfs/acre}$

Permit # 36-08288 $.64 \text{ cfs} / 32 \text{ acres} = .02 \text{ cfs/acre}$

Permit # 36-08226 $.80 \text{ cfs} / 40 \text{ acres} = .02 \text{ cfs/ acre}$

TOTAL DIVERSION RATE: 2.78 cfs

TOTAL ACRES: 140 acres

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POLYSONIC READINGS

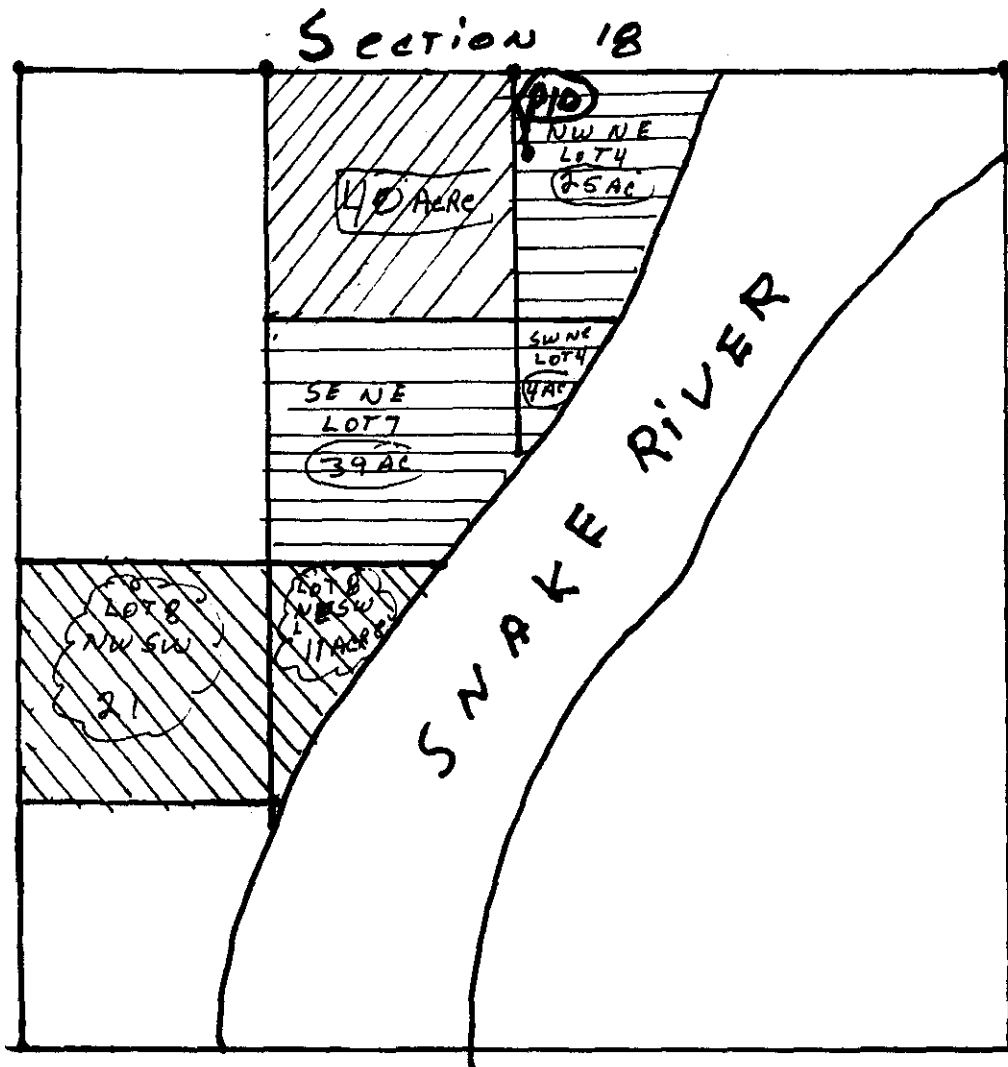
PERMIT # 36-08226

WELL

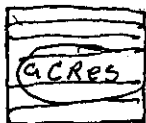
ALL MEASUREMENTS WERE MADE BY SCOTT KING OF
THE GROUNDWATER MEASUREMENT DIVISION OF THE
IDAHO DEPARTMENT OF WATER RESOURCES. THE
ATTACHED SHEET IS HIS MEASUREMENTS OF THIS
WELL.

MICROPIEVE

JAN 0 9 2002



These OVERLAPPING WATER RIGHTS ARE ALL DIVERTE OUT OF THE SAME P/D.



