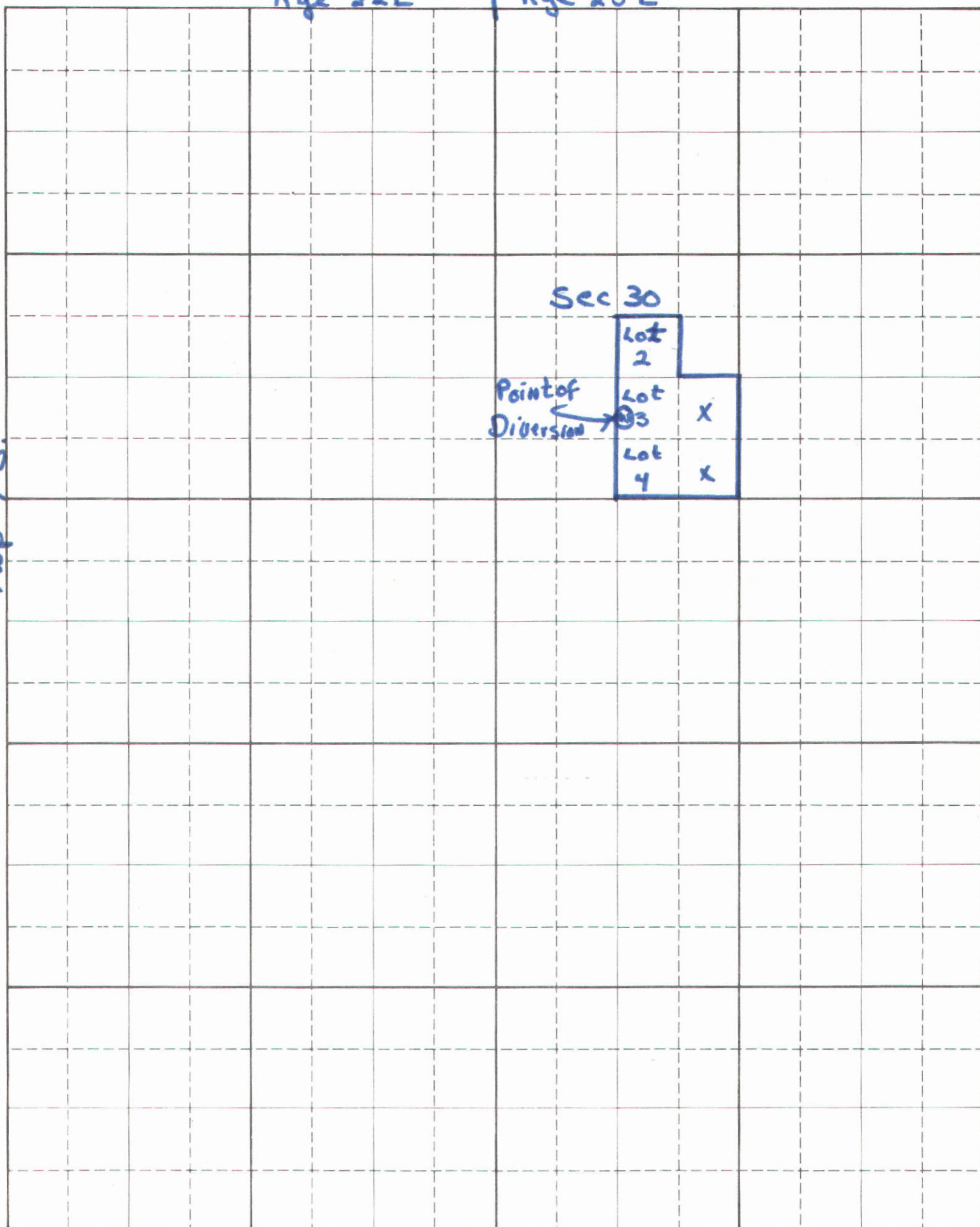


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Rge 22E | Rge 23E

Twp 7S.



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.

Blessing Farms Inc.
D. Blinn
(Applicant) Pres.

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Lincoln } SS.

OCT 15 1976

Laray Hammel Department of Water Resources
Southern District Office
being first duly sworn,
deposes and says that he is the printer (publisher) of the Lincoln
County Journal, a newspaper published every week in Shoshone, Lin-
coln County, State of Idaho; that said newspaper has been continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 7 day of October,
19 76, and the date of the last publication was on the 14
day of October, 19 76.

Laray A Hammel

Subscribed and sworn to before me this 14

day of October, 19 76
(SEAL)

Maylene Hagen
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice

Number of Insertions

Lines tabular at 315c

31 Lines straight at 21c 6.51

31 Subsequent lines at 15c 4.65

TOTAL COST 11.16

COPY OF NOTICE

(Paste Here)

Water Permit
TITLE OF NOTICE

No. 36-7646
PLAINTIFF ATTORNEY

Blincoe Farms
DEFENDANT

PLAINTIFF

BILL TO

Idaho Dept of Water Resources
1041 Blue Lakes Blvd.
Twin Falls Id.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Blincoe Farms, Inc. Heyburn,
Idaho 83336 has on 9-24-76
submitted Application No. 36-
7646 for a permit to approp-
riate 1.6 cubic feet per second of
water from groundwater by
means of well, pump, lines to
stock tanks & sprinkler system
within Lot 3, Sec. 30, Twp. 7S,
Rge. 23 E, B.M., Lincoln County
to be used from Jan. 1 to Dec. 31
for stockwater and dust control
purposes within the E $\frac{1}{2}$ SE $\frac{1}{4}$,
Lots 2, 3 and 4, Sec. 30, Twp. 7S,
Rge. 23E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Resources, 1041 Blue Lakes
Blvd., North, Twin Falls, Idaho,
83301 on or before October 25,
1976.

/S/ R. KEITH HIGGINSON
Director

Pub: 10-7, 14

No. 1522

10-15-76

B

D35
862



487

CLARSON
FARMS

MAR 0 1990



SMNNS

DUST CONTROL HEADS

CLARSON
FARMS

RECEIVED
FEB 04 1993

RECEIVED

SEP 26 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-7646

1. Owner: Blinco Farms

Phone No. _____

Current Address: _____

2. Accompanied by: Richard Blinco

EXAM. DATE: 7-18-78
8-1-86

Address: _____

Phone No. _____

Relationship to Permit Holder: owner

3. Source: groundwater

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

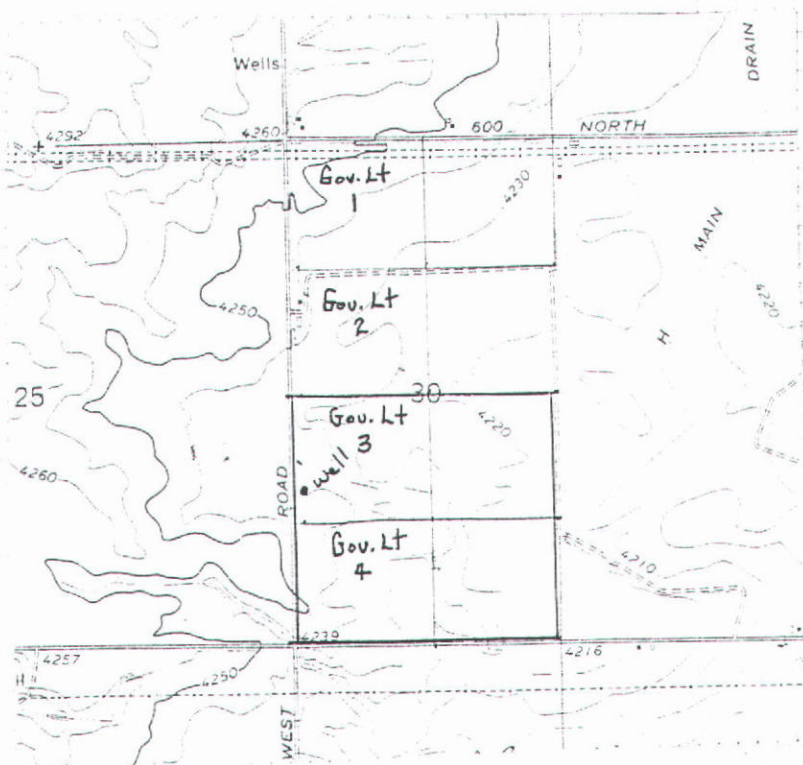
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



T7S
R23E

MICROFILMED

Scale: 1" = _____

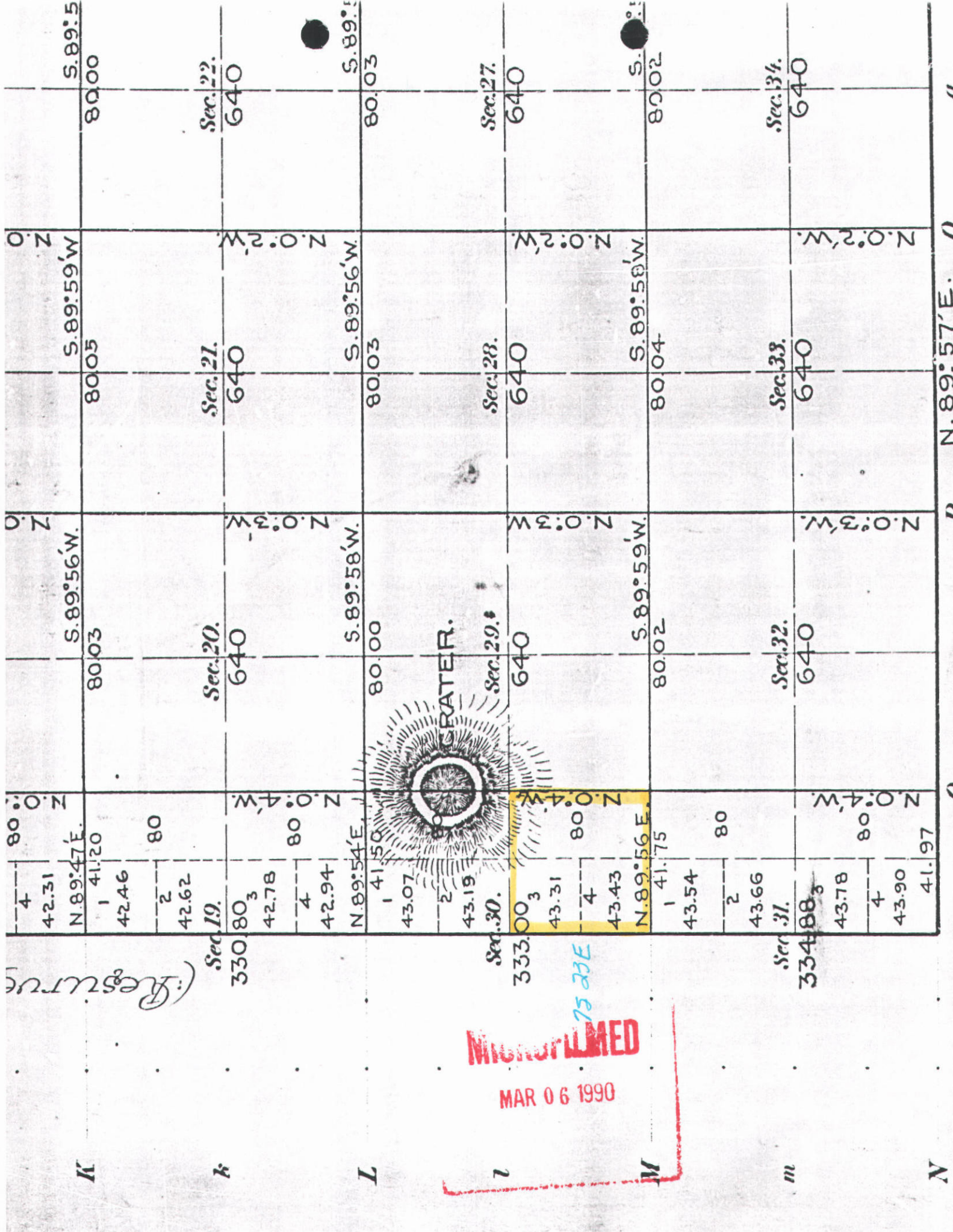
2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

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

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

MAR 06 1990
MICROFILMED
FEB 04 1993

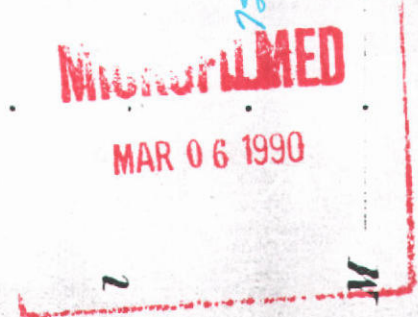


(Resurvey)

MICROFILMED

MAR 06 1990

75 23E



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 26 1986

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-7646

1. Owner: Blinco Farms

Phone No. _____

Current Address: _____

2. Accompanied by: Richard Blinco

EXAM. DATE: 7-18-78
8-1-86

Address: _____

Phone No. _____

Relationship to Permit Holder: owner

3. Source: groundwater

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

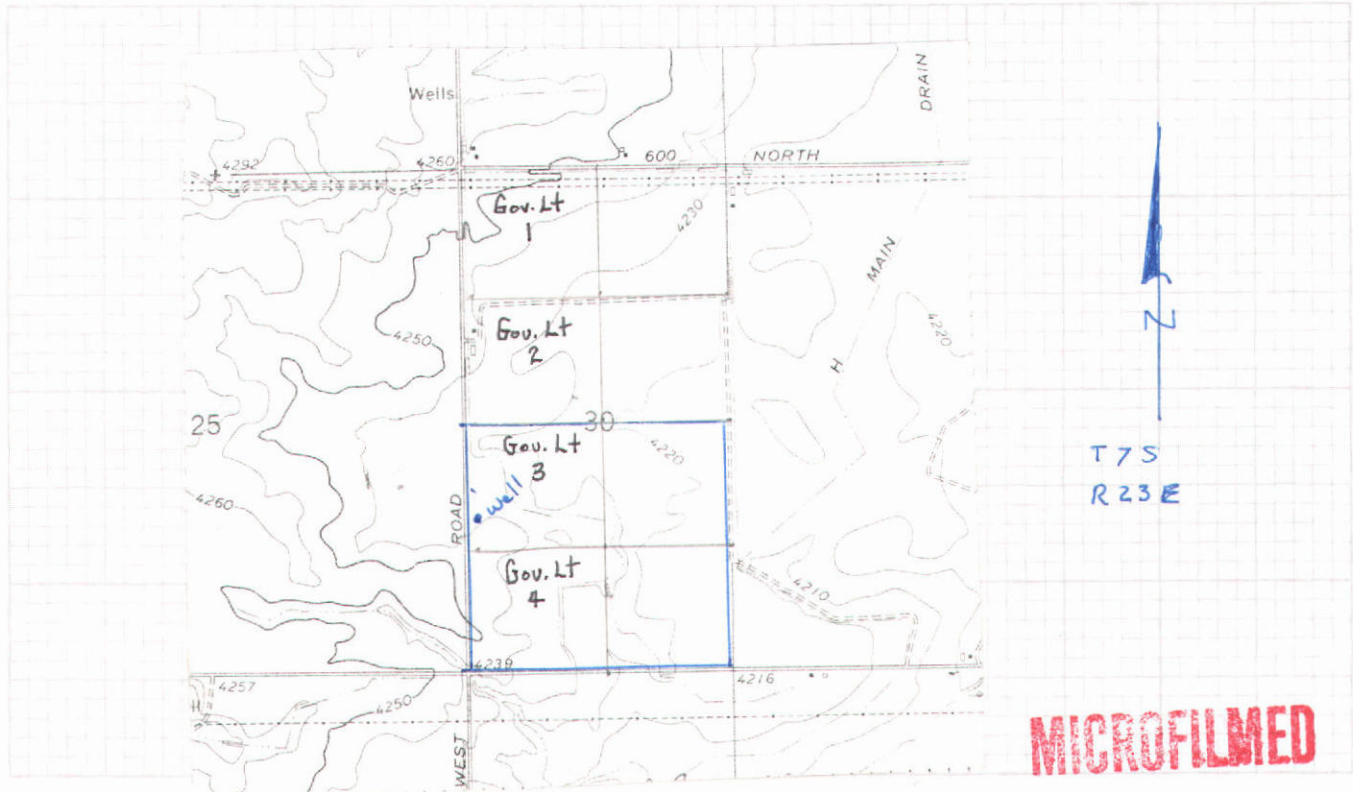
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

MAR 06 1990

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

☐ Photo of Diversion and System Attached

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

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



MICHAEL D. DIED
 MAR 06 1990
 stock yards

36-7646
 Blumoe
 Figure -



Pump & pump house.
This well is used for dust control
on the stock yds.

