

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, this 22 day of January, 19 91.

Arline Bergstrom
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00

Received by JP Date 1-22-91 SD/R965

Publication prepared by MB Date 4-30-91

Published in North Side News

Publication dates 5/8 & 5/15/91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

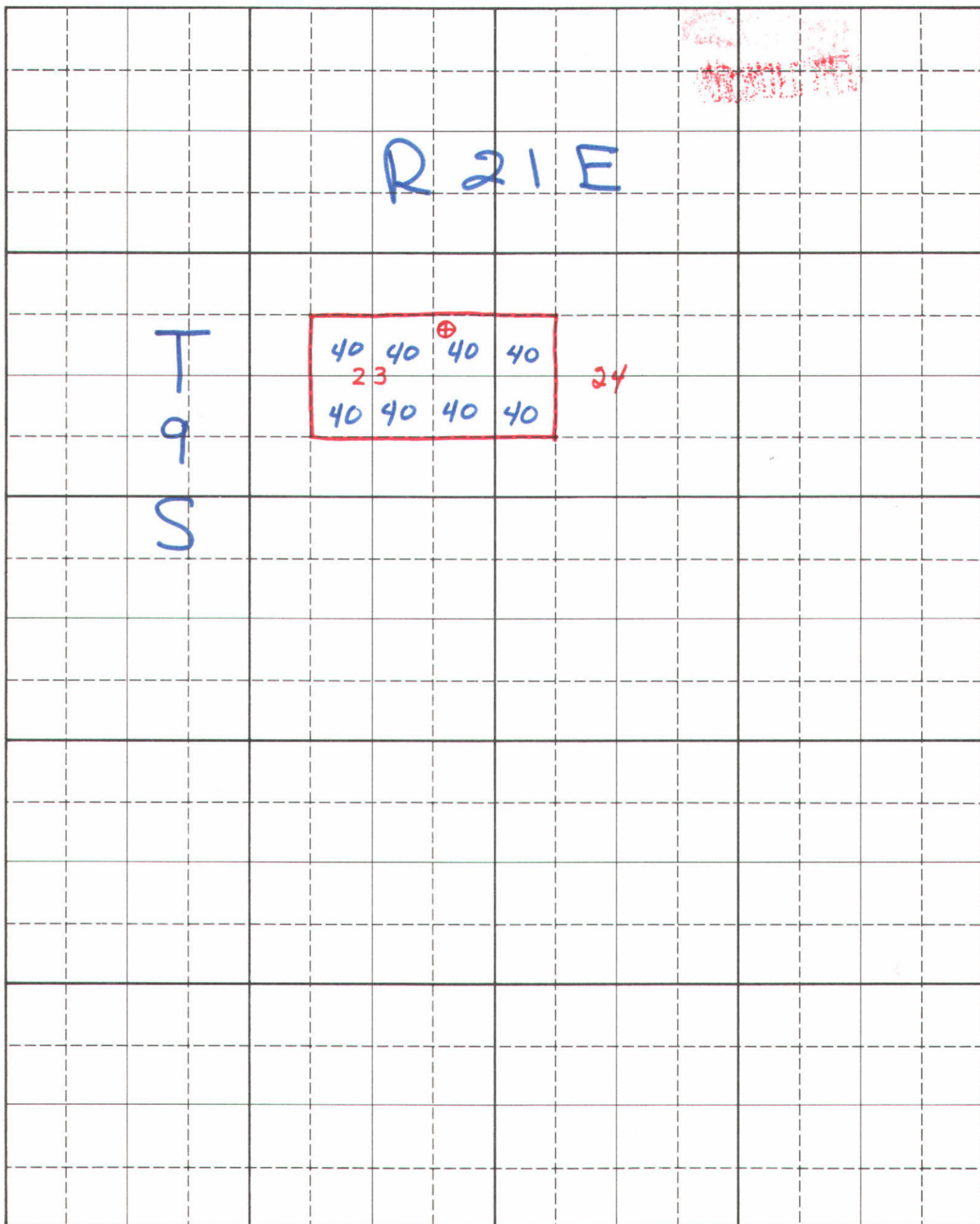
I, L. GLEN SAXTON, Director of the Department of Water Resources hereby
approve the above referenced application for amendment provided the conditions as
set forth in Permit No. 36-07418 are met.

JAN 21 1992

Witness my hand this 2nd day of January, 19 92.

L. Glen Saxton
Chief, Water Allocation Bureau

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



Scale: 2 inches equal 1 mile

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

Mrs. Arlene E. Bergstrom
(Applicant)

RECEIVED

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Jerome } SS.

Robert H. Brown, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 20 day of Dec, 1973, and the date of the last publication was on the 27 day of Dec, 1973.

Subscribed and sworn to before me this 31st day of December, 1973.
(SEAL)

Darla Bratt
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>36</u>	
Number of Insertions	<u>3</u>	
Lines tabular at	315c	
<u>36</u> Lines straight at	21c	<u>7.56</u>
<u>36</u> Subsequent lines at	15c	<u>5.40</u>
TOTAL COST		<u>12.96</u>

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE # 36-7418

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. Water Administration
BILL TO

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Arlene E. Bergstrom, Box 597, Paul, ID, has on December 11, 1973 submitted Application No. 36-7418 for a permit to appropriate 6.4 cubic feet per second of water from ground-water by means of well, pump, sprinkler system within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 9S, R. 21E, B.M., Jerome County to be used from Mar. 15 to Nov. 15 for irrigation of 320 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24; T. 9S, R. 21E, 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 Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before January 7, 1974.

R. KEITH HIGGINSON
Director

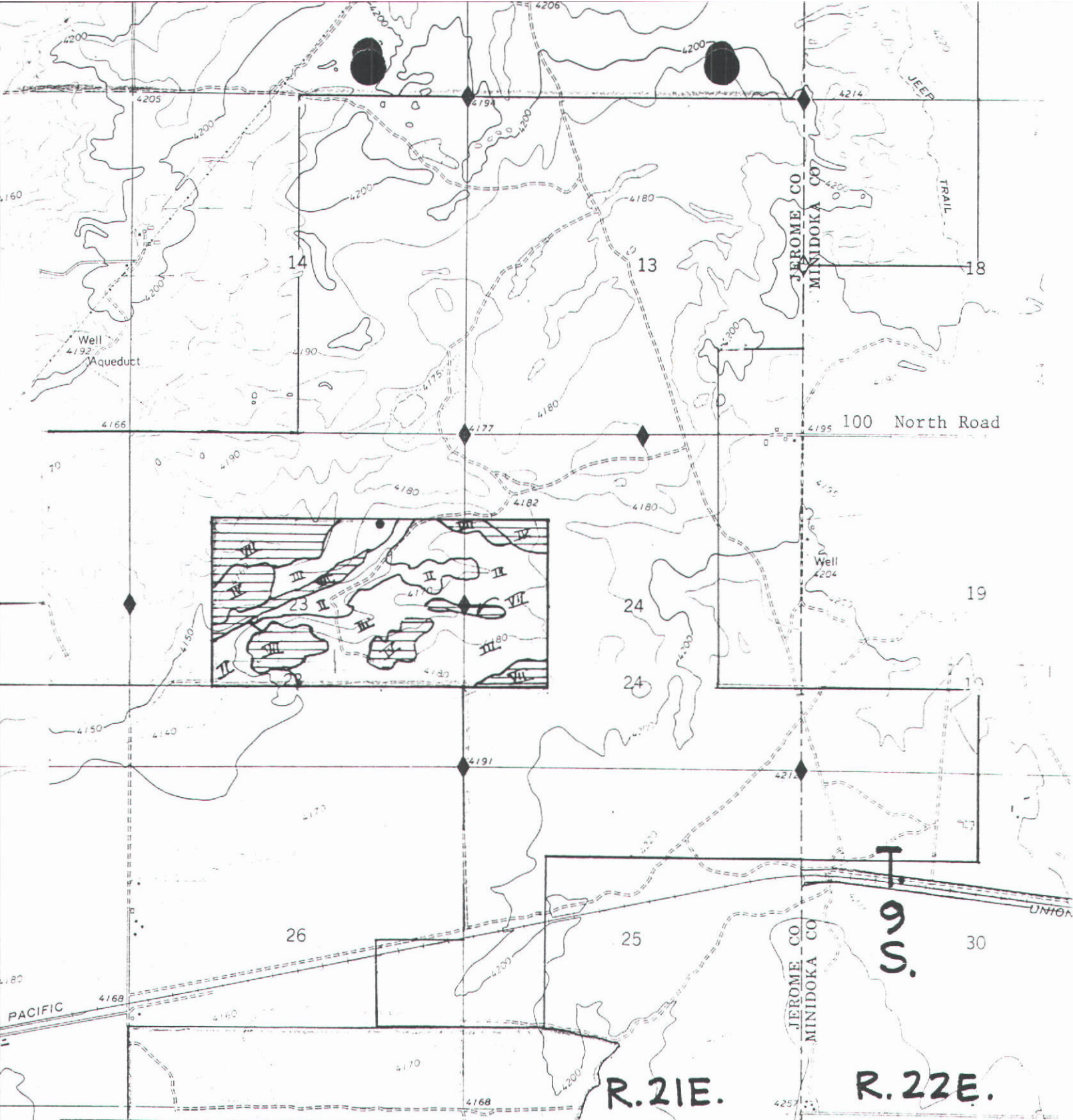
12-20-21c-n

Insertions

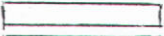
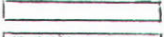
15c

No.

2281



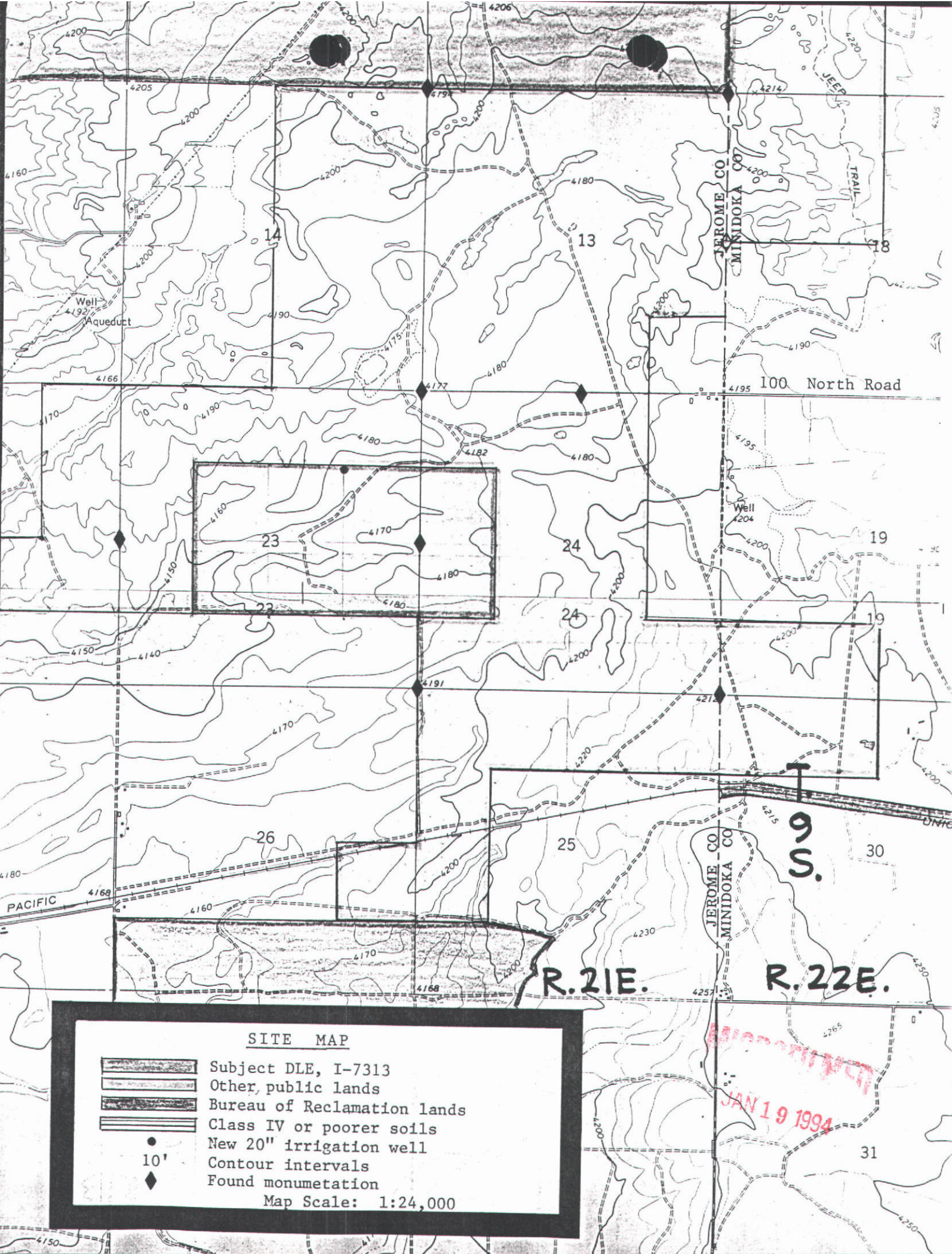
SITE MAP

-  Subject DLE, I-7313
-  Other public lands
-  Bureau of Reclamation lands
-  Class IV or poorer soils
-  New 20" irrigation well
-  Contour intervals
-  Found monumetation

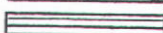
Map Scale: 1:24,000

MAILED

JAN 19 1994



SITE MAP

-  Subject DLE, I-7313
-  Other, public lands
-  Bureau of Reclamation lands
-  Class IV or poorer soils
-  New 20" irrigation well
-  Contour intervals
-  Found monumetation

Map Scale: 1:24,000

PERMIT 36-7418 INIT

T. R. S. Q/Q

P/D

SCALE

PHOTO ID.