is a combination of WATER Right #36-02733 & #36-0290



WATER Right #36-08226

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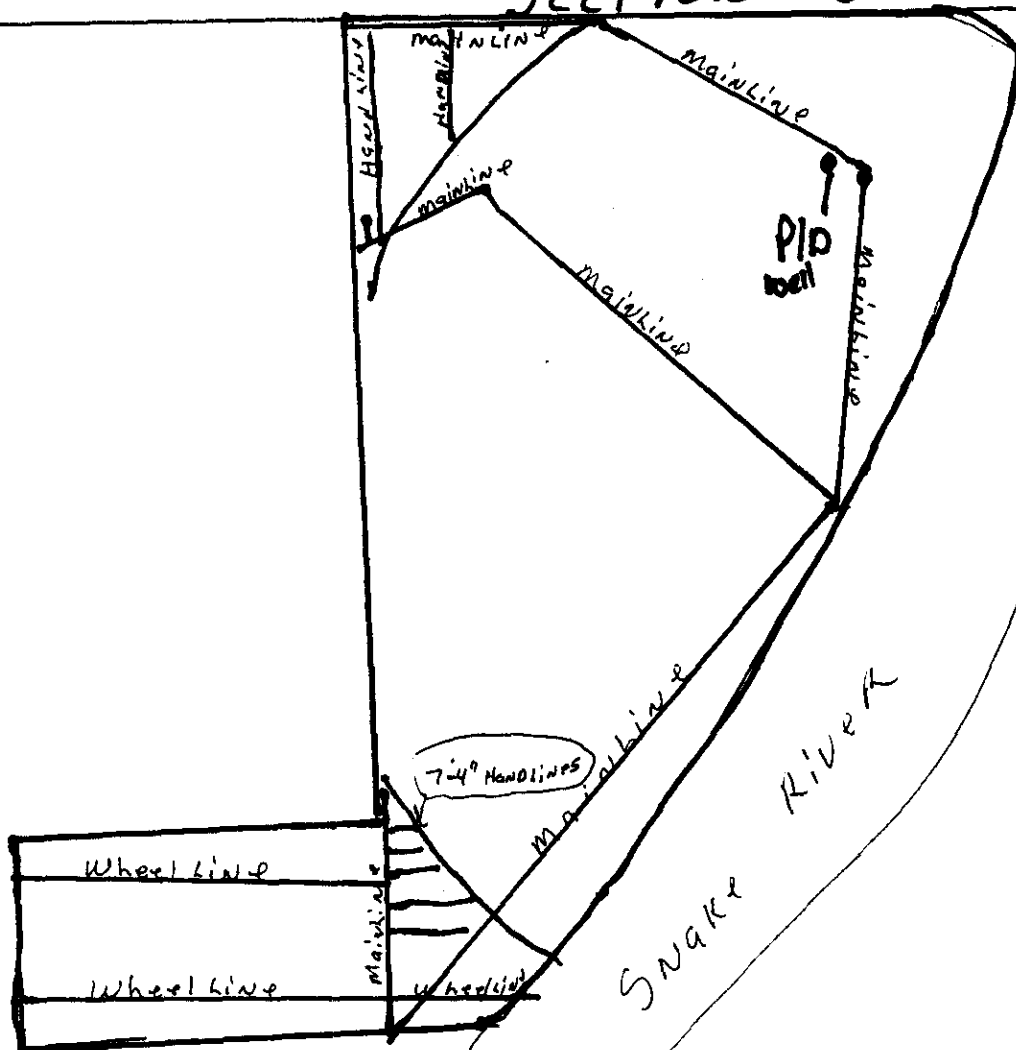


WATER Right #36-08288

JAN 09 2002

* PLEASE NOTE: All lands ARE COVERED BY 01-00008 (miniboka IRRIGATION DISTRICT WATER), BUT NONE OF THIS WATER IS USED BECAUSE IT CAN'T ENTER THE SYSTEM.

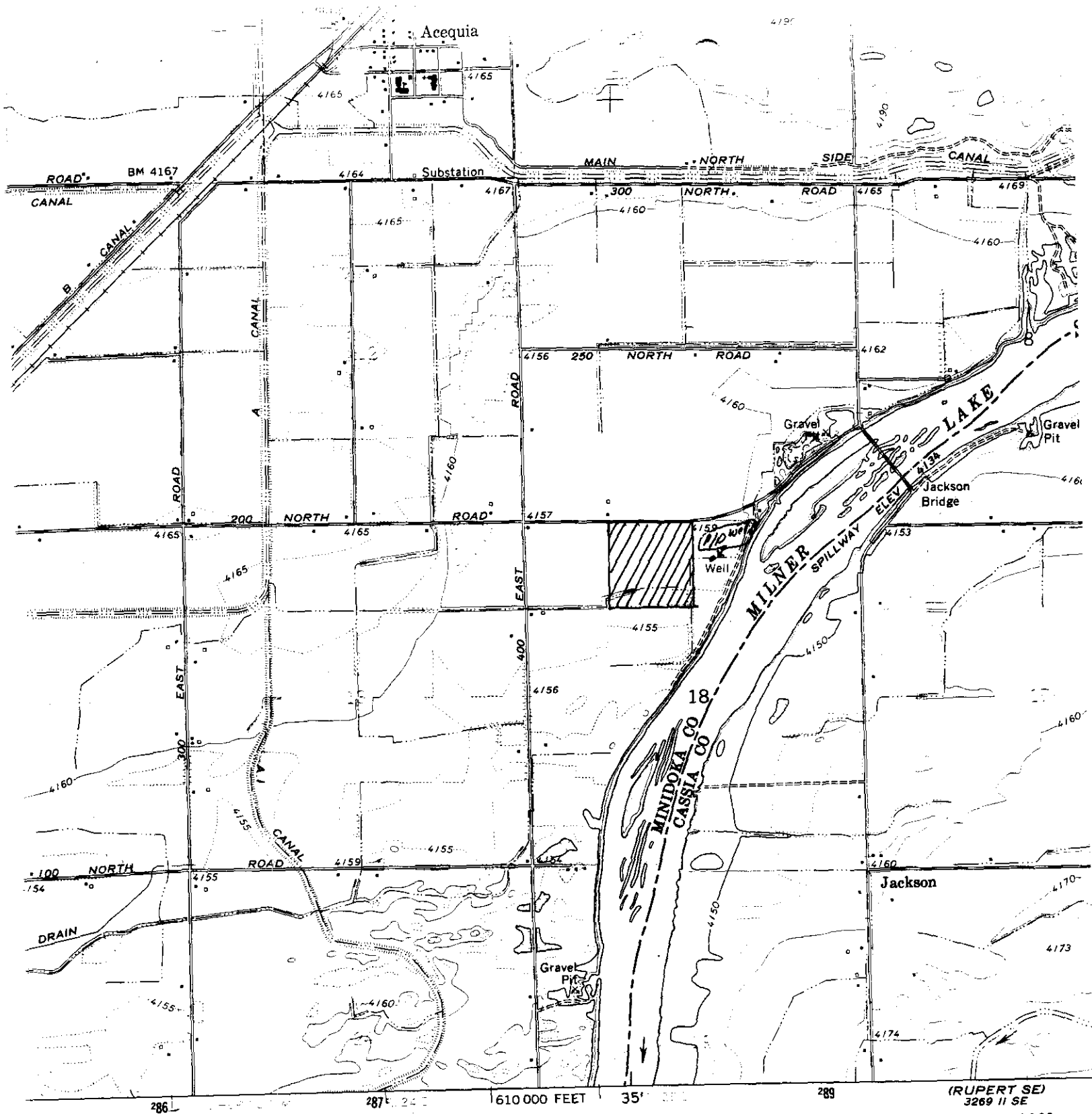
Section 18



MICROLEVEL

JAN 09 2002

Diversion works



and published by the Geological Survey

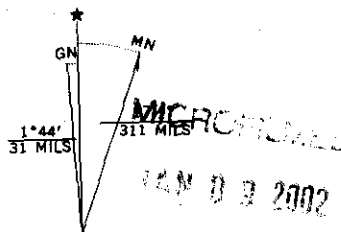
and USC&GS

Photogrammetric methods from aerial
1962 and planetable surveys 1964

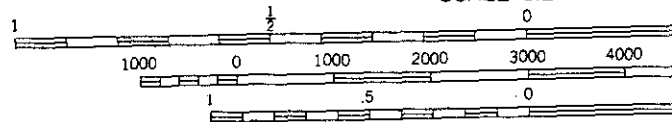
on 1927 North American datum
based on Idaho coordinate system,

Universal Transverse Mercator grid ticks,
in blue

Lines indicate selected fence lines



UTM GRID AND 1964 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



SCALE 1:24 000

CONTOUR INTERVAL 10 FE
DOTTED LINES REPRESENT 5-FOOT
DATUM IS MEAN SEA LEVEL

THIS MAP COMPLIES WITH NATIONAL MAP ACCU
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS

3
~~23.8~~ Wheel Liners

~~Basel 1912~~

~~10/6~~

2.

[illegible]

CONFIDENTIAL

新刊

1991

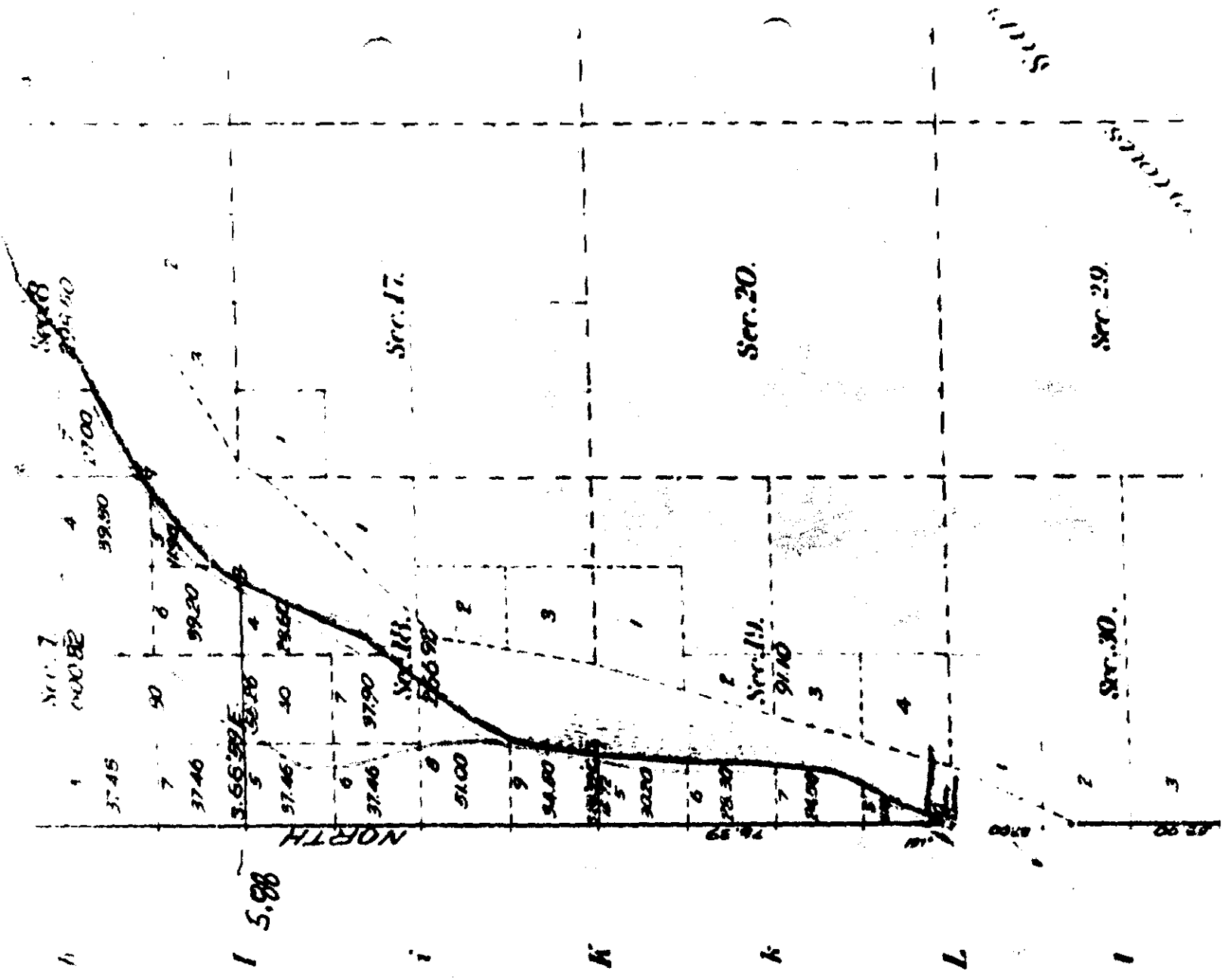
DIVISION WORKS
 FOR PERMIT
 # 36108226

MICROFILM

12/19/99

30

8
+
3
17
19



MICROFILM

JAN 09 2002

$$1.17 \times 10^{-3} \text{ mol/L}$$


10/19/2002

1811

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A37-12565

~~PERMIT 37-08500~~

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

July 2, 1996 12:00pm

NAME:

PHIL PARK

CALLIN

RE:

FILING OF RIGHT

HE CALLED AND ASKED IF HE HAD ANYTHING TO DO FOR HIS FILING... DID NOT INDICATE WHAT HE WAS REFERING TO. I TOOK HIS NUMBER AND OFFERED TO RESEARCH THE ISSUE AND RETURN A CALL BACK TO HIM.
(W) EATON'S: 536-2223 (H) 837-6236 LEAVE MSG. W/ WIFE.

July 2, 1996 1:33pm

NAME:

MRS. PHIL PARK

CALLBACK

RE:

RIGHT QUERY

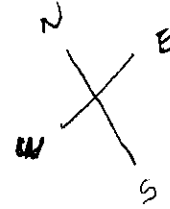
I RETURNED A MSG. TO THE PARK'S HOME AS REQUESTED WITH WHAT I BELIEVED THEY NEEDED; THEIR SRBA CLAIM NUMBER A37-12565. SHE THEN ASKED IF THEY COULD USE IT? I MUST HAVE MISSED SOMETHING AND RESEARCHED THE WR DATABASE AND FOUND A VALID PERMIT AWAITING IDWR EXAM: 37-08500. I TOLD HER THERE WAS NOTHING FOR THEM TO DO SINCE PROOF HAS BEEN FILED AND THEY ARE WAITING ON IDWR FOR AN EXAM. I WILL FORWARD THEIR INQUIRY TO THE PERSON HOLDING THE PERMIT FILE.

I TOLD HER TO CONTINUE TO USE THE RIGHT BECAUSE THE PERMIT HAS BEEN APPROVED AND AUTHORIZES YOU TO USE THE RIGHT.

Don, Maybe you can arrange to
do this exam.

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JAN 09 2002



This is the well FOR this permit

The main line comes out of the well and then
SPLITS, one line heads NORTH west to irrigate the
corner of the center pivot while the other travels
South west to the center pivot,

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JAN 03 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water Measurement Program

1996 WATER MEASURING DEVICE CERTIFICATION

Date of Testing 7/10/96

Person performing test Scott King

Name: Shillington WH
Water Right No: 36-02733
Legal Description: T 9S R 25E Sec. 18 NW 1/4 NW 1/4 NE 1/4
Site Tag No: A000 3656
Diversion Name: _____

Gps Filename M071017F

U.S. 147

POLE 397
Westinghouse

80 995 918

310000

$$k_h = 57.6$$
$$m_H = 10$$

Demand $5.95 \times 10 = 59$

Current Owner

Name _____
Last, First, MI

Phone 310000

Address	City	State	Zip
---------	------	-------	-----

Operator (if leased or operated by someone else)

Name McManns

Phone 10 rev 35.44/

36.65 | Avg = 36.3
36.78

SECTION I INSTALLED METER INFORMATION

METER AND MOUNTING PIPE INFORMATION			
Date of Installation		Multiplier - Flow rate	
Manufacturer	SLV Irra Industries	Multiplier - Totalizer	1000
Meter Type	Shank Line Ultrasonic		
Model Number	8" PE SLV	Pipe information	
Serial Number	1518085	Pipe material	Steel
Size (nominal)	140295 ?	Outside Diameter	8"
Measure Flow Rate ?	(circle one) Yes ☒ No	Wall Thickness	SLV .14" .135"
Measurement Units	(circle one) CFS ☒ GPM	Inside Diameter	
Measure Cumulative Volume ?	(circle one) Yes ☒ No	Dist. of straight pipe upstream from meter	18" (2 ft)
Volume Units	Acre-Feet Yes ☒ No Other (specify) GAL	Dist. of Straight pipe downstrm from meter	0 MICROFILM

$$3.6 \times 576 \times 1.0 \times 10^{-3} = 36.3$$
$$= 57.1 \mu\text{m}$$

(76.6 hp)

PCC =

5431 x 57.1

1006

$$= 308 \frac{\text{Kwh}}{\text{AF}}$$

Good

SECTION II. CERTIFICATION FOR CALIBRATION OF A WATER MEASUREMENT METER

NOTE: Permanently installed flow meters must be calibrated at the time of installation and at least once every four years or whenever major repairs or maintenance has been performed. All documentation to support data such as notes, printout tapes, etc., should be attached to this form for submittal.

Measurement No. 1 (M_1) is the measured rate of flow from the permanently installed flow meter.

Measurement No. 2 (M_2) is the measured rate of flow from the measuring device being used to check the flow for the calibration. This method or device must be accurate to within $\pm 5\%$ error. Describe below the method and equipment used to perform this measurement.

Sonic meter at well head location fair to poor, but 3 locations gave consistent readings, sig strength okay Diff count usually within 850-1150.

Percent Difference = $(M_1 - M_2) \div M_2 \times 100 = \pm \%$ (Acceptable is within $\pm 10\%$)

FLOW RATE METHOD

Owners meter (M_1) GPM or CFS	Standard meter (M_2) GPM or CFS	Percent Difference ($\pm$)	Comments or Notes

VOLUME METHOD FROM METER TOTALIZER

Owners meter - (totalizer reading)	Time	Total Gallons	Ave. Flow Rate - GPM (M_1)	Standard total gallons	Average flow rate (M_2)	Percent diff. ($\pm$)
	58.74 59	1600	1017		1041	
					982	
					~~986~~	
				Aug =	1006	+1%

Notes, Comments or Calculations: Timed 1000 gal several times, Avg = 59.5 sec.

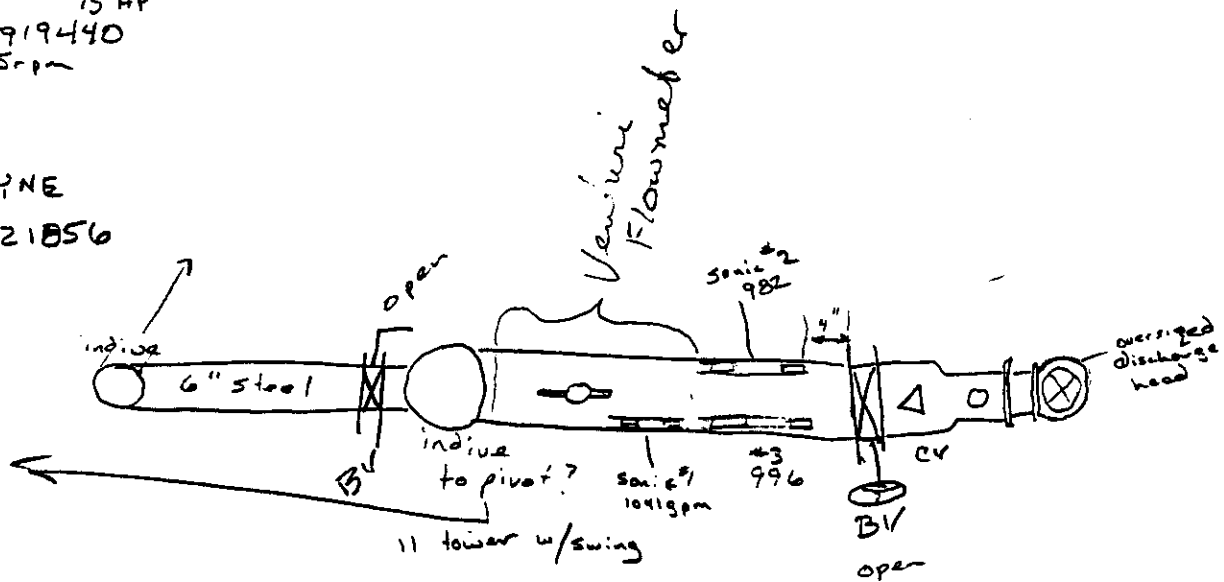
MICRO

183 7 3 2002

Sketch and or photograph of installation:

MOTOR
GE 75 HP
JJD919440
1775 rpm

Pump
LAYNE
SN 21856



Comments:

Checked 8" SLU shut venturi. Sonic not in very good location but readings at 3 locations were only 6% different. Avg = 1006 sonic 1017 SLV

Owner's meter working well at this flow rate. Flow not adjusted.

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature Scott King
(person performing measurements)

Date 9/10/94

For Department Use Only

Received by _____

Date _____

Reviewed by _____

Date _____

Data Entry by _____

Date _____

Loc 11
137000 - 31597 - 2 2167 = 11081

11:03:37 07-10-96

Min. Rate 1020.87 GPM
Max. Rate 1328.47 GPM
Avg. Rate 1048.41 GPM
FLOW RATE 1328.47 GPM
NET TOT(X1) 21494 GAL

SIGNAL STRENGTH UP
3.80

DIFF CNT= 1065
DELTA TIME= 414.57

DIFF CNT= 862
DELTA TIME= 299.17

DIFF CNT= 954
DELTA TIME= 343.65

RESET MIN/MAX
= YES

11:02:17 07-10-96

Min. Rate 981.67 GPM
Max. Rate 984.81 GPM
Avg. Rate 983.69 GPM
FLOW RATE 981.67 GPM
NET TOT(X1) 22689 GAL

11:05:17 07-10-96

Min. Rate 968.42 GPM
Max. Rate 994.12 GPM
Avg. Rate 983.47 GPM
FLOW RATE 993.57 GPM
NET TOT(X1) 25653 GAL

11:08:17 07-10-96

Min. Rate 966.55 GPM
Max. Rate 996.79 GPM
Avg. Rate 982.68 GPM
FLOW RATE 979.88 GPM
NET TOT(X1) 28599 GAL

11:11:17 07-10-96

Min. Rate 963.54 GPM
Max. Rate 999.99 GPM
Avg. Rate 977.12 GPM
FLOW RATE 992.04 GPM
NET TOT(X1) 31529 GAL

SIGNAL STRENGTH UP
4.27

DIFF CNT= 975
DELTA TIME= 349.02

DIFF CNT= 1000
DELTA TIME= 341.67

DIFF CNT= 924
DELTA TIME= 320.11

MICRO

0 0 0000

Shillington, WA
meter base

PIPE O.D.
8.010 IN

PIPE WALL THICKNESS
0.120 IN

PIPE I.D.
7.770 IN

PIPE MATERIAL
= CARBON STEEL

TRANSDUCER SPACING
6.077 IN

SIGNAL STRENGTH UP
4.67

DIFF CNT= 947
DELTA TIME= 293.90

DIFF CNT= 979
DELTA TIME= 290.32

DIFF CNT= 1092
DELTA TIME= 313.49

10:51:37 07-10-96

Min. Rate 1031.78 GPM
Max. Rate 1035.60 GPM
Avg. Rate 1033.57 GPM
FLOW RATE 1036.62 GPM
NET TOT(X1) 14350 GAL

10:54:37 07-10-96

Min. Rate 1020.87 GPM
Max. Rate 1060.04 GPM
Avg. Rate 1038.37 GPM
FLOW RATE 1041.75 GPM
NET TOT(X1) 17462 GAL

10:57:37 07-10-96

Min. Rate 1020.87 GPM
Max. Rate 1060.04 GPM
Avg. Rate 1040.13 GPM
FLOW RATE 1033.89 GPM
NET TOT(X1) 20600 GAL

11:00:37 07-10-96

Min. Rate 1020.87 GPM
Max. Rate 1326.47 GPM
Avg. Rate 1048.41 GPM
FLOW RATE 1326.47 GPM
NET TOT(X1) 21494 GAL

SIGNAL STRENGTH UP
3.80

DIFF CNT= 1065

July 6, 1992

W H SHILLINGTON
PO BOX 535
RUPERT ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08226

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

RECEIVED
JUL 23 1992

RECEIVED
JUN 26 1992

OFFICE USE ONLY

Amt. of Fee \$ 125.00Date 6-26-92Receipt No. C024709Receipt by [Signature]

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**PROOF OF BENEFICIAL USE**

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

1. Permit No. 36-8226 Telephone No. (208) 436-4255 or 436-6761
2. Name(s) of Permit Holder(s): W. H. Shillington, Assignee of Patterson Farms of Idaho
3. Mailing Address: P. O. Box 535, Rupert, Idaho
4. Source of Water: Ground water

If **GROUNDWATER**, Well Driller's Name: Unknown Prior to Date Drilled: 1950

OPTIONAL:

Pump horsepower: 75 hp. Pressure (psi): 70 Dynamic pumping level (ft.): 80 ft

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

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

Irrigation 107 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 1.38 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 125.00 (See License Fee Schedule on back of Instruction Sheet)

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

W. H. Shillington (208) 436-4255 or 436-6761
Name Telephone No.

P. O. Box 535 Rupert, Idaho 83350
Address

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

June 23, 1992
Date

W. H. Shillington
Signature (and title, if on behalf of a company or organization)

RECEIVED
JUL 23 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08226

Reviewed by Klg

Date 7/1/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

irrigate 107

yes Address same as permit?

no Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

Surface water source

yes Ground water source

NA Drilling permit required?

1950 Copy in the file? Drilling Permit No. _____

Amount paid for permit _____ Correct?

Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

125 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

waived Installed?

Waiver requested?

PRIORITY CALCULATION

Date proof received 6/26/92 177

Date proof due 6/1/92 - 152

No. of days late = 23

Priority Date 6/30/83 + 181

New Priority Date 7/23/83 204

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs an order

DATA ENTRY

New Address _____

Proof Made

6/26/92
7/6/92 Klg



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

July 1, 1992

Mr. Larry R. Duff
Goodman and Duff
Box D
Rupert, ID 83350

Re: Permit No.'s 35-08226 and 35-08288

Dear Mr. Duff:

The Department is in receipt of, and has reviewed, the proofs of beneficial use that you submitted in connection with the above referenced water right permits. The proofs are acceptable and will be acknowledged under separate cover. The acceptable proofs will result in the eventual field examination of the water system by our staff from our regional offices. A license will be issued by the department based on the findings of the field examination.

Since both of these claims have been filed for irrigation purposes only, the Department will remove the condition that requires the installation of a flow measurement port on both permits. The orders removing the condition will also be mailed under separate cover.

In your letter, you ask that the Department combine some of the water rights and date the priority back in time. Changes of the type you have requested are properly considered in the ongoing Snake River Basin Adjudication. They cannot, however, be considered in the permit-licensing procedure in which your client is currently involved. They are two totally different and separate procedures. Since I do not know what the recommendation of the adjudication claims submitted by your client will be, it appears to be in your client's best interest to allow the licensing process to proceed. I realize, that in some respects, it perhaps can be considered a parallel function with the findings and recommendations of the adjudication claims which have been filed.

I hope I have fully addressed the questions set forth in your correspondence. If you have any further questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

MICROFILMED

JUL 23 1992

This permit is part of an Expansion of Use of the well covered by License G-26247 (old number), now 36-2733. It is the same water which was filed on by W. H. Shillington as expanded use under license 36-2733. Patterson Farms of Idaho has since assigned their permit rights to W. H. Shillington.

RECEIVED

JUL 23 1992

WILLIAM T. GOODMAN
LARRY R. DUFF
ALAN GOODMAN

LAW OFFICE
Goodman and Duff

CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774
FAX
(208) 436-4837

June 25, 1992

RECEIVED
JUN 26 1992

Department of Water Resources

Ms. Karen L. Gustafson
Secretary/Records Manager
Dept. of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

Re: Final Proof on Permits 36-8226 and 36-8288

Dear Ms. Gustafson:

Enclosed please find the Proof Of Beneficial Use on the above permits together with our check for \$225.00.

The pump used for these permits was installed in the early 1950's replacing a previous diesel pump. It has no measuring device. We request that installation be waived on the condition that we provide a device for measuring at the time that the field examination is done. We also request that we be given 15 to 30 days advance notice of the examination, and what the examiner requests that we have present in the way of a measuring device.

Also, it appears to me that the following information should be noted in the file.

The well, subject of the above permits, was drilled in the mid 1940's to water 39 acres that the land owner had no water for from the Minidoka Irrigation District. The water pumped originally went into a common ditch with MID water to irrigate the property owned by LaVern Witherspoon. The well gradually became the sole source of the water for all the property. A license with a 1956 priority was issued for the original land that had no MID water.

In any event, we have the following water license and claim, all owned by Mr. Shillington, that are covering the same ground as the above permit.

1. Water license 36-2733 (formerly ^G36-26947).
2. Claimed Constitutional Appropriation prior to 1963 covering all land under permit 36-8226 (107 acres, including the 39 acres under original license 36-2733).

MICROFILMED

JUL 23 1992

Ms. Karen L. Gustafson
June 25, 1992
Page 2

3. Expanded use claims set out in filing in Snake River Adjudication covering all 139 acres, Amended A 36-02733, combining and amending I.D. Number A36-02733, A36-15183.

Now that Mr. Shillington has acquired the Patterson permits, we feel that all of these matters should be combined with the expanded use on license No. 36-2733 dating back to 1946, or March 13, 1956 on the 68 acres and 1984 on the 32 acres under permit 36-8388.

Very truly yours,

GOODMAN & DUFF


Larry R. Duff

LRD:ma
Enclosure
cc: W. H. Shillington
Robert Worstell

JUL 23 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

June 24, 1992

W H SHILLINGTON
PO BOX 535
RUPERT ID 83350-0535

Re: Permits No. 36-08226 & 36-08288

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water rights to you. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

BRENDA L. MILLER
Technical Records Specialist

BLM:cz

RECEIVED
JUN 25 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

June 15, 1992

W. H. Shillington
P.O. Box 535
Rupert, ID 83350

Re: Permit No. 36-08288 36-08226

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time based on due diligence. Please note that the department has previously granted an extension of time in connection with this permit.

I suggest that you file the enclosed proof of beneficial use form for that portion of the development completed. If there has been no beneficial use of the water, I suggest you file a new application within one year of the time you actually intend to develop the water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

We will proceed with the assignment on the assumption that you will file proof of beneficial use on both permits. Please note that both permits lapsed on June 1, 1992. It is imperative that you complete and return the proofs by August 1, 1992 in order to be in compliance with the mandatory filing dates.

If you have any questions or if we can be of any further assistance, please feel free to contact us or any of our regional offices.

Sincerely,

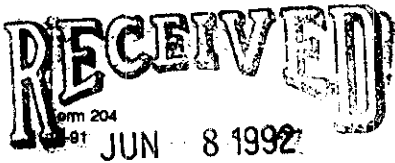
L. GLEN SAXTON
Chief, Water Allocation Bureau

Enc: Proof of Beneficial Use form/instruction
Extension of Time

C: IDWR - Regional Office

RECEIVED

JUN 25 1992



For Office Use Only
\$15 Fee Received by af
Date 6-8-92
Receipt No. 024437

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

**TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 36-8226

Name(s) of Permit Holder: W. H. Shillington

Mailing Address: P. O. Box 535, Rupert, ID 83350

Date Proof is Due June 1, 1992 Telephone No. (208) 436-4255

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

This is an application for license on expanded acres. The
well, mainline and surface system have been in place dating
back to 1956

Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Proof has been held up because of a dispute between Patterson
Farms of Idaho, Inc. and W. H. Shillington, which has now
been resolved.

Permit holder(s) request an extension to November 1, 19 92

FEE: \$15.00

W. H. Shillington
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be **DENIED**
pursuant to Section 42-204, Idaho Code, which only authorizes one
extension of time based on due diligence.

JUN 25 1992

Signed this 15TH day June, 19 92

R. Keith Higginson
R. Keith Higginson, Director

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 36-08226 Reviewed by Klg Date 6/9/92

BASIC INFORMATION

6/8/92 Date stamp received
NO Extension received timely
YES Fee received and receipted
NO Name and signature same as permit
Address Change

BASIS FOR EXTENSION REQUEST

Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Denied - extension for due diligence has already been granted

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date _____
Change Priority Date _____

WILLIAM T. GOODMAN
LARRY R. DUFF
ALAN GOODMAN

LAW OFFICE
Goodman and Duff

CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774
FAX
(208) 436-4837

May 26, 1992

Ms. Karen L. Gustafson
Secretary/Records Manager
Dept. of Water Resources
Statehouse Mail
Boise, ID 83720-9000

Re: Final Proof on Permits 36-8226 and 36-8288

Dear Ms. Gustafson:

Enclosed please find an Assignment of the above Permits to W. H. Shillington, together with a request for Extension of Time until November 30, 1992. We anticipate submitting proof of Beneficial Use in the next thirty (30) days or so.

Also, please note that matter was delayed by overlapping claims of W. H. Shillington under License A36-02733 and Water Right No. 26247. We have dealt with Mr. Spackman, the Manager of the Water Permit Section, and Robert Worstell of the Twin Falls Officer on these problems.

The Assignment should be noted in these files because it should resolve the matter.

Our check for the extension fees in the amount of \$30.00 is enclosed.

Very truly yours,

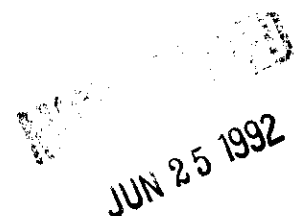
GOODMAN & DUFF


Larry R. Duff

LRD:KH

Encl.

cc: Mr. Robert Worstell
Mr. W. H. Shillington


JUN 25 1992

June 5, 1992

PATTERSON FARMS OF IDAHO INC.
RT. 1 BOX 1272
PAUL ID 83347

LAPSE NOTICE

RE: PERMIT NO. 36-08226

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated March 31, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

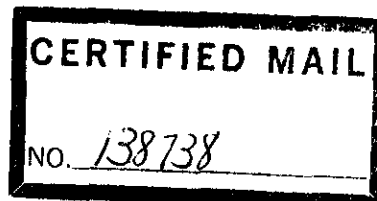
Enclosures

RECEIVED

JUN 25 1992

PATTERSON FARMS OF IDAHO INC.
RT. 1 BOX 1272
PAUL ID 83347

March 31, 1992



RE: PERMIT NO. 36-08226 PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1992.

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

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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

JUN 25 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

September 12, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Larry R. Duff
Attorney at Law
717 7th St.
Box D
Rupert, ID 83350

RE: Shillington Objection to Amendment or Transfer of Water
Permits Nos. 36-8288 and 36-8226

Dear Mr. Duff:

Thank you for your letter dated September 4, 1990.

You have expressed some uncertainty about how to proceed with water rights owned by Mr. Shillington. I believe that you may select alternative means of attempting to protect and quantify the rights.

Depending on one's interpretation of the law, the adjudication claims may or may not be sufficient to protect water rights of your client. I refer you specifically to Idaho Code § 42-1416, and also Idaho Code § 42-245. Idaho Code § 42-1416 can be interpreted to supersede the requirement that water use developed after 1963 be represented by a right developed through the application-permit-license process. The correct interpretation of the statute is a matter for legal experts, however, and I will leave the final interpretation to you. If you feel your client must be further protected, I have enclosed the necessary application forms. It also seems to me that, if the representations in Mr. Shillington's objections are correct, an assignment from Patterson Farms of Idaho, Inc. would be a cleaner method to further protect your client's interest.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

cc: Patterson Farms of Idaho, Inc.
Southern Region



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

August 22, 1990

Patterson Farms of Idaho, Inc.
Rt. 1, Box 1272
Paul, ID 83347

*SEE FILE 36-8288
for a copy of
the objection*

RE: Permits to Appropriate Water Nos. 36-8226 and 36-8288

Gentlemen:

The Department of Water Resources recently received an "Objection to Allowance of Amendment for Transfer of Water Permit No. 36-8288 and 36-8226." Objection was received by W.H. Shillington. Mr. Shillington alleges that he owns the property listed as the place of use on the permits. He objects to any future amendment or transfer of the permits which may attempt to move the water from its present place of use.

Our files do not contain any applications for amendment. This letter is simply to inform you of the objection that was received by the Department. The Department will not take any further action at this time.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc: Larry R. Duff
Southern Region

[Faint, illegible stamp]
JUN 28 1991

June 13, 1990

Patterson Farms of Idaho, Inc.
Rt. 1, Box 1272
Paul, ID 83347

Russell:

Re: Permit Nos. 36-8226 and 36-8288

Enclosed is a copy of each approved request for extension of time. The time within which to submit the proofs of beneficial use is extended to June 1, 1992.

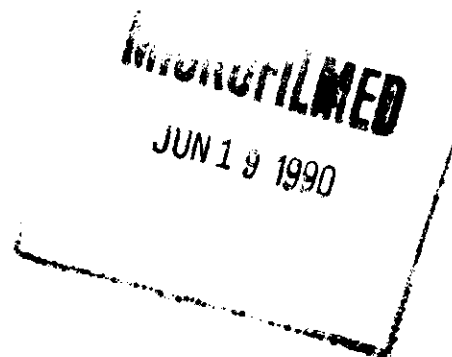
Note that the department has granted these extensions based on due diligence. It is important that you work diligently toward the completion of these projects during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure



Permit No. 36-8226

Date 6-6-90

26466
Date stamp received
Extension received timely (not too early not too late)
Fee received and receipted
Name and signature same as permit
Address change

4 Has adequate work been completed to demonstrate due diligence?
5 Has the cost incurred been adequate to demonstrate an intent to complete the project?

c. Calculate the period of delay

NEW PROOF DUE DATE =

Is supporting documentation needed to complete the file? _____
Requested?

TAKEN - Recommend approval based on due diligence for two years

1/A Reinstatement Date extension received _____ = _____

Proof due date _____ = -

No. of days late _____ = _____

Priority date _____ = + _____

ADJUSTED PRIORITY DATE _____ = _____

_____ Change proof due date _____ Address change
 _____ Priority date change

April 24, 1990

W. H. Shillington
Box 535
Rupert, ID 83350

Dear Mr. Shillington:

Re: Permit Nos. 36-8226 and 36-8288

After our discussion the other day, I had Roberta Garrett research the computer records for adjudication claims covered by these same permits. Enclosed are the records of rights claimed.

As far as the permits are concerned, compare them with the claims filed. If the permits are needed to supply water to these lands and the water has been put to a beneficial use for any or all the lands on the permits, then the proof of beneficial use forms should be submitted. If additional time is needed to complete either project and a demonstration of due diligence can be made, then an extension of time should be submitted.

Before you can take action on the permits, however, you must show possessory interest in the land. The permits are in the name of Patterson Farms of Idaho, Inc. Even though the property was purchased from you and returned to you and is now owned by someone else, the permits are considered personal property of Patterson Farms.

The easiest way to change the ownership of the permits is to have a representative from Patterson Farms of Idaho assign them to either you or the new property owner, Ross Hunsaker. (Enclosed is an assignment form). The other way to show an ownership change is to demonstrate ownership by sending in current tax records. The department would then try to contact the permit holder of record. This second process is lengthier and more difficult. You should secure the assignment if at all possible.

If no water right has been developed by appropriating water then the permit should lapse.

If you have questions, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

JUN 19 1990

RECEIVED
APR 13 1990

Morgan-Shillington Farm Co.

(208) 436-4256

Box 535
Rupert, Idaho 83350

(208) 436-4255

Department of Water Resources

April 9, 1990

Department of Water Resources
1301 North Orchard St. Statehouse Mall
Boise, Idaho 83720-

Permit 36-8227

Gentlemen:

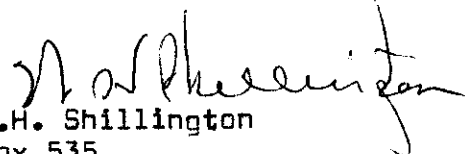
We have received your letter concerning the Permit numbered above. The applicant was Patterson Farms of Idaho. This property was rented and then sold to Pattersons, but they turned it back to W.H. Shillington, who in turn has transferred it to Ross Hunsaker.

We will hold these papers until you let us know what you want us to do with them.

Also, the enclosed letters were given to us by Pattersons. They refer to Permit # 36-8288 and 36-08226. We are unable to find corresponding numbers on any of our properties.

If we can be of any further help to you please let us know.

Yours very truly,


W.H. Shillington
Box 535
Rupert, Idaho 83350

encl.

s/h

RECEIVED
APR 13 1990

130459
March 31, 1990

PATTERSON FARMS OF IDAHO INC.
RT. 1 BOX 1272
PAUL, ID 83347

PROOF DUE NOTICE

RE: PERMIT NO. 36-08226

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

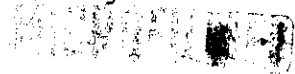
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures



JUN 19 1990

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

=====

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

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

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

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

PATTERSON FARMS OF IDAHO INC.
RT. 1 BOX 1272
PAUL, ID 83347

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

RE: PERMIT NO. 36-08226

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.

INDEXED

AUG 21 1989

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

WATER RIGHT PERMITS SECTION

AUG 21 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

PATTERSONS OF IDAHO, INC.

INITIAL REVIEW BY: T. G. Blau

APPLICATION NUMBER: 36-8224

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. BB-30

☒ Yes ☐ No

Other rights on same place of use. 36-2733 45-2450 ??

☒ Yes ☐ No*

In form for advertising.

Final date for protests: 3/9/89

☐ Yes ☒ No

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

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 3/1/89

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

☒ Fee amount, receipt date & number, recorded on application. 68/29127

☒ Publication dates and paper, recorded on application. 2/16 & 2/23/89 South ED Press

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

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No

Measuring device required.

☒ Yes ☐ No

Access port required.

☒ Yes ☐ No

Will water be delivered by watermaster? If yes, what district? 01-P05

☒ Yes ☐ No

Date of priority recommended. 6/30/83

Special conditions of approval or cover letter. 016

App. in TRUST area - see development statement below.

By: James O. Hansen

Date: 3/15/89

STATE OFFICE REVIEW:

P05, P23, P03, P16

46 016

☐ See attached sheet for more information.

By: kw

Date: 4/12/89

RECEIVED
MAR 20 1989

36-08226

PATTERSON FARMS OF IDAHO INC.
RT. 1 BOX 1272
PAUL, ID 83347

Source: GROUNDWATER

Diversion Pt: LOT 4 (NWNE) Sec 18 T 09S R 25E

Use: IRRIGATION (1.380 CFS)

Date Filed: 6/30/1983

In: T09S R25E S18 Lot 4 (NWNE) Lot 7 (SWNE)

NENW

SENE

107.0 ACRES TOTAL

MICROFILMED

AUG 21 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 2, 1989

Patterson Farms Idaho Inc.
RT. 1 Box 1272
Paul ID 83347

Re: Application for Permit Nos. 36-8226 & 36-8288

Dear Applicants:

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

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

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

Sincerely,

Loren O. Holmes
Manager, Southern Regional Office

LOH:jg

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AUG 21 1989

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RECEIVED

FORM A

STATE OF IDAHO

JUL 15 1985

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 completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 36-8226
Name(s) of Permit Holder: Patterson Farms of Idaho Inc.

Post Office Address: Rt # 1, Box 1272

Telephone No. 208-438-4800

Source of Water: Groundwater

Extent of Use: Domestic _____ (number of households)
Stockwater _____ (number and type of stock)
Irrigation 107 (acres)

Other/Remarks This is an expansion of a previous water right of (3-13-56 Permit 36-2733)

Indicate the date water was first diverted and beneficially used under this permit: 6-30-83

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

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

Person to contact to accompany the Department representative during field examination: Ken Patterson or Russell Patterson
(Name) 438-5571
Rt # 1, Box 1272 Paul, Idaho 438-4800 or 438-8283
(Address) (Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

7-1-85
Date

Russell Patterson
Signature of Permit
(and Title, if appropriate)
NOT FILMED

Statement of development for exemption from Swan Falls processing. Not acceptable as proof of beneficial use

AUG 21 1989

IDENT. NO. 310-8226

WATER RIGHT
DATA ENTRY LOG

[illegible]