MICROFILMED

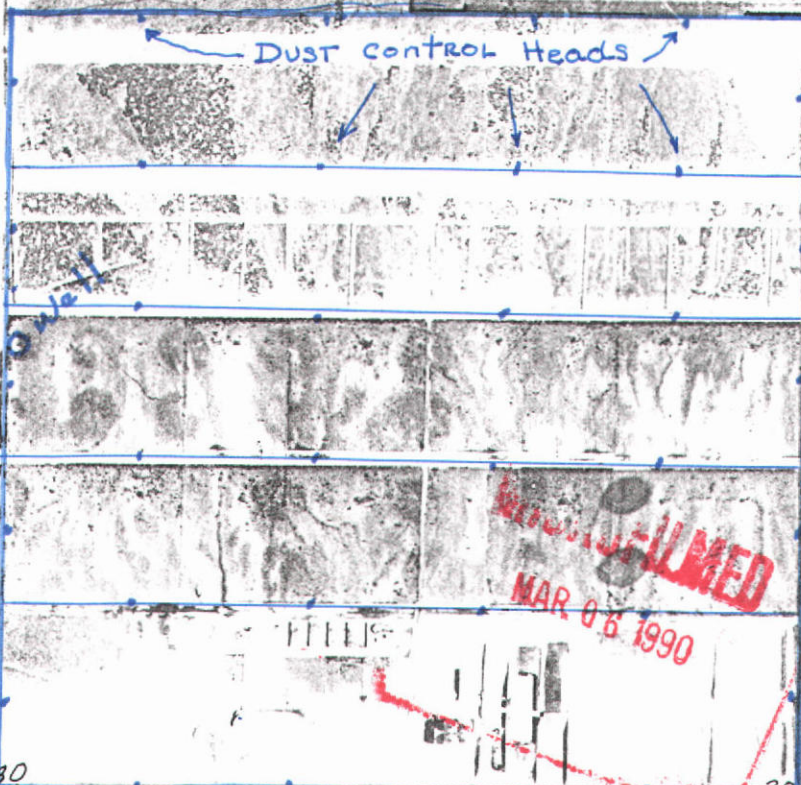
MAR 06 1990

24 19
25 30

19 20
30 29

CLAWSON
FARMS

87.5
A



CLAWSON
FARMS

F
48.7

RECEIVED
MAR 06 1990

7.4

25 30
30 31

30 29
31 32

68.5
A

D35
84.0

146.6
V
146.6
V

41.1
B

12.5
A

B1

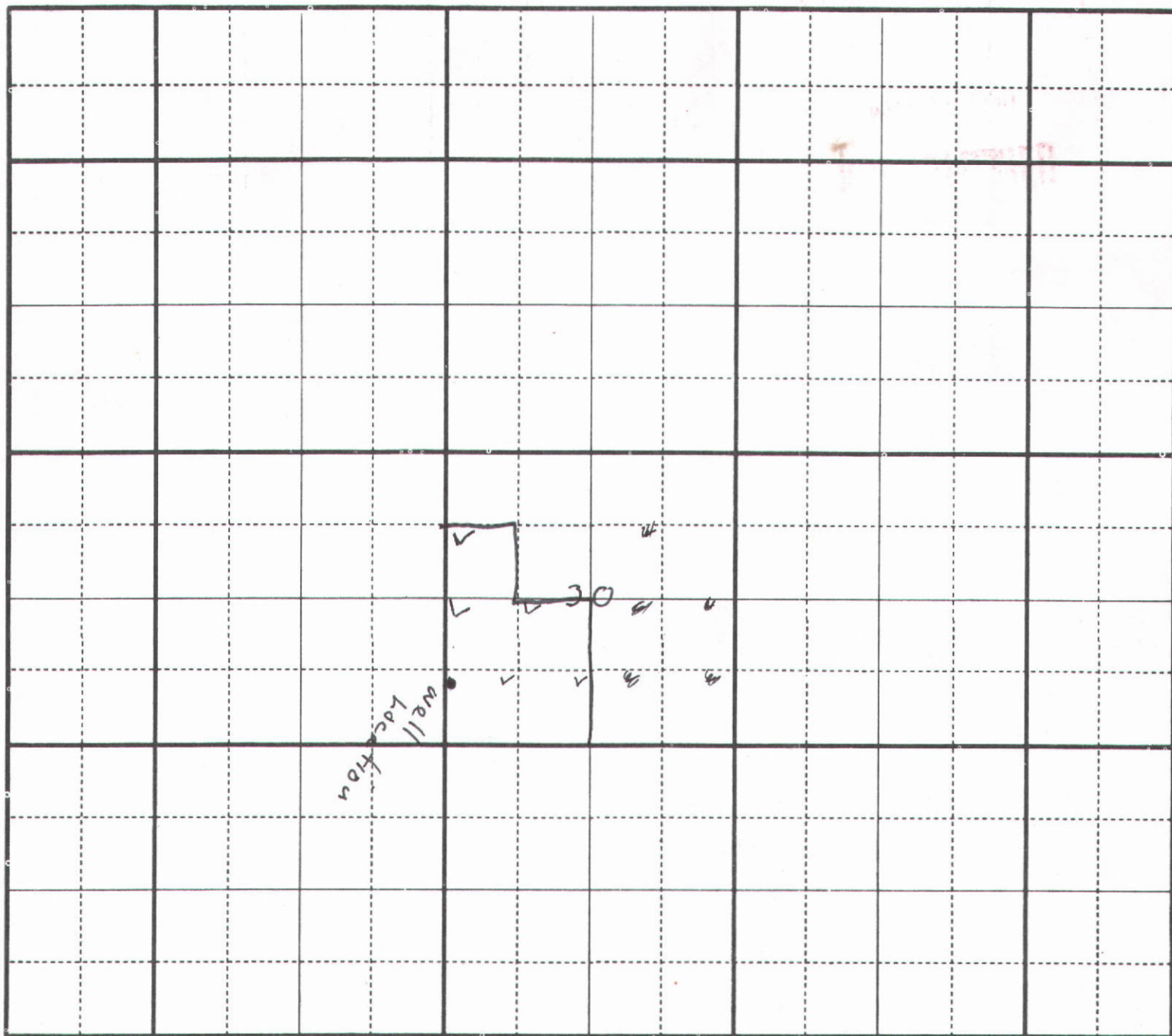
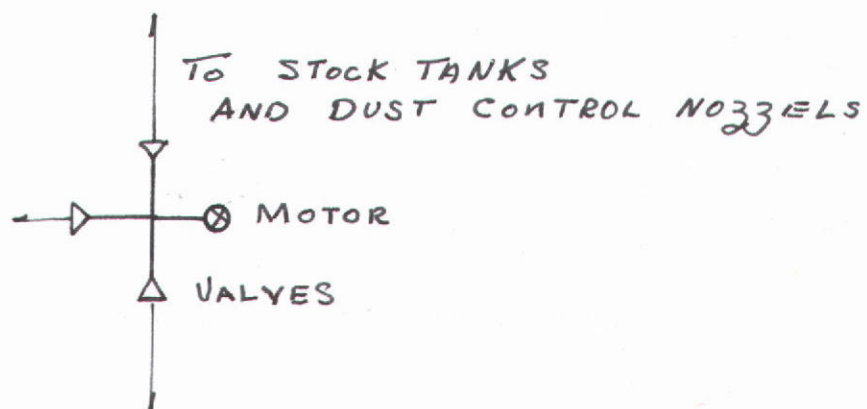


Diagram of System



MICROFILMED

MAR 06 1990

RECEIVED
FEB 10 1998
Department of Water Resource
Southern Region

Water Right No. 36-07646

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

WITHDRAWN
5-18-1998

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder Ray L. Commons
2. Mailing address 422 N 82 Ln W, Rupert, ID 83350
3. The right was obtained or is evidenced by:
 - a. Decree to Ray L. Commons in Case of State of Idaho
 vs. United States Et Al Dated 1-9-1997 in Snake River Basin Adjudication
(Name of Court)
 Court, County of Twin Falls Fully describe decree Partial decree in SRBA
 - b. License No. _____ c. Claim No. _____
 - d. SRBA No. 36-07646
4. Source of water Groundwater tributary to _____
(Name of stream or source)
5. Date of priority of right 9-24-1976
6. Description of Right:

amount 0.60 cfs for Stockwater purposes from 1-1 to 12-31
(cfs/ac-ft)

amount 1.00 for Commercial purposes from " to "
(cfs/ac-ft)
7. Point of Diversion NW 1/4 SE 1/4 of Sec. 30 Twp. 15 Rge. 23E County Lincoln

8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals	
75	23E	30														S,C	S,C	S,C	S,C	
																	Lt3	Lt4		

Total Acres _____

9. Give the last date when water was put to beneficial use unknown, but was before 1990
Length of extension of time requested five years, or until Feb 9, 2003
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use licensed use stopped before I bought the property in 1990. A couple of hundred cattle have been watered from domestic wells on the property, but the licensed well has not been used. There has been no commercial use for dust control. The federal government has objected to the SRBA claim on this license from 1993 until March of 1995, when the objection was dropped. This put a cloud over the legality of this right. I want to preserve the earlier priority date of this right, and will transfer the use to irrigation if the extension is approved.

The information contained in this application is true to the best of my knowledge.

Rae J. Common
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of February, 19 98.

J. F. Stanton
(Notary Public)

My commission expires 10-25-2000 Residing at Twin Falls, ID

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application subject to the following conditions or reasons:

Signed this _____ day of _____, 19 _____.

(DIRECTOR)

FOR DEPARTMENT USE ONLY

Date Received 2-9-1998 \$100 FEE Receipted by [initials] Date 2-9-98 Receipt # 5020877

Preliminary ☒ by [initials] Publication prepared by _____ Pub. approved by _____ Date _____

Published in Lincoln Co. Journal Dates Published 3/25 & 4/1/98

Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for - ☐ APPROVAL ☒ DENIAL By AD

RECEIVED

JAN 13 1997

Department of Water Resources

JAN 13 -9 PM 2:40

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

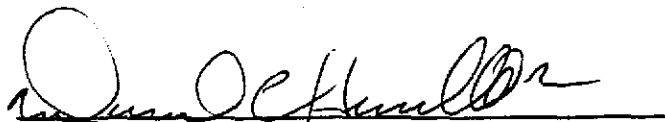
) For Water Right 36-07646

On November 7, 1996, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-07646 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 9, 1997.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR JAN -9 PM 2:40

Water Right 36-07646 DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: RAY L COMMONS
RT 5 BOX 64
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 1.05 CFS
522.8 AFY

PRIORITY DATE: 09/24/1976

POINT OF DIVERSION: T07S R23E S30 LOT 3 (SWNWSE)

Within LINCOLN County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.6 CFS
160.8 AFY
1.00 CFS
362.0 AFY

COMMERCIAL

01-01 12-31

COMMERCIAL USE IS FEEDLOT DUST CONTROL.

PLACE OF USE: STOCKWATER
T07S R23E S30

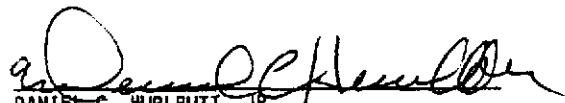
Within LINCOLN County
NESE Lot 3 (NWSE)

Lot 4 (SWSE)

SESE

Place of use for COMMERCIAL is same as STOCKWATER

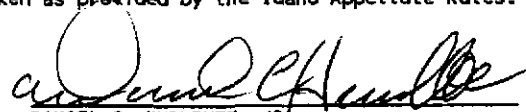
DATED: Jan. 9, 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

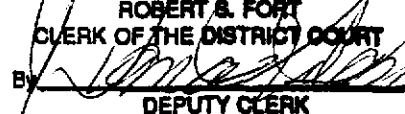
RULE 54(b) CERTIFICATE

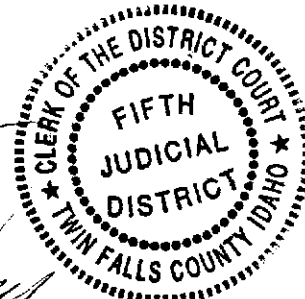
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: Jan 9, 1997


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07646

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-07646

Priority: September 24, 1976

Maximum Diversion Rate:
Maximum Diversion Volume:¹

1.05 CFS
522.8 AF

This is to certify, that BLINCOE FARMS INC.
THE TRAVELERS INSURANCE CO.

RT. 1

HEYBURN, ID 833360000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 24, 1976; and has submitted Proof of Beneficial Use on November 28, 1977. An examination indicates that the works have a diversion capacity of 1.050 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.60 CFS	160.8 AF
COMMERCIAL	01/01 to 12/31	1.00 CFS	362.0 AF
	Totals	1.05 CFS	522.8 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 3(NWSE), Sec. 30, Township 07S, Range 23E
LINCOLN County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07S 23E 30 NESE LOT 3(NWSE) LOT 4(SWSE)
SESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Commercial use is for dust control in feed lots.

MICROFILMED

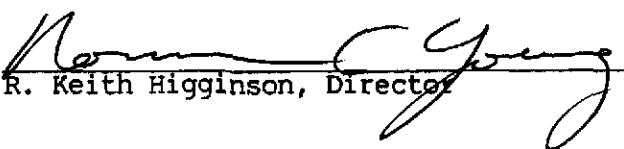
MAR 06 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 36-07646

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 23RD
day of FEBRUARY, 19 90.

Acting to


R. Keith Higginson, Director



MAR 06 1990

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
Orginial Permit	Blincoe Farms, Inc.	36-7646	1.6 cfs
Full Assignment	The Travelers Insurance Co. & Blincoe Farms, Inc.	36-7646	1.6 cfs

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

I, Blincoe Farms, Inc., hereby assign to The Travelers Insurance Company and Blincoe Farms, Inc.,
Real Estate Investment Dept., 707 S.W. Washington St. Name Portland, Oregon 97205 at
of Rt. 1, Heyburn, Idaho 83336,
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 36-7412; 36-7646 and 36-7678
to appropriate the public waters of the State of Idaho.

☐ 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. (Give that portion of the permit being assigned by describing the land list and the point of diversion - describe by acreage within each 40-acre subdivision.)

Made this 27th day of January, 1983.

BLINCOE FARMS, INC.

By: [Signature]

Permit Holder

Wife of Permit Holder

State of Idaho)
County of CASSIA) ss.

On this 27th day of January, 19 83, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Burley

My Commission expires June 30, 1985

MICROFILMED

original assignment is in file 36-7678

RECEIVED

SEP 24 1976

Department of Water Resources
Southern District OfficeSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

Identification No. _____

Application No. 36-7646

APPROVED

1. Name of applicant Blincoe Farms, Inc. Phone: 678-9384
post office address Heyburn, Idaho 83336
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is xxxx Lot 3 xx of Section 30 Township 7S
Range 23E B.M. Lincoln County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .6cfs for stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.0cfs for dust control purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.6 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, lines to stock tanks
and sprinkler system for dust control

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 20 inches; proposed depth of well is 325 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 50,000.
8. Description of proposed uses:
a. If water is **not** for irrigation: E 1/2 SE 1/4
(1) Give the place of use of water: Lots 2xxxx 3 and 4 x of Section 30 Township 7S
Range 23E B.M. _____
(2) Amount of power to be generated: _____ hp 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: _____
Feed lots will be sprinkled to control dust

RECEIVED
SEP 24 1976
SOUTHERN DISTRICT OFFICE

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
75	23E	30			X		STOCKWATER				{ Dust cont.				X	X	X	X	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None

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

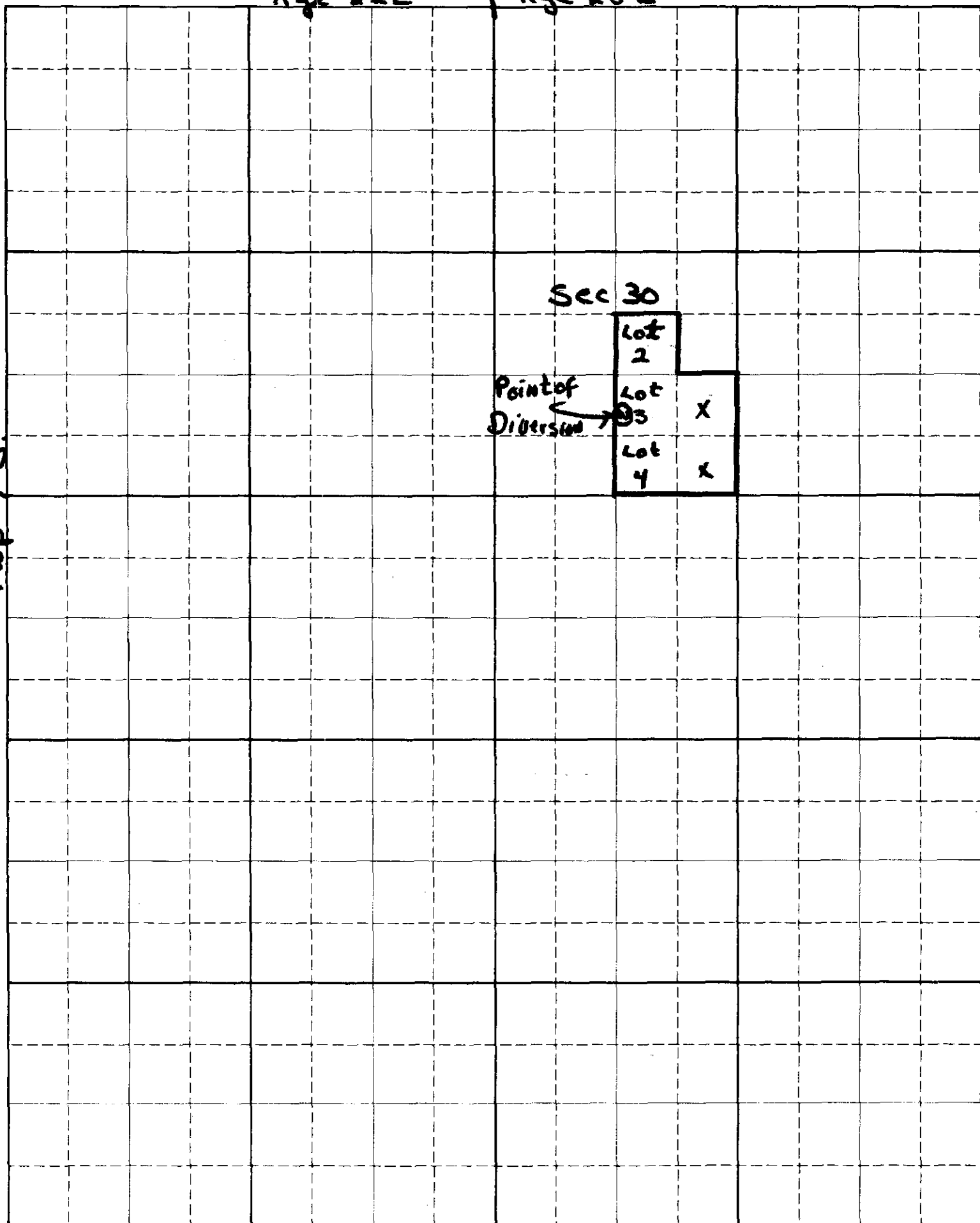
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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

Rge 22E | Rge 23E

16p 7 S.



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.

Blaine Farms Inc.
D. Blaine Pres.
(Applicant)

Proposed Priority 9-24-76

Received by TGB Date 9-24-76 Time 12:00

Preliminary check by mls Fee \$ 35.00

Received by TGB Date 9-24-76

Publication prepared by pj Date 9-27-76

Published in Lincoln County Journal

Publication dates 10-7 and 10-14-76

Publication approved LM Date 10-6-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by mls

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. 36-7646, and said application is hereby APPROVED.

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

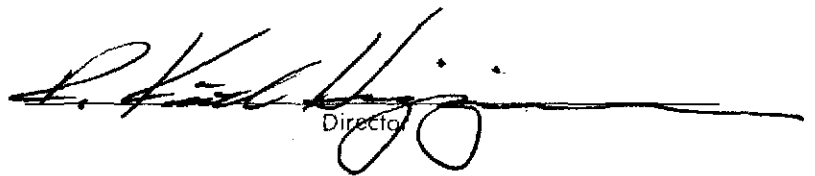
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 77.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 4 day of November, 19 76.


Director

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Lincoln } SS.

OCT 15 1976

Larry Hammel Department of Water Resources
being first duly sworn,
deposes and says that he is the printer (publisher) of the Lincoln
County Journal, a newspaper published every week in Shoshone, Lin-
coln County, State of Idaho; that said newspaper has been continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 7 day of October,
19 76, and the date of the last publication was on the 14
day of October, 19 76.

Larry A Hammel

Subscribed and sworn to before me this 14

day of October, 19 76
(SEAL)

Mayberrn Hagen
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice		
Number of Insertions		
Lines tabular at	315c	
<u>31</u> Lines straight at	21c	<u>6.51</u>
<u>31</u> Subsequent lines at	15c	<u>4.65</u>
TOTAL COST		<u>11.16</u>

COPY OF NOTICE

(Paste Here)

Water Permit

TITLE OF NOTICE

No. 36-7646

PLAINTIFF ATTORNEY

Blinnco Farms

DEFENDANT

PLAINTIFF

BILL TO

Idaho Water Resources
1041 Blue Lakes Blvd.
Twin Falls Id.

Notice is hereby given that
Blinnco Farms, Inc. Heyburn,
Idaho 83336 has on 9-24-76
submitted Application No. 36-
7646 for a permit to appropri-
ate 1.6 cubic feet per second of
water from groundwater by
means of well, pump, lines to
stock tanks & sprinkler system
within Lot 3, Sec. 30, Twp. 7S,
Rge. 23E, B.M. Lincoln County
to be used from Jan. 1 to Dec. 31
for stockwater and dust control
purposes within the B-48336,
Lots 2, 3 and 4, Sec. 30, Twp. 7S,
Rge. 23E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Resources, 1041 Blue Lakes
Bld., North Twin Falls, Idaho,
83301 on or before October 23,
1976.

/S/ R. KEITH ROBINSON
Director

Pub: 10-7, 14

NO 1522

O.K.
10-13-76



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 1999

RECEIVED

OCT 07 1999

Department of Water Resources
Southern Region

RECEIVED

DEC 8 1999

Department of Water Resources

RAYMOND L COMMONS
422 N 82 LANE WEST
RUPERT ID 83350

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. ~~A36-13458~~, ~~A3613459~~, ~~A36-02633~~, ~~A36-02164A~~,
~~A36-02164B~~, ~~A36-13452~~, ~~A36-13450~~, ~~A3607640~~, ~~A36-07296~~, ~~A36-13456~~
Change of Address

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it in the enclosed self-addressed envelope. Make corrections to your name and address if necessary before returning this letter. Please return this letter by. If your mail delivery address changes in any form, please contact us in writing so we can update our records.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

12.14.99 WR 2 updated - Ket

CT:ct

The address is correct as shown above or as otherwise changed.

Claimant Signature

data entered 10/14/99. ct
AJ only - ct

RECEIVED

MAY 18 1998

Department of Water Resources

State of Idaho

DEPARTMENT OF WATER RESOURCES

L. Glen Saxton, Chief

Water Allocation Bureau

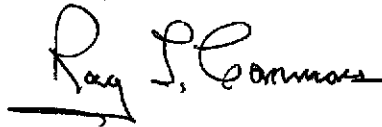
5-14-98

Dear Mr. Saxton:

*This is a notice to you that I would like to
withdraw the application for Extension of Time to
Avoid Forfeiture of Water Right 36-07646.- This is
in reference to your letter of May 4, 1998.*

Sincerely.

Ray L. Commons

A handwritten signature in dark ink, appearing to read "Ray L. Commons". The signature is written in a cursive style with a horizontal line underneath the first part of the name.

Ray L. Commons

422N 82 LN W

Rupert, ID 83350



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Ray L. Commons
422 N. LN W
Rupert, ID 83350

May 4, 1998

**RE: APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF
A WATER RIGHT - 36-07646**

Dear Mr. Commons:

The above referenced application has been forwarded from our Twin Falls office for review and final action. After review of the application, this office wants to provide you the opportunity to submit additional information.

The information you show on the application appears to state that water use as provided in License No. 36-07646 stopped sometime before you bought the property in 1990. Since section 42-204, Idaho Code, provides that any right which is not used for five (5) years shall be lost and forfeited, it appears that the department can not approve the application. If you have information to show that the right has not been forfeited through five consecutive years of nonuse, please provide it to me within fourteen (14) days of the date of this letter.

If you are unable to show that the right has not been forfeited, an alternative to avoid a denial is to withdraw the application. Withdrawal potentially allows you to resume the original use unless the resumption is contested by a third party.

If you do not respond or do not timely respond, the department will act on the application with the information presently available. If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Allen Merritt

FROM: Allen Merritt *AM*

DATE: April 15, 1998

TO: Extension of Time to avoid Forfeiture
Water Right(s): 36-07646

RECEIVED

APR 16 1998

In the Name of: Ray Commons

Department of Water Resources

SUBJECT: Review and Recommendation

This extension was advertised without protest. The application on its face represents that the right has not been used since 1990. The right was investigated in the SRBA in the early 1990's and recommended in 1993. The recommendation was objected to and then resolved in the SRBA process. A partial decree was issued on 01/09/1997.

A legal question exists in my mind whether the right has already been forfeited and whether or not the partial decree or SRBA process has somehow stopped the clock from running or reset the forfeiture clock.

It appears the alternatives include:

- Deny extension and find right forfeited.
- Approve extension based on finding partial decree reset clock.
- Approve extension with condition that priority advanced to date of application to prevent injury.

This needs legal and administrative review; with appropriate feedback given to staff on outcome of decision.

Based on my understanding of the law, it appears this extension should be denied and the right found forfeited.

FILE PROGRESS SUMMARY

APPLICANT: Ray L. Commons WATER RIGHT NO. 36-07646

WATER RIGHT NO. 36-07646

[illegible]

EXTENSION OF TIME TO AVOID FORFEITURE
ANALYSIS SHEET

1. INITIAL REVIEW BY: J. Stanton
2. RIGHT NUMBER 36-07696 APPLICANT Ray L. Commons
3. TYPE OF RIGHT: ☒ Decree ☐ License ☐ Claim
4. Is reason for request extension given on application?
✓ Yes No (If No, return Application)

5. CHECK:

- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period of Use
- (b) ✓ Description of Point(s) of Diversion
- (c) ✓ Description of Place of Use
- (d) ✓ Check for correct Signature, Notarization, Fee

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by:

- (a) Copy of Tax Notice, Deed, or other
in file.
- (b) ✓ County Assessor records. Date Contacted 2-11-98

7. Is the right in a Watermaster District? Yes ✓ No Dist.
(If Yes, send copy to Watermaster)

FINAL REVIEW IN REGION by AD

- (a) Is Application published correctly? X Yes No
- (b) Protest Received? Yes X No

RECOMMENDED ACTION

X Approve
Deny

See 4/15/98 memo

Conditions:

AFFIDAVIT of PUBLICATION

APR 02 1998

State of Idaho }
County of Lincoln } ss.

Department of Water Resources
Southern Region

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

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

25th day of March, 1998,

and the date of the last publication was on the 1st day of

April, 1998.

On this 1st day of April

in the year of 1998, before me, a Notary Public, personally appeared

Patty Blance, 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.

Norma L. Doe
Notary Public for Idaho

Residing at Jerome, ID

My commission expires: 3/6/01

#19084 / 6215
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

affidavit fee 2.25

Lines tabular at _____ 7¢/Pica

525.94 Lines straight at 31.56 6¢/Pica

525.94 Subsequent lines at 26.30 5¢/Pica

TOTAL COST 60.11

COPY OF NOTICE

(Paste Here)

36-07646 est. time
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE

Notice is hereby given that RAY L. COMMONS, 422 N 82 LN W; RUPERT ID 83350 has applied to the Department of Water Resources for an extension of time to avoid forfeiture of a Decreed Water Right. The extension is requested to avoid loss of the water right due to non-use while the water right was in litigation.

Water Right No. 36-07646

Priority Date: 09/24/1976

Name: Decreed to Ray L. Commons in case of State of Idaho vs United States Et Al dated 1/9/1997 in Snake River Basin Adjudication Court, Twin Falls County.

Source: groundwater

Use: 1/1-12/31

Stockwater (0.60 cfs)

Commercial (1.00 cfs)

Total diversion: 1.05 cfs

Point(s) of Diversion: NW1/4SE1/4, S30, T07S, R23E; Lincoln County.

Place of Use: SE1/4, S30, T07S, R23E; Lincoln County. Any protest against the proposed application must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before April 13, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub: 3/25-4/1

L19084

19084

**NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE**

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Karl J. Dreher, Director

Published in the Lincoln County
Journal on 03/25 & 04/01/98.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

March 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGALS DEPT
MAGIC VALLEY PUBLISHING CO
ATTN Lincoln County Journal
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Baldwin".

Mary Baldwin
Sr. Secretary

Enclosure

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE

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Karl J. Dreher, Director

Published in the Lincoln County Journal on 03/25 & 04/01/98.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

March 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RAY L COMMONS
422 N 82 LN W
RUPERT ID 83350

Re: Application for Extension of Time To Avoid Forfeiture,
No. 36-07646

Dear Mr. Commons:

The Department of Water Resources acknowledges receipt of your Application for Extension of Time to Avoid Forfeiture as referenced above.

This office has scheduled advertising the application in the Lincoln County Journal for 3/25 & 4/1/98.

The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest.

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

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

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

TO: File

DATE: February 11, 1998

FROM: Jim Stanton

SUBJECT: App. for Extension of Time to Avoid Forf., Ray Commons

I prepared this application based on information supplied by the applicant. Afterword, I talked to Mr. Blincoe, the former owner and operator of the feedlot. Blincoe told me that they had cattle there in 1988, but did not say how many. They lost the property in a bankruptcy, as their operating costs exceeded what they could get for their cattle (according to Commons). Commons bought the land from their main creditor. I inspected the licensed well last year in connection with a licensing exam on irrigated land across the road from the feedlot. The well was in poor condition, and did not look like it had been used for a long time. While there may still be some stock watering on this property, the usage is minimal. For all practical purposes, it appears that this right became forfeited in 1994. So I don't know if it can be reinstated now. Mr. Commons is mainly a farmer, not a cattleman, so he is not interested in operating a large feedlot; he made the choice to let the well sit unused. He is interested in protecting this license, which has an earlier priority than some of his irrigation rights. If the extension of time is approved, he plans to file a transfer to convert the right to irrigation use. I told him that we may not be able to grant the extension, but he decided to file for it anyway. The feedlot well could be tied into his irrigation wells for use on existing farmland, or he may irrigate some new land around the feedlot. This right was decreed in the SRBA in January of 1997.

SRBA

SUBCASE SUMMARY REPORT

36-07646

[Return to SRBA Home Page](#)

SRBA
02-11-1998

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-07646 FILE#: 00276
CLAIMANT: COMMONS, RAY L
STATUS: PD ISSUED
WATER SOURCE: GROUNDWATER,
ISSUES: QUANTITY OF WATER USED
PURPOSE OF USE DESCRIPTION

**** PARTIES INVOLVED ****

RAY L COMMONS	PRO SE
US DEPARTMENT OF JUSTICE	ATTY: DAVID HARDER
IDWR	ATTY: CLIVE STRONG

**** ROA ENTRIES ****

04-30-1993	OBJECTION 1 F/B U.S. DEPT OF JUSTICE	RF	09-01-1993	0001
09-09-1993	RESPONSE TO OBJ 1 F/B IDWR			0001
11-04-1993	ORDER OF REFERENCE APPOINTING TERRENCE DOLAN SPECIAL MASTER IN REPORTING AREA 3 (B-36)			
04-19-1994	ORDER STAYING PROCEEDINGS IN SUBCASES IN R.A. 1, 2 & 3 AND STAYING THE OBJECTION AND PERIOD AS TO THE DIR RPT OF THE U.S. & TRIBAL NONCONSUMPTIVE CLAIMS & THE DIR RPT FOR THE 1990 FORT HALL INDIAN WATER RIGHTS AGREEMENT AND STAYING PROCEEDINGS IN TWIN FALLS COUNTY CASE 39576 (DL13)	OT		
04-27-1994	AMENDED ORDER STAYING PROCEEDINGS IN SUBCASES IN REPORTING AREAS 1, 2 AND 3 & STAYING THE OBJECTION PERIOD OF THE DIR'S RPT OF THE U.S. & TRIBAL NON-CONSUMPTIVE CLAIMS & STAYING PROCEEDINGS IN TWIN FALLS COUNTY CASE NO, 39576 (DL19)			
12-07-1994	ORDER LIFTING STAY IN REPORTING AREAS 1, 2 AND 3; AND TWIN FALLS COUNTY CASE NO. 39576, AND CONTNUING STAY OF DIRECTOR'S REPORTS ABSTRACTING FEDERAL RESERVED WATER RIGHTS (DL43)	OL		
02-10-1995	ORDER SETTING MANDATORY SETTLEMENT CONFERENCE	LV	04-11-1995	0100
03-29-1995	STANDARD FORM 5 FILED		03-29-1995	
03-31-1995	ORDER VACATING SETTLEMENT CONFERENCE			
09-24-1996	PRELIMINARY MASTER'S REPORT & RECOMMENDATION	MB	10-08-1996	0500
09-24-1996	NOTICE OF ISSUANCE - PRELIMINARY R & R			
09-24-1996	CERTIFICATE OF MAILING - PRELIMINARY R & R			
11-07-1996	REPORT & RECOMMENDATION OF MASTER		11-07-1996	

2/11/98

8:55:07 AM

11-07-1996 NOTICE OF ISSUANCE - FINAL R & R
11-07-1996 CERTIFICATE OF MAILING - FINAL R & R
01-09-1997 ORDER OF PARTIAL DECREE
01-09-1997 PARTIAL DECREE ISSUED
01-09-1997 CERT OF MAILING FOR PARTIAL DECREE

01-09-1997

[Return to SRBA Home Page](#)

SRBA

DIRECTORS REPORT 36-07646

[Return to SRBA Home Page](#)

Name and Address: RAY L COMMONS
RT 5 BOX 64
RUPERT, ID 83350

Source of Water: GROUNDWATER

Priority Date: 09-24-1976

Purpose of Use:	Period of Use	Quantity
Stockwater	01-01 TO 12-31	.60 CFS
Commercial	01-01 TO 12-31	160.80 AFY
		1.00 CFS
		362.00 AFY

	Total Quantity:	1.05 CFS
		522.80 AFY

Basis of Claim: License

Non-Irrig. Uses: STOCKWATER, 12,000 BEEF FEEDLOT; COMMERCIAL, FEEDLOT DUST CONTROL

Diversion Point: T07S R23E S30 LOT 03 (SWNWSE)

Place of Use: Stockwater
T07S R23E S30 NESE LOT 03 (NWSE)
LOT 04 (SWSE) SESE

Place of Use: Commercial
Same as Other Use

Remarks: A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

[Return to SRBA Home Page](#)

1997 JAN -9 PM 2:40

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

) **CERTIFICATE OF MAILING**

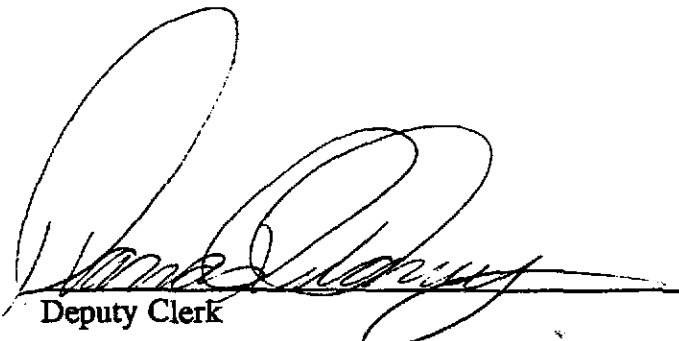
) **For Water Right 36-07646**

I certify that true and correct copies of the *Order on Partial Decree for Water Right 36-07646* and *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 36-07646* were mailed on January 9, 1997, with sufficient first-class postage prepaid to the following:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment & Natural Resources Div
550 W Fort St, MSC 033
Boise, ID 83724

Ray Commons
Route 5 Box 64
Rupert, ID 83350


Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 36-07646 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

MICROFILMED
OCT 19 1994

2. Person who filed objection:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 WEST FORT ST BOX 33
BOISE ID 83734

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. ☒ Quantity: I respond to the objection concerning:

3a. ☒ The total quantity of water used in cubic feet
per second.

7. ☒ Purposes of Use: I respond to the objection concerning
the purpose(s) of use.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3, 3.a and 7, and all allegations of the objection regarding those items, IDWR responds as follows: This right is based on a license issued by IDWR. The purposes of use, diversion rates and diversion volumes recommended are the same as shown on the license. Idaho Code Sec. 42-220 provides that the license is prima facie evidence of the right. IDWR further responds that the use of the stockwater portion of the right is consistent with the definitions of stockwater in the general provision 11.a, and the appropriation of water for stockwater purposes pursuant to the statutory permit and license process is not limited to the appropriation of small stockwater rights pursuant to the a statutory definition of

rights that are excepted from the statutory permit and license process. The stockwater portion of this right is quantified using the 12 gallons per day per head standard, which is the same standard applied to the United States claims and is the same standard recommended by the U.S. Environmental Protection Agency for small water systems. IDWR lacks sufficient information to form a belief as to the truth of the matter asserted in the attachment, and in particular lacks information as to the manner in which the census is conducted or whether this operation was included in the census. The diversion volume recommended for dust control purposes is not based on continuous year round diversion and does not include the right to water wet or muddy ground for dust control purposes. IDWR therefore denies the objection.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-07646

3

(Over)

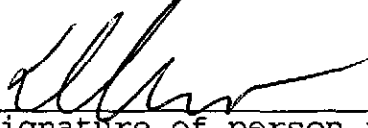
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

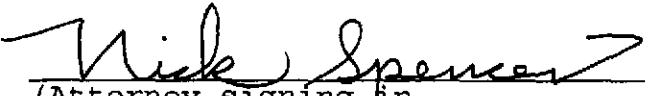
David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



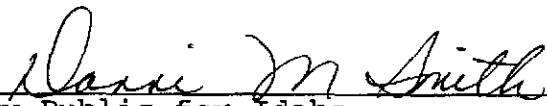
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 10th day of September,
1993.



Notary Public for Idaho
Residing at: _____
My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of September, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: RAY L COMMONS
Address: ROUTE 5 BOX 64
RUPERT ID 83350

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 WEST FORT ST BOX 33
BOISE ID 83734


Signature of Respondent or attorney
mailing on Respondent's behalf

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication of
Rights to the Use of Water from the
Snake River Basin Water System

Case No. 36-07646

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State of Idaho;
and all Claimants to the use of water
from the Snake River Basin Water
System,

Respondents.

OBJECTION

RECEIVED

MAY 04 1993

Department of Water Resources
Adjudication Bureau

36-07646 -0001/
93-04-0346

I. GENERAL INFORMATION

1. Person objecting:

Name: United States of America,
Environment and Natural Resources Division
550 West Fort Street
Box 33
Boise, Idaho 83734

Briefly describe your interest in this water right: The United States
holds water rights of many types in all reporting areas within the SRBA.

2. Owner of the water right:

Name: COMMONS, RAY L.
Address: Rt 5 Box 64
Rupert, ID 83350

3. If this objection is filed by an attorney:

Attorney Name: David W. Harder
Attorney Address: United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street
Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-5784

If filed by an attorney, notice of pending court proceedings will be sent to
the attorney only.

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OCT 19 1994

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right
2. ☐ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - ☒ a. the total quantity of water used in cubic feet per second; or
 - ☐ b. the total quantity of water stored in acre-feet per year; or
 - ☐ c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - ☐ a. the legal description of the place of use; or
 - ☐ b. the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.
12. ☐ Water Right Recommendation: I object to:
 - ☐ a. this water right being recommended at all; or
 - ☐ b. this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to certain paragraphs of the general provisions in the Director's report as noted on the attached "Reasons Supporting Objections and Proposed Changes".

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

See attached "Reasons Supporting Objections and Proposed Changes" numbered as per above check list.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

See attached "Reasons Supporting Objections and Proposed Changes" numbered as per above check list.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

[X] Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

REASONS SUPPORTING OBJECTIONS AND PROPOSED CHANGES - 2 Pages

ATTACHMENT A - 1 Page

VERIFICATION

In the District of Columbia,

The United States of America, being first duly sworn, upon oath, deposes and says:

That I am the entity filing this objection, that I am a water claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

By: David W. Harder
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 29th day of April, 1993.

Deane Passers
Notary Public for: District of Columbia

Residing at: District of Columbia

My Commission Expires: July 14, 1997

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right:

Name: COMMONS, RAY L.

Address: Rt 5 Box 64
Rupert, ID 83350

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

David W. Harder
Signature of Objector or attorney mailing
on Objector's behalf

REASONS SUPPORTING OBJECTIONS AND PROPOSED CHANGES

COMMONS, RAY L.

CASE NO. 36-07646

3. QUANTITY

a. The total quantity of water used in cubic feet per second

The Director's Report recommends a total quantity of 1.05 cfs for 36-07646. This recommended right is for a feedlot in Lincoln County. The maximum recommended quantity includes 0.6 cfs for stock watering and 1.0 cfs for dust control. The 0.6 cfs for stock watering is based on 12,000 head of cattle, each being provided 12 gallons per day. There is no justification for this quantity.

The 1987 Census of Agriculture provides information on the number of cattle in Lincoln County. The Census of Agriculture includes feedlot operations. The reporting form for the census asks for the number of cattle fattened on grain or concentrate for thirty (30) days or longer on a agricultural operation with sales of greater than \$1,000 during the census year. The number that results from this query is equivalent to the total number of cattle confined at and sold from a feedlot during the census year. In 1987, there were only 6,138 head of cattle that met this criterion in Lincoln County. These cattle were fed at 29 different places. The relevant page of the census is provided as Attachment A.

Given these facts, the number of cattle provided water at any one time, by recommended right 36-07646, is likely to be much less than 6,000. The recommended maximum quantity for stock watering should be less than 0.3 cfs and the recommended annual quantity less than 80 afy.

The recommended annual quantity for dust control is equivalent to about 0.1" per day based on the area of the feedlot as shown on the orthophotoquad of the area. The annual quantity assumes that

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OCT 19 1994

control is necessary throughout the entire course of the year, even when the ground is wet or muddy from normally occurring precipitation. Application of water for dust control purposes on wet or muddy ground should not be considered a beneficial use. The annual quantity should be lessened accordingly. An appropriate amount may be 300 afy.

7. PURPOSE(S) OF USE

The Director's Report identifies stockwater as the purpose of use for 0.6 cfs and 160.8 afy of this recommended right. The annual volume is equivalent to 143,553 gallons per day.

I.C. § 42-1401(13) defines "stock watering use" as "the use of water solely for livestock or wildlife where the total use is not in excess of thirteen thousand (13,000) gallons per day." The amount recommended for 36-07646 is in excess of this amount. The amount proposed in this objection also exceeds 13,000 gallons per day.

Both components of use for this right are commercial use and should be recommended as such.

R PROOF



CVR



MAPS



PHOTOS



MISC



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FEB 04 1983

Water Right Number - R36-07646

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
COMMONS

RAY L.

1 - RT 5 BOX 64

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-0362

*** O - ORIGINAL OWNER ***
BLINCOE FARMS INC.

1 -

2 -

3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

BLINCOE FARMS INC.

1 - RT. 1

2 -

3 -

City- HEYBURN

State- ID Zip- 833360000

Phone - 208-000-0000

THE TRAVELERS INSURANCE CO.

1 - C/O DONALD S. REED, GEN. MGR.

2 - 960 BROADWAY AVE.

3 -

City- BOISE

State- ID Zip- 837063623

Phone - 208-000-0000

+ - - Priority Date - - +
09/24/1976

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

07S 23E 30 SW NW SE 3 (63) LINCOLN

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER

01/01

12/31

0.600

160.80

10 - COMMERCIAL

01/01

12/31

1.000

362.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.050 522.80 0.0

+ - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

07S 23E 30

NE SE

04

STOCKWATER

(63) LINCOLN

07S 23E 30

NW SE

3

04

STOCKWATER

(63) LINCOLN

07S 23E 30

SW SE

4

04

STOCKWATER

(63) LINCOLN

07S 23E 30

SE SE

04

STOCKWATER

(63) LINCOLN

Water right number - R36-07646

Prefix Translation: RESEARCH

+ - - Diversion Means - WELL, PUMP, PIPELINES & SPRINKLERS.

+ - - Non-Irrigation Use - STOCKWATER 12,000 BEEF FEEDLOT; COMMERCIAL DUST CONTROL FEEDLOT

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/12/91 STERLING 05/10/91 STERLING 01/31/92 THORNTON

+ - - - - - Comments - - - - -
Date: 01/31/1992 User Id: THORNTON Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE 9/6/90 BY JG.

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C001839	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR	Notice of Error Flag	-

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1

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

2. Measurements:

Measurements:

472 gal/min = 1.05 cfs. (see Idaho Power Meas.)

12,000 HD Range Cattle x .0134 = 160.8 AFA.

12,000 HD " " " = 264 cfs

Commercial (1.0)(1.98) (~~6.5~~⁶¹ dys) = ~~77.7~~ AFA. = 130.78 AFA.

365 ~~dys~~ / ~~yr~~ x 12 hrs/dy ÷ 24 = 61 dys/ANO.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached (365 days) (12 hrs/day) (1.9833)
= 362.0068

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: $(3) \times (4) \div 8.8 = \underline{\hspace{1cm}} (5)$

Meter Input KW: $3.6 \times \text{KH} \times \text{CTR or MULT} \times \text{PTR} \times \text{N} / \text{T} =$ (6)

Meter Input HP: $(6) \times 1.34 = \underline{\hspace{2cm}}$ (7)

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

Panel Input HP: $(6) \times 1.34 = \underline{\hspace{1cm}} (7)$ Efficiency: $(5)/(7) \times 100 = \underline{\hspace{1cm}} \%$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{10cm}}$$
$$V_{DB} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\underline{365}}$$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

MAR 06 1990

[illegible]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1-1	12-31	1.0 cfs	~~362~~ 362 AFA
Livestock	1-1	12-31	0.6 cfs	~~128.8~~ 128.8
			Totals:	~~22~~ 1.05 ~~287.0~~ AFA 523.0
Recommended Amendments				

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Sally Funderburg
Signature Sally Funderburg
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

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

DECLASSIFIED

MAR 06 1950

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:12:27
03/20/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07646

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	N			N		MS 3/25/91	—	HAT 1/23/92
POINT OF DIV	X N			Y add 10 acre desc.	2		HAT 1/31/92	
SOURCE	N			N			—	
PLACE OF USE	X N			Y	6		HAT 1/31/92	
DIV. AMOUNT CFS/VOLUME	N			Y	6		HAT 1/31/92	
CONSUMPTIVE USE	N			N			—	
PURPOSES	N			N			—	
PERIOD OF USE	N			N			—	
BASIS OF CLAIM	X N			Y Now License			—	
REMARKS	X N			Y (Put in Comments)	6	✓	—	✓

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:12:27
03/20/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07646

LAST: BLINCOE FARMS INC.
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

FIRST:

STATE: ID ZIP: 0

LAST: BLINCOE FARMS INC.
ADDRESS: RT. 1
CITY: HEYBURN
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

FIRST:

STATE: ID ZIP: 833360000

LAST: THE TRAVELERS INSURANCE CO.
ADDRESS: C/O DONALD S. REED, GEN. MGR.
960 BROADWAY AVE.
CITY: BOISE
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

FIRST:

STATE: ID ZIP: 837063623

LAST: COMMONS
ADDRESS: RT. 5 BOX 64
CITY: RUPERT
PHONE NUMBER: 208-436-0362

OWNER CODE: C

FIRST: RAY L.

STATE: ID ZIP: 83350

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
N

CLAIM REMARKS: OWNERSHIP CHANGE 9/6/90 BY JG.

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FEB 04 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

UNPROCESSED

FEB 04 1993

A. AJ CLAIM: # A36-07646 PRIORITY DATE: 09-24-1976 STAGE: P
B. WR RECORD: # 36-07646 PRIORITY DATE: 09-24-1976 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS: Claim was submitted while it was still a permit - right was licensed
2/23/90. Basis of claim should be license.

=====

RECOMMENDED PRIORITY DATE:
09-24-1976

REVIEWED BY mp

DATE 3/25/91

=====

UNRECORDED

FEB 04 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07646	07S	23E	30		NW	SE	3	LINCOLN

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07646	07S	23E	30		NW	SE	3	LINCOLN

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
	Y	N	Y	N

REMARKS:

P/D is described only to 40 acre tract, map in file identifies exact location of well

RECORDED

FEB 04 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>07S</u>	<u>23E</u>	<u>30</u>	<u>SW</u>	<u>NW</u>	<u>SE</u>	<u>03</u>	<u>Lincoln</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: ms

DATE: 3/26/91

RECORDED
FEB 04 1993

A. ROOT WATER RIGHT NUMBERS: A36-07646

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM ACRES
07S	23E	30	NW	SE	3	COMMONS , RAY L.	A36-07646 /	36-07646 /	41.0		
07S	23E	30	SW	SE	4	COMMONS , RAY L.	A36-07646 /	36-07646 /	43.0		
07S	23E	30	SW	NE	2	COMMONS , RAY L.	A36-07646 /	- /	19.0		
07S	23E	30	NE	SE		COMMONS , RAY L.	A36-07646 /	36-07646 /	37.0		
07S	23E	30	SE	SE		COMMONS , RAY L.	A36-07646 /	36-07646 /	36.0		
TOTAL ACRES							A36-07646		176.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
X

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

POU was claimed as permitted, recommended as licensed (licensed 2/23/90),
∴ SWNE Sect. 30 should not be recommended. See licensing field exam in file.

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: MB

DATE: 3/26/91

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07646	STOCKWATER	FROM 01-01 TO 12-31	.600 CFS
A36-07646	COMMERCIAL	FROM 01-01 TO 12-31	1.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			1.600 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07646	STOCKWATER	FROM 01-01 TO 12-31	.600 CFS 160.80 AF/A
36-07646	COMMERCIAL	FROM 01-01 TO 12-31	1.000 CFS 362.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED			1.050 CFS 522.80 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() Explain in remarks, below.

REMARKS:

Div. rate claimed as permitted, but recommended as licensed, ∴ total div. rate should be recommended as 1.05 cfs. See licensing field report & pump test field data. Licensed div. volume will be recommended.

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FEB 04 1983

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(X)

AJ TOTAL CLAIMED DIVERSION RATE: 1.600 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.050 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
X N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(X) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

MICROFILMED

FEB 04 1993

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

NOTIFIED

FEB 04 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
STOCKWATER	01-01 12-31	0.600 <u>0.60</u>	160.80	0.0 <u>0.0</u>
COMMERCIAL	01-01 12-31	1.000 <u>1.00</u>	<u>362.00</u>	<u>0.0</u>
TOTAL FOR THIS RIGHT		~~1.600~~ 1.05	522.80	

REVIEWED BY: _____

DATE: _____

12000 head range
cattle

FEB 04 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	(X)	()
ADDITIONAL DIV. AMOUNT _____	(X)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07646

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	1.050	<u>1.05</u>	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07646	1.600	-		36-07646	1.050
TOTAL CFS		1.600				1.050

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
<u>X</u>	<u>Y</u>

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

RECORDED

FEB 4 1993

B

D35
842

MAR 02 1990

RECEIVED

CLARISON
FARMS

DUST control Heads

CLARISON
FARMS

FEB 04 1990

RECEIVED

SEP 26 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-7646

1. Owner: Blinco Farms

Phone No. _____

Current Address: _____

2. Accompanied by: Richard Blinco

EXAM. DATE: 7-18-78
8-1-86

Address: _____

Phone No. _____

Relationship to Permit Holder: owner

3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

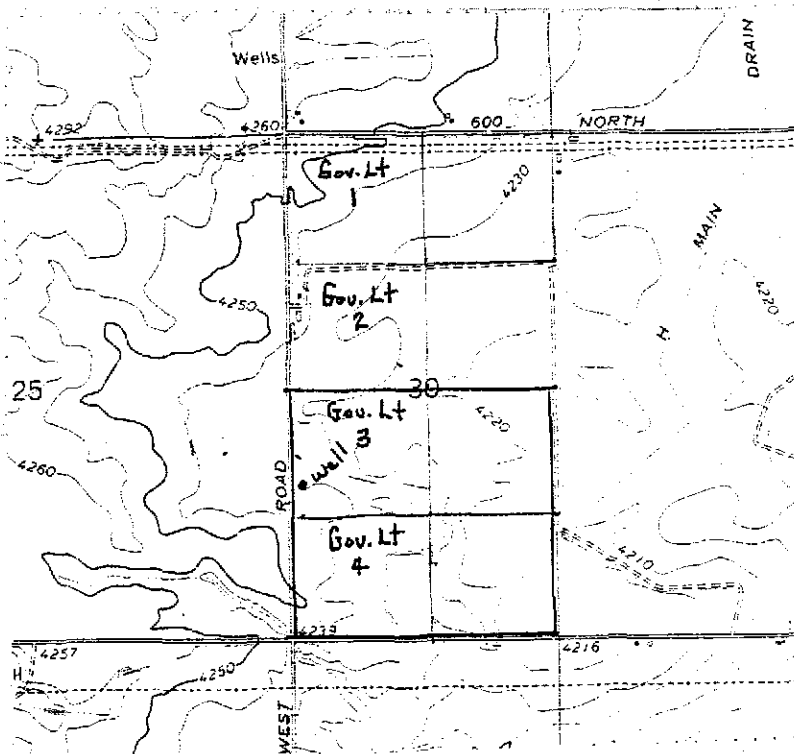
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



T 7 S
R 23 E

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Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
- ☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more).

MAR 06 1990

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FEB 04 1993

System Description (continued)

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

8" dia. well, motor pump w/ lines to location on corral post. & lines to watering troughs.
Dust Control water system operates daytime only & it takes 3 days to cover all the Area.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	G.E	100	JMJ91536	Johnston	5952' 8" discharge

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	3	SW	NW	SE	30	7S	23E	Lincoln	Photos

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	23E	30													X	X	X	X	

(x) Commercial & Livestock.

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Do not use this space

MAR 06 1990

District Rupert Date August 10, 1982
 Customer Blinnco Farms Account Number _____
 Address _____ City _____ State _____ Zip _____
 Meter Number 3-4961 Demand - 77
 Pump Location STA. # 100 HP @ Feed lot. Type _____
 Motor Nameplate G.E. Induction Motor Model - 5K6267X H-15A
100 HP Volts - 230/460 FL Amps - 234/117
Cycles - 60 Phase - 3
 Pump Nameplate Johnson Base

Bowl Size _____ Column Size _____ Depth Setting _____ (ft)

Pump Design _____ GPM @ _____ TDH _____ (ft)

Well Depth 515 ft Diameter 8 in. 3/4 in Static Water Level 334 ft

Pumping Level _____ Usual Discharge Pressure _____ Suction Pressure _____

Meter Disc Revolutions _____ Meter Constant _____ Seconds (time) _____

CT Ratio _____ PT Ratio _____ Or Multiplier _____ Inst. Demand _____

Flow Meter Device _____ Recorded Demand 77 KW

FORMULA

- ne
- Total Head Pressure (2.31 x Pressure) + Pumping Level
 against the pump: (2.31 x 76#) + 334 = 509 TDH in feet
- Flow: Pipes under 10" $2.55(ID)^2 - ID \times \text{Meter Reading} = \text{Flow in GPM}$
 Pipes over 10" $2.45 \times (\text{Pipe ID})^2 \times \text{Meter Reading} = \text{Flow in GPM}$
 $2.45 \times (8)^2 \times 3.36 = 472.5$ Flow in GPM
- Water Horsepower: Flow x TDH / 3960
 $(472) \times (509) / 3960 = 60.66$ Water Horsepower
- Input KW: .PF x Avg Volts x Avg Amps x 1.732 / 1000
 OR () x () x () x 1.732 / 1000 = _____ Input KW
- Input KW: Rev x Kh (x multiplier x 3.6) ÷ seconds = 82.7 KW
 $13.2 \times 18.8 / 3.6 = 82.7$
- Horsepower Input: Input KW / .746
 $82.7 / .746 = 110.9$ Input Horsepower
- Plant Efficiency: Water H P / Input H P x 100
 $60.66 / 110.9 \times 100 = 55\%$ Plant Efficiency

Collins Flow Readings

	A	B
1	3.1	3.65
2	3.2	3.7
3	3.6	3.55
4	3.6	3.55
5	3.0	3.1
6	3.05	2.5

Power Read. at Various Pressures

	PSI	Rev.	Seconds	KW	Produced Hp
1	10	5	8.9	87.4	1.7
2	54	5	9.6	81.6	2.0
3	10	5	9.1	83.5	1.5
4	76	10	15.3	57.7	1.2

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MAR 06 1990

12 Readings Total 472.5 ÷ 12
 = 39.375 (Line 2 Meter Reading)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

COPY

Ident. Number: A36-07646
Date Received: 7/05/1988
Receipt No: 000183902
Received By: _____

FOR YOUR FILES
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW
DO NOT RETURN

1. Name: THE TRAVELERS INSURANCE CO.
Address: C/O DONALD S. REED, GEN. MGR.
960 BROADWAY AVE.
BOISE, ID 837063623

2. Date of Priority: SEP 24, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	23E	30	NW	SE		3	LINCOLN

5. Description of diverting works:
WELL, PUMP, PIPELINES & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.600		
COMMERCIAL	01/01	12/31	1.000		

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses: none

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	SW	NE	2	STOCK	
			NE	SE		STOCK	

A36-07646

Page 1

Date: 07/08/88

MICROFILMED

OCT 19 1988

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	NW	SE	3	STOCK	
			SW	SE	4	STOCK	
			SE	SE		STOCK	

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

C/DUST CONTROL FEED LOTS.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am General Manager of _____ Title

The Travelers Insurance Company , that I have signed the foregoing Organization

document in the space below as General Manager of Title

The Travelers Insurance Company and that the statements contained in the Organization

foregoing document are true and correct.

Donald S. Road
Signature of Authorized Agent
General Manager
The Travelers Insurance Company
Title and Organization

July 8, 1988

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of July 19 88

Seal

Carsten Fritschel
Notary Public

Residing at Engle, Id

My Commission Expires 3-21-94

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	23E	30	NW	SE		3	LINCOLN

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WELL, PUMP, PIPELINES & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.600		
COMMERCIAL	01/01	12/31	1.000		

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses: 12,000 h.d.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	SW	NE	2	STOCK	
			NE	SE		STOCK	

A36-07646

Page 1

Date: 07/08/88

MICROFILMED

OCT 19 1984

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	NW	SE	3	STOCK	
			SW	SE	4	STOCK	
			SE	SE		STOCK	

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

C/DUST CONTROL FEED LOTS.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am General Manager of _____ Title

The Travelers Insurance Company, that I have signed the foregoing Organization

document in the space below as General Manager of Title

The Travelers Insurance Company and that the statements contained in the Organization

foregoing document are true and correct.

Donald S. Reed
Signature of Authorized Agent
General Manager
The Travelers Insurance Company
Title and Organization

July 8, 1988

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of July 19 88

Seal

Carsten Fritschke
Notary Public

Residing at Engle, Id

My Commission Expires 3-21-94

DIRECTOR'S REPORT CONVERSATION MEMO

436-07646

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

RAY COMMONS

Ray Commons

RT 5 Box 64

RUPERT ID 83350

Ph. (208) 436-0362

2. SUBJECT OF INQUIRY:

Mr Commons asked for clarification about the objection papers he had received and information as to what he could do. He wanted more information about the filing requirements for domestic + stock wells and the limitations for diversions from domestic and stock wells and if multiple D/s claims could be filed on to cover his water needs. He also remarked about government agencies attempting to take his water. He asked for further information on D/s claims.

3. RESPONSE TO INQUIRY:

I told him to consult with his legal counsel and that he must respond thru the District Court. We can provide him with our file records on his claims and any actions taken by the Dept. of Water Resources on his claims.

I sent him a copy of Standard Form 2, "Response to Objection" and a copy of "Instructions for Filing a Notice of Claim to a Water Right for Domestic/Stockwater Purposes." (Form 42-1409(2)b) with references to pages 4, 5, 8 and 9

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

Robert V. Worstell 7/22/93 9:45 am

ROBERT V. WORSTELL R.V.W.

436-07646

MICROFILMED

OCT 19 1994

DIRECTOR'S REPORT CONVERSATION MEMO

436-07646

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Include address and phone no.
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Print name and initial

WATER RIGHT CLAIM (Nos.):

Robert V. Worstell 7/22/93 9:45 am

ROBERT V. WORSTELL R.V.W.

436-07646

MICROFILMED

OCT 19 1994

Table 11. Cattle and Calves—Inventory and Sales: 1987 and 1982—Con.

(For meaning of abbreviations and symbols, see introductory text)

Item	Latah	Lemhi	Lewis	Lincoln	Madison	Minidoka	Nez Perce	Oneida
SALES								
Dairy products sold.....farms, 1987..	8	28	-	107	43	79	4	19
.....1982..	16	27	-	134	62	97	9	29
.....\$1,000, 1987..	201	1 228	-	8 028	3 158	8 085	(D)	1 190
.....1982..	368	664	-	9 063	3 327	10 384	234	1 681
Cattle and calves sold.....farms, 1987..	284	296	86	263	240	390	192	199
.....1982..	321	278	117	291	286	492	239	227
.....number, 1987..	5 810	30 296	2 809	17 687	11 971	19 512	9 048	10 420
.....1982..	6 865	30 677	5 000	45 949	11 062	21 622	12 216	13 908
.....\$1,000, 1987..	2 433	13 053	1 215	9 274	5 150	9 700	4 525	4 087
.....1982..	2 394	10 721	1 789	24 805	4 437	9 101	4 487	4 654
1987 farms by number sold:								
1 to 9.....farms..	138	55	21	38	84	114	60	46
.....number..	594	263	103	171	343	499	272	189
10 to 19.....farms..	55	35	20	57	40	76	42	34
.....number..	741	488	297	810	541	1 065	568	485
20 to 49.....farms..	63	50	25	92	53	107	51	50
.....number..	1 874	1 633	775	2 959	1 586	3 133	1 549	1 630
50 to 99.....farms..	22	50	13	41	32	51	24	34
.....number..	1 553	3 549	844	2 701	2 126	3 690	1 578	2 333
100 to 199.....farms..	4	60	7	22	17	21	8	27
.....number..	(D)	8 173	790	3 083	2 302	2 641	1 148	3 440
200 to 499.....farms..	2	39	-	12	11	17	5	8
.....number..	(D)	11 114	-	(D)	3 053	5 059	(D)	2 343
500 or more.....farms..	-	7	-	1	3	4	2	-
.....number..	-	5 076	-	(D)	2 010	3 425	(D)	-
Calves sold.....farms, 1987..	111	123	36	115	91	147	66	107
.....1982..	138	141	58	103	111	208	128	124
.....number, 1987..	1 428	7 206	577	2 724	2 422	4 445	1 165	4 619
.....1982..	2 247	11 387	1 143	3 006	2 147	4 301	3 445	5 513
.....\$1,000, 1987..	469	2 182	180	725	643	1 211	386	1 572
.....1982..	570	3 046	325	552	561	919	895	1 393
1987 farms by number sold:								
1 to 9.....farms..	66	27	18	32	46	57	35	31
.....number..	222	93	65	143	185	244	140	136
10 to 19.....farms..	23	18	8	39	23	27	15	22
.....number..	303	235	105	545	309	343	196	310
20 to 49.....farms..	15	34	7	30	8	37	9	24
.....number..	460	1 022	177	918	180	1 071	247	861
50 to 99.....farms..	7	23	3	10	8	17	6	17
.....number..	443	1 559	230	639	618	1 078	(D)	1 088
100 to 199.....farms..	-	13	-	4	3	6	-	8
.....number..	-	1 830	-	479	410	783	-	1 025
200 to 499.....farms..	-	6	-	-	3	3	1	5
.....number..	-	2 467	-	-	720	926	(D)	1 199
500 or more.....farms..	-	-	-	-	-	-	-	-
.....number..	-	-	-	-	-	-	-	-
Cattle sold.....farms, 1987..	261	267	76	234	201	324	175	158
.....1982..	291	255	109	260	245	415	213	177
.....number, 1987..	4 382	23 090	2 232	14 963	9 549	15 067	7 683	5 801
.....1982..	4 618	19 290	3 857	42 943	8 915	17 321	8 771	8 395
.....\$1,000, 1987..	1 965	10 870	1 035	8 549	4 507	8 490	4 139	2 515
.....1982..	1 824	7 674	1 464	24 253	3 875	8 181	3 592	3 262
1987 farms by number sold:								
1 to 9.....farms..	147	63	20	47	87	104	70	53
.....number..	600	291	82	194	336	454	291	213
10 to 19.....farms..	41	32	18	66	19	73	32	22
.....number..	542	425	270	936	251	1 010	436	301
20 to 49.....farms..	55	51	21	67	45	79	42	43
.....number..	1 568	1 682	634	2 176	1 375	2 322	1 319	1 293
50 to 99.....farms..	13	42	13	26	24	38	16	23
.....number..	921	2 965	776	1 673	1 487	2 706	992	1 488
100 to 199.....farms..	3	48	4	16	16	14	9	14
.....number..	(D)	6 559	470	2 234	2 246	1 761	1 221	1 711
200 to 499.....farms..	2	25	-	11	7	12	4	3
.....number..	(D)	6 612	-	(D)	1 894	3 389	(D)	795
500 or more.....farms..	-	6	-	1	3	4	2	-
.....number..	-	4 356	-	(D)	1 960	3 425	(D)	-
Cattle fattened on grain and concentrates sold.....farms, 1987..	49	25	7	29	16	61	25	31
.....1982..	54	22	9	30	25	58	24	34
.....number, 1987..	363	1 107	131	6 138	687	5 317	1 877	398
.....1982..	363	657	97	(D)	789	4 050	498	958
.....\$1,000, 1987..	160	671	53	4 114	396	3 389	1 292	182
.....1982..	191	293	35	(D)	428	2 261	274	463
1987 farms by number sold:								
1 to 9.....farms..	46	13	1	6	12	24	15	26
.....number..	140	45	(D)	48	34	82	65	(D)
10 to 19.....farms..	1	2	4	7	-	12	3	1
.....number..	(D)	(D)	70	111	-	170	36	(D)
20 to 49.....farms..	1	5	2	5	1	9	2	3
.....number..	(D)	198	(D)	147	(D)	273	(D)	81
50 to 99.....farms..	-	1	-	5	1	7	1	-
.....number..	-	(D)	-	317	(D)	522	(D)	-
100 to 199.....farms..	1	3	-	2	1	3	3	-
.....number..	(D)	397	-	(D)	(D)	2	-	-
200 to 499.....farms..	-	1	-	3	-	-	-	1
.....number..	-	(D)	-	910	(D)	-	-	(D)
500 or more.....farms..	-	-	-	1	-	-	-	-
.....number..	-	-	-	(D)	-	-	-	-

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OCT 19 1987

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: ~~A36-07646~~
Date Received: 7/13/1988
Receipt No: C001839
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: RAY L. COMMONS 208-436-0362
Address: RT. 5 BOX 64
RUPERT, ID 83350

2. Date of Priority: SEP 24, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	23E	30	NW	SE		3	LINCOLN

5. Description of diverting works:
WELL, PUMP, PIPELINES & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.600		
COMMERCIAL	01/01	12/31	1.000		

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER/12,000 BEEF FEEDLOT; COMMERCIAL/DUST CONTROL @ FEEDLOT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	SW	NE	2	STOCK	
			NE	SE		STOCK	
			NW	SE	3	STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	SW	SE	4	STOCK	
			SE	SE		STOCK	

11. Place of use in counties: LINCOLN

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 9/6/90 BY JG.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Sep-1990 11:47

Ray L. Commons
Rt. 5 Box 64
Rupert, ID 83350

Re: No. A36-02059, 2164, 2177, 7646, 7678

Dear Mr. Commons:

The Department has changed the record of the current owner as you requested on the above listed adjudication water right(s). Please find enclosed a copy of the computer record of the claim(s) noting the change in claimant.

I check our computer system but find no records for A36-7286. Please review the enclosed copies, should you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

Encl:

RECORDED

FEB 04 1993

COPY

SPECIAL WARRANTY DEED AND BILL OF SALE

THIS INDENTURE, made this 9th day of May, 1990, between THE TRAVELERS INSURANCE COMPANY, a Connecticut corporation, the Grantor, and RAY L. COMMONS, whose address is Route 5, Box 64, Rupert, Idaho 83350, the Grantee,

W I T N E S S E T H:

That the said Grantor, for and in consideration of the payment to it of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, by the said Grantee, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee, and to his heirs, successors and assigns forever, the following described real estate situate in the Counties of Minidoka and Lincoln, State of Idaho, to-wit:

REAL PROPERTY

PARCEL 1:

TOWNSHIP 8 SOUTH, RANGE 22 EAST, B.M., MINIDOKA COUNTY,
IDAHO

Section 1: All
Section 2: E $\frac{1}{4}$
Section 12: NW $\frac{1}{4}$

TOWNSHIP 8 SOUTH, RANGE 23 EAST, B.M., MINIDOKA COUNTY,
IDAHO

Sections 4 and 9: A portion of Farm Unit E, Tract E,
described as follows:

Commencing at the northwest corner of
said Tract E:
Thence South 650 feet;

MICROFILMED

FEB 04 1993

Thence East 175 feet;
Thence North 650 feet;
Thence West 175 feet to the Point of
Beginning.

PARCEL 2

TOWNSHIP 7 SOUTH, RANGE 22 EAST, B.M., LINCOLN COUNTY, IDAHO

Section 24: E $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL 3

TOWNSHIP 7 SOUTH, RANGE 22 EAST, B.M., LINCOLN COUNTY, IDAHO

Section 13: S $\frac{1}{2}$ SW $\frac{1}{4}$
Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25: All
Section 26: SE $\frac{1}{4}$
Section 36: All

TOWNSHIP 7 SOUTH, RANGE 23 EAST, B.M., LINCOLN COUNTY, IDAHO

Section 19: Lots 1, 2, 3, 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 30: Lots 1, 2, 3, 4, E $\frac{1}{2}$ SE $\frac{1}{4}$

AND, together with all and singular the rights, interests and privileges therein, fixtures thereon and appurtenances thereunto belonging or in anywise appertaining, whether now or hereafter acquired, which shall include, without limiting the generality of the foregoing, the following:

All of the rents, issues and profits, including but not limited to all rents, royalties, bonuses and benefits under any existing or future oil, gas or mineral or other leases; all easements and rights of way; all rights of homestead, and all contingent rights in and to said premises;

All water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and pipeline easements or irrigation system easements and any permits, licenses, certificates or shares of stock evidencing any such water or ditch rights, including, without limitation, Water Licenses Nos. 36-2059, 36-2164, 36-2177, 36-7286, 36-7646 and 36-7678 (proof of beneficial use has been applied for 36-7286);

RECORDED

FEB 04 1993

All buildings and the plumbing, heating, cooling, humidifying, ventilating and lighting systems and equipment therein; all wells, dams, diversion works, ditches, flumes, siphons, pipelines, ponds, pumps, motors, valves, screens, and any facilities used in connection with the operation of any of the foregoing facilities or necessary for the proper and effective operation and use of any of the foregoing or for the proper irrigation or drainage of the portions of the described lands which are used for agricultural production;

Specifically, and without limiting the scope of the preceding descriptions, the fixtures which are included in the "Irrigation Equipment" described in Exhibit A, attached hereto and made a part hereof;

ALL IRRIGATION EQUIPMENT AND APPURTENANCES THERETO TRANSFERRED BY THIS INSTRUMENT ARE SOLD BY THE GRANTOR AND ACCEPTED BY THE GRANTEE IN THEIR PRESENT CONDITION, AND THE GRANTOR HAS NO OBLIGATION TO REPAIR, MODIFY OR REPLACE ANY OF THE IRRIGATION EQUIPMENT.

Said described property is conveyed subject to (1) all taxes and assessments for the year 1990 and subsequent years, (2) all reservations in patents or deeds in the chain of title, (3) all easements and rights of way visible on the property or appearing of record in the offices of the County Recorders of Lincoln and Minidoka Counties, Idaho, (4) all covenants and restrictions appearing of record in the offices of said Recorders, and (5) all items listed as exceptions in Commitment for Title Insurance No. BF-767708 issued by Land Title and Escrow, Inc., on March 1, 1990, as shown in the copy of Schedule B-Section 2 thereof which is attached hereto and made a part hereof.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

FEB 04 1993

appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantor.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the Grantee and to his heirs, successors and assigns forever.

Grantor warrants to the Grantee, and his successors in title, that Grantor has not created or permitted to be created any lien, charge or encumbrance against said real estate which is not shown or referred to herein, and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claims of all persons; PROVIDED HOWEVER, that such warranty shall not include mineral rights or interests, if any, conveyed by this Deed.

IN WITNESS WHEREOF, the said Grantor has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by its Board of Directors, all as of the day and year herein first above written.

THE TRAVELERS INSURANCE COMPANY
A Connecticut corporation

By Gregory F. Lynch
Gregory F. Lynch, Assistant Director

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FEB 04 1983

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AUG 30 1990

Department of Water Resources
Southern Region Office

CHANGE IN OWNERSHIP

[X] Water Right Number(s): 36-2059, 36-2164, 36-2177, 36-7646, 36-7678,
36/7286/

[X] Name and Address of
Former Claimant: The Travelers Insurance Company

One Tower Square

Hartford, CT 06183

[X] New Claimant(s): Ray L. Commons

Route 5, Box 64

[] New Mailing Address: Rupert, Idaho 83350

New Telephone Number: (208) 436 - 0362

[X] Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership

Describe proof attached: See attached Special Warranty Deed

[] Signature of New Claimant(s):

Ray L. Commons
Ray L. Commons

Date: 6.4.90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9/5/90

By: SC

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 9/5/90

By: SC

Claim Numbers of Split, if any:

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FEB 04 1993

ATTEST:

Nancy F. Ongley

Nancy F. Ongley, Assistant Secretary

STATE OF CONNECTICUT)

) ss. FARMINGTON

COUNTY OF HARTFORD)

On this 9th day of May, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory F. Lynch and Nancy F. Ongley, known to me to be the Assistant Director and Assistant Secretary, respectively, of THE TRAVELERS INSURANCE COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Patricia H. Csaszar

Notary Public for the State of Connecticut
Residing at Hartford, Connecticut
My commission expires: 3/31/94
Patricia H. Csaszar

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FEB 04 1993

Water right
information
contained below

MEMORANDUM

TO: File No(s): 36-02059/2164/2177/7646/7678
FROM: Brenda Miller
DATE: June 17, 1991
RE: Assignment

=====

The above referenced water rights have been assigned to Ray L. Commons. The database has been changed to reflect him as their present owner.

February 26, 1990

BLINCOE FARMS INC.
THE TRAVELERS INSURANCE CO.
RT. 1
HEYBURN, ID 833360000

RE: PERMIT NO. 36-07646

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

INDEXED

MAR 06 1990

February 7, 1990

BLINCOE FARMS INC.
THE TRAVELERS INSURANCE CO.
RT. 1
HEYBURN, ID 833360000

RE: PERMIT NO. 36-07646

Dear Permit Holder(s):

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

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MAILED

MAR 06 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

36-7646
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED
SEP 26 1986

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

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

Department of Water Resources

Check of P/D index AD 8/12 (Initial and date)

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

Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index AD 8/12 (Initial and date)

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

Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

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

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

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

C. Review and Processing:

Exam Completed AD 8/12 (Signature of examiner and date)

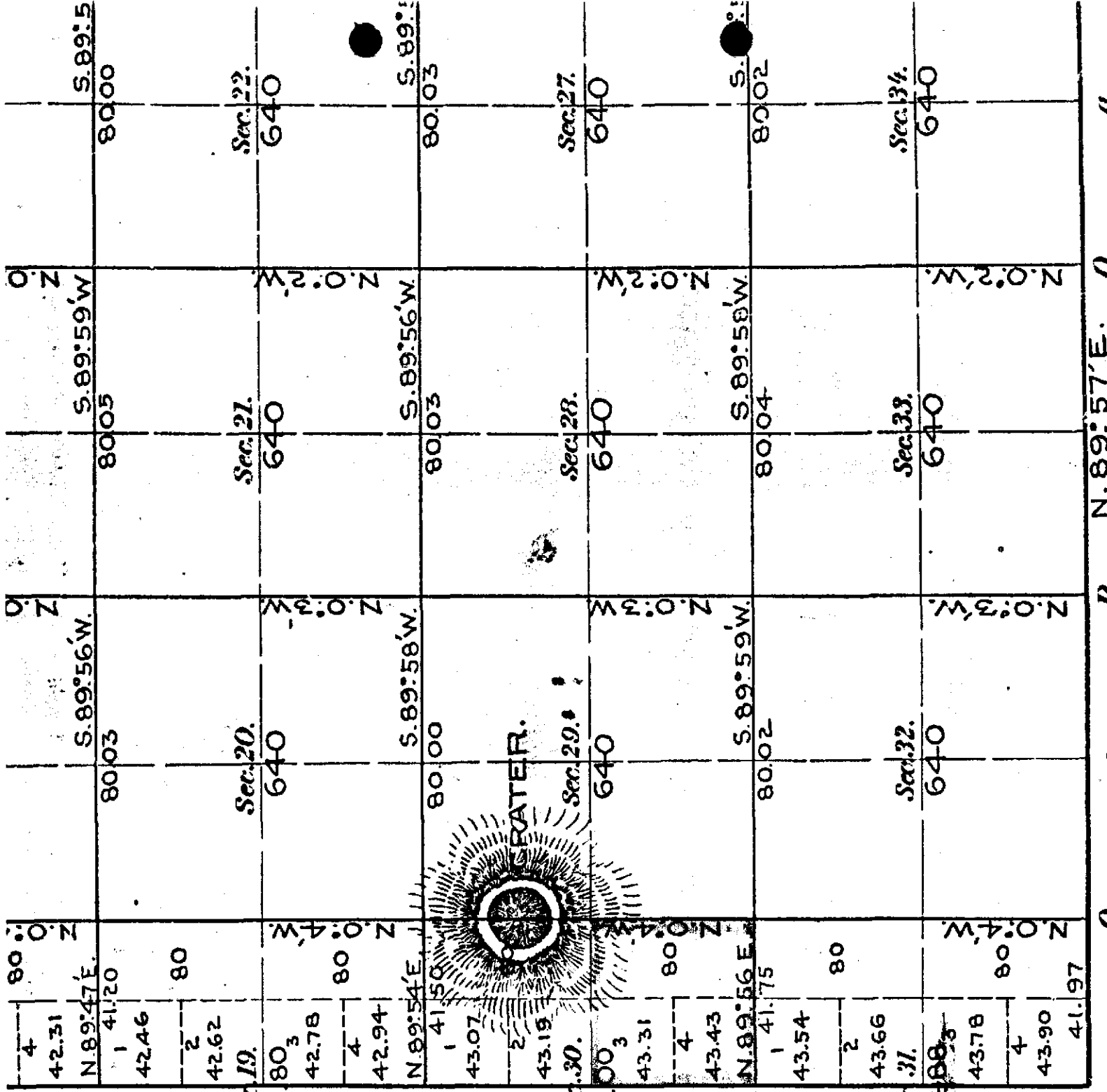
Exam Reviewed by Senior Water Resource Agent QD 8-27-86 (Initial and date)

Exam Reviewed by Manager of Regional Office LH 9/2/86 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

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



(Resurvey)

MICROFILMED

MAR 06 1990

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RECEIVED

SEP 26 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-7646

1. Owner: Blinco Farms

Phone No. _____

Current Address: _____

2. Accompanied by: Richard Blinco

EXAM. DATE: 7-18-78
8-1-86

Address: _____

Phone No. _____

Relationship to Permit Holder: owner

3. Source: groundwater

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____

☐ Copies Attached

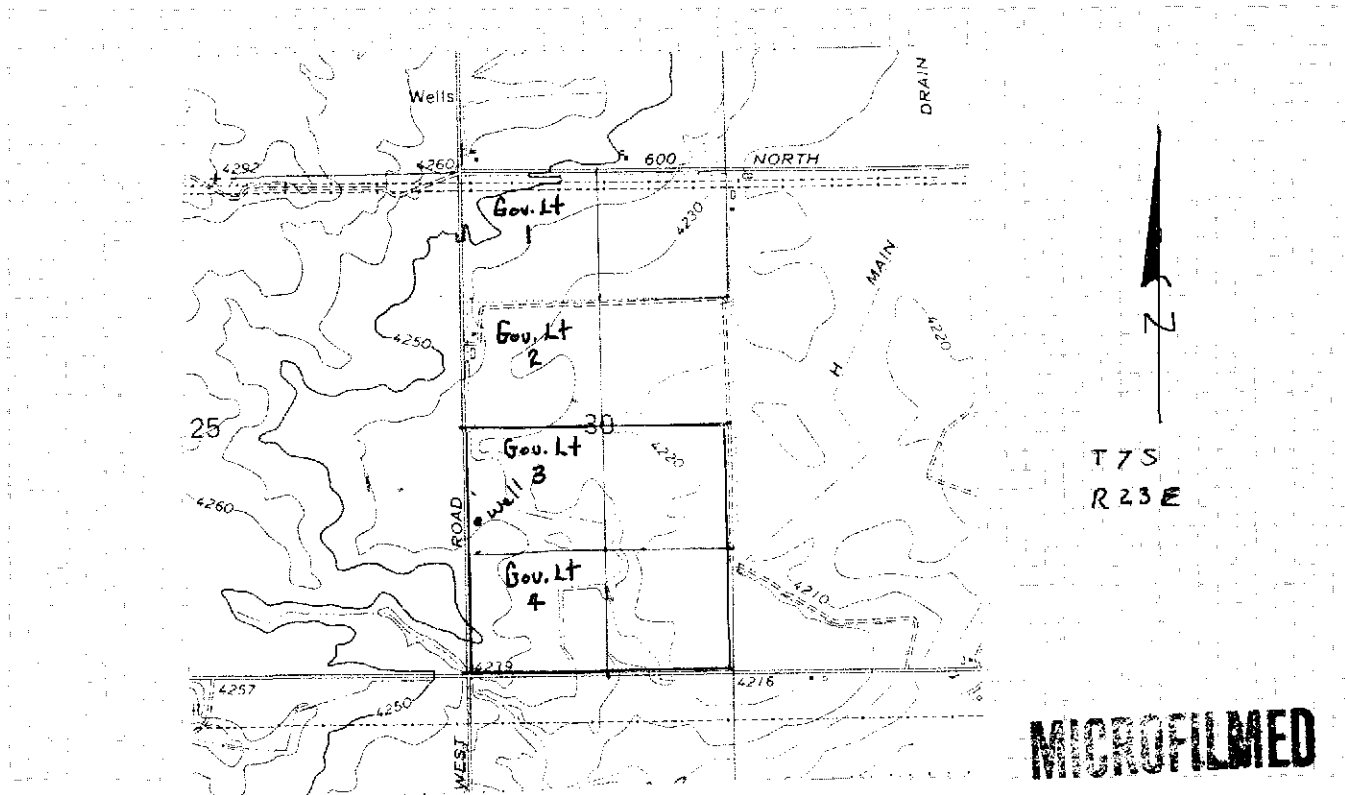
2. Other water rights with same point of diversion: _____

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

MAR 06 1990

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

☐ Photo of Diversion and System Attached

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

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

System Description (continued)

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

8" dia. Well, Motor pump w/ lines to location on corral post. 2 lines to watering troughs.
Dust Control water System operates daytime only & it takes 3 days to cover all the Area.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	G.E	100	JMJ91536	Johnston	5952' 8" discharge

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	3	SW	NW	SE	30	7S	23E	Lincoln	Photos

6. **Place(s) of Use:**

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	23E	30													X	X	X	X	

(x) Commercial & Livestock.

Do not use this space

RECORDED

MAR 06 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1-1	12-31	1.0 cfs	~~362~~ ~~723.6 AFA~~
Livestock	1-1	12-31	0.6 cfs	~~120.8~~ 161.0
Totals:				~~723.6 AFA~~ ~~287.4 AFA~~ 523.0

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Gary Funderburg
Signature Gary Funderburg
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

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

RECORDED

MAR 06 1990

District Rupert Date August 10, 1982
 Customer Blinnec Farms Account Number _____
 Address _____ City _____ State _____ Zip _____
 Meter Number 3-4961 Demand - 77
 Pump Location STA. # 100 HP @ feed lot. Type _____
 Motor Nameplate G.E. Induction Motor Model - SK6267xH45A
100 HP Volts - 230/460 FL Amps - 234/112
Cycles - 60 Phase - 3
 Pump Nameplate Johnson Base

Bowl Size _____ Column Size _____ Depth Setting _____ (ft)
 Pump Design _____ GPM @ _____ TDH _____ (ft)
 Well Depth 334 Diameter 8 in. 3/4 in Static Water Level 334
 Pumping Level _____ Usual Discharge Pressure I.O. - 7 3/8 Suction Pressure _____
 Meter Disc Revolutions _____ Meter Constant _____ Seconds (time) _____
 CT Ratio _____ PT Ratio _____ Or Multiplier _____ Inst. Demand _____
 Flow Meter Device _____ Recorded Demand 77 KW

FORMULA

- 1e
- Total Head Pressure (2.31 x Pressure) + Pumping Level
 against the pump: (2.31 x 76#) + 334 = 509 TDH in feet
 - Flow: Pipes under 10" $2.55(ID)^2 - ID \times \text{Meter Reading} = 472.5$ Flow in GPM
 Pipes over 10" $2.45 \times (\text{Pipe ID})^2 \times \text{Meter Reading}$
 $2.45 \times ()^2 \times =$ Flow in GPM
 - Water Horsepower: Flow x TDH / 3960
 $(472) \times (509) / 3960 = 60.66$ Water Horsepower
 - Input KW: .PF x Avg Volts x Avg Amps x 1.732 / 1000
 OR $() \times () \times () \times 1.732 / 1000 =$ Input KW
 - Input KW: Rev x Kh (x multiplier x 3.6) ÷ seconds = 82.7 KW
 Horsepower Input: Input KW / .746
 $82.7 / .746 = 110.9$ Input Horsepower
 - Plant Efficiency: Water H P / Input H P x 100
 $\times 100 = 55\%$ Plant Efficiency

Collins Flow Readings

	A	B
1	<u>3.4</u>	<u>3.65</u>
2	<u>3.4</u>	<u>3.7</u>
3	<u>3.6</u>	<u>3.55</u>
4	<u>3.6</u>	<u>3.55</u>
5	<u>3.0</u>	<u>3.1</u>
6	<u>3.05</u>	<u>2.5</u>

Power Read. at Various Pressures

	PSI	Rev.	Seconds	KW	Produced Hp
1	<u>10</u>	<u>5</u>	<u>8.9</u>	<u>8.1</u>	<u>1.7</u>
2	<u>54</u>	<u>5</u>	<u>9.6</u>	<u>8.6</u>	<u>9.7</u>
3	<u>10</u>	<u>5</u>	<u>9.1</u>	<u>8.5</u>	<u>1.5</u>
4	<u>76</u>	<u>10</u>	<u>18.8</u>	<u>10.7</u>	<u>10.2</u>

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MAR 06 1990

12 Readings Total 472.5 ÷ 12
 = 39.375 (Line 2 Meter Reading)

Blind
Faint -

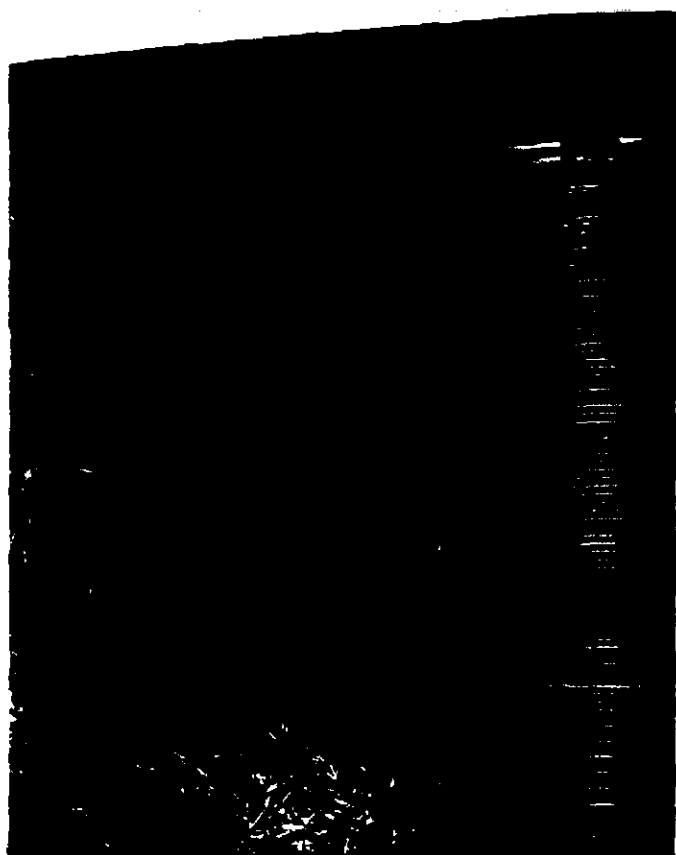
36-7646

stock yard

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MAR 06 1990

Blanco Farm. 36-7646



Pump & pump house.
This well is used for dust control
on the stock yds.

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MAR 06 1990

09
30

19

20

CLAWSON
FARMS

DUST control Heads

CLAWSON
FARMS

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MAR 08 1990

D35
842

B1

411

12.5

TOTAL ACREAGE

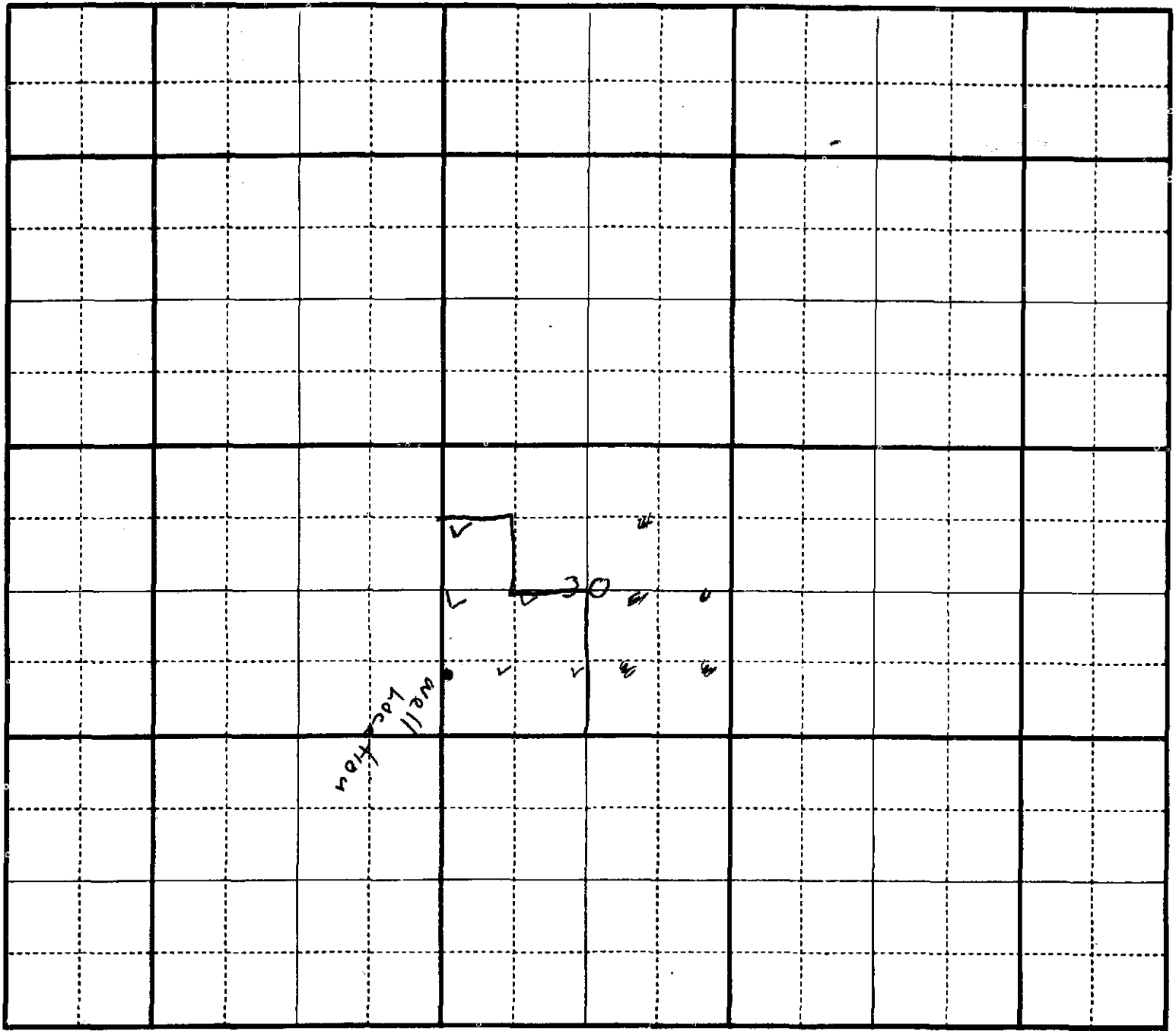
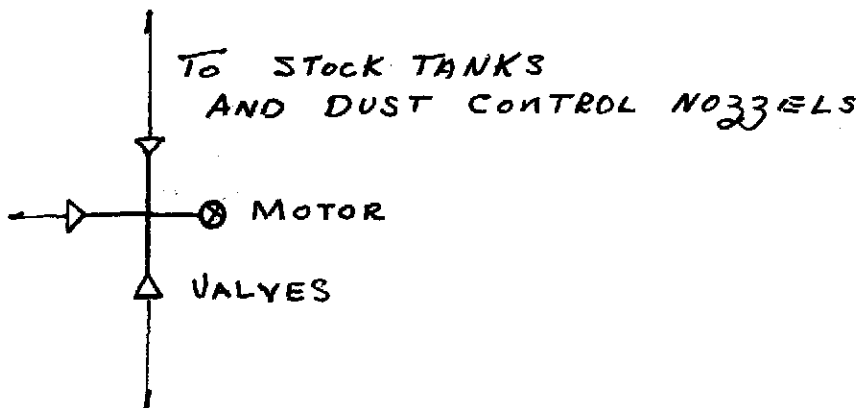


Diagram of System



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MAR 06 1990

DATE OF EXAM 7-18-78

ACREAGE

Found ✓
Recommended ✓

Irrigation Requirement ✓ Ac Ft/Ac

USE

Irrigation Q= c.f.s. V= AF/Ann. from to
Domestic Q= c.f.s. V= AF/Ann. from to
Livestock Q= c.f.s. V= AF/Ann. from to

Is water co-mingled? yes no ✓

Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Exchange? yes no ✓

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Total Q measured Method of measurement

Total Q recommended Meter No. Type Condition

Total V recommended

Recommended Amendments:

P.D.
Place of Use
Other
None

MEASUREMENT CALCULATION:

12,000 Hd Range Cattle

SYSTEM DESCRIPTION:

G.E. MOTOR 100 Hp. SERIAL # JM1915136 MODEL # 5K6267XH454
JOHNSTON PUMP # 5452 8" DISCHARGE

REMARKS:

LARRY BLINCOE W/ BLINCOE FARMS INC. WAS
PRESENT DURING THE FIELD EXAM.

Examiner's Signature Gary Linderburg Date 7-18-78

Checked by Date

Approved by Date

MAR 06 1990

RECEIVED

SEP 26 1986

INTER-DEPARTMENT MEMO — 1

FROM Loten Holmes - Southern Department of Water Resources

DATE 9/19/86

TO File 36-7646 - Blincoe Farms/Traveler's Insurance Co.

SUBJECT Licensing Exam Fee

The fee notice was sent to Traveler's Insurance Co, but on further checking the file, it was found that a field exam had been partially completed in 1978.

Because of the partly completed exam, we waived payment of the fee & finished the exam.

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MAR 06 1990

LM.

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

36-7646
THE TRAVELERS INSURANCE CO.
707 S.W. WASHINGTON ST.
PORTLAND, OR 97205

Mailing address:

Statehouse

Boise, Idaho 83720

138252

April 17, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. **RECEIVED** **MAR 06 1990** you cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED

MAR 06 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

February 14, 1983

RE: Permit Nos. 36-7412, 36-7646 and 36-7678

The Travelers Insurance Company and Blincoe Farms, Inc.
Real Estate Investment Dept. Route #1
707 S. W. Washington St. Heyburn, ID 83336
Portland, OR 97205

Gentlemen:

This office acknowledges receipt of the Assignment of the above referenced permits to you.

Enclosed for your records are copies of the permits. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permits into licensed water rights.

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

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures



THE TRAVELERS

RECEIVED
Department of Water Resources
FEB 9 1983

Real Estate Investment Department
Agricultural Division
Emil A. Schmitt, Regional Manager

February 7, 1983

Department of Water Resources
State Capitol
Boise, Idaho 83720

Re: Loan No. 202160 8
Blincoe Farms, Inc.
Rt. 1, Heyburn, Idaho 83336

Permit Nos. 36-7412, 36-7646, 36-7678,
36,7286 and 36-7647

Gentlemen:

Enclosed are Assignments which we hold in connection with our real estate loan on the property served by the permits indicated. We hope to have the permits developed into licenses at the earliest possible date.

Would you please file these assignments so that the permits may not be transferred.

Thank you.

Very truly yours,

THE TRAVELERS INSURANCE COMPANY

Cletus L. Von Tersch
General Manager

CVT:nk/Enclosures
cc: Blincoe Farms, Inc.
cc: Greg Ruddell, Asst. Mgr.
cc: R.E.I.D. - HOME OFFICE

December 8, 1977

Re: Permit No. 36-7646

Blincoe Farms, Inc.
Hayburn, Idaho 83336

Dear Mr. Blincoe:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in **Twin Falls.**

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

Identification No. _____

Permit No. 36-7646

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 23 1977

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Blincoe Farms, Inc.
b) Post Office Address Hayburn, ID 83336
2. Permit Number 36-7646
3. Date of Priority that you are prepared to establish 9-24-76
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: # Lot 3 #, Section 30
Township 7S, Range 23E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 6 cfs for stockwater purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 1.0 cfs for dust control purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.6 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: measurements can be made when weather permits all sprinklers to be on.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
Owned by permit holder
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Deep well - total depth, 421 feet; Casing size, 20 inches; pump size, 8 inches; motor size, 100 h.p.; static water level, 318 feet; means of diversion, steel pipe.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Micrometer - weld on - 8"
c) Give well driller's name and address and the date the well was completed: Strosser Drilling, Rupert, ID Firm # 95
Completed 10-15-76
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Feed lot stockwater, feed lot dust control.

12/9/77

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this application.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	33E	30			X		Stockwater & dust control				X	X	X	X					

Total number of acres irrigated _____

10. Remarks: _____

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

11-22-77
(Date)

Bliss Farm, Inc.
By Burton D. Bliss
(Signature)

State of Idaho)
) ss.
County of Blaine)

On this 22nd day of November, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Dorothy E. Dule
Notary Public residing at Paul,
Idaho

My commission expires Lifetime

November 9, 1976

Re: Permit No. 36-7646

Blincoe Farms, Inc.
Heyburn, ID 83336

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 36-7646. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

MICROFILMED

September 30, 1977

CERTIFIED MAIL

138964

Re: Permit No. 36-7646

Blincoe Farms, Inc.
Heyburn, Idaho
83336

Gentlemen:

One of the conditions of approval of your water Permit No. 36-7646 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

RECORDED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 36-7646 - Blincoe Farms, Inc.

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

- (1) mls 9-27-76 In form to receipt
- (2) _____ _____ Send Copies to:
_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management
- (3) _____ _____
_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
- (4) mls 9-27-76 In form for advertising
- (5) _____ _____ Platted on Map No. _____
- (6) _____ _____ Located within Water District No. _____
- (7) mls 10-27-76 Critical groundwater area: yes _____ no ☒
- (8) mls 10-27-76 Groundwater levels:
_____ Declining, ☒ Stable, _____ Increasing
(comment) _____
- (9) _____ _____ Other rights on the same place of use
- (10) _____ _____ Comments: _____
- (11) LM 10-15-76 Affidavit of Publication received(date) 10-15-76
- (12) _____ _____ Final date for protests 10-25-76
Protests received: yes _____ no _____
- (13) _____ _____ All requested information received from agencies or applicant: yes _____ no _____
- (14) mls 10-27-76 Action recommended:
☒ Approve _____ Deny
_____ Proposed Priority
_____ Reason for Reduction
☒ Measuring device required
_____ See attached sheet for other conditions of approval
_____ No special conditions for approval
- (15) District Southern By Michael Steele Date 10-27-76

copy sent to Boise on 9-27-76 pti

September 27, 1976

Lincoln County Journal
P. O. Box 704
Shoshone, Idaho 83352

Re: Application for Permit NO. 36-7646 - Blincoe Farms, Inc.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:pj

Enc.

Bill submitted: _____

RECEIVED
SEP 28 1976
SOUTHERN REGION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Blincoe Farms, Inc.

Heyburn, Idaho 83336

has on 9-24-76 submitted Application No. 36-7646

for a permit to appropriate 1.6 cubic feet per second ~~XXXXXX~~

of water from groundwater

by means of well, pump, lines to stock tanks & sprinkler system

within ~~XXXX~~ Lot 3, Sec. 30, Twp. 7S, Rge. 23 E, B.M., Lincoln County

to be used from Jan. 1 to Dec. 31

for stockwater and dust control purposes

within the E1/4 Sec. 4, Lots 2, 3 and 4, Sec. 30, Twp. 7S, Rge. 23E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before October 25, 1976.

R. KEITH HIGGINSON

Director

Published in the Lincoln County Journal

on Oct. 7 and Oct. 14, 1976

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Blincoe Farms, Inc. Heyburn, Idaho 83336 has on 9-24-76 submitted Application No. 36-7646 for a permit to appropriate 1.6 cubic feet per second of water from groundwater by means of well, pump, lines to stock tanks & sprinkler system within Lot 3, Sec. 30, Twp. 7S, Rge. 23 E, B.M., Lincoln County to be used from Jan. 1 to Dec. 31 for stockwater and dust control purposes within the E¹/₂SE¹/₄, Lots 2, 3 and 4, Sec. 30, Twp. 7S, Rge. 23E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before October 25, 1976.

/S/ R. KEITH HIGGINSON
Director

Pub: 10-7, 14

OK
10-6-76

RECEIVED