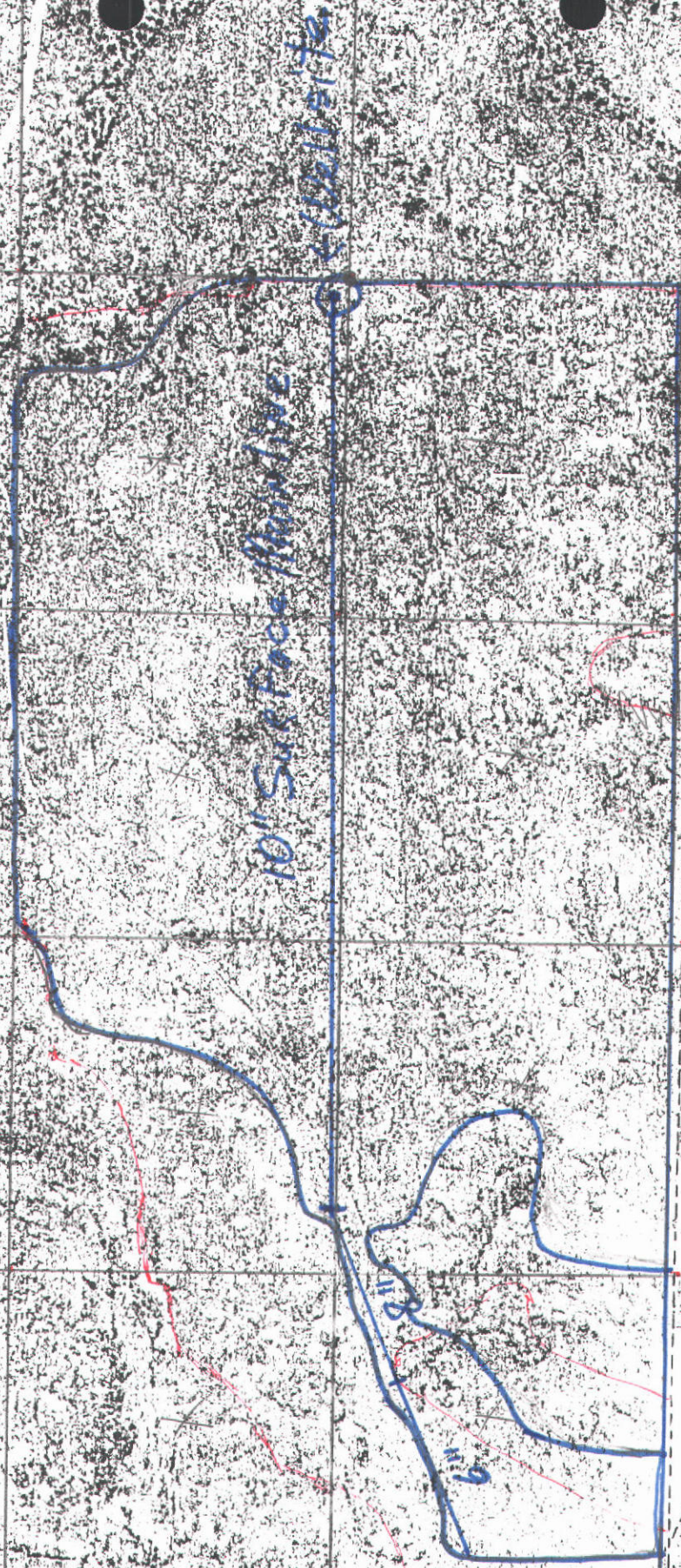


MICROFILMED
JAN 19 1951

803
Planimeter = 216.

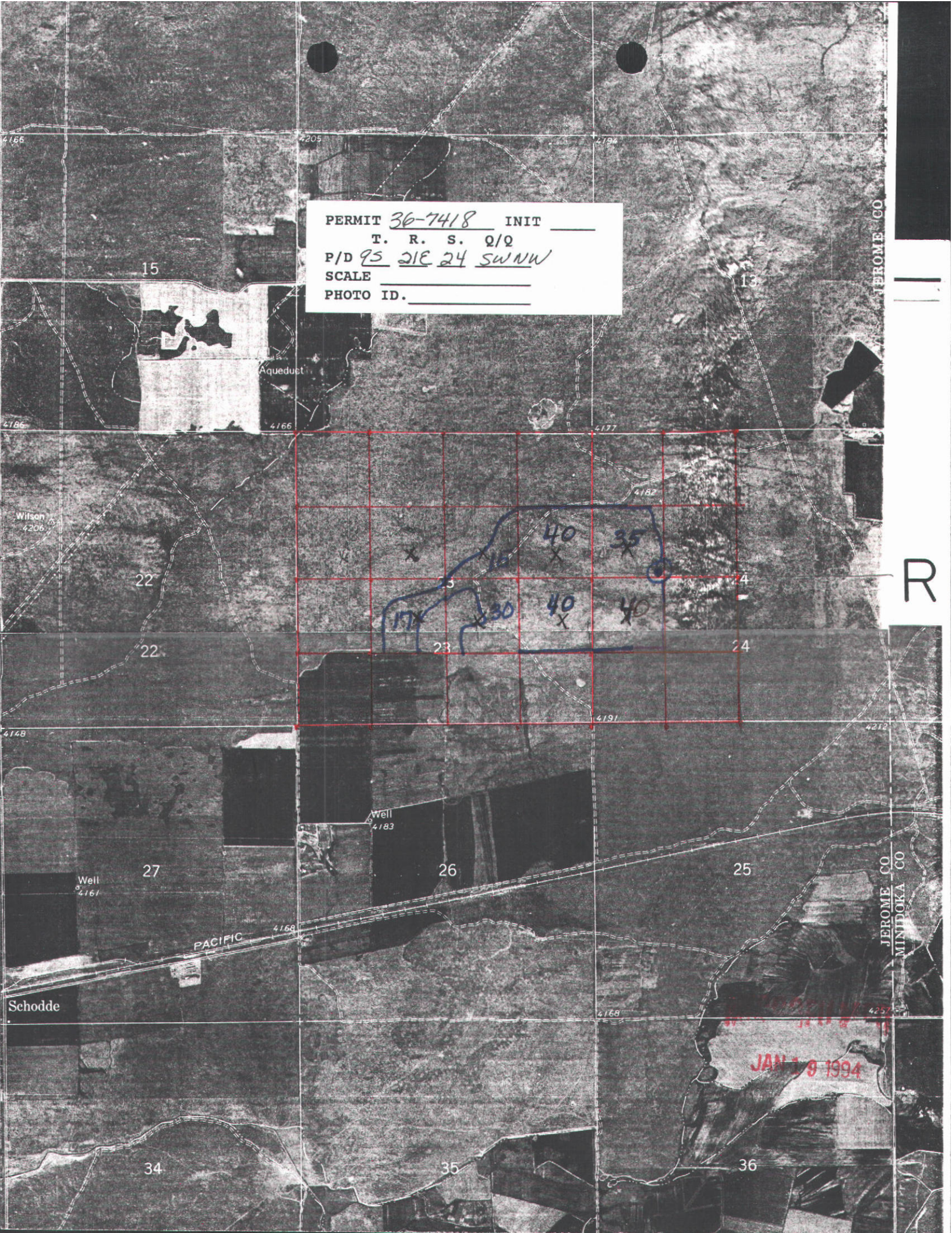
Transfer to
Minidoka

36-7418
System Diagram



JAN 19 1994

PERMIT 36-7418 INIT
T. R. S. Q/Q
P/D 95 21E 24 SWNW
SCALE
PHOTO ID.



R

JEROME CO

JEROME CO

MINIDOKA CO

JAN 10 1994

36-7418



#1

P/D



#2

P/U looking
West from
well site

MICROFILMED

JAN 19 1994

36-7418



#3

P/U looking
South from
the NW corner.

MICROFILMED
JAN 19 1994

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Jerome } ss.

JUL 11 1991

Department of Water Resources
Southern Region Office

Patty Spance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 3rd day of July, 1991, and the date of the last publication was on the 10th day of July, 1991.

Patty Spance

Subscribed and sworn to before me this 10th day of July, 1991

(SEAL)

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

JAN 21 1992

Lines tabular at _____ 6¢/Pica
295.3 Lines straight at 14.77 5¢/Pica
Subsequent lines at 11.82 4¢/Pica
TOTAL COST 26.59

COPY OF NOTICE

(Paste Here)

Not. of Correction

TITLE OF NOTICE

A. Bergstrom

36-07418

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Wat. Res.
BILL TO T.F.

NOTICE OF CORRECTION

Notice is hereby given that the Notice of Amendment to approved Water Permit No. 36-07418 in the name of Arlene E. Bergstrom of Paul, ID was advertised with multiple errors within the information for Permit No. 36-07418 on 5/8 and 5/15/91.

Whereas, the actual point of diversion and place of use BEFORE the amendment is within the SE¼NE¼, S23, T9S, R21E; County of Jerome, to be used for irrigation on 320 acres within S½NE¼, SE¼NW¼, NE¼SW¼, N½SE¼, S23, T9S R21E; SW¼NW¼, NW¼SW¼, S24, T9S, R21E.

Any protest to the above corrections must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before JULY 23, 1991.

-s-R. KEITH HIGGINSON
DIRECTOR

Pub: 7-3, 10

N7579

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

No 5100

7579

OK MB
8-27-91
Should be
no charge
however.

Will be a credit
on next billing.
Per Norma de Vol, NSN.
8-27-91
MB

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Jerome } ss.

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 8th day of May, 1991, and the date of the last publication was on the 15th day of May, 1991.

Patty Nance
Subscribed and sworn to before me this 16th day of May, 1991.
(SEAL)

Vivian Jandagat
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

Lines tabular at _____ 6¢/Pica
393.7 Lines straight at 19.69 5¢/Pica
Subsequent lines at 15.75 4¢/Pica
TOTAL COST 35.44

COPY OF NOTICE

(Paste Here)

Not. Amend. Wat.
TITLE OF NOTICE Permit
Bergstrom
36-07418
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Wat. Res.
BILL TO T.F.

**NOTICE OF AMENDMENT
TO A WATER PERMIT
NO. 36-07418**
Notice is hereby given that Arlene E. Bergstrom of Paul, ID is the holder of Approved Permit No. 36-07418 authorizing the diversion of 6.40 cubic feet per second of water from groundwater in the SE1/4 S23, T9S, R21E; County of Jerome, to be used for irrigation on 320 acres within S1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, N1/2AW1/4, A23, R9A, E21E, SW1/4NW1/4, NW1/4SW1/4, S24, T9S, R21E.
The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to change the point of diversion as follows:
Amount: No change
Period of Use: No change
Point of Diversion: SW1/4NW1/4, S24, T9S, R21E, NW1/4SW1/4, S24, T9S, R21E; Jerome County.
Place of Use: No change
Any protest against approval of the amending of Permit No. 36-07418 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 27, 1991.
-s- R. Keith Higginson, Director
Pub: 5-8, 15 N4746

7-8 pt. per line successive
insertions.....4¢/Pica

RECEIVED

MAY 17 1991

MICROFILMED

Department of Water Resources
Southern Region Office
JAN 21 1992 No 5046

4746

AFFIDAVIT of PUBLICATION

RECEIVED
JUN 30 1989

State of Idaho, }
County of Jerome } SS.

Department of Water Resources

Patty Nance G. Manager, being first duly sworn, deposes and says that she is the printer (~~publisher~~) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 2x consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 21 day of June, 19 89, and the date of the last publication was on the 28 day of June, 19 89.

Subscribed and sworn to before me this 28 day of June, 19 89.
(SEAL)

Norma De Doe
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2x

Lines tabular at _____ 5¢/Pica
351 Lines straight at 1404 4¢/Pica
Subsequent lines at 1229 3.5¢/Pica
TOTAL COST 26 33

COPY OF NOTICE

(Paste Here)

36-7418 Bergstrom
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
Id. Dept. of Water Resources
Statehouse Mail Boise, ID
BILL TO 83702

NOTICE OF APPLICATION FOR TRUST WATER RIGHT APPLICATION NO. 36-7418

Name: ARLENE E. BERGSTROM
Address: Box 597, PAUL, ID 83347
Source: GROUNDWATER
Diversion Pt.: SESE SEC. 23 T9S R21E
JEROME COUNTY
Use: IRRIGATION (6.40 CFS)
Priority: DECEMBER 11, 1973
Place of Use: S½NE, N1/SE, SENW,
NESW SEC. 23;
SWNW, NWSW SEC. 24; T9S R21E
Total Acres: 320

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests based on Sec. 42-203C must overcome the presumption of Water Appropriation Rule 5.2. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before July 10, 1989.

R. Keith Higginson, Director
Pub: 6-21, 28 N17569

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 3¢/Pica

FEB 15 1990

No 3367

14569

mm OK 12-14-73
JEROME LEGAL

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Arlene E. Bergstrom, Box 597, Paul, ID, has on December 11, 1973 submitted Application No. 36-7418 for a permit to appropriate 6.4 cubic feet per second of water from groundwater by means of well, pump, sprinkler system within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 9S, R. 21E, B.M., Jerome County to be used from Mar. 15 to Nov. 15 for irrigation of 320 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24; T. 9S, R. 21E, 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 Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before January 7, 1974.

R. KEITH HIGGINSON
Director

12-20-2tc-n

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 36-07418

Priority: December 11, 1973

Maximum Diversion Rate: 3.48 CFS

Maximum Diversion Volume: 868.0 AF

This is to certify, that ARLENE E BERGSTROM

PO BOX 597

PAUL ID 83347

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 11, 1973; and has submitted Proof of Beneficial Use on August 17, 1992. An examination indicates that the works have a diversion capacity of 3.480 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	3.48 CFS	868.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 24, Township 09S, Range 21E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	21E	23	SWNE 15	SENE 40	NESW 17	142
			NESE 40	NWSE 30		75
		24	SWNW 35	NWSW 40		

Total number of acres irrigated: 217

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 limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.

JAN 19 1994

State of Idaho
Department of Water Resources

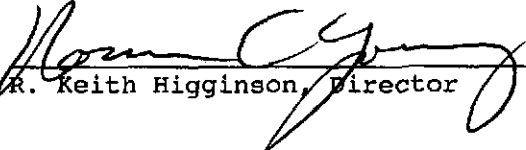
WATER RIGHT LICENSE
WATER RIGHT NO. 36-07418

CONDITIONS/REMARKS:

8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
9. The issuance of this right in no way grants any right-of-way or easement across the land of another.
10. This right is appurtenant to land designated as DLE No. I-7313.

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 12th day of JANUARY, 1994.

Acting for


R. Keith Higginson, Director

JAN 19 1994

RECEIVED

OFFICE USE ONLY
Amt. of Fee \$ 200.00
Date 8-17-92
Receipt No. 5014863
Receipt by MTS

AUG 17 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

AUG 18 1992

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

1. Permit No. 36-7418 Telephone No. 678-1762

2. Name(s) of Permit Holder(s): Arlene E. Bergstrom

3. Mailing Address: P.O. Box 597 Paul, Id. 83347

4. Source of Water: Deep Well

If GROUNDWATER, Well Driller's Name: ROBERT E. DENTON Date Drilled: 5-19-1991

OPTIONAL:

Pump horsepower: 250 Pressure (psi): 80 Dynamic pumping level (ft.): 320

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

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

Irrigation 245 (No. of acres) Other

6. Total rate and/or volume for which proof is submitted 5.00 cfs OR 500 acre/feet

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

Measuring device: Required? X Yes No Installed? X Yes No

OR

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

8. Fee Enclosed: \$ 200.00 (See License Fee Schedule on back of Instruction Sheet)

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

Arlene Bergstrom 678-1762
Name Telephone No.

P.O. Box 597 Paul Id. 83347
Address

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

Aug 17 '92 Arlene E. Bergstrom
Date Signature (and title, if on behalf of a company or organization)

SEP 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

RECEIVED APPLICATION FOR AMENDMENT OF A PERMIT

JAN 22 1991 To change the point of diversion and/or the place of use.

Department of Water Resources

Southern Region Office

Comes now Arlene E. Bergstrom

of (address) P.O. Box 597, Paul, ID 83347, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-07418, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW 1/4 NW 1/4, Section 24, Township 9S, Range 21E, B.M.,
County of Jerome. Other points of diversion: Dr NW/SW Sec. 24 T. 9S
R. 21E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No Change

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

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

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

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

3. Place of use or land to be irrigated: No Change

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	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? BLM
b. Who owns the land to be irrigated or the place of use? BLM
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Desert Entry Filing

RECEIVED
JAN 21 1992

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EVALUATING)
WHETHER DEVELOPMENT OF 20,000 ACRES)
OF IRRIGATED LAND WOULD)
CAUSE A SIGNIFICANT REDUCTION)
IN TRUST WATER AVAILABLE FOR)
POWER PRODUCTION)

MEMORANDUM DECISION
& ORDER

This matter having come before the Director of the Idaho Department of Water Resources (IDWR) as a result of the Swan Falls water right settlement, the Director finds, concludes and orders as follows:

FINDINGS OF FACT

1. "Trust water" is that portion of an unsubordinated water right used for hydropower generation purposes which is in excess of a minimum stream flow established by state action.

2. Section 42-203C(1), Idaho Code, provides as follows:

"If an applicant intends to appropriate water which is held in trust by the state of Idaho pursuant to subsection (5) of Section 42-203B, Idaho Code, the director shall consider, prior to approving the application, the criteria established in Section 42-203A, Idaho Code, and whether the proposed use, individually or cumulatively with other existing uses, or uses reasonably likely to exist within twelve (12) months of the proposed use, would significantly reduce the amount of trust water available to the holder of the water right used for power production that is defined by agreement pursuant to subsection (5) of Section 42-203B, Idaho Code, and, if so, whether the proposed reduction is in the public interest". (emphasis added).

3. The IDWR conducted a study to estimate the reduction in hydropower generation which would result from the development of the first 20,000 acres of newly irrigated land (new development) authorized under the Swan Falls settlement. The study included several steps as follows:

- a) Identify the location of the potential new development and the related water sources;
- b) Estimate the net depletion resulting from new irrigation development of these lands;

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FEB 15 1990

c) Route the reduced flows through the aquifer and surface flow systems to the affected power plants;

d) Compute the loss in potential generation at each plant resulting from the reduced flows.

4. Step a) in Finding of Fact No. 3. was accomplished by plotting land location as shown by the water right applications and permits being considered. The 20,000 acres are generally located as follows:

Acreage	General Location	Water Source
9,885	SNAKE RIVER PLAIN	SNAKE PLAIN AQUIFER
5,315	Valleys adjacent to the Plain	GW trib. to Snake Plain Modeled area
4,800	Scattered areas	GW and surface water from areas not trib. to Snake Plain Modeled area

20,000 acres

5. Step b) in Finding of Fact No. 3. was accomplished using simulation models which have previously established the "base" flows conditions.

6. Step c) in Finding of Fact No. 3. involved a groundwater component and a surface water component. Withdrawals from the Snake Plain aquifer and from the tributary valleys affect the water in storage in the aquifer. Storage changes alter the gradients which eventually reduce aquifer discharges. If a new withdrawal is continued long enough, the aquifer outflows will be reduced by an amount approaching the magnitude of the withdrawal and resulting depletion.

7. The IDWR digital model of the Snake Plain aquifer (groundwater model) was used to simulate this process and predict the outflow reductions after 15, 30, 45 and 60 years of annual withdrawals by new irrigation development at the assumed locations. The results of the groundwater model run indicate that aquifer outflows would be reduced by the following percentages of the annual depletion:

Year	Outflow Reduction (Acre Feet)	Percent of Annual depletion (%)
15	4,600	23
30	9,000	45
45	14,700	73
60	15,200	76

8. Significant reduction should be determined by evaluating the depletion when its effect on the river is fully felt. Increased depletion in the percent of annual depletion is very small sixty (60) years after the depletion. The percent of annual depletion in the 60th year adequately represents the long-term effect of aquifer depletions on Snake River. FEB 25 1990

9. The groundwater model predicts that approximately eighty percent (80%) of the reduction in river flow would occur in the Milner to King Hill reach with the remainder (20%) occurring between Blackfoot and Minidoka Dam.

10. The IDWR routed the reduced flows through the aquifer and river system using a digital model of the Snake River system (river model). This model and its computed base conditions are described in "Stream Flows in the Snake River Basin, 1985 Conditions of Use and Management" Open-File Report, September 1986. The groundwater depletion was input to the river model assuming uniform depletions each month.

11. The river model computes flows at numerous points in the Snake Plain Basin including sites at, or near to, the power plants. These computed flows were used to compute power generation and were compared to similarly computed generation for base flow conditions.

12. The annual reduction in hydropower generation 60 years after the development of 20,000 new acres is estimated to be approximately 2.8 million KWH in power facilities upstream from the Murphy gage on the Snake River.

13. In cooperation with staff of the Idaho Public Utilities Commission (IPUC), IDWR determined the rate impact of lost hydropower generation caused by the new development in the trust water area of the Snake River basin assuming that new thermal generation capacity is obtained to replace the lost hydropower generation.

14. The cost impact to the rate base of replacing the lost hydropower generation with thermal generation capacity must be considered in the evaluation of any significant reduction in hydropower generation, but the statutes and Water Appropriation rules do not require consideration of impacts to the rate base resulting from other aspects of the new development such as new pumping loads.

15. Step d) of Finding of Fact No. 3. was determined using an IPUC power supply model (power model) associated with the rate making process. Data from the 1966-1985 period was used to establish a base flow. The depletions were then input to the power model and the difference in ability to meet firm load requirements and to make economic spot market sales and purchases was determined. A comparison of the output of the power model run to base conditions produced increased total IPCO power supply costs due to Snake River depletions.

16. The power model shows that the impact of reduced hydropower generation at IPCO's facilities on the Snake River above the Hell's Canyon complex as a result of the development of 20,000 new acres will result in an average increase in IPCO's power costs of \$159,553 per year which is approximately five one hundredths of one percent (0.05%).

17. During certain periods of each year there generally is unappropriated water in the Snake River. During these periods the appropriation of water has no effect upon IPCO's water rights and does not generate hydropower.

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CONCLUSIONS OF LAW

1. The development of 20,000 new acres which results in an average increase in power rates of five one hundredths of one percent (0.05%) will not cumulatively cause a significant reduction in IPCO's hydropower generation capability at hydropower generation facilities upstream from the Hells Canyon complex on the Snake River.

2. The hydropower generating facilities of IPCO which are affected by reductions in river flow represent approximately 25% of IPCO's hydropower generating capacity as compared to the Hells Canyon complex facilities which represent approximately 75% of IPCO's hydropower generating capacity. The Hell's Canyon facilities are subordinated to later in time consumptive uses and are not properly included as a part of the evaluation of significant reduction. (Water Appropriation Rule 5,3,1,4.).

3. The reduction in IPCO's hydropower generation capability caused by new development is such that the timing of the reduction, either on an annual basis or a long term basis, need not be considered by IDWR. The computer model studies show that it would take approximately 15 years for aquifer outflow to the Snake River to be reduced 23% of net new withdrawal. By the 60th year outflow would be reduced by 76% of the new depletion. Other factors present in a dynamic system as large as the Snake Plain aquifer will have more effect on the discharge of the Snake River than decreases caused by this amount of new development.

4. Staff of the IPUC advises that the effect of reduced hydropower production on "unit cost" is not a proper factor to consider when analyzing the effect of reduced flows to hydropower generating facilities. IPUC generally considers hydropower facilities to have zero unit or production costs. Thermal facilities on the other hand do have associated unit costs such as the cost of fuel.

5. The IDWR is unaware of any contract or regulatory permits including FERC licenses which require IPCO to produce or to maintain capability to produce hydropower at specific levels.

6. Approval of applications for permit or permits which propose the development of the first 20,000 acres of newly irrigated land with water from the Snake Plain aquifer will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.

7. The development proposed by Application for Permit No. 36-7418 will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.

8. Application for Permit No. 36-7418 should be approved without special conditions related to Section 42-203C(2), Idaho Code.

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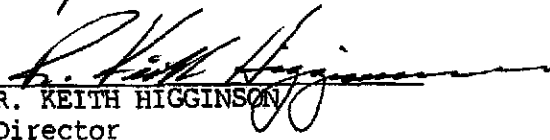
FEB 15 1990

ORDER

It is, therefore, hereby ORDERED as follows:

Application for Permit No. 36-7418 is hereby approved subject to the conditions shown on the approved permit.

Dated this 15th day of JANUARY, 1990.


R. KEITH HIGGINSON
Director

MICROFILMED

FEB 15 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-07418

Proposed Priority: December 11, 1973 Maximum Diversion Rate: 6.40 CFS

This is to certify, that **ARLENE E. BERGSTROM**
P.O. BOX 597
PAUL, ID 83347

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	6.40 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		SENE Sec. 23, Township 09S, Range 21E JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	21E	23	SWNE 40	SENE 40	SENW 40		240
			NESW 40	NESE 40	NWSE 40		80
		24	SWNW 40	NWSW 40			
Total number of acres irrigated:							320

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1994**.
2. Subject to all prior water rights.
3. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
6. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
8. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

MICROFILMED

FEB 12 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

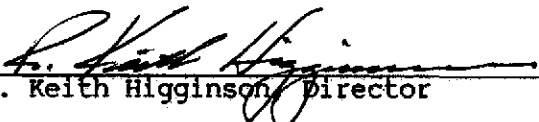
NO. 36-07418

CONDITIONS/REMARKS:

9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
10. DLE #I-7313.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

15TH day of JANUARY, 1990.


R. Keith Higginson, Director

MICROFILMED

FEB 15 1990

WARNING

Filed in connection w/Desert Entry-----APPLICATION HAS NOT BEEN APPROVED

Identification No. _____

Application No. 36-7418

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Arlene E. Bergstrom
 post office address Box 597, Paul, Idaho 83347 438-5291
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 9S
Range 21E B.M. Jerome County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 6.4 cfs for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (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. 6.4 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 & motor, sprinkler system

- 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 30 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
 b. Estimated construction cost is \$40,000.00.
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
 Range _____ B.M. _____
 (2) Amount of power to be generated: _____ 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: _____

RECORDED

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	
9S	21E	23			40	40				40	40				40	40			240
		24							40			40							80

Total number of acres to be irrigated 320

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

9. a. Who owns the property at the point of diversion Department of Interior - BLM

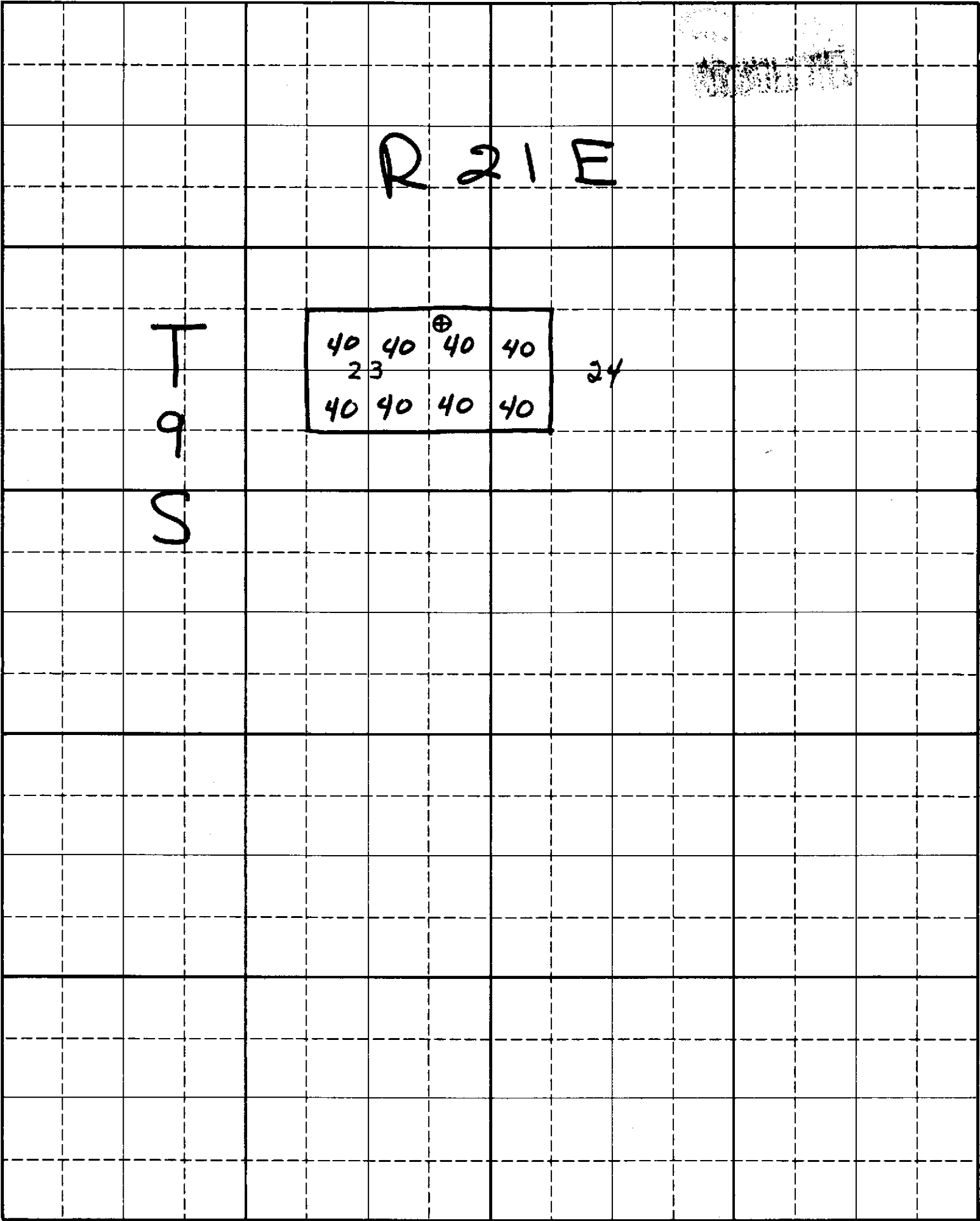
b. Who owns the land to be irrigated or place of use Department of Interior - BLM

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant has made filing on this land in the form of a desert land entry.

10. Remarks

RECEIVED

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



Scale: 2 inches equal 1 mile

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

Mrs. Arlene E. Bergstrom
(Applicant)

RECEIVED

Received by CLF Date 12-11-73 Time 1:00 PM.

Preliminary check by REN Fee \$ 85.00

REN Receipted by jmm Date 12-11-73 # 11739

Publication prepared by jmm Date 12-11-73

Published in North Side News

Publication dates 12-20 & 12-27-73

Publication approved mb Date 1-4-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. Other: _____

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

Witness my hand this _____ day of _____ 19____.

Director

MICROFILMED

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Jerome } SS.

Charles H. Krumm, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 20 day of Dec, 1973, and the date of the last publication was on the 27 day of Dec, 1973.

Subscribed and sworn to before me this 31st day of December, 1973.
(SEAL)

Darls Bratt
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>36</u>	
Number of Insertions	<u>3</u>	
Lines tabular at	315c	
<u>36</u> Lines straight at	21c	<u>7.56</u>
<u>36</u> Subsequent lines at	15c	<u>5.40</u>
TOTAL COST		<u>12.96</u>

COPY OF NOTICE

(Paste Here)

Notice of Application
TITLE OF NOTICE # 36-7418

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dep't Water Administration
BILL TO

Arlene E. Bergstrom, Dec 9, 1973, Paul, ID, has on December 11, 1973 submitted Application No. 36-7418 for a permit to appropriate 6.4 cubic feet per second of water from ground-water by means of well, pump, sprinkler system within the SE 1/4 NE 1/4, Sec. 23, T. 9S, R. 21E, B.M., Jerome County to be used from Mar. 15 to Nov. 15 for irrigation of 320 acres within the S 1/2 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, N 1/2 SE 1/4, Sec. 23; SW 1/4 NW 1/4, NW 1/4 SW 1/4, Sec. 24; T. 9S, R. 21E, 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 Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before January 7, 1974.

R. KEITH HIGGINSON
Director

12-20-21c-n

Instructions

15c

No. 2281



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 12, 1994

ARLENE E BERGSTROM
PO BOX 597
PAUL ID 83347

RE: WATER RIGHT NO. 36-07418

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

JAN 19 1994

WR0749NP
No. L36-07418

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/06/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARLENE E BERGSTROM PO BOX 597 PAUL ID 83347 (208) 678-1762	12/11/1973	IRRIGATION	04-01 10-31	3.48 CFS	868.0 AFA
TOTAL DIVERSION:					3.48 CFS	868.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 3.48 CFS

Point(s) of Diversion: T09S R21E S24 SWNW

JEROME County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM			
09S	21E	23	:				15		40	:					17				40	30	142.0			
09S	21E	24	:							:			35				40				75.0			
TOTAL ACRES																				217.0				

Pou County: JEROME

Other Water Rights with Same Point(s) of Diversion and Source:
36-07418 36-08253

Other Water Rights Listing Overlapping Place(s) of use:
36-07418

Conditions of Approval:

- R55 - This right is for the use of trust water and is subject to review
 - 20 years after the issuance of the permit to determine
 - availability of water and to re-evaluate the public interest.
- R56 - Diversion and use of water under this right is subject to an
 - annual use fee if rules are subsequently promulgated which
 - provide for the submittal of the fee.
- R57 - The Director retains jurisdiction of the right issued to
 - change, add or remove any requirement as determined to be
 - appropriate.
- R31 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 4.0 afa per acre for the
 - lands above.
- 004 - The issuance of this right in no way grants any right-of-way
 - or easement across the land of another.

Remarks: This right is appurtenant to land designated as DLE No. I-7313.

Dates:	App. Received:	12/11/1973	Priority Date:	12/11/1973
	Proof Due Date:	02/01/1994	Proof Made Date:	08/17/1992
	Exam Made Date:	08/20/1992	Exam Sent to S.O.:	12/14/1993
	Licensed Date:			

WR0749NP
No. L36-07418

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/06/94
PAGE: 2

=====

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 08/18/1992 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
 Proof of Beneficial Use Rcvd

Audit: 12/28/93 CHAPMAN 12/28/93 CHAPMAN

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L3607418	T09S R21E S23 GROUNDWATER																	
	:			15		40		:		17		:		40		30		142
3602252	GROUNDWATE :							:				37	40	:				77
*3602252	GROUNDWATE :							:				35	35	:			39	148
A3602252	GROUNDWATE :							:				35	35	:			39	148
3602472	GROUNDWATE :							:						:			20	48
*3602472	GROUNDWATE :							:				35	35	:			39	148
A3602472	GROUNDWATE :							:				35	35	:			39	148
~~3607418~~	~~GROUNDWATE :~~			~~40~~		~~40~~		~~:~~		~~40~~		~~:~~		~~40~~		~~40~~		~~240~~
3608643	GROUNDWATE :							:				40	40	:			40	160
L3607418	T09S R21E S24 GROUNDWATER																	
	:							35				40		:				75
*360208023	LARGE CLAI : 96-1					96-1	:							:				
A360208024	LARGE CLAI : 96-21					96-04	:							:				25
3602562	GROUNDWATE : 27					05	:							:				32
*3602562	GROUNDWATE : 27					05	:							:				32
A3602562	GROUNDWATE : 27					05	:							:				32
~~3607418~~	~~GROUNDWATE :~~							~~40~~				~~40~~		~~:~~				~~80~~
3607422	GROUNDWATE :													:			40	40
3607974	GROUNDWATE :			40				40						:				80
3608161	GROUNDWATE : 40					40	:							:		25		105
*3608161	GROUNDWATE : 40					40	:							:		25		105
A3608161	GROUNDWATE : 40					40	:							:		25		105

no overlaps

LICENSE REVIEW CHECKLIST

Permit # 36-7418 Date 12-28-93 Brenda Chapman

	Yes	No	
NAME	<u> </u>	<u> </u> ✓	Or Address Change?
PRIORITY DATE	<u> </u>	<u> </u> ✓	Advance? <u> </u> Advanced to: <u> </u>
	<u> </u>	<u> </u> ✓	Order to Reinstate Needed?
	<u> </u>	<u> </u> ✓	Incorrect Fee for rate recommended?
SOURCE	<u> </u>	<u> </u> ✓	Changes? Clarification of Originally Intended source <u> </u>
	<u> </u>	<u> </u> ✓	Notice of Intent to Void - Source change.
P/D	<u> </u>	<u> </u> ✓	Amendment Needed? <u>MAKE SUM CORRECT</u>
	<u> </u>	<u> </u> ✓	Overlap(s) <u>(WAS AMENDED)</u>
P/U	<u> </u>	<u> </u> ✓	Amendment Needed? <u> </u>
	<u> </u>	<u> </u> ✓	Overlap(s) <u> </u>
TOTAL CFS	<u> </u>	<u> </u> ✓	Measurement <u> </u> Theoretical only <u> </u>
STATIC LEVEL			<u>576 sprinklers (764) @ 60 PSI =</u>
<u>312'</u>			<u>2.71 gpm x 576 = 1560.96 = 3.48 CFS</u>
			Allowable Amount: <u>217 x .02 = 4.34 / CAPACITY</u>
			Capacity of System: <u>3.48</u>
TOTAL VOLUME			Season of Use: <u>C/4.0 4-1 to 10-31</u>
	<u> </u>	<u> </u> ✓	Calculations: <u> </u>
			<u>217 x 4 = 868 AFA</u>
			Flow limit: <u>3.48 x 214 x 1.9835 = 1477</u>
USES	<u> </u>	<u> </u> ✓	Change(s) in Nature of Use? <u> </u>
	<u> </u>	<u> </u> ✓	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u> </u> ✓	Multiple P/Ds in 1/4 1/4? <u> </u>
	<u> </u>	<u> </u> ✓	Special Overlap <u> </u>
	<u> </u> ✓	<u> </u>	Other <u>004, TRUST-RSS, 56, 57</u>
CONDITIONS	<u> </u>	<u> </u> ✓	Measuring/Locking Devices <u> </u>
	<u> </u>	<u> </u> ✓	W/Master Control <u> </u> Water Dist <u> </u>
	<u>R31</u>	<u> </u>	Irrigation Overlap <u>12-11-73</u> App Rec'd
	<u> </u>	<u> </u> ✓	Water Quality <u>8-20-92</u> Exam Made
COMMENTS:	<u>Reduce acres and rate</u>		

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Origination</u>	<u>3.48</u>	<u>868</u>	<u> </u> ✓
<u> </u>	<u> </u>	<u> </u>	1ST AMEND LETTER <u> </u>
<u> </u>	<u> </u>	<u> </u>	2ND AMEND LETTER <u> </u>

BUREAU OF LAND MANAGEMENT

BURLEY DISTRICT OFFICE

ROUTE 3, BOX 1

BURLEY, IDAHO 83318

PHONE: (208) 678-5514

RECEIVED

SEP 01 1992



Department of Water Resources
Southern Region



August 31, 1992

Attention: Mel Schulte

Hi Mel,

Here is the information you requested on the Arlene Bergstrom DLE. Karl (Simonson) went through the file to see what information you might be able to use. Hope this covers it.

If you need other information, please contact us at the Burley District Office, 678-5514.

Thanks,

Dorothy Bonner
Land Law Examiner

RECORDED

JAN 19 1994

Bureau of Land Management



USE ★ SHARE ★ APPRECIATE

BLM MISSION STATEMENT

"The Bureau of Land Management is responsible for the balanced management of the Public Lands and resources and their various values so that they are considered in a combination that will best serve the needs of the American People. Management is based upon the principles of multiple-use and sustained yield; a combination of uses that takes into account the long term needs of future generations for renewable and non-renewable resources. These resources include recreation, range, timber, minerals, watershed, fish and wildlife, wilderness and natural, scenic, scientific and cultural values."

LAND REPORT

I. DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action: Arlene E. Bergstrom filed an application (I-7313) for Desert Land Entry (DLE) on September 26, 1973. Her petition to the BLM was to classify the subject land as available for entry and subsequent patent under the Desert Land Act. The applicant wants to obtain this land for farming purposes. The following described lands have been applied for under this entry:

T. 9S., R. 21E., B.M., Jerome County, Idaho
 Section 23: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 24: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
 Containing 320 acres

RECEIVED

SEP 01 1992

Department of Water Resources
Southern Region Office

B. Alternatives: The BLM may deny, or allow, in whole or in part, the proposed action.

II. RECOMMENDATIONS AND RATIONALE

A. Recommendations: I recommend that all of the subject lands be classified suitable for disposal under provisions of the Desert Land Act, as amended (19 Stat. 377; 43 U.S.C. 312-323).

B. Rationale: As provided in the Monument RMP the subject land was determined that it was not needed in public land ownership and was designated for disposal or transfer in a T-4 category. The RMP description was to allow existing desert land entrymen the first opportunity for the land based on the entries own merits as they apply to the Desert Land Act. Those which are not allowed would be transferred to the Bureau of Reclamation under their special program identified for the same land, under a Section 204 withdrawal (P.L. 94-579, 90 Stat. 2751).

The same management plan identifies those lands which will be considered for disposal under the Desert Land Act to be those which have 50 percent SCS Class III or better soils. Information Bulletin ID-85-7, Change 1, identifies this criteria to within each legal subdivision (40 acres). Although not each 40 acre parcel has the majority of Class III or better soils it is possible to farm less fertile soils resulting in reduced yields or special cropping concerns. They together with the better soils are needed to provide for a better irrigation system and improve the farmability of the parcel. Without these parcels the DLE may not be as effectively developed. Therefore all of the land should be disposed of.

The entire 320 acre parcel has about 245 acres of farmable land. The remaining 75 acres are either devoted to roads or are too poor of soils or are not capable of being farmed because of rock outcrops. Therefore, the subject land is chiefly valuable for agricultural purposes and at this time this represents the highest and best use of the land as well as the most profitable legal use, as provided in 43 CFR 2430.5(a). The long term public benefits would be well served by this classification, 43 CFR 2410.2.

The land is physically suited for agricultural use and they meet the requirements of the Desert Land Act for the purpose they are being

JAN 19 1994

declining and wells are being lowered to compensate for this. Others have gone dry. The applicants development plans include pumping from this underground aquifer.

The depth of ground water at the subject site is estimated to be 360 feet. Irrigators to the east have wells that have been deepened to 400 feet with static water levels at 340 feet. Information obtained on A & B Irrigation wells in the area indicates that ground water there is becoming less reliable with some wells pumping only air even when water is present in those wells. A couple of dry holes were drilled, 415 feet and 575 feet respectively, four miles to the east in Section 22. The deepest of A & B's production wells is 531 feet but most are near the 400 foot level.

3. Vegetation: Cheatgrass (BRTE) is the dominant vegetative species present. Other grass found on the land but in lesser amounts are Sandburg's Wheatgrass (POSA), Bluebunch Wheatgrass (AGSP), Western Wheatgrass (AGSM) and Crested Wheatgrass (AGER). Green rabbitbrush (CHVI) can be found scattered through the parcel, mostly in a young stage of development. There are other perennial forbs such as Prickly Pear cactus and many annual forb species, in the form of weeds, also present. No aquatic species or threatened or endangered species are present or expected to occur. The ecological trend is in poor conditions.

4. Soils: A detailed soil survey was conducted and completed on the subject land by the District Soil Scientist while the Monument RMP was being developed. Field work and survey were completed during the summer of 1983. This detailed survey was conducted to determine SCS soil capability classification. This study revealed there are 47 acres of capability Class II, 165 acres capability Class III, and 33 acres of capability Class IV comprising the total tillable soils of 245 acres. The soils that remain are in capability Classes VII and VIII which are unsuitable for agriculture and have major limitations for use because of steep slopes, shallowness or droughtiness, high erosion hazard, high alkali or salt concentrations or rock outcrops.

A majority of the tillable soils are comprised of a soil complex of Power, Milner and rock outcrops (PMC). Other soils are the complex of McCain, Trevino and rock outcrops (MTC). The PMC association has 1 to 8 percent slopes, exhibit deep soil horizons, with permeability and runoff slow. The Power siltloam soil unit is used mainly for rangeland, however, it is also used some for irrigated crops. The Milner siltloam soils have limitations for seeding which are soil salinity. The effects of toxic salts in the soil can be minimized by seeding with a deep furrow drill. This unit is best suited to grazing but if it is used for crop land must be irrigated. The main limitations are slope, very slow permeability, and salinity and rock outcrops. The PMC map unit is in a SCS capability Class II/III if irrigated. However, if not irrigated the Power soils capability unit is IV and the Milner capability unit is VII. The rock outcrops are in Class VIII.

The MTC soil association has 2 to 20 percent slopes, has shallow to moderately deep soil, with permeability and runoff moderately slow. The McCain siltloam soils are mainly used by grazing, but can be adapted to irrigated crop lands. These soils are moderately deep and well drained. It formed a Loess over residum derived dominately from basalt. Permeability is moderately slow. The Trevino siltloam soils are shallow to

JAN 18 1994

basalt bedrock, well drained, and soil is on terraces. It formed in Loess derived dominately from lascustrine sediments. Permeability is moderate with runoff slow. Most areas of this unit are used for rangeland or homesite development, but can be irrigated to marginal crop production. The production of vegetation suitable for livestock grazing or cropping is limited by a shallow soil depth to bedrock and low available water capacity. The MTC soil map unit has a SCS capability Class III/IV if irrigated and a Class VI if not irrigated. Rock outcrops are in a Class VIII.

The remaining 75 acres of SCS Class VII or worse lands are not farmable and can only be used for marginal grazing or wildlife escape areas. Because the entry will not consider these lands as being part of the economic viability they will not be discussed further or used in the economic analysis in this report.

5. Animals: There are various raptors and coyotes that prey on small mammalian species throughout this area. A common screech owl and several northern harrier (March Hawk) were sited near the parcel. Other raptor species are present from time to time.

Mule deer winter in this area as do pronghorn antelope. However, there is a herd of about 30 antelope that are resident and stay on or nearby the subject land year round. Many song birds and upland gamebirds inhabit the land. Most use these lands for nesting and escape cover. These species include Black Birds, Magpies, Meadow Larks, Lark Sparrow, Pheasants, and Quail.

Numerous insects are found throughout the parcel. Reptiles are present but keep hidden. There are no aquatic species or known threatened or endangered species present. Because the burrowing owl, a threatened species, is found throughout the general area it is possible to find them here on these lands. However, no evidence was found on the subject land of their presence.

6. Visual: The proposed action has a low visual impact upon the subject land. This is because it is in an area that is somewhat isolated from most people as they traverse the area. Only local farmers and ranchers have an occasion to view it regularly. No VRM rating will be required for this action.

F. Cultural Resource Considerations: There are no archaeological, paleontological, or historical sites known to be present on the subject land. please refer to the cultural resource clearance in this file.

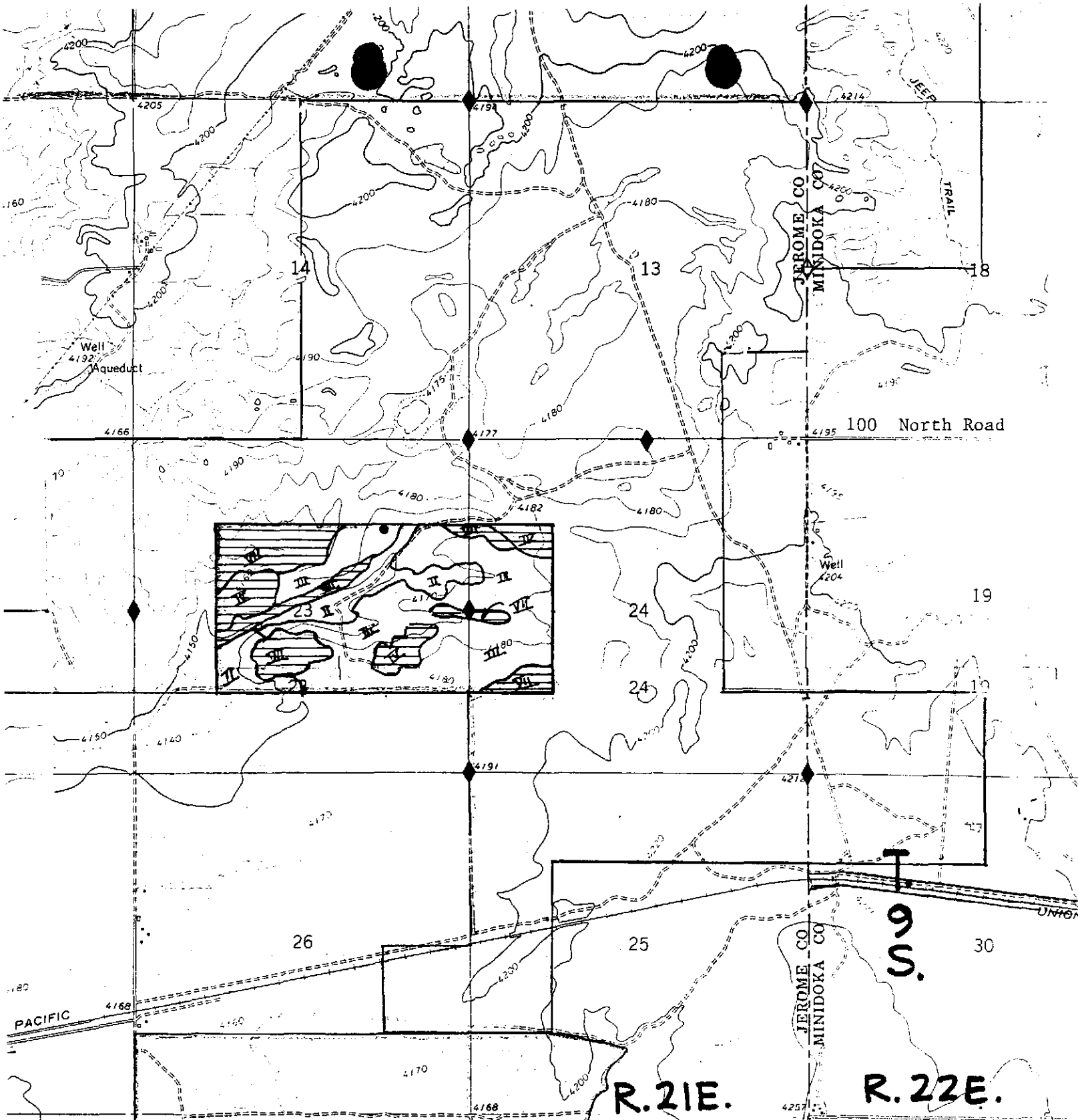
G. Critical Environmental Concerns: None.

H. Wilderness Values: None.

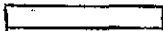
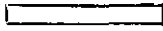
I. Land Use Capabilities of the Subject Land:

1. Historical Uses: Aboriginal groups made heavy use of the general area, particularly along the natural water courses. The lavas and undulating terrain were probably utilized for hunting and shelter. During this past period it is widely believed wildlife was abundant and used as a primary source for food and clothing.

JAN 19 1994

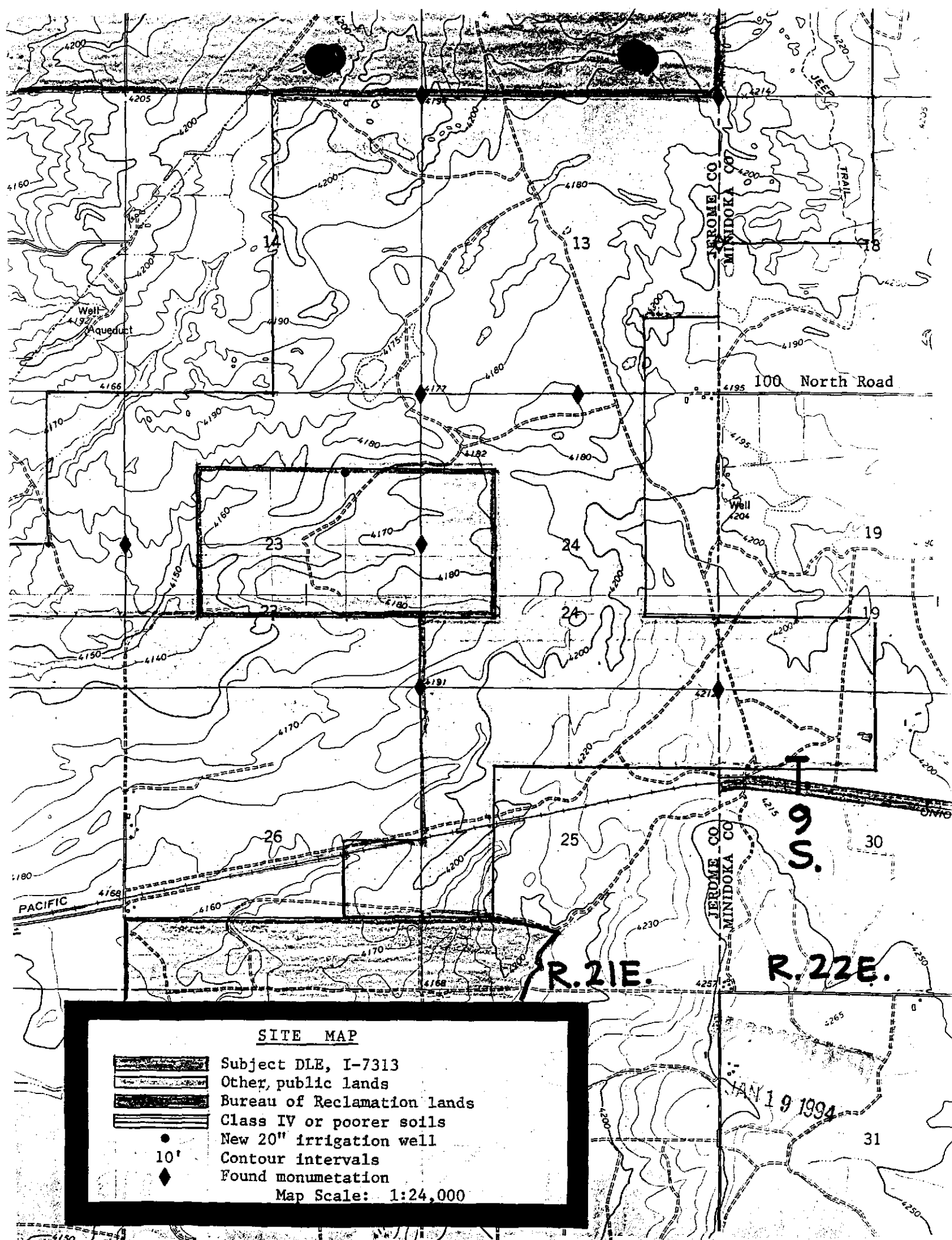


SITE MAP

-  Subject DLE, I-7313
-  Other public lands
-  Bureau of Reclamation lands
-  Class IV or poorer soils
-  New 20" irrigation well
-  10' Contour intervals
-  Found monumetation

Map Scale: 1:24,000

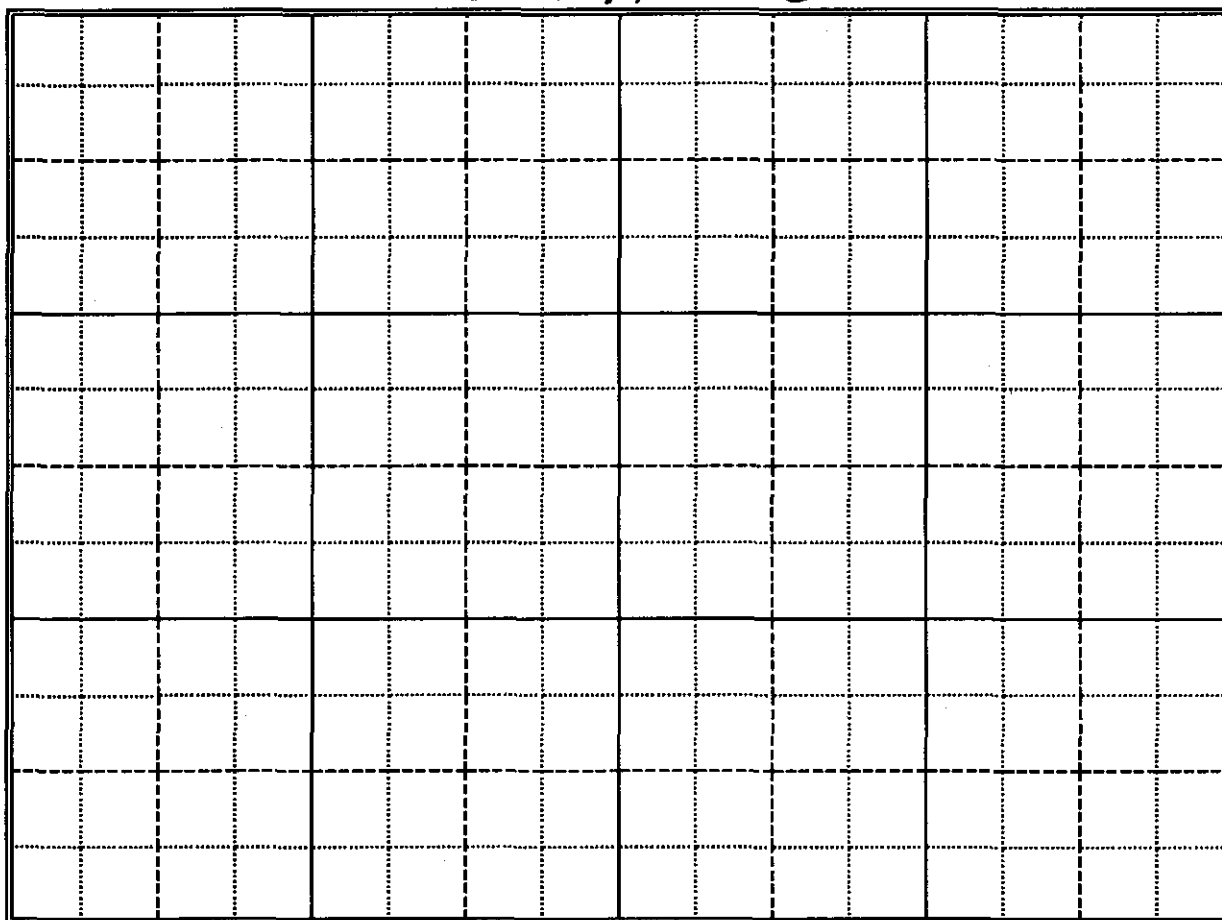
JAN 19 1964



JAN 19 1994

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

See attached



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S.	250	07007515	Vertelino Jayne-Bowles	Unknown

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
<i>pitot tube</i>						
<i>pressure gauge</i>						JAN 19 1994

2. Measurements:

16 pressure readings were taken at 8 locations throughout the system and averaged 54.7 psi. The system was relatively leak free.

E. NARRATIVE/REMARKS/COMMENTS

The system consists of a 20" diameter well with a 250 Hp submersible pump. The pump has a 10" discharge pipe with a pressure guage. Water discharges to a 10" surface mainline for $\frac{3}{4}$ of a mile then to an 8" x $\frac{1}{2}$ mile surface mainline to a 6" x $\frac{1}{8}$ " surface main. From the mainline 3" solid set handlines with impact sprinklers containing $\frac{7}{8}$ " nozzles provide irrigation. The owner indicated the system could service 18- $\frac{1}{4}$ mile lines at a time. At the time of exam 15- $\frac{1}{4}$ mile lines and 7 shorter lines were operating with a total of 576 heads. The pressure guage at the well registered 72 psi. The land is subject to a Desert Land Entry application. The BLM recognizes 245 farmable acres out of 320. The remaining 75 being subject to roads, poor soil or rock outcrops. The irrigated acres for this permit P/U was determined to be 217 acres by using an ASCS aerial map, 1992 slide, planimeter and grid overlay. ASCS has not determined farmable acres because 1992 is the first crop year for the land. The entire parcel was planted in potatoes at the time of exam.

The measured method is considered the best indication of the diversion rate.

No overlaps.

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

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$576 - \frac{7}{8} \text{ nozzles @ } 60 \text{ psi} = 2.71 \text{ gpm} \times 576 = 1561 \text{ gpm} = 3.48 \text{ cfs.}$$

Theoretical:

$$\frac{8.8 \times 250 \times .7}{320 + (2.3 \times 72)} = 3.17 \text{ cfs.}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 217 \times 4 = 868 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.48 \times 214 \times 1.9835 = 1,477.2$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 868 \text{ afa}$$

2. Volume Calculations for Other Uses:

NA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	3.48 cfs	868 afa
Totals:			3.48 cfs	868 afa

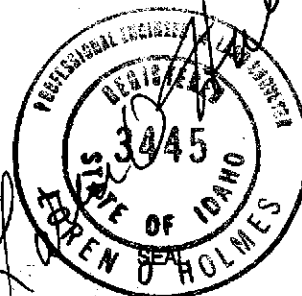
2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Mel Schulte Date 10-1-92

Reviewer _____ Date _____



JAN 19 1994

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-7418
DATE: 8-20-92
BY: MTS

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

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

$$Q = \frac{(8.8) \dots 250 \dots (0.70)}{[(\dots 320 \dots) + (\dots 72 \dots \times 2.31)]} = 3.17 \text{ cfs}$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	<u>U.S. A7007515</u>
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well log (X)	owner gage (X)	<u>Leyne-Bowler - Vertiline</u>
Booster (Y) (N)		

REMARKS

Measured diversion rate = 3.48 cfs.
Lift was estimated from well log - static = 312'

ANNUAL VOLUME ANALYSIS

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

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

POTENTIAL = $\frac{(\dots 214 \dots) \times (1.98) \times (\dots 3.48 \dots)}{(\dots 217 \dots)}$

POTENTIAL = 6.82

REQUIRED Acre Feet/Acre/Annum = 4.0
(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

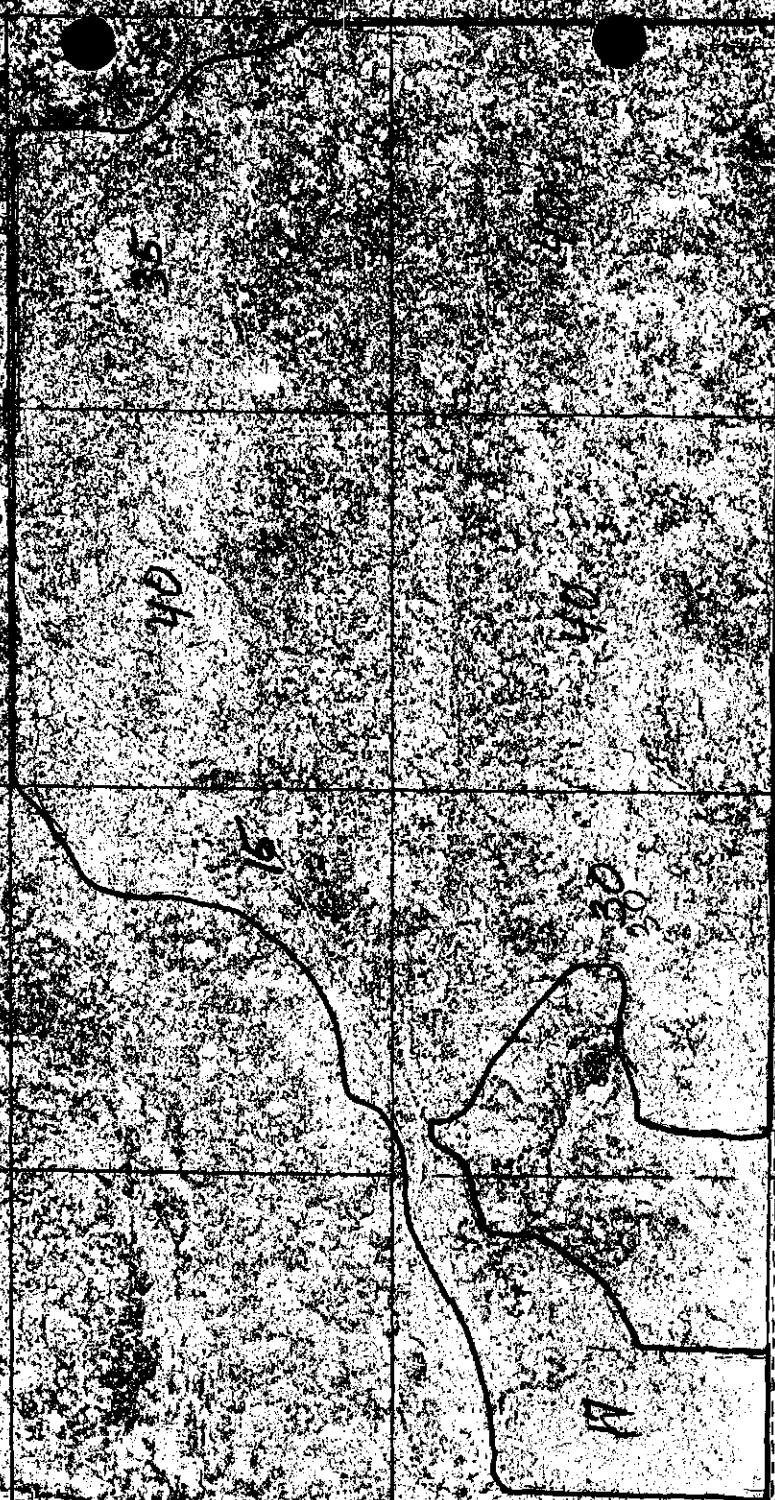
IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()



JAN 19 1994

PERMIT 36-7418 INIT
 T. R. S. Q/Q
 P/D
 SCALE
 PHOTO ID.



T 57
 1803
 overlay = 217
 Planimeter = 216.

JAN 18

TRANS
to
Minid

36-7418
System Diagram

10" Surface



JAN 19 1994

PERMIT 36-7418 INIT
T. R. S. Q/Q
P/D 95 21E 24 SWNW
SCALE
PHOTO ID.

15

13

Aqueduct

4166

4177

4182

22

23

24

22

23

24

4191

4212

Well
4183

27

26

25

PACIFIC

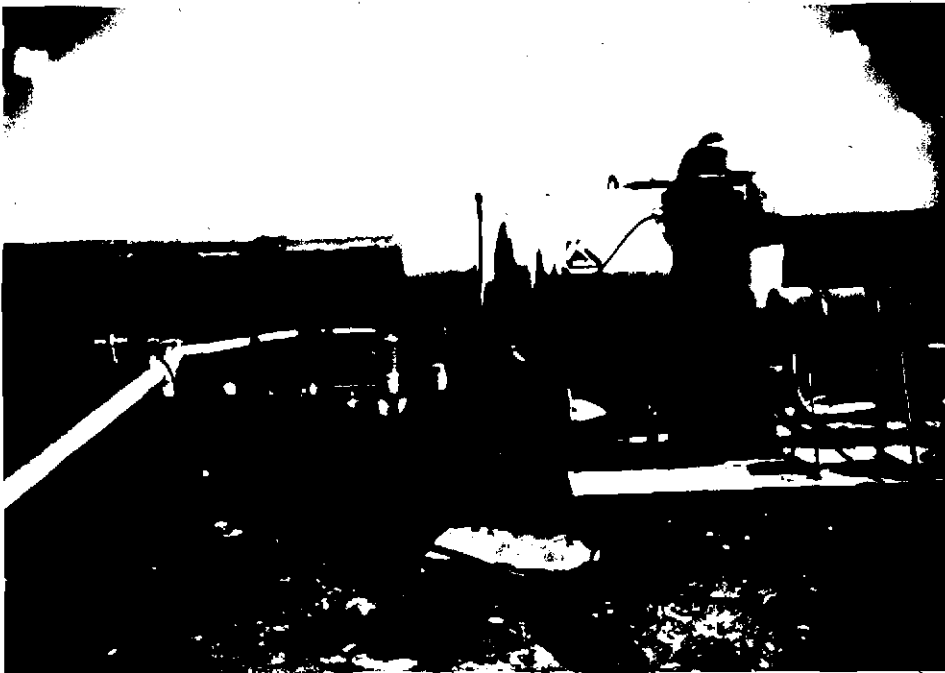
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JEROME CO
MINIDOKA CO

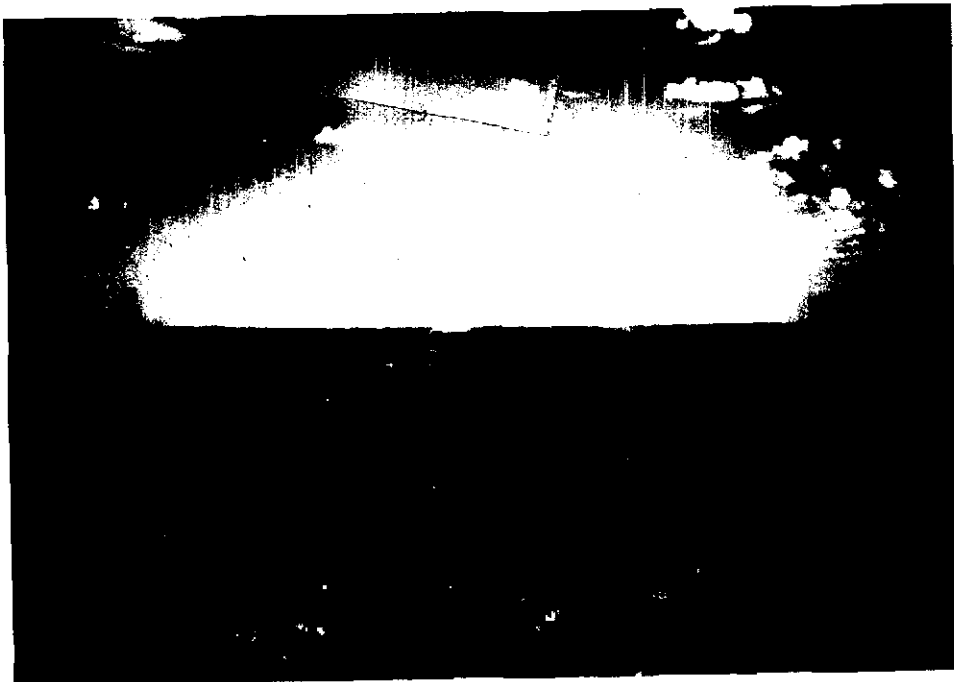
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36-7418



#1

P/D



#2

P/U looking
West from
well site

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JAN 19 1994

36-7418



#3

P/U looking
South from
the NW corner.

JAN 19 1994

August 28, 1992

ARLENE E BERGSTROM
PO BOX 597
PAUL ID 83347

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-07418

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

SEP 10 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-07418

Reviewed by Klg

Date 8/17/92

GENERAL CONSIDERATIONS

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

TYPES OF USE

irrigate - 245
yes Correct Uses?

SOURCE OF WATER

yes Surface water source

yes Ground water source

yes Drilling permit required?

yes Copy in the file? Drilling Permit No. 36-91-S-002

200 Amount paid for permit yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
200 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

Proof Made _____

8/17/92
8/28/92 Klg



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 18, 1992

RECEIVED

AUG 25 1992

Department of Water Resources

Mr. Robert E. Denton
Denton Well Drilling Company
P.O. Box 299
Paul, ID 83347

Re: Permit No. 36-07418 - Arlene e. Bergstrom
Drilling Permit No. 36-91-S-0002
Drilling Date: May 19, 1991
Proposed Location: 09S, 21E, Section 24, SW $\frac{1}{4}$ NW $\frac{1}{4}$

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a well log which should have been submitted 30 days after completion of the construction of this well.

While it is possible that you have submitted the log, we have been unable to locate it. Please supply me with another copy. Please address any correspondence directly to me. Your response should be received within 20 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of the permit holders system and the eventual issuance of a license of water right.

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

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

RECORDED

AUG 1992

C: Permit Holder

Regarding the log - This log was mailed to you - I'm sending this copy - Why is it if we miss sending a log we get fined but if you lose one we have to spend

Our time and effort and don't even receive
a Thank you - also just have 20 days
to reply -

Sincerely
Denton Drelling

RECEIVED

SEP 10 1992

RECEIVED

JAN - 9 1991

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

RECEIVED

JAN 10 1991

Department of Water Resources

Applicant (please print) ARLEN E. BERGSTROM

Mailing Address P.O. Box 597, PAUL, IDAHO 83347

Telephone 678-1762

☒ Well Owner () Well Operator () Other, specify

Proposed well location SW 1/4 NE 1/4 or Gov't Lot No.

* 24 Sec. 23, Twp. 9S, Rge. 21E, County JEROME

Street Address of Well Site * Amended 1-22-91

Lot, block and subdivision

4. Proposed use of well:

() Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purposes in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

☒ Non-Domestic: Any beneficial use not included within the definition of domestic.

IRRIGATION

() Injection

() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. Well construction information:

A. ☒ New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 20" Proposed Maximum Depth 400'

C. Anticipated bottom hole temperature:

☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

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SEP 10 1992

6. Construction Start Date JAN 15, 1991

7. Anticipated Well Driller - Bob Denton, Paul, ID

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Arden E. Bergstrom Date Jan 8, 1991

Title By Arden E. Bergstrom
(Owner, Firm Representative, Other)

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 1/9/91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the well permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

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SEP 10 1992

Loren O. Halpin
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 501
2944 Received by H.J. Fee 200.00 Date Jan. 8, 1991

EXTENSION OF DRILLING PERMIT

Extension approved by Loren O. Halpin Approval Date 3/21/91

This extension is good for 60 days beyond the above extension approval date.

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Cherene E. Bergstrom

Address P.O. Box 547, Paul, ID. 83347

Owner's Permit No. 36-91-S-002

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Well diameter increase

☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal

☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary

☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>1250</u> inches	<u>30</u> inches	<u>1</u> feet	<u>24</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 20 ft. ☐ Cement grout

☒ Bentonite ☐ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld

☐ Cemented between strata

Describe access port 1 1/2" pipe

7. WATER LEVEL

Static water level 3 1/2 feet below land surface.

Flowing? ☐ Yes ☐ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ OF. Quality _____

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
	<u>no test</u>	

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
24	0	5	dirt		
24	5	21	gray lava		
24	21	40	brown clay		
24	40	60	gray lava		
24	60	82	red cinders		
24	82	90	gray lava		
24	90	95	gray cinders		
24	95	102	gray lava		
24	102	108	red cinders		
24	108	129	gray lava		
24	129	155	gray lava		
24	155	178	brown clay		
24	178	225	gray lava		
24	225	237	red cinders		
24	237	259	gray lava		
24	259	272	gray lava		
24	272	280	brown lava		
24	280	317	gray lava		
24	317	325	brown cinders very loose (very water)	X	
24	325	344	brown lava (loose covering)		
24	344	355	brown lava & cinders	X	
20	355	392	gray lava		
20	392	465	gray lava & cinders (could be water)		

10.

Work started 5-19-91 finished 11-27-91

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Denton Drilling Firm No. 83

Address Paul, Idaho Date 11-29-91

Signed by (Firm Official) Cherene E. Denton

and

(Operator) Cherene Bishop

6. LOCATION OF WELL

Sketch map location must agree with written location

N

W

E

S

Subdivision Name

Lot No.

Block No.

County _____

SW 1/4 NW 1/4 Sec. 24, T. 9 ☐ N ☒ S ☐ R. 21 ☒ W ☐ E

12. RECEIVED

AUG 25 1992

Department of Water Resources

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 18, 1992

Mr. Robert E. Denton
Denton Well Drilling Company
P.O. Box 299
Paul, ID 83347

Re: Permit No. 36-07418 - Arlene e. Bergstrom
Drilling Permit No. 36-91-S-0002
Drilling Date: May 19, 1991
Proposed Location: 09S, 21E, Section 24, SW $\frac{1}{4}$ NW $\frac{1}{4}$

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a well log which should have been submitted 30 days after completion of the construction of this well.

While it is possible that you have submitted the log, we have been unable to locate it. Please supply me with another copy. Please address any correspondence directly to me. Your response should be received within 20 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of the permit holders system and the eventual issuance of a license of water right.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

C: Permit Holder

RECEIVED

SEP 10 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 2, 1992

RE: Permit No. 36-07418

Arlene E. Bergstrom
P.O. Box 597
Paul, ID 83347

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED
JAN 21 1992

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: AS

Right Number 36-7418 Applicant BERGSTROM, ALENE E.

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) _____
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☒ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions Per Permit + 46 (On Permit)

By Loren O'Brien Date 11/27/91

RECEIVED
DEC 03 1991

Department of Water Resources

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By GB Date 12-05-91
- ☒ Approved copy sent to applicant and to Region. By BDM Date 1-6-92

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Jerome } ss.

JUL 11 1991

Department of Water Resources
Southern Region Office

Patty Spence, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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

3rd day of July, 1991, and the date of the last publication was on the 10th day of

July, 1991.

Patty Spence
Subscribed and sworn to before me this 10th day of

July, 1991
(SEAL)

[Signature]
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2 x

JAN 21 1992

Lines tabular at _____ 6¢/Pica
295.3 Lines straight at 14.77 5¢/Pica
Subsequent lines at 117.82 4¢/Pica
TOTAL COST 26.59

OK MB
8-27-91
Should be no charge; however.

Will be a credit on next billing. Vol, 7571.
Per Norma 8-27-91 MB

COPY OF NOTICE

(Paste Here)

Not. of Correction
TITLE OF NOTICE
A. Bergstrom
36-07418
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Water Res.
BILL TO T.F.

NOTICE OF CORRECTION
Notice is hereby given that the Notice of Amendment to approved Water Permit No. 36-07418 in the name of Arlene E. Bergstrom of Paul, ID was advertised with multiple errors within the information for Permit No. 36-07418 on 5/8 and 5/15/91.

Whereas, the actual point of diversion and place of use BEFORE the amendment is within the SE¼NE¼, S23, T9S, R21E; County of Jerome, to be used for irrigation on 320 acres within S¼NE¼, SE¼NW¼, NE¼SW¼, N¼SE¼, S23, T9S R21E; SW¼NW¼, NW¼SW¼, S24, T9S, R21E.

Any protest to the above corrections must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before JULY 23, 1991.

-R. KEITH HIGGINSON
DIRECTOR

Pub: 7-3, 10

N7579

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive insertions.....4¢/Pica

No 5100

7579



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

24-Jun-1991

R. KEITH HIGGINSON
Director

NORTHSIDE NEWS
PO BOX 468
JEROME ID 83338

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill.

It is our understanding that this publication of the correction notice will be at no charge to the Department. Enclosed please find copies of the legal notice originally submitted for publication and a copy of the actual publication with the errors circled in red.

Please send the affidavit of publication and publication billing to this office before July 15, 1991.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosures (3)
Original legal notice
copy of first publication affidavit
Notice of Correction legal

RECORDED
JAN 21 1992

NOTICE OF CORRECTION

Notice is hereby given that the Notice of Amendment to approved Water Permit No. 36-07418 in the name of Arlene E. Bergstrom of Paul, ID was advertised with multiple errors within the information for Permit No. 36-07418 on 5/8 and 5/15/91.

Whereas, the actual point of diversion and place of use BEFORE the amendment is within the SE1/4NE1/4, S23, T9S, R21E; County of Jerome, to be used for irrigation on 320 acres within S1/2NE1/4, SE1/4NW1/4, NE1/4SW1/4, N1/2SE1/4, S23, T9S, R21E; SW1/4NW1/4, NW1/4SW1/4, S24, T9S, R21E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before July 15, 1991.

R. KEITH HIGGINSON, DIRECTOR

Published in North Side News on 7/3 & 7/10/91

MICROFILMED

JAN 21 1992

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Jerome } ss.

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 8th day of May, 1991, and the date of the last publication was on the 15th day of May, 1991.

Patty Nance
Subscribed and sworn to before me this 16th day of May, 1991.
(SEAL)

Vivian J. Jandiga
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

Lines tabular at _____ 6¢/Pica
393.7 Lines straight at 19.69 5¢/Pica
Subsequent lines at 15.75 4¢/Pica
TOTAL COST 35.44

COPY OF NOTICE

(Paste Here)

Not. Amend Wat.
TITLE OF NOTICE Permit
Bergstrom
36-07418
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Id. Dept. Wat. Res.
BILL TO T.F.

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 36-07418

Notice is hereby given that Arlene E. Bergstrom of Paul, ID is the holder of Approved Permit No. 36-07418 authorizing the diversion of 6.40 cubic feet per second of water from groundwater in the SE1/4 S23, T9S, R21E, County of Jerome, to be used for irrigation on 320 acres within S1/4 NE1/4, SE1/4 NW1/4, NE1/4 SW1/4, NW1/4 SW1/4, S24, T9S, R21E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit to change the point of diversion to _____

Period of Use: No change
Point of Diversion: SW1/4 NW1/4, S24, T9S, R21E, NW1/4 SW1/4, S24, T9S, R21E, Jerome County.

Place of Use: No change
Any protest against approval of the amending of Permit No. 36-07418 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 27, 1991.

R. Keith Higginson, Director
Pub: 5-6, 15

7-8 pt. per line successive
insertions.....4¢/Pica

RECEIVED

MAY 17 1991

MICROFILMED

JAN 21 1992

Department of Water Resources
Southern Region Office
No 5046

41746



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

30-Apr-1991

NORTHSIDE NEWS
PO BOX 468
JEROME ID 83338

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 required publication dates. If time allows, please submit 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.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JAN 21 1992

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 36-07418

Notice is hereby given that Arlene E. Bergstrom of Paul, ID is the holder of Approved Permit No. 36-07418 authorizing the diversion of 6.40 cubic feet per second of water from groundwater in the SE1/4NE1/4, S23, T9S, R21E; County of Jerome, to be used for irrigation on 320 acres within S1/2NE1/4, SE1/4NW1/4, NE1/4SW1/4, N1/2SE1/4, S23, T9S, R21E; SW1/4NW1/4, NW1/4SW1/4, S24, T9S, R21E.

The permit holder has applied to the Department of Water Resources for an Amendment to the Permit, to change the point of diversion as follows:

Amount: No change

Period of Use: No change

Point of Diversion: SW1/4NW1/4, S24, T9S, R21E, NW1/4SW1/4, S24, T9S, R21E; Jerome County.

Place of Use: No change

Any protest against approval of the amending of Permit No. 36-07418 as set forth above must be filed with the Idaho Department of Water Resources, 222 Shoshone Street East, Twin Falls, ID 83301 on or before May 27, 1991.

R. Keith Higginson, Director

Published in the North Side News on 5/8 & 5/15/91.

RECEIVED

JAN 21 1992



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

30-Apr-1991

ARLENE E. BERGSTROM
PO BOX 597
PAUL ID 83347

Re: Application for Amendment, 36-07418

Dear Mr. Bergstrom:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit.

This office will be advertising the application in the North Side News on 5/8 & 5/15/91. 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,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

JAN 21 1992

Southern
RECEIVED

State of Idaho
Department of Water Resources

JAN - 9 1991

Department of Water Resources
Southern Region Office

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) ARLEN E. BERGSTROM
2. Mailing Address P.O. Box 597, PAUL, IDAHO 83347
Telephone 678-1762

☒ Well Owner () Well Operator () Other, specify _____

3. Proposed well location SS 1/4 NE 1/4, or Gov't Lot No. _____
Sec. 23, Twp. 9S, Rge. 21E, County JEROME
Street Address of Well Site _____
Lot, block and subdivision _____

4. Proposed use of well:

- () Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

☒ Non-Domestic: Any beneficial use not included within the definition of domestic. IRRIGATION.

() Injection

() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____

5. Well construction information:

A. ☒ New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 20" Proposed Maximum Depth 400'

C. Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212° or more (Geothermal well)

MICROFILMED

JAN 21 1992

6. Construction Start Date JAN 15, 1991

7. Anticipated Well Driller _____
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Arnell E. Bergstrom Date Jan 8, 1991

Title By Claire Bergstrom (Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 1/9/91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

MICROFILMED

JAN 21 1992

Loren O. Halpin
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 501 2944 Received by M.J. Fee 200.00 Date Jan. 8, 1991

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

January 26, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: Permit No. 36-7418

Arlene E. Bergstrom

Box 597

Paul, ID 83347

Dear Permit Holder(s):

Enclosed is a copy of your approved Application for Permit. Also enclosed is a copy of the Order granting approval of the application.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the Department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

MICROFILMED

FEB 15 1990

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS:sc

Enclosures

FROM

Tim

MICROFILMED

DATE

12-29-89

TO

KACJ

JAN 21 1992

SUBJECT

App No. 36-748

This ~~is~~ is A TRUST App > 200 Acres. However, we now have an ORDER that allows us to Approve these Apps (at least temporarily, see attached copy of order). Plz draft all necessary conditions for this particular App, including trust conditions. Plz Rush this as we wish to get it to the Director ASAP. Leave Proof Due DATE BLANK, Shasha or I will get this confirmed by Glen. ↑

Thy
Tim

SIGNATURE

Recommend
4 yrs. for development...



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 14, 1989

Northside News
Box 468
Jerome, ID 83338

Dear Legal Department:

Enclosed you will find a legal notice which we wish to have published on June 22 and June 29 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notice must appear in the issue that is distributed during the weeks of June 19 and June 26. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and billing to the office below before July 10.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Sincerely,

Heidi M. Mikel

HEIDI M. MIKEL
Secretary

MICROFILMED

FEB 15 1990

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

APPLICATION NO. 36-7418

Name: ARLENE E. BERGSTROM
Address: BOX 597
PAUL, ID 83347
Source: GROUNDWATER
Diversion Pt.: SESE SEC. 23 T9S R21E
JEROME COUNTY
Use: IRRIGATION (6.40 CFS)
Priority: DECEMBER 11, 1973
Place of Use: S1/2NE, N1/SE, SENW, NESW SEC. 23;
SWNW, NWSW SEC. 24; T9S R21E
Total Acres: 320

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests based on Sec. 42-203C must overcome the presumption of Water Appropriation Rule 5.2. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before July 10, 1989.

R. Keith Higginson, Director

MICROFILMED

FEB 15 1990

IDWR CHECKLIST FOR ADDITIONAL INFORMATION
REQUIREMENTS UNDER WATER APPROPRIATION RULE 4.5

PERMIT NO. _____

APPLICATION NO. 36-7418

RULE 4,5,3,6,1 ☒ 1 mile maintain w/ 16 1/4 inch Handlines
for 320 acres / Acceptable

RULE 4,5,3,6,2 ☒ Rotation not specified / Types of crops
grown are identified

RULE 4,5,3,6,3 ☒ OK

RULE 4,5,3,6,4 NA

RULE 4,5,3,6,5 ☒ Little Return Flow - Sprinkler system
Electricity / no specific info about Q rates & Energy Demand
Relate Power

RULE 4,5,3,6,6 ☒ Little Return Flow - sprinkler system
Q Estimate by BLM - Consumptive Use Estimate

RULE 4,5,3,6,7 ☒ minimally acceptable info on soils

Remarks: Information submitted by Applicant is acceptable
at this time in terms of complying w/ Request under
Rule 4,5,3,6.

MICROFILMED

FEB 15 1990

6/13/89

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C006803

Date: 05/16/89
Time: 13:46:27

Received

From: BERGSTROM, CLAIR

Type of Payment	Program Acct Class	Amount
TRUST WATER RE-AD FEE (36-7418)	0610199 1238 6490	\$20.00
	Total	\$20.00

CHECK 1304

Idaho Department of Water Resources

Region: STATE

Signature: K. Young

MICROFILMED

FEB 15 1990

RE: Permit No. 36-7418

Sirs:

Attached are the forms requested by your office. As you are aware we have filled out many forms in the past sixteen years. We are interested in continuing our objective which is to be able to farm this land we've applied for.

We hope this letter and forms satisfies your office under the requirements of Rules 4, 5.

RECEIVED

JUN 06 1989

Department of Water Resources

4.5.1 not applicable

4.5.2 not applicable

4.5.3 in attached forms

4.5.3.1 not applicable

4.5.3.2 no wells within $\frac{1}{2}$ mile all directions

4.5.3.3 not applicable

4.5.3.2.1 - We have attached forms from the USDA which show water system requirements. This is labeled #1. It shows what the crops will need, our application 36-7418 is for 6.4 cfs for irrigation purposes from March 15 to Nov 15 inclusive.

4.5.3.2.2 - Information supplied by the Dept of Water Resources at the

FILED

JAN 21 1992

time of our application show sufficient water in underground aquifer for the demand.

4.5.331. No deeds, leases, easements

4.5.332 Attached are all needed forms and applications

4.5.341. Attached is a current financial statement labeled #2

4.5.342. Plans and construction costs are labeled #3. We feel this land will compensate for the cost and provide income for our family.

Pump, pipe and misc. have been arranged for and could be installed in time for 1990 season.

4.5.35. ~~not applicable~~

4.5.351. Fish and game surveys have been done numerous times, and at the present time BLM is open to the reclamation of the land for farming purposes.

4.5.36. our project is not large enough to require this.

4.5.361. not applicable

MICROFILMED

JAN 21 1992

4,5,3,6,2 This is answered on the page we labeled #1. We will be working with ASCS and other agencies to follow best farming practices & soil conservation measures.

4,5,3,6,3, A farm of 280-320 acres will provide jobs on a seasonal basis for many different types of labor - spring farm work, summer irrigating, fall harvesting & ground work. Plus jobs for migrants such as rock picking, haying, etc. and at least one full time man for irrigation and tractor work. Also a farm of this size provides income for the different retailers for seed, fuel, fertilizer & machinery not applicable

4,5,3,6,4

4,5,3,6,5. Idaho Power. See attached letter we labeled #4

**RECEIVED
FILMED**

JAN 21 1992

4,5,3,6,6.

There will be no return water, with sprinkler system all water will be used and conserved.

4,5,3,6,7

We will be farming the land ourselves. We do not at this time own or lease any land but we've had 40 yrs experience in farming

We farmed almost 300 acres only 3 miles from our proposed desert entry. We are familiar with sprinkler irrigation and this type of farming. Attached is a USDA form which shows classification of soils, labeled #5. This is on file with BLM and Dept of Water Resources.

I hope these forms will provide information required. Write if more is needed. Let me repeat we are interested in obtaining this land and believe we have the ability to develop it.

Sincerely,
Arlene Bergstrom

MICROFILMED

JAN 21 1992

1

water requirements
part 1

Crop	Root Zone (ft)	Total WHC (in.)	Stress Point %TWHC	Max. Net Replacement (inches)	Peak Daily C.U.	Max. Freq. @ Peak C.U. @ Max. Net.
ALFALFA & CLOVERS	5	12.0	50	6.0	0.27	21.9
POTATOES	3	7.2	35	2.5	0.30	8.3
SMALL GRAIN	4	9.6	50	4.8	0.21	22.4
BEANS	2	4.8	40	1.9	0.30	6.5

% Efficiency = 65, Winds = 5 MPH, Wind Factor = 0.6, Sets/Day = 2

Trial	Application		Peak Daily C.U. (Weighted)	Frequency (F) (Days)	System Requirements	
	Net (D)	Gross			(Total gpm) (Q)	gpm/ac
1	1.81	2.78	0.28	6.5	2525 ✓	8.42
2	2.06	3.17	0.27	7.5	2496	8.32
3	2.31	3.55	0.27	8.5	2470	8.23

Press any key to continue

1/5.6 CFS

water management info provided
Clair Bergstrom 5-31-89
Donald S. Gill

MICROFILMED

JAN 21 1992

#1 2

USDA Soil Name (Limiting Soil)	Total Available WHC (in/ft.)					Depth To		Maximum Intake Rate in/hr.
	0-1	1-2	2-3	3-4	4-5	Inhib Layer	Water Table	
PORTNEUF	2.40	2.40	2.40	2.40	2.40	60+	60+	1.5

Crop	Acres	June		July		August	
		CU	AxCU	CU	AxCU	CU	AxCU
ALFALFA & CLOVERS	50	5.74	287	7.87	393	6.34	317
POTATOES	100	2.91	291	7.69	769	8.01	801
SMALL GRAIN	100	3.86	386	6.17	617	4.52	452
BEANS	50	3.58	179	7.69	384	5.50	275
Weighted Consumptive Use		3.81		7.21		6.15	

Press any key to continue.

MICROFILMED

JAN 21 1992

FINANCIAL STATEMENT

NOTE: ALL ASSETS AND ALL DEBTS MUST BE LISTED TO NEAREST DOLLAR; INSERT "NONE" IN SPACE WHERE NO AMOUNT IS TO APPEAR; INDIVIDUAL FINANCIAL STATEMENTS OF THE MEMBERS OF A PARTNERSHIP MAY BE REQUIRED, AND INDIVIDUAL STATEMENTS OF THE PRINCIPAL STOCKHOLDERS OF A CORPORATE APPLICANT MUST BE FURNISHED.

FOR
BANK
USE
ONLY

[illegible]

Other monthly expenses (child support, alimony, etc.) NONE

Other off-farm income

Employer _____ Position _____

Years there _____ Monthly income _____

NAME: X ABLENE E BERGSTROM

NAME _____ (TYPEWRITTEN)

(SIGNATURE, TITLE OF PARTNERSHIP, OR CORPORATE NAME)

(SEAL)

DATE 6-4-87

BY: _____ (TITLE)

ATTEST: _____ (TITLE)

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE FINANCIAL STATEMENT ON FILE WITH THIS INSTITUTION.

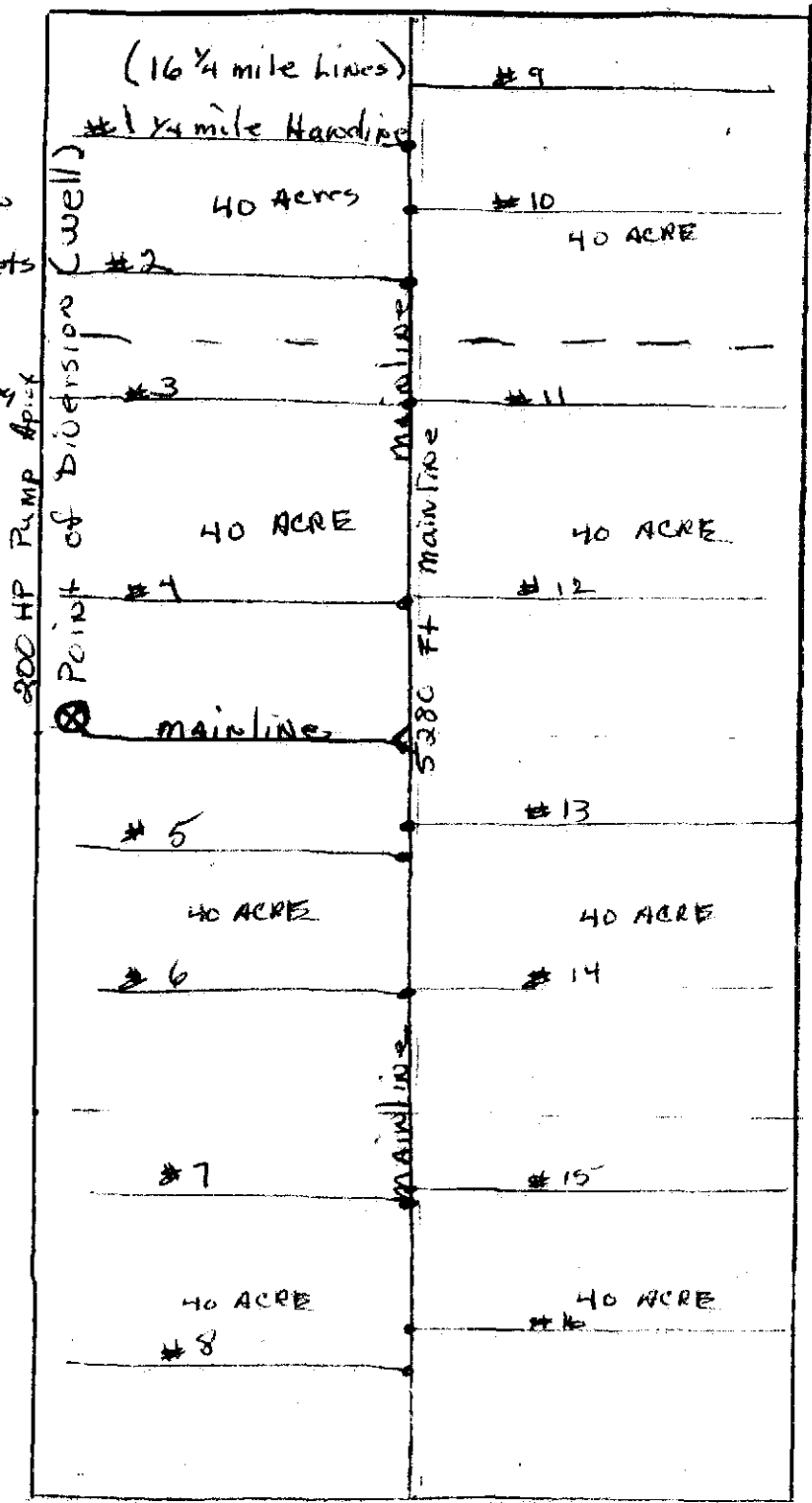
AUTHORIZED SIGNATURE

44

3, part 1

300 Hp Pump
 Providing water
 through $\frac{1}{4}$ mile
 mainline to
 East West main
 line, with outlets
 to 16 3"
 Handlines, providing
 2 lines for
 each $\frac{1}{4}$ section
 1 line for
 each 30 acres.

N



S

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FEB 15 1990

IRRIGATION SYSTEM

LIST OF MATERIALS

- 1 200 horsepower electric pump motor
- 1 Submersible type irrigation pump
- 1 Large wheel type water regulating valve
- 1 16" Y type manifold pipe
- 5280 feet mainline pipe
- 99 riser pipes 5" diameter by 2 feet long
- 16 quick disconnect couplers
- 512 wheel line pipe sections 5" diameter by 60 feet long
- 512 wheels 60" diameter
- 16 end plugs 5" diameter
- 512 Rainbird type nozzles $5/32$ " DIAMETER HOLE
- 16 2 horsepower wheel line drive engines

This system will have 5,280' of 10" mainline which will have a large valve near the pump to regulate flow into mainline, also a fitting for fertilizer & weed killer to be distributed in the water.

The Mainline will have 99 5" pipes welded to it and rising above the ground onto which quick disconnect couplers can be attached to connect the wheel lines to the wheel lines. The 5" riser pipes will be placed 5' apart on the mainline. **MICROFILMED**

There will be 16 wheel lines in this system with 32 sections of pipe in each line also one end plug, one quick coupler and 1 gasoline engine for each wheel line. Wheel lines will be 5" in diameter & irrigation nozzles will be $5/32$ " in size. Each section of pipe will have one 6' wheel connected to it. A system like this should operate well at 80 pounds working pressure and pipe of this size & type should give system this pressure. FEB 15 1990

SNAKE RIVER



HYDRO POWER

4 8
IDAHO POWER COMPANY

JUNE 01, 1989
RT 1 BOX 1288
HEYBURN, ID 83336

ARLENE BERGSTROM
CLAIR BERGSTROM
2421 21 ST
HEYBURN, ID 83336

MR & MRS BERGSTROM,

IDAHO POWER CAN SERVE ELECTRICAL ENERGY TO YOUR PROPOSED WELL AND PUMP LOCATION AFTER A WORK ORDER HAS ESTABLISHED COSTS AND THOSE COSTS HAVE BEEN PAID BEFORE CONSTRUCTION. WE WILL ALSO REQUIRE A COPY OF THE DRILLING PERMIT ISSUED BY THE WATER RESOURCE BOARD OF IDAHO.

PLEASE STOP BY THE OFFICE AND SIGN A WORK ORDER REQUEST AS SOON AS YOU DECIDE ON A PUMP SIZE AND LOCATION. IF YOU HAVE ANY QUESTIONS, PLEASE CALL ME AT 678-9540 OR 829-5431.

SINCERELY,

S. D. Craven

S D CRAVEN
DISTRICT MANAGER

SDC:jh

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FEB 15 1990

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
BUDGET BUREAU NO. 42-R968.1

Land Office

Serial Number

1. Name (first, middle initial, and last)

Address (street and number, city and State)

IRLENE E BERGSTROM BOX 597 PAUL Idaho

hereby applies to enter, under the Desert Land Act for the purpose of reclaiming the lands by permanent irrigation and cultivation within 4 years of allowance of this application, the public lands described as follows:

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION
T 9 S	~~R 2 E~~	50 N 14 S W Boise Meridian	23	SE 1/4 NW 1/4 NW 1/4 SE 1/4 NE 1/4 SW 1/4 SE 1/4 NE 1/4 SW 1/4 NE 1/4 NE 1/4 SE 1/4
			24	SW 1/4 NW 1/4 + NW 1/4 SW 1/4
State of Idaho			containing a total of 320 acres	

Legal Description

EXHIBIT NO. 1 - SOIL CHARACTERISTICS
(List each legal subdivision separately)

SECTION	LEGAL SUBDIVISION	SLOPE IN PERCENT	CHARACTER OF SURFACE	TEXTURE	DEPTH OF TOP SOIL	RELATIVE SALINITY OR ALKALINITY	CHARACTER OF SUBSOIL	ACRES IRRIGABLE
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
23	SE 1/4 NW 1/4 NE 1/4 SW 1/4 SW 1/4 NE 1/4 NW 1/4 SE 1/4 NE 1/4 NE 1/4 NE 1/4 SE 1/4	26%	varies from slightly rolling to rough, wind-blown, sprinkling	gill soil is combination of loam & sand Rocky in spots	av 19"	salinity or ALKALINITY NEGLECTABLE	sandy clay which is hardpan	about 75% irrigable approx 240 acres total out of 320
24	SW 1/4 NW 1/4 NW 1/4 SW 1/4		contains some rocks	"	av 18"			

EXHIBIT NO. 2 - IRRIGATION REQUIREMENTS

(1) Total acreage irrigable	240 suitable for farming	240 acres
(2) Crops to be grown:		
Type of crop	grain	acres
Type of crop	spuds	acres
Type of crop	hay	acres
(3) Water requirements per acre		acre feet
(4) Source of water	underground	

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FEB 15 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 18, 1989

RE: Permit No. 36-7418

Arlene E. Bergstrom
Box 597
Paul, ID 83347

NOTICