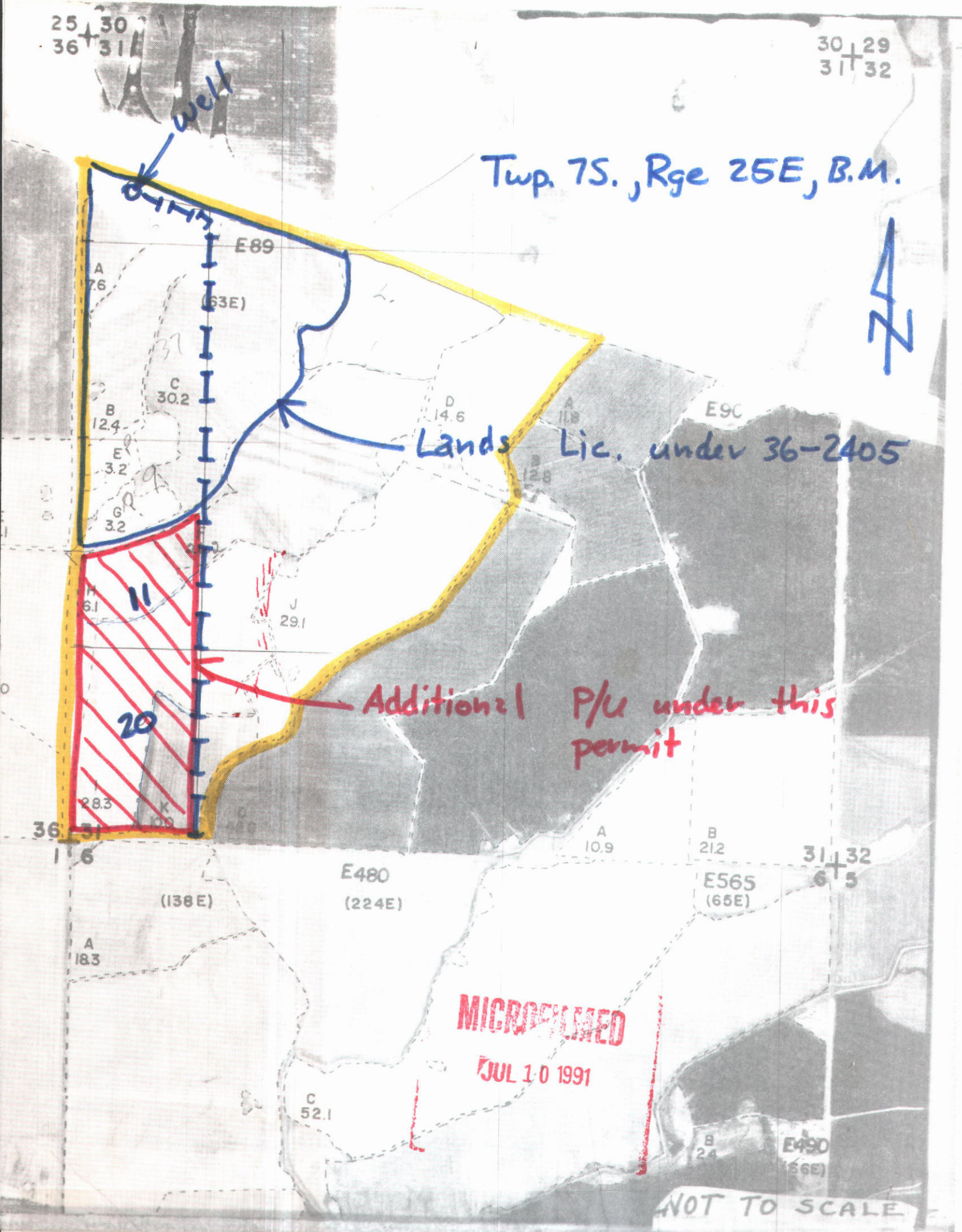


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Richard Fassett
(Applicant)

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Lanette Sellers being first

duly sworn, deposes and says that...he is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for Two (2)

consecutive weeks, commencing with the issue

dated October 19 1989, and ending

with the issue dated October 26 1989.

Lanette Sellers

STATE OF IDAHO

COUNTY OF

On this 3rd day of November in the year of 1989, before me, a Notary Public, personally appeared Lanette Sellers known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Burley, ID

My commission expires 7/4/93

Cost of Publication 26.88

Notary Fee 1.50

Total Cost 27.38

OK MB 11-24-89

MICROFILMED

JUL 10 1991

89-566

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho: 36-08046

FASSETT, RICHARD

BOX 42

MINIDOKA, ID 83343

Source: GROUNDWATER

Diversion Pt: Lot 1 (NWNW) Sec 31 T 07S R 25E

Use: IRRIGATION (.620 CFS)

Date Filed: 12-11-1981

In: T07S R25E S31 Lot 3 (NWSW) Lot 4 (SWSW)

31.0 ACRES TOTAL

The application(s) alleges completion of development and beneficial use of water described above prior to October 1, 1984. If approved, the permit(s) will be subject to all prior water rights except subordinated hydropower rights. Protest must be filed with the Director, Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before November 6, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on October 19 and 26, 1989.

RECEIVED

NOV 10 1989

Department of Water Resources
State Capitol Building, 6th Floor

MINIDOKA COUNTY NEWS

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
) ss.
STATE OF IDAHO,)
Edward L. Mitchell, being first

duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News for

two consecutive weeks, commencing
with the issue dated March 18, 1982, and
ending with the issue dated March 25, 1982.

Edward L. Mitchell
Subscribed and sworn to before me this
20th day of March, 1982.
Frederick J. Brown Notary Public

Cost of Publication _____
Notary Fee _____
Total Cost JUL 10 1991

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the
following application(s) have been sub-
mitted for permit to appropriate the
public waters of the State of Idaho:

36-8031

U.S. DEPT. OF INTERIOR
BUKEAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 11/05/1981
Amount: 1.0 AC-FT
Diversion Point: SESE Sec 07 T 03S R
24E, MINIDOKA Co.
Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31
WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31
Place of Use: SESE Sec 07 T 03S R 24E
Diversion Means: PIT RESERVOIR

36-8033

U.S. DEPT. OF INTERIOR
BUKEAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 11/05/1981
Amount: 1.0 AC-FT
Diversion Point: SESW Sec 07 T 03S R
24E, MINIDOKA Co.
Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31
WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31
Place of Use: SESW Sec 07 T 03S R
24E
Diversion Means: PIT RESERVOIR

36-8043

U.S. DEPT. OF INTERIOR
BUKEAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 10/29/1981
Amount: 1.0 AC-FT
Diversion Point: SWNW Sec 08 T 03S R
24E, MINIDOKA Co.
Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31
WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31
Place of Use: SWNW Sec 08 T 03S R
24E
Diversion Means: PIT RESERVOIR

36-8046

FASSET, RICHARD
BOX 42, MINIDOKA, ID 83343
Source: GROUNDWATER
Date Filed: 12/14/1981
amount: 0.62 CFS
Diversion Point: Lot 01 (NWNW) Sec
31 T 07S R 25 E, MINIDOKA Co.
Use: IRRIGATION (0.62 CFS) from
04/01 to 10/31
Place of Use: LOT 03 (NWSE) LOT 04
(SWSW) Sec 31 T 07S R 25E for 31
ACRES
Diversion Means: WELL, PUMP, SPR-
INK I EK

36-8029

U.S. DEPT. OF INTERIOR
BUKEAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 11/05/1981
amount: 1.0 AC-FT
Diversion Point: LOT 03 (NWSW) Sec
18 T 03S R 24E, MINIDOKA Co.
Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31
WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31
Place of Use: LOT 03 (NWSW) Sec 18 T
03S R 24E
Diversion Means: PIT RESERVOIR

36-8030

U.S. DEPT. OF INTERIOR
BUKEAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 11/05/1981
Amount: 1.0 AC-FT
Diversion Point: SWSW Sec 17 T 03S R
24E MINIDOKA Co.
Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31
WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31
Place of Use: SWSW Sec 17 T 03S R
24E
Diversion Means: PIT RESERVOIR

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of any
permit must be filed with the Director
of the Idaho Department of Water
Resources, 1041 Blue Lakes Blvd.
North, Twin Falls, Idaho 83301 and
received on or before April 5th, 1982.

/s/ A Kenneth Dunn
Director

No. 82-44 -March 18 and 25, 1982.

MINIDOKA COUNTY NEWS

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
) ss.
STATE OF IDAHO,)

Edward L. Mitchell, being first
duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News for
two consecutive weeks, commencing
with the issue dated March 18, 1982, and
ending with the issue dated March 25, 1982.

Edward L. Mitchell
Subscribed and sworn to before me this

25th day of March, 1982.

Brenda J. Norman Notary Public

Cost of Publication \$75.40

Notary Fee _____

Total Cost _____

RECEIVED

MAR 30 1982

Department of Water Resources
SOUTHERN DISTRICT OFFICE

36-8046

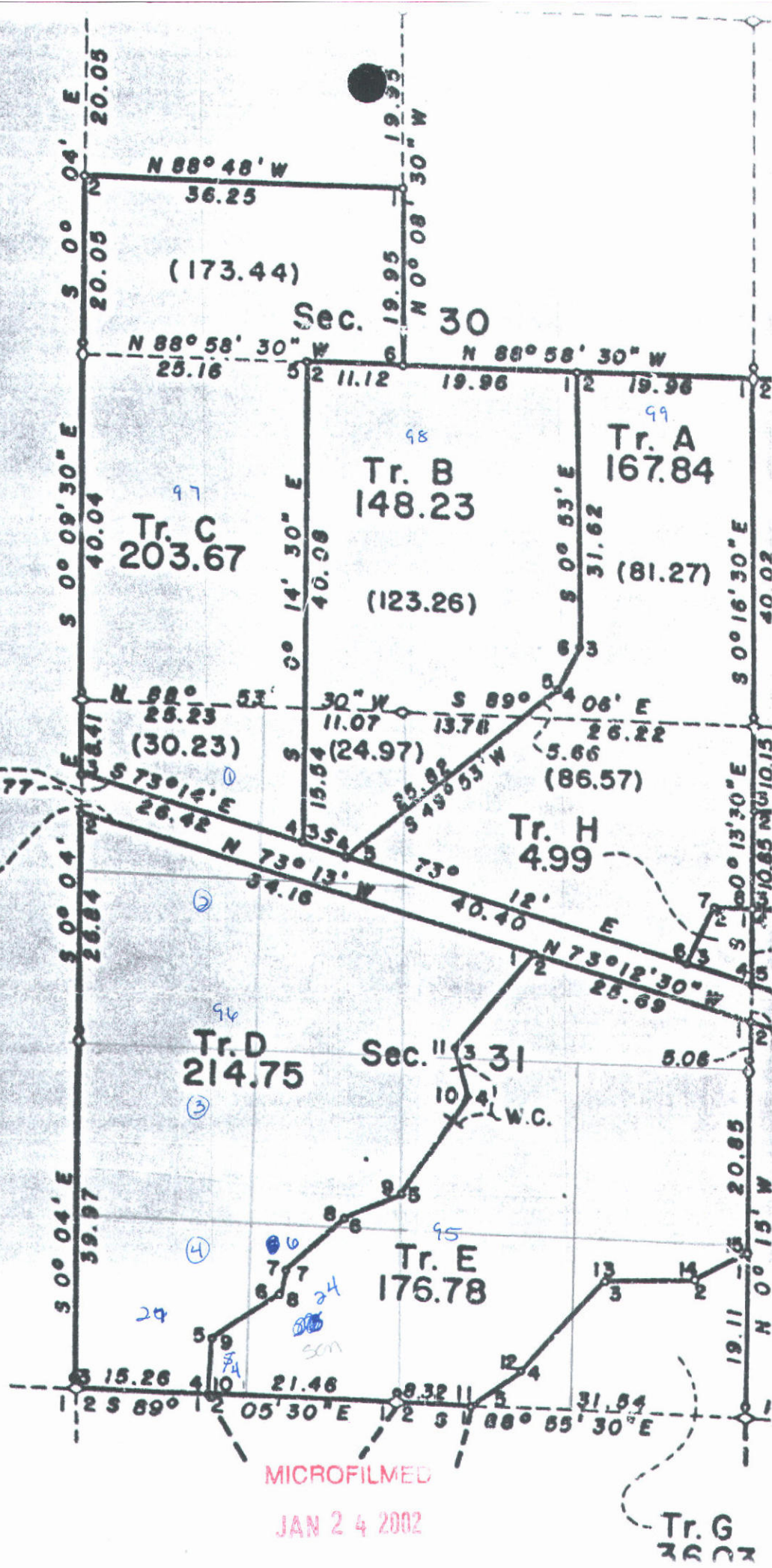
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Use: IRRIGATION (0.62 CFS) from
04/01 to 10/31
Place of Use: LOT 03 (NWSE) LOT 04
(SWSW) Sec 31 T 07S R 25E for 31
ACRES
Diversion Means: WELL, PUMP, SPR-
INKLER

RECORDED

JUL 10 1991



T07 S
R25E
1956



MICROFILMED

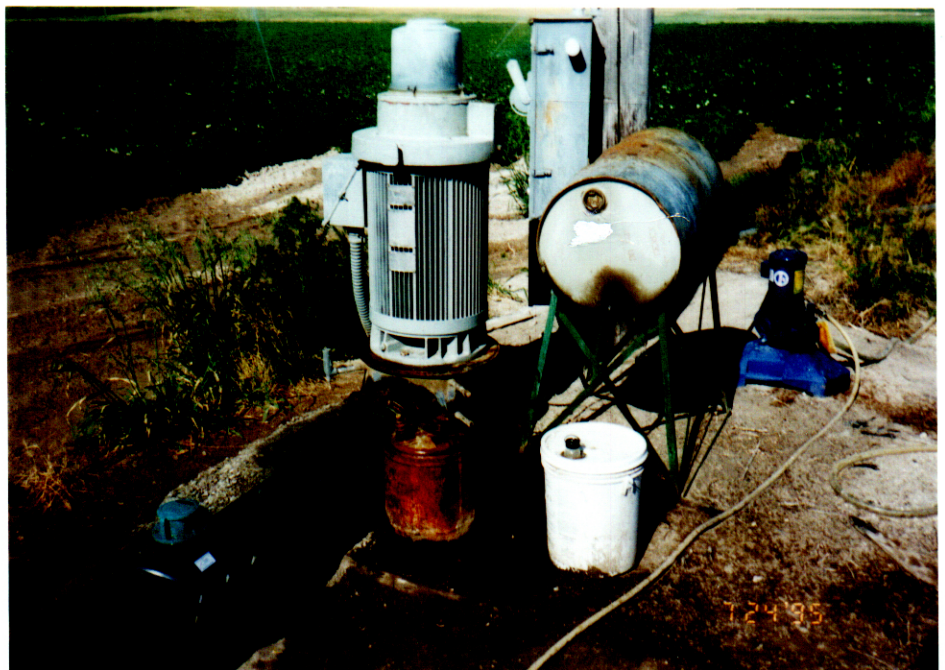
JAN 24 2002

36-08046

1. view of measuring
meter @ P.O.D



2. view of P.O.D



MICROFILMED

JAN 24 2002



3. VIEW OF WHEAT FIELD
IN LOT 3 LOOKING EAST

4.
VIEW OF CORNER
OF PROPERTY Looking
South



MICROFILMED
JAN 24 2002



#5 VIEW LOOKING
EAST AT LOWER END
OF Prop.

#6,
VIEW OF MAIN LINE
R.O.W.



MICROFILMED
JAN 24 2002

8 9'95



7,

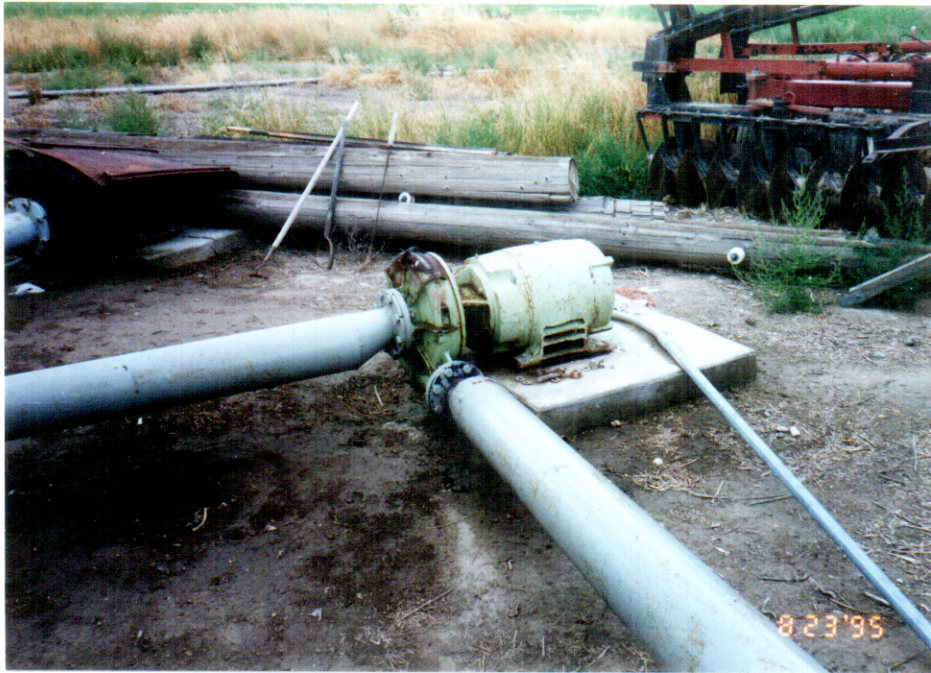
VIEW TO THE SOUTH
SHOWING IRRIGATION
Boundaries

8a

A+B P.O.D



MICROFILMED
JAN 24 2002



8B

view showing LINE
(A+B) w/ BOOSTER pump
TO WR 36-08046/36-02405

8c
view showing line
(A+B) w/ VALVE to
WR 36-08046/36-02405



MICROFILMED

JAN 24 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08046

Priority: December 11, 1981

Maximum Diversion Rate: 0.62 CFS

It is hereby certified that LYLE FASSET
1122 N 400 E

RUPERT ID 83350 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated December 11, 1981; and has submitted Proof of Beneficial Use on June 3, 1993. An examination indicates that the works have a diversion capacity of 1.69 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
03/15 to 11/15

DIVERSION RATE
0.62 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NW¼ Sec. 31, Twp 07S, 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	
07S	25E	31					1.6	6.0	33.4	36.0	31.0	33.5	31.0	30.0					202.5

Total Acres: 202.5

CONDITIONS OF APPROVAL

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. Right 36-2405 is also diverted through the point of diversion described above.
5. Rights 36-2405 and 36-8046 when combined shall not exceed a total diversion rate of 1.69 cfs.

MICROFILMED

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 36-08046

CONDITIONS OF APPROVAL CONTINUED

6. This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 124 af at the field headgate for the 31 acres authorized to be irrigated under this right.
8. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Place of use consists of portions of Tracts D and E.
10. Point of diversion is within Tract D.

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 11TH day of JANUARY, 2002.


Acting for KARL J. DREHER
Director

WDRO-101-101

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08046

Date of Priority: December 11, 1981

Maximum Diversion Rate: 0.62 CFS

Comes now LYLE FASSET

~~RT-3 BOX 242~~

1122 N 400 E

RUPERT ID 83350

and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08046, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.62 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER

NW1/4NW1/4

Sec. 31, Twp 07S, 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	
07S	25E	31					1.6	6.0	33.4	36.0	31.0	33.5	31.0	30.0					202.5

Total Acres: 202.5

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 7 day of JANUARY, 2002

Lyle Fasset
(Signature)

MICROFILMED

JAN 7 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08046

FOR DEPARTMENT USE ONLY

Preliminary check by WJK Fee = \$500⁰⁰ Received by Jm # C059157 Date 1/11/02

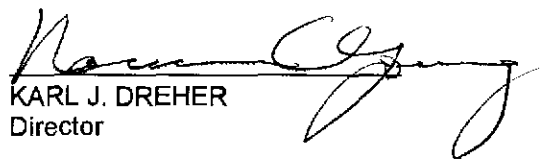
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-08046 with the following:

CONDITIONS OF APPROVAL

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. Right 36-2405 is also diverted through the point of diversion described above.
5. Rights 36-2405 and 36-8046 when combined shall not exceed a total diversion rate of 1.69 cfs.
6. This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 124 af at the field headgate for the 31 acres authorized to be irrigated under this right.
8. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Place of use consists of portions of Tracts D and E.
10. Point of diversion is within Tract D.

Witness my hand this 11TH day of JANUARY, 2002.

Acting for 
KARL J. DREHER
Director

MICROFILMED

JAN 24 2002

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	CFS
Original App.	36-08046	Richard Fassett	0.62
Assignment	36-08046	Lyle Fassett	0.62

RECEIVED
JUN 10 1993

JUN 10 1993

RECEIVED

JUN 03 1993

Department of Water Resources
Southern Region Office

RECEIVED

JUN 04 1993

OFFICE USE ONLY

Amt. of Fee \$ 100
Date 6/3/93
Receipt No. 915834
Receipt by [Signature]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. 36-08046 Telephone No. 532-4480
2. Name(s) of Permit Holder(s): Lyle Fasset
3. Mailing Address: RT 3 Box 242, Rupert, ID 83350 (1125 N. 400 E.)
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: ? Date Drilled: 1956?

OPTIONAL:

Pump horsepower: 100 Pressure (psi): 60 Dynamic pumping level (ft.): 225? 1.67 cfs
Theoretical
Capacity

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

Domestic (No. of households) Stockwater (No. and type of stock)
(200 acres when combined with A+B Irrig. District shares)
Irrigation 31 (No. of acres) Other

6. Total rate and/or volume for which proof is submitted 0.62 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: \$ 100.00 (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.

Name

Telephone No.

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.

Date

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

RECEIVED

JUN 04 1993

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 03 1993

Department of Water Resources

ASSIGNMENT OF ~~APPLICATION FOR~~ PERMIT

Department of Water Resources
Southern Region Office

I, Richard Fyssett, hereby assign to Lyle Fyssett
of, Rt. 3 Box 242, Rupert, ID 83350 532-4480
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 36-08046 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

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

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this May day of 28, ~~1990~~ 1993

Richard Fyssett
Applicant

State of Idaho)
County of Minidoka) ss

On this 28th day of May, ~~1990~~ 1993, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Terrill Schaefer
Notary Public
Rupert, Id

seal

My commission expires: 4-98

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08046

Proposed Priority: December 11, 1981 Maximum Diversion Rate: 0.62 CFS

This is to certify, that **RICHARD FASSETT**
P.O. BOX 42
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	0.62 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NWNW), Sec. 31, Township 07S, Range 25E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	25E	31	LOT 3(NWSW) 11	LOT 4(SWSW) 20		31

Total number of acres irrigated: 31

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **July 1, 1993**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. 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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

JUL 10 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08046

9. 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

25th day of June, 1991.

R. Keith Higginson
R. Keith Higginson, Director

for

RECEIVED
JUL 16 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

DEC 12 1981

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office
SALT LAKE CITY, UTAH 84143

1. Name of applicant Richard Fassett Phone 531-785

Post office address Box 42, Minidoka, Idaho, 83343

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

3. Location of point of diversion is (Lot 1) NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31 Township 7S

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

4. Water will be used for the following purposes:

Amount 0.62 cfs for Irrigation purposes from 3/15 April 1 to 11/15 per standard season Oct. 31 (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. 0.62 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump will be utilized to pump water for sprinkling of additional lands not presently irrigated from well. Present method of irrigation is gravity ditches but this will change to 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 5 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.

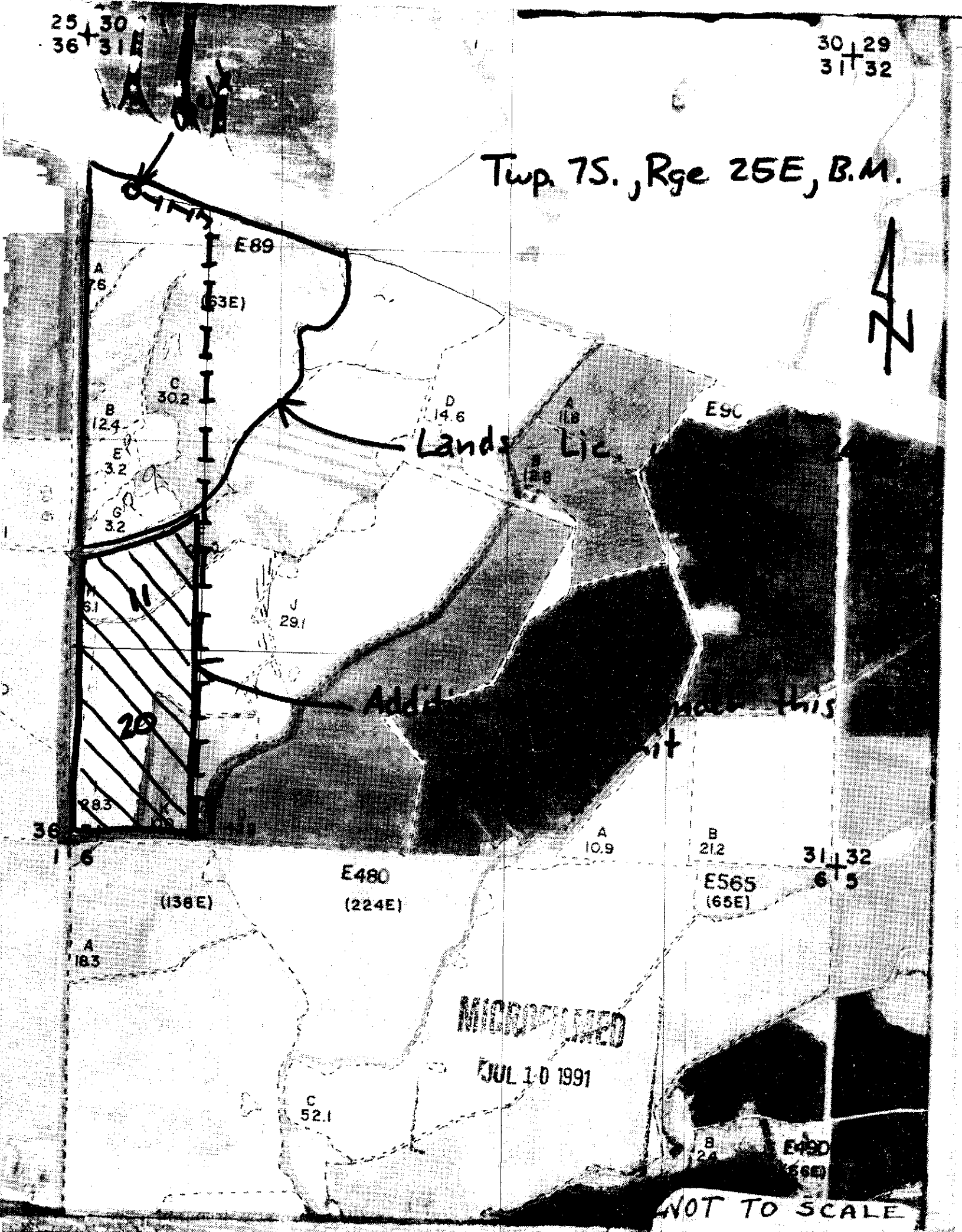
(3) List number of each kind of livestock to be watered _____

(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: _____

MAILED
JUL 10 1981

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



Received by ADM Date 12/11/81 Time 2:50 pm.
Preliminary check by TCB Fee \$ 45.00 ^{\$20. readvertising fee}
Receipted by maria Date 12/11/81 # 20708 ^{5009516 10-2-89}
Publication prepared by maria Date 12-29-81
Published in minidoka Co. news
Publication dates 4/1 + 4/14/82 3/11 + 3/15/82
Publication approved m. Baldwin Date 3/15/82
Protests filed by: a & b irrigation district (withdrawn 6/24/85)

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

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: _____

Witness my hand this _____ day of _____, 19 ____.

Director

MICROFILMED
JUL 10 1991

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Lanette Sellers being first

duly sworn, deposes and says that he is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for Two (2) consecutive weeks, commencing with the issue dated October 19 1989, and ending with the issue dated October 26 1989.

Lanette Sellers

STATE OF IDAHO

COUNTY OF

On this 3rd day of November in the year of 1989, before me, a Notary Public, personally appeared Lanette Sellers, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Burley, ID

My commission expires: 7/1/93

Cost of Publication 26.88

Notary Fee 50

Total Cost 27.38

OK
MB
11-24-89

RECEIVED

NOV 10 1989

Department of Water Resources
222 West Main, Boise, ID

JUL 10 1991

89-566

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The Following application(s) have been filed to appropriate the public waters of the State of Idaho: 36-08046

FASSETT, RICHARD

BOX 42

MINIDOKA, ID 83343

Source: GROUNDWATER

Diversion Pt: Lot 1 (NWNW) Sec 31 T 07S R 25E

Use: IRRIGATION (620 CFS)

Date Filed: 12-11-1981

Ap: T07S R25E S31 Lot 3 (NWSW) Lot 4 (SWSW)

31.0 ACRES TOTAL

The application(s) alleges completion of development and beneficial use of water described above prior to October 1, 1984. If approved, the permit(s) will be subject to all prior water rights except subordinated hydropower rights. Protest must be filed with the Director, Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before November 6, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on October 19 and 26, 1989.

MINIDOKA COUNTY NEWS

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
) ss.
STATE OF IDAHO,)
Edward L. Mitchell, being first

duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News for

two consecutive weeks, commencing
with the issue dated March 18, 1982, and
ending with the issue dated March 25, 1982.

Subscribed and sworn to before me this
26th day of March, 1982.

Inda J. Brown Notary Public

Cost of Publication \$75.40

Notary Fee

Total Cost \$75.40

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the
following application(s) have been sub-
mitted for permit to appropriate the
public waters of the State of Idaho:

36-8031

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 11/05/1981

Amount: 1.0 AC-FT

Diversion Point: SESE Sec 07 T 03S R
24E, MINIDOKA Co.

Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31

WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31

Place of Use: SESE Sec 07 T 03S R 24E

Diversion Means: PIT RESERVOIR

36-8033

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 11/05/1981

Amount: 1.0 AC-FT

Diversion Point: SESW Sec 07 T 03S R
24E, MINIDOKA Co.

Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31

WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31

Place of Use: SESW Sec 07 T 03S R
24E

Diversion Means: PIT RESERVOIR

36-8043

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 10/29/1981

Amount: 1.0 AC-FT

Diversion Point: SWNW Sec 08 T 03S R
24E, MINIDOKA Co.

Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31

WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31

Place of Use: SWNW Sec 08 T 03S R
24E

Diversion Means: PIT RESERVOIR

36-8046

FASSET, RICHARD
BOX 42, MINIDOKA, ID 83343

Source: GROUNDWATER

Date Filed: 12/11/1981

Amount: 3.62 CFS

Diversion Point: Lot 01 (NWNW) Sec
31 T 07S R 25 E, MINIDOKA Co.

Use: IRRIGATION (0.62 CFS) from
04/01 to 10/31

Place of Use: LOT 03 (NWSE) LOT 04
(SWSW) Sec 31 T 07S R 25E for 31
ACRES

Diversion Means: WELL, PUMP, SPR-
INKLER

36-8029

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 11/05/1981

Amount: 1.0 AC-FT

Diversion Point: LOT 03 (NWSW) Sec
18 T 03S R 24E, MINIDOKA Co.

Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31

WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31

Place of Use: LOT 03 (NWSW) Sec 18 T
03S R 24E

Diversion Means: PIT RESERVOIR

36-8030

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 11/05/1981

Amount: 1.0 AC-FT

Diversion Point: SWSW Sec 17 T 03S R
24E MINIDOKA Co.

Use: STOCKWATER STORAGE (0.9
AC-FT) from 01/01 to 12/31

WILDLIFE STORAGE (0.1 AC-FT)
from 01/01 to 12/31

Place of Use: SWSW Sec 17 T 03S R
24E

Diversion Means: PIT RESERVOIR

36-8030

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 230
COLLINS RD., BOISE ID 83702
Source: UNNAMED STREAM tributary
to SINKS

Date Filed: 11/05/1981

Amount: 1.0 AC-FT

Diversion Point: SWSW Sec 17 T 03S R
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Place of Use: SWSW Sec 17 T 03S R
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Diversion Means: PIT RESERVOIR

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Diversion Means: PIT RESERVOIR

MINIDOKA COUNTY NEWS

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
) ss,
STATE OF IDAHO,)

Edward L. Mitchell, being first

duly sworn, deposes and says that he is the

Editor of The Minidoka County News, a weekly newspaper published at Rupert, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of The Minidoka County News for

two consecutive weeks, commencing with the issue dated March 18, 1982, and ending with the issue dated March 25, 1982.

Edward L. Mitchell

Subscribed and sworn to before me this

25th day of March, 1982.

Brenda J. McMan Notary Public

Cost of Publication 575.40

Notary Fee

Total Cost

RECEIVED

MAR 30 1982

Department of Water Resources
Rupert, Idaho 83443

36-8046

FASSET, RICHARD
BOX 42, MINIDOKA, ID 83343
Source: GROUNDWATER
Date Filed: 12/11/1981
amount: 0.62 CFS
Diversion Point: Lot 01 (NWNW) Sec
31 T 07S R 25 E, MINIDOKA Co.
Use: IRRIGATION (0.62 CFS) from
04/01 to 10/31
Place of Use: LOT 03 (NWSE) LOT 04
(SWSW) Sec 31 T 07S R 25E for 31
ACRES
Diversion Means: WELL, PUMP, SPR.
INKLER

JUL 10 1991



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 16, 2002

LYLE FASSET
1122 N 400 E
RUPERT ID 83350

RE: License No. 36-8046 - Issuance of License

Dear Water Right Holder(s):

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

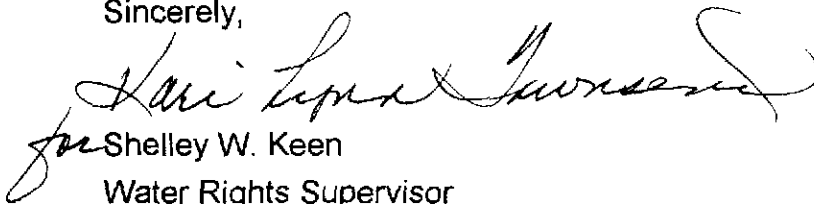
The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date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

Enclosed is a copy of the approved Application for Amendment.

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

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

Sincerely,


for Shelley W. Keen
Water Rights Supervisor

SWK:klf

Enclosure(s)

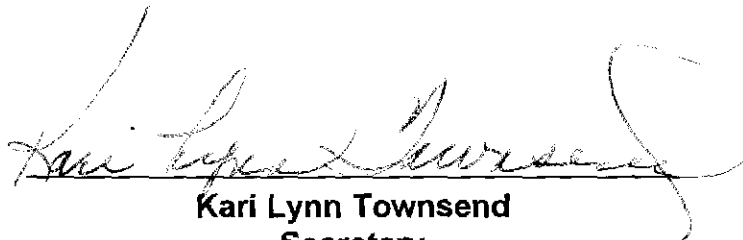
MICROFILMED

CERTIFICATE OF MAILING

I hereby certify that on January 16, 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. 36-8046

**LYLE FASSET
1122 N 400 E
RUPERT ID 83350**


**Kari Lynn Townsend
Secretary**

RECORDED
JAN 24 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.



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 7, 2002

LYLE FASSET
RT 3 BOX 242
RUPERT ID 83350

RE: Water Right Permit No. 36-08046

Dear Mr. Fassett:

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

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

☐ Point(s) of Diversion

☒ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosure(s)

MICROFILMED

Comment Report

36-8046

1. skeen 01/04/2002 Licensing Review

Comment: Licensing review and data entry by S. Keen on 1/4/2002. Examiner averaged the flow meter readings to get 1.64 cfs. I recommended the maximum reading of 1.69 cfs. Right shares a permissible place of use with 36-2405. Water from A&B Irrigation District is commingled with the ground water.

MICROFILMED

JAN 23 2002



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 17 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08046

1. Owner: FASSETT, LYLE Phone No. 208 532-4480

Current Address: Route #3 Box 242 RUPERT, ID 83350

2. Accompanied by: MR FASSETT EXAM DATE: 07-24-95

Address: Same Phone No. Same

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 36-02405

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1	01		NW	NW	31	07S	2SE	MINIDOKA	ORTHO PHOTO QUAD MAP

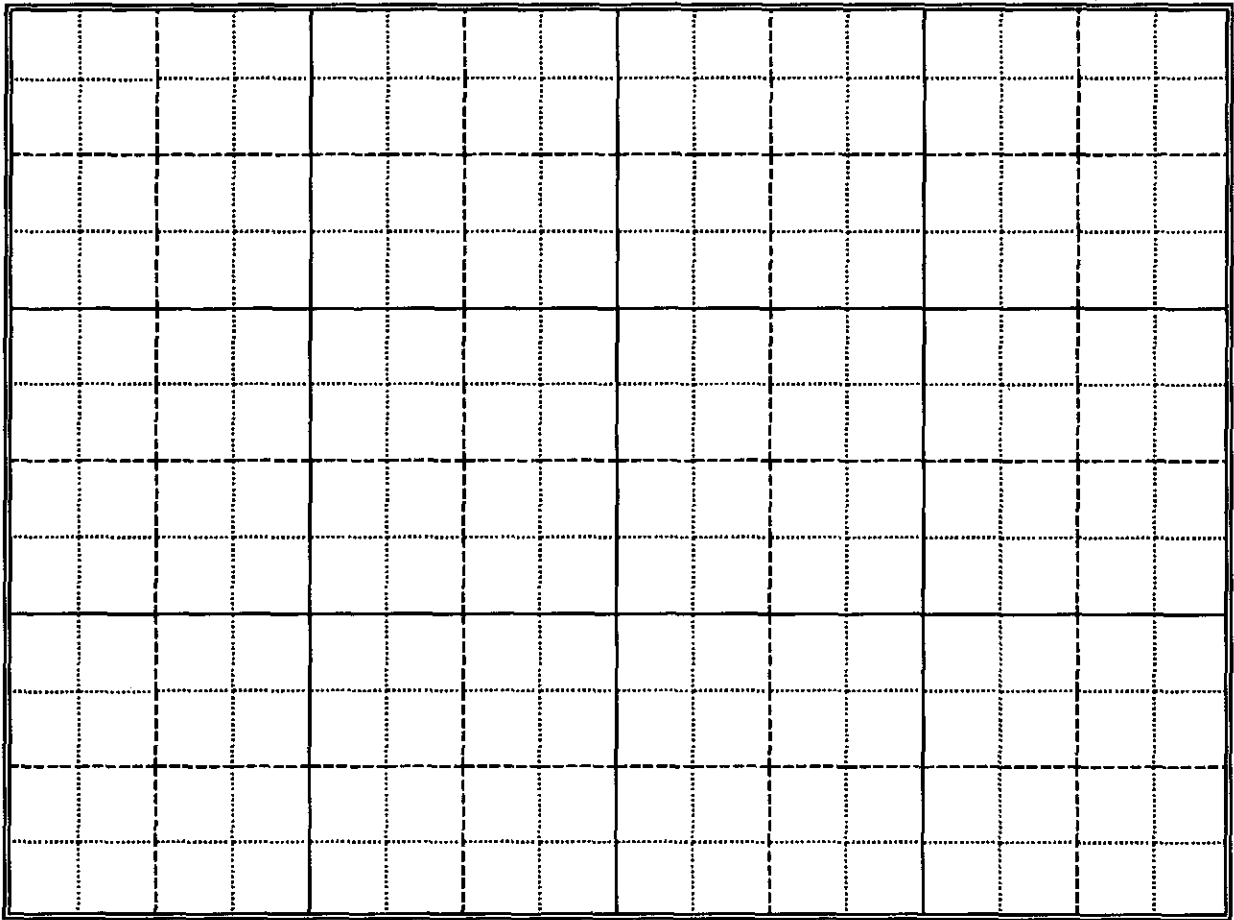
2. Place(s) of Use: PERMISSIBLE P/U NOT TO EXCEED 31 ACRES/ANNUUM Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	25E	31					1.6	6.0	33.4	36.0	31.0	33.5	31.0	30.7					203.2
							Lot 1	Lot 2			Lot 3	Lot 4							

✓ A+B IRR DIST.
Tracts D+E
Lots 96+95
see overlap with
Rt. No. 36-02405

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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. *SEE AERIAL PHOTO*



Scale: 1" = _____

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

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1.	TUNGSTEN GE.	100	3L7-0003B	LILLY	

*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

2. Measurements: TOTALIZING METER X 100 gpm. 3 TIMED MEASUREMENTS
1 min each ① = 760 gpm ② 760 gpm ③ 700 gpm = 736 gpm = 1.64 cfs

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E. NARRATIVE/REMARKS/COMMENTS

THE SYSTEM CONSISTS OF A 10" WELL DRILLED TO 380' DEEP WITH
A DYNAMIC PUMPING LEVEL OF 225' (THESE FIGURES ARE AVERAGED
FROM WELL LOGS LOCATED IN THE IMMEDIATE VICINITY OF P/D.)

WATER IS DIVERTED TO HANDLINES USED TO IRRIGATE
IRREGULAR, UPPER-END FIELDS.

WATER IS DIVERTED BY MAINLINE TO LOWER END OF
PROPERTY. MAINLINE IS USED IN COMBINATION, AND IS COMINGLED
WITH A+B IRR SHARES.

NOTE: THERE IS A TRANSFER BEING PROCESSED FOR 36-02405
TO CREATE A PPU FOR 203.2 ACRES TOT.

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

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1982-07-20

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: IN SYSTEM FLOWMETER & STOP WATCH

Readings: $\left. \begin{array}{l} 1. 760 \text{ gpm} \\ 2. 760 \text{ gpm} \\ 3. 700 \text{ gpm} \end{array} \right\} 736 \text{ gpm} = 1.64 \text{ cfs System Capacity}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 31 \times 4 \text{ FHR} = 124 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.64 \times 214 \times 1.9835 = 694 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 124 \text{ afa}$$

2. Volume Calculations for Other Uses:

Recommend Lic for 36-08046 when combined w/ 36-02405, SHALL NOT EXCEED 1.64 cfs
Also, recommend 372 afa for irr of 93 acres in 203.2 PPU.

H. RECOMMENDATIONS Also, when all rights are combined in the PPU (203.2), They SHALL NOT EXCEED 0.02 cfs per acre, NOR 4.0 afa per acre

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>04-01</u>	<u>10-31</u>	<u>0.62</u>	<u>124 afa</u>
Totals:			<u>0.62</u>	<u>124 afa</u>

2. Recommended Amendments

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

I. AUTHENTICATION

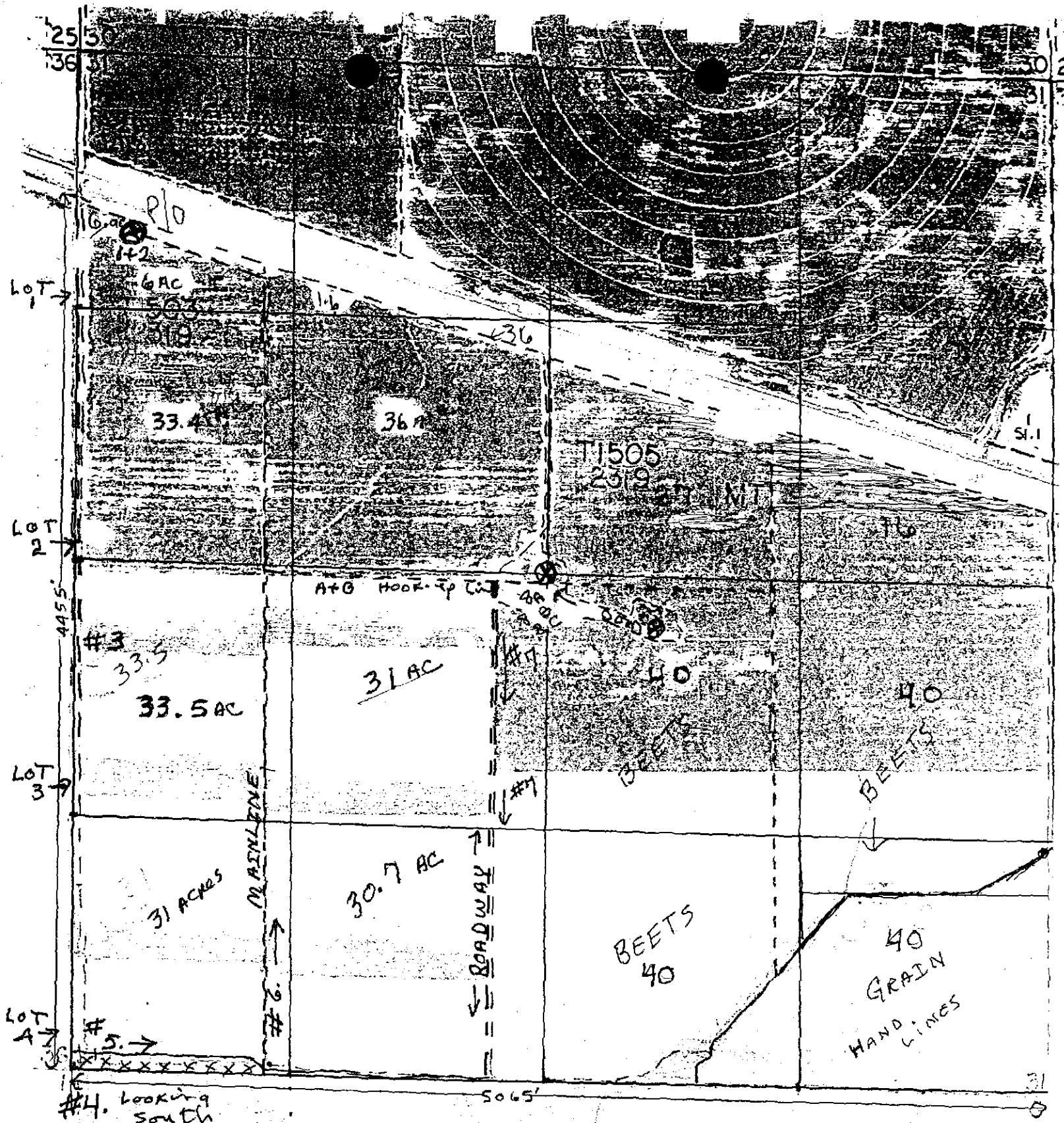
Field Examiner's Name Dallas Tryon Date 07-24-95

Reviewer _____ Date _____

SEAL

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JAN 2 1996



#4. Looking South
↓ x =

36-08046
36-02405

T 075 R 05E
SEC 31

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GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-08046
DATE: _____
BY: _____

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

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (100) \times (0.70)}{[(225) + (57 \times 2.31)]} = \frac{616}{357} = 1.7$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs ()	owner gage ()	
Booster (Y) (N)		

REMARKS _____

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL = $\frac{((219) \times (1.98) \times (1.7))}{(31)} = 23 \text{ ac/a}$

REQUIRED Acre Feet/Acre/Annum = $31 \times 3 = 93 \text{ ac/a}$
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

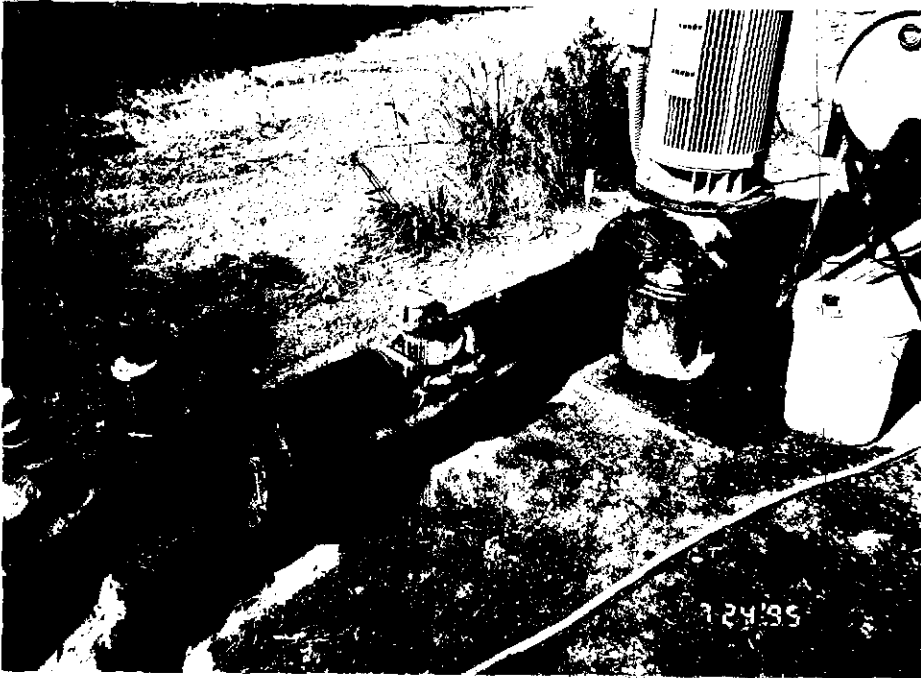
IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

PROFILM

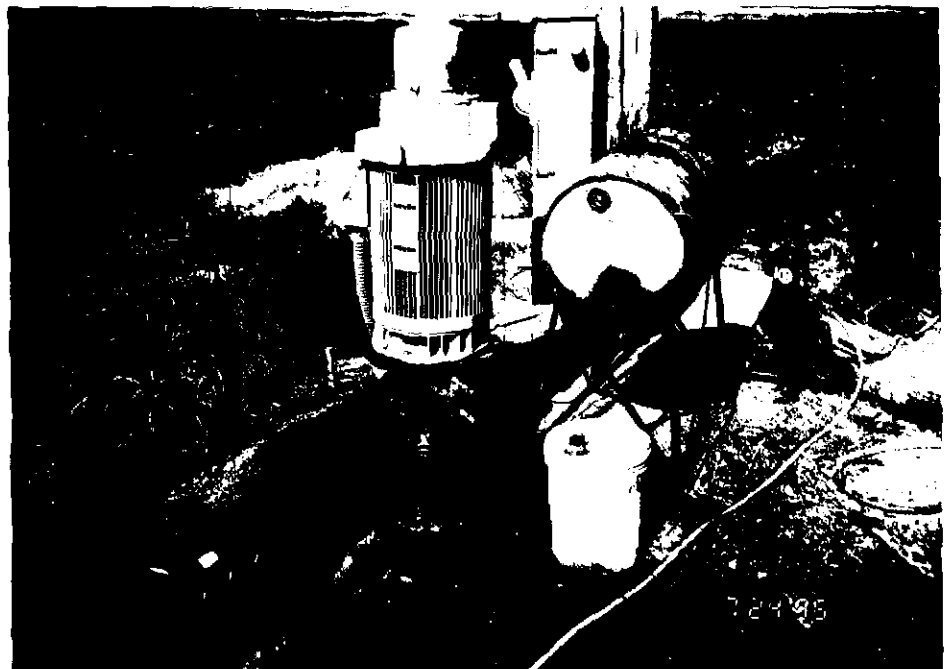
2 & 2000

36-08046

1. view of measuring
meter @ P.O.D



2. view of P.O.D



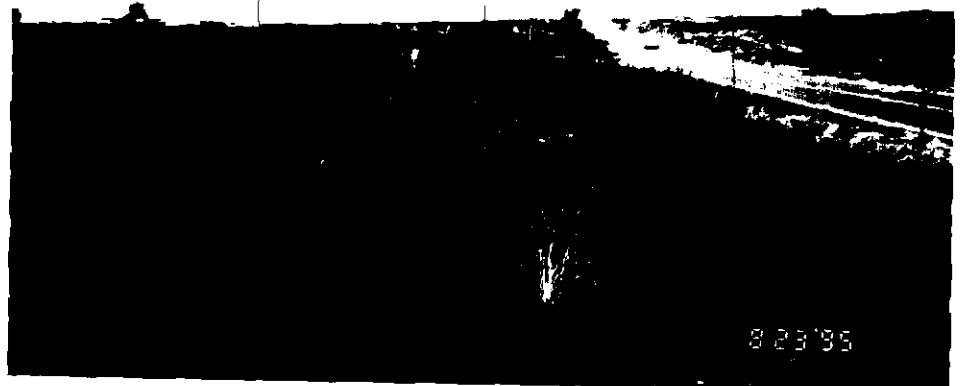
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JAN 24 1967



3. VIEW OF WHEAT FIELD
IN LOT 3 LOOKING EAST

4.
VIEW OF CORNER
OF PROPERTY Looking
South



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JAN 24 2001

823'85



#5 VIEW LOOKING
EAST AT LOWER END
OF Prop.

#4.
VIEW OF MAIN LINE
P.O.U.



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Roadway
indicating
FAR irrigation
boundaries

A+B

023'95

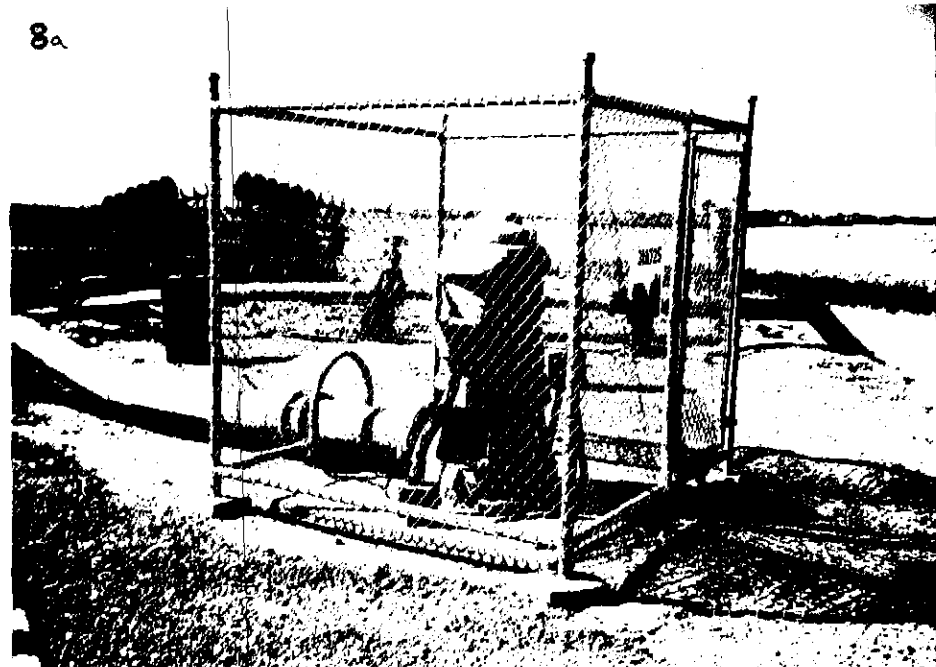
7.

VIEW TO THE SOUTH
SHOWING IRRIGATION
Boundaries

8a

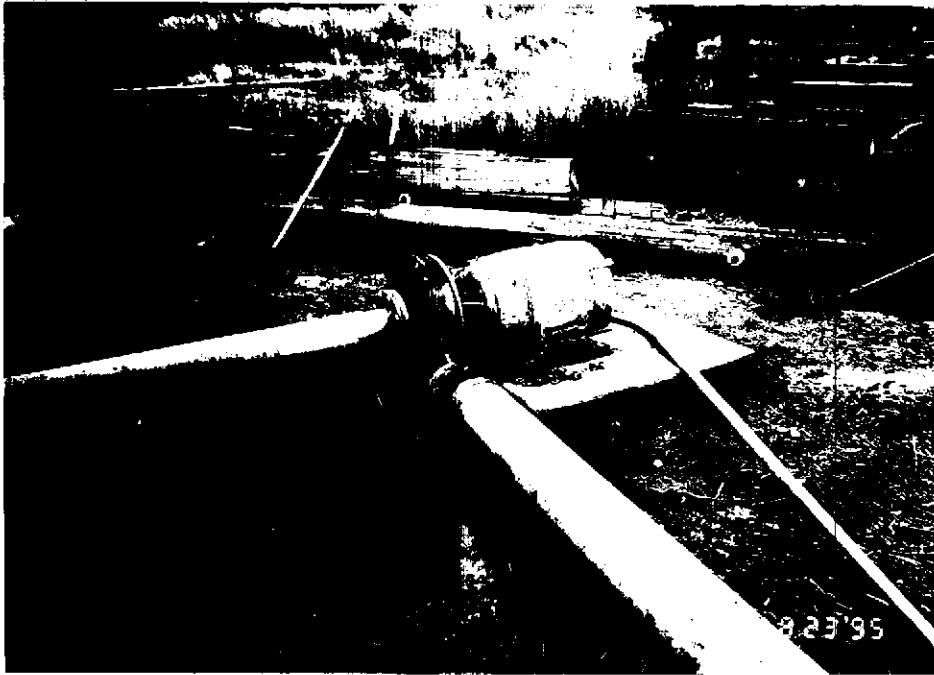
A+B P.O.D

8a



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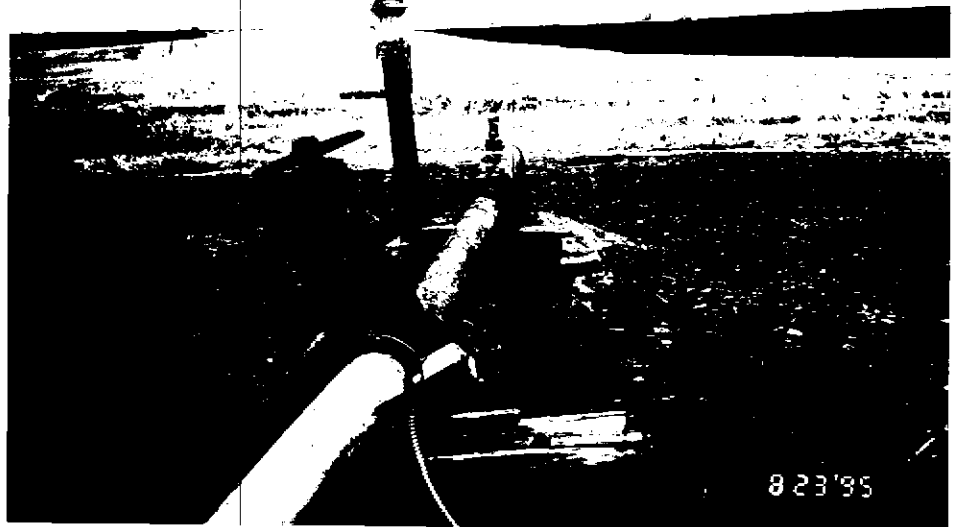
JAN 24 2002



8B

view showing LINE
(A+B) w/ BOOSTER pump
TO WR 36-08046/36-02405

8C
view showing line
(A+B) w/ VALVE to
WR 36-08046/36-02405



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JAN 24 2002

June 11, 1993

LYLE FASSET
RT 3 BOX 242
RUPERT ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08046

Dear Permit Holder:

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

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

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

6/12/93
JLH

JLH

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-08046 Reviewed by Klg Date 6/7/93

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

____ Surface water source
✓ Ground water source
NA Drilling permit required?
1956 / Copy in the file? Drilling Permit No. _____
____ Amount paid for permit _____ Correct?
____ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
100 Amount Submitted
yes Correct?
yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs a flow

DATA ENTRY

New Address _____ Proof Made 6/3/93



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 7, 1993

Lyle Fassett
Rt 3 Box 242
Rupert, ID 83350

Re: Permit No. 36-08046

Dear Permit Holder:

We acknowledge receipt of the correspondence and assignment of permit form transferring ownership of the above referenced water right to you. I have modified our computer records to reflect this change in ownership.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

C: IDWR - Regional Office

JUN 30 1993

April 30, 1993

RICHARD FASSETT
P.O. BOX 42
MINIDOKA ID 83343

PROOF DUE NOTICE

RE: PERMIT NO. 36-08046

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 July 1, 1993. (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.

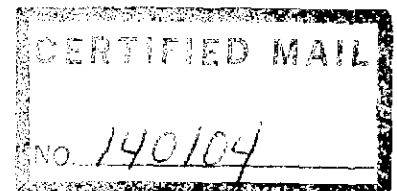
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



[Faint, illegible handwritten notes and stamps at the bottom of the page]



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 3, 1991

RICHARD FASSETT
P.O. BOX 42
MINIDOKA, ID 83343

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08046

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

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

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of

JUL 10 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

2010 10 10

2010 10 10

A&B IRRIGATION DISTRICT

STATE ID NUMBER	A&B ID NO	SSTATIC FIRST PUMP	SSTATIC SECOND PUMP	PUMPING DEPTH FIRST P.	PUMPING DEPTH SECOND	FLOW (CFS)	MONTHLY USAGE-AF 4-15:5-15	MONTHLY USAGE-AF 5-16:6-15	MONTHLY USAGE-AF 6-16:7-15	MONTHLY USAGE-AF 7-16:8-15	MONTHLY USAGE-AF 8-16:9-15	MONTHLY USAGE-AF 9-16:10-15	1995 TOTAL USAGE-AF
07S 23E 34 NWSESW 99	34AB 723	248.4	247.8	260.5	265.3	9.9	46.4	129.0	530.4	401.4	245.4	157.0	1509.6
07S 24E 22 NESESE 97	22C 724	220.8		225.4		6.3	31.0	107.7	326.4	269.0	144.6	143.5	1022.2
07S 24E 22 NWNWSE 98	22A 724	226.9		232.2		2.6	30.5	78.3	144.5	65.2	47.9	12.1	378.5
07S 24E 22 NWSWSW 96	22B 724	N/A		N/A		6.4	37.2	90.6	343.5	303.9	240.6	54.4	1070.2
07S 24E 23 NWSWNE 99	23A 724	228.0		233.6		5.9	44.0	16.6	223.1	272.4	196.0	198.6	950.7
07S 24E 26 NENWSW 94	26A 724	217.1		225.7		6.2	54.2	145.8	274.1	363.7	356.9	134.4	1329.1
07S 24E 26 NWSENE 99	26B 724	211.6		216.7		2.2	14.3	0.0	68.3	130.3	123.5	90.4	426.8
07S 24E 28 NWSWNE 98	28AB 724	237.2	236.1	242.4	241.4	8.8	57.1	176.8	453.2	383.2	389.3	159.8	1619.4
07S 24E 30 SWNWSE 99	30AB 724	270.6	270.0	283.7	281.2	11.4	37.2	246.8	600.7	595.6	503.7	120.3	2104.3
07S 24E 31 NWSWNE 99	31A 724	259.9		271.9		4.0	0.0	29.8	188.6	201.0	178.5	73.6	671.5
07S 24E 32 SWSENE 97	32AB 724	229.5	229.0	241.8	236.9	13.6	38.9	222.8	620.6	747.3	678.2	288.8	2596.6
07S 24E 33 SENWSE 98	33AB 724	227.2	231.6	233.4	239.3	9.9	13.5	97.4	417.0	504.4	501.4	97.3	1631.0
07S 24E 34 SWSENW 98	34A 724	213.7		219.5		7.1	20.3	80.8	343.5	264.5	165.3	176.6	1051.0
07S 24E 35 SWSWSE 98	35AB 724	216.7	215.7	235.1	222.2	10.7	48.4	194.7	447.4	575.7	438.3	183.6	1888.1
07S 25E 27 NESESW 99	27A 725	231.2		235.0		2.6	8.1	16.1	58.6	118.8	127.4	80.8	409.8
07S 25E 29 NENESW 99	29A 725	264.0		268.1		4.1	27.9	65.9	155.0	153.1	181.4	104.3	687.6
07S 25E 30 NWNENE 98	30A 725	250.1		N/A		7.4	53.7	26.0	206.2	394.5	281.3	150.0	1111.7
07S 25E 31 NENESW 96	31A 725	N/A		N/A		4.1	16.6	56.3	194.6	142.9	128.9	84.2	623.5
07S 25E 32 NWNESW 96	32A 725	207.3		212.9		4.0	24.3	57.1	191.0	185.8	106.9	98.8	663.9
07S 25E 33 NESWNW 99	33A 725	N/A		N/A		6.4	25.7	97.6	347.3	267.1	141.5	188.3	1067.5
07S 25E 34 SENESW 97	34A 725	234.4		239.1		6.9	34.8	72.4	267.7	365.0	269.6	194.0	1203.5
08S 21E 22 NWNENE 98	22A 821	324.8		331.7		6.3	45.7	94.1	307.8	299.9	269.8	157.6	1174.9
08S 21E 24 NWSENW 97	24A 821	334.2		342.2		2.2	16.9	52.1	88.8	79.2	54.2	32.4	323.6
08S 21E 26 NWSENE 96	26AB 821	345.6	359.7	357.6	369.3	11.1	69.2	168.4	538.8	478.6	336.5	167.0	1758.5
08S 21E 35 SENENE 93	35A 821	324.2		332.6		5.3	14.0	29.2	215.9	242.1	184.7	86.6	772.5
08S 21E 35 SESESE 97	35BC 821	343.8	340.4	351.5	348.3	11.7	93.2	265.4	951.4	1059.4	642.6	274.4	3286.4
08S 21E 35 SWSWSW 99	35D 821	N/A		N/A		6.2	Included with 35BC 821						0.0
08S 22E 30 SWNWSW 96	30A 822	297.0		307.9		3.2	39.4	89.6	158.8	99.7	66.2	107.0	560.7
08S 22E 35 SWNWSW 99	35C 822	248.8		260.0		3.1	0.0	17.0	146.3	145.9	56.8	78.3	444.3
08S 22E 35 SWSWSE 98	35AB 822	215.2	215.6	225.2	226.1	14.4	77.5	156.5	667.8	801.6	545.4	323.8	2572.6
08S 23E 1 NENWNE 99	1AB 823	256.6	257.4	269.3	268.0	15.8	172.7	153.9	937.6	1051.9	1007.3	636.3	3959.7
08S 23E 1 SWSWSW 94	1C 823	229.4		242.1		6.3	Included with 1AB 823						0.0
08S 23E 2 SENESW 96	2A 823	236.0		245.1		4.8	49.7	61.6	221.2	226.3	206.2	162.2	927.2
08S 23E 4 SWSWSW 95	4AB 823	253.4	253.7	262.7	262.5	13.8	102.1	55.9	636.9	648.4	494.2	350.6	2288.1
08S 23E 5 NESENE 93	5BC 823	259.4	263.9	274.4	275.4	10.3	21.8	110.8	535.4	516.9	289.1	107.1	1581.1

APPLICATION FOR PERMIT REVIEW

Application #: 36-8046

Reviewer:

Pam Skaggs *PS*

Date: 6-24-91

Existing:

✓No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

✓GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99

✓Not included - 046-P23(All GW, even existing wells)

Location:

✓Water Districts

- WD No. 61

Surface water - 005, 005-01H-P01(LT.2 w/pump)

005-01J-P08(GT.2)

✓Groundwater *existing* - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓Swan Falls Flag - 7 (1, Blank or Other)

✓Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr or Irr & Dom)

Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One), 042(req.), 002-P06(MD), 07A(Spec.), 044(Policy 5G)

Power - Use Power Review

Mining - 06A or 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD), 18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

✓Beneficial Use Due Date: - 07-01-1993

Other Conditions Recommended

JUL 10 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 36-8046/Trust Water Processing

DATE: 6-10-91

This application had been held in the regional office for potential out of sequence processing. The regional office requested and received a \$20.00 readvertisement fee in 1989. After receiving the fee, the regional office gave the applicant several opportunities to submit information relative to development prior to 10/1/1984. This information was never submitted.

I presume that the applicant still has an interest in the application. Since the pre-development information was never submitted, I recommend considering the application as a trust water filing. I also recommend that the acreage under the filing be counted as trust acreage since the applicant stated on the original filing that canal shares (i.e.; primary source of water) would be removed from the place of use.

NOT RECORDED

JUL 10 1991

FROM Loten Holmes, Southern
TO Tim Luke
SUBJECT 36-8046 - Fassett

DATE

6/4/91

RECEIVED
JUL 10 1991

Turned this one up on a file check.

It appears that this was Processed as existing development in 1989 but delayed because Assistant did not submit information.

Can this now be issued as new development?
If you need further action at the region,
send it back.

SIGNATURE*L.H.*

12/5 36-8046

Name Richard Fassett

Source Groundwater

Amount:

Flow:

Location: Minidoka

Flow Date:

Flow made:

MINIDOKA
JUL 10 1991

Letting
12/5/91

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

FASSETT, Richard

INITIAL REVIEW BY: T. C. Blau

APPLICATION NUMBER: 36-8046

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.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ 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. RR-80
☐ Yes ☐ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: 4/25/82 4/5/82
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/30/82
☒ 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? 01-P05
12/11/81 Date of priority recommended.
Special conditions of approval or cover letter. _____

RECEIVED
JUN 07 1991

Department of Water Resources

Allow 1 Year to file Proof of B/O

App. in TRUST area -

By: Larry D. Johnson Date: 11/21/89

STATE OFFICE REVIEW:

P05, P23 P16 416

- ☐ See attached sheet for more information.

By: _____ Date: _____

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

03-Jan-1990

Richard Fassett
Box 42
MINIDOKA ID 83343

Re: Application for Permit No. 36-08046

Dear Mr. Fassett:

The above referenced Application for Permit was sent to our State Office for processing but now has been returned to our office pending receipt of more conclusive evidence of pre-1984 development. The Department suggests that you submit power bills predated October 1, 1984 for meter specifically servicing pump.

Enclosed please find a copy of the memorandum from our State Office for your information.

We will hold your application at this office until further documentation is received, then will forward it to our State Office for further processing.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosure

MICROFILMED

JUL 10 1991

MEMORANDUM

TO: SOUTHERN REGION

FROM: KAY WALKER *KW*

RE: APPLICATIONS 36-8446, 36-8447 AND 36-8046

DATE: 28-DEC-1989

RECEIVED

JAN 2 1990

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

=====

Tim has reviewed these applications and feels that we need more evidence that these systems were in place for the uses described in these applications prior to 10/1/84. He would like to see some well logs, affidavits, power bills, etc. that would document the use of the wells. In the case of the supplemental filings, he says aerial photos are inconclusive.

Please gather more evidence of development prior to submitting these for final action. Thanks!! Kay

RECEIVED

JUL 10 1991

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

OCTOBER 4, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before NOVEMBER 6, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
OCTOBER 10 1989

JUL 23 1991

NOTICE OF APPLICATION FOR WATER RIGHT

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

10 1991

36-08046

FASSETT, RICHARD
BOX 42
MINIDOKA, ID 83343

Source: GROUNDWATER

Diversion Pt: LOT 1 (NWNW) Sec 31 T 07S R 25E

Use: IRRIGATION (.620 CFS)

Date Filed: 12/11/1981

In: T07S R25E S31 Lot 3 (NWSW) Lot 4 (SWSW)

31.0 ACRES TOTAL

RECEIVED

JUL 10 1991

The application (s) alleges completion of development and beneficial use of water described above prior to October 1, 1984. If approved, the permit (s) will be subject to all prior water rights except subordinated hydropower rights. Protest must be filed with the Director, Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before November 6, 1989.

R. Keith Higginson, Director

Published in South Idaho Press 10/19 & 10/26/89.

10 1989

03-Oct-1989

Richard Fassett
P.O. Box 42
Minidoka, ID 83343

Re: Application for Permit No. 36-8046

Dear Mr. Fassett:

The Department is now beginning the processing of applications which have been held as a result of the Swan Falls controversy. In connection with this processing, the Department requests the information described below.

Additional information required before final regional review of the application includes evidence of development prior to October 1, 1984 such as ASCS area photos predating 1984 with a signed statement from an ASCS agent or power bills predating October 1, 1984 for meter specifically servicing well.

From the Department's review of the above referenced water right application, it appears the application is only subject to the usual water right processing described in Section 42-203A, Idaho Code, and is not subject to the public interest criteria processing required of some applications in the Swan Falls settlement.

In order to process the application, the application needs to be readvertised in compliance with Water Appropriation Rule 4,2,2,1. This office acknowledges receipt of the \$20.00 readvertisement fee, a receipt is enclosed.

Please feel free to contact the Department if you have questions.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosure

RECEIVED
OCT 10 1989

readvertisement fee. for
Permit No. 36-8046

Richard Farnett
PO Box 42
Mendota IL 83343

RECEIVED

OCT 4 1989

Department of Water Resources
Southern Region Office

MICROFILMED

JUL 10 1991

20⁰⁰

Receipt 5009516

27-Sep-1989

Richard Fassett
P.O. Box 42
Minidoka, ID 83343

Re: Application for Permit No. 36-8046

Dear Applicant(s):

The Department is now beginning the processing of applications which have been held as a result of the Swan Falls controversy. In connection with this processing, the Department requests the information described below.

From the Department's review of the above referenced water right application, it appears the application is only subject to the usual water right processing described in Section 42-203A, Idaho Code, and is not subject to the public interest criteria processing required of some applications in the Swan Falls settlement.

In order to process the application, the application needs to be readvertised in compliance with Water Appropriation rule 4,2,2,1. Please submit the readvertisement fee in the amount of \$20 within 30 days or the Department will void the application pursuant to Water Appropriation Rule 4,2,2,4.

Additional information required before final regional review of the application includes evidence of development prior to October 1, 1984 such as ASCS area photos predating 1984 with a signed statement from an ASCS agent or power bills predated October 1, 1984 for meter specifically servicing well.

Please feel free to contact the Department if you have questions.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED
JUL 10 1989

FROM Steve Clelland

TO File 36-8046

SUBJECT

MICROFILMED

JUL 10 1991

9-26-89

after filing the adjudication claims for Lyle Fassett,
clarification of Application for Permit #36-8046 appears as
follows: Given lands have been under irrigation
when mainline was installed in 1981.

With A+B irrigated acres (exact number unknown)
License 36-2405, (w/ 62 Acres) + Permit 36-8046
(w/ 31 Acres) — There would be an overlap

of 14 Acres; Covered by A+B water
plus licensed well water

Steve Clelland

SIGNATURE

A & B Irrigation District

P. O. BOX 675

RUPERT, IDAHO 83350

DIAL 436-3152

June 17, 1985

RECEIVED
JUN 20 1985
Department of Water Resources
Southern District Office

Loren O. Holmes
Director of Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Dear Mr. Holmes:

By this letter A & B Irrigation District is withdrawing its objection to Richard Fasset's ground water application #36-8046. (Previous letter is enclosed).

Sincerely,

Elmer G. McDaniels
Elmer G. McDaniels,
Manager

EGM:ng

Enclosure

CC: Richard Fasset

RECEIVED
JUL 10 1985



A & B Irrigation District

P. O. BOX 675

RUPERT, IDAHO 83350

DIAL 436-3152

March 12, 1982

Director of Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Dear Sir:

By this letter A & B Irrigation District protests the application of Richard Fassett for ground water in section 31 T7 R25E.

Copy of application enclosed.

Very truly yours,

Elmer G. McDaniels
Elmer G. McDaniels,
Manager

EGM:ng

#36-8046

36-8046 341 21

FASSET, RICHARD
BOX 42 MINIDOKA ID 83343
Source: GROUNDWATER
Date Filed: 12/11/1981
Amount: 0.62 CFS
Diversion Point: Lot 01 (NWNW) Sec
31 T.07S R.25 E. MINIDOKA Co.
Use: IRRIGATION (0.62 CFS) from
04-01 to 10/31
Place of Use: LOT 03 (NWSE) LOT 04
(SWSW) Sec 31 T.07S R.25E. for 31
ACRES
Diversion Means: WELL, PUMP, SPR-
INKLEB

36-8029

APR 10 1982



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

May 13, 1982

Richard Fassett
Box 42
Minidoka, Idaho 83343

Re: Application for Permit No. 36-8046

Dear Mr. Fassett:

I have talked with Elmer McDaniels, manager of the A & B Irrigation District. He indicated that the district's protest would be withdrawn if your application is amended to show that only lands not irrigated under the District's water right would be irrigated under your application.

The District's water right (License 36-2080) does not specify the exact lands on your place which are served with district water.

It may be necessary for you to negotiate with the District to determine which lands should be described in your application to allow withdrawal of the protest.

I will be happy to meet with you and Mr. McDaniel at your convenience to work on a solution.

Very truly yours,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

RECEIVED

JUL 10 1981



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

April 9, 1982

Richard Fassett
Box 42
Minidoka, Idaho 83343

Re: Application for Permit No. 36-8046

Dear Mr. Fassett:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 36-8046. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

APR 10 1982



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

April 9, 1982

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

Elmer G. McDaniels - Manager
A & B Irrigation District
P. O. Box 675
Rupert, Idaho 83350

Re: Application for Permit No. 36-8046

Dear Mr. McDaniels:

Your protest against the approval of the above-referenced application submitted in behalf of A & B Irrigation District has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

- 1) Will the proposed use reduce the quantity of water under existing water rights?
- 2) Is the proposed water supply insufficient for the purpose intended?
- 3) Is the application made in good faith or for delay or speculative purposes?
- 4) Has the applicant sufficient financial resources with which to complete the project?
- 5) Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Sincerely,

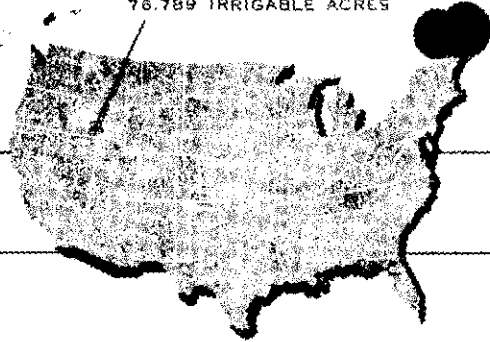
LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

APR 10 1982

LARGEST HOMESTEAD PROJECT IN U.S.A.
NORTH SIDE PUMPING DIVISION, MINIDOKA PROJECT
76,789 IRRIGABLE ACRES

OFFICE: ELEVENTH AND E. STREETS



A & B Irrigation District

P. O. BOX 675

RUPERT, IDAHO 83350

DIAL 436-3152

March 12, 1982

RECEIVED

MAR 13 1982

Department of Water Resources
Southern District Office

Director of Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Dear Sir:

By this letter A & B Irrigation District protests the application
of Richard Fassett for ground water in section 31 T7 R25E.

Copy of application enclosed.

Very truly yours,

Elmer G. McDaniels
Elmer G. McDaniels,
Manager

EGM:ng

RECEIVED

JUL 10 1982

36-8046 3-11-82
FASSET, RICHARD
BOX 42, MINIDOKA, ID 83343
Source: GROUNDWATER
Date Filed: 12/11/1981
amount: 0.62 CFS
Diversion Point: Lot 01 (NWNW) Sec
31 T 07S R 25 E. MINIDOKA Co.
Use: IRRIGATION (0.62 CFS) from
04/01 to 10/31
Place of Use: LOT 03 (NWSE) LOT 04
(SWSW) Sec 31 T 07S R 25E for 31
ACRES
Diversion Means: WELL, PUMP, SPR-
INKLE

36-8029

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 29, 1981

Minidoka County News
625 Fremont Avenue
Rupert, Idaho 83350

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 JANUARY 25, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

JUL 10 1991

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

26-8846-

FASSETT, RICHARD

BOX 42, MINIDOKA, ID 83343

Source: GROUNDWATER

Date Filed: 12/11/1981

Amount: 0.62 CFS

Diversion Point: LOT 01 (NW1/4) Sec 31 T 07S R 25E, MINIDOKA Co.

Use: IRRIGATION (0.62 CFS) from 04/01 to 10/31

Place of Use: LOT 03 (NW1/4) LOT 04 (SW1/4) Sec 31 T 07S R 25E
FOR 31 ACRES

Diversion Means: WELL, PUMP, SPRINKLER

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before ~~JANUARY 25, 1982~~.

R. KENNETH DUNN

Director

Published ~~1/7 & 1/14/82~~

JUL 10 1991

36-8046

FASSET, RICHARD
BOX 42, MINIDOKA, ID 83343

Source: GROUNDWATER

Date Filed: 12/11/1981

amount: 0.62 CFS

Diversion Point: Lot 01 (NWNW) Sec
31 T 07S R 25 E, MINIDOKA Co.

Use: IRRIGATION (0.62 CFS) from
04/01 to 10/31

Place of Use: LOT 03 (NWSE) LOT 04
(SWSW) Sec 31 T 07S R 25E for 31
ACRES

Diversion Means: WELL, PUMP, SPR-
INKLER

*ok
macy
7/15/82*

MICROFILMED

JUL 10 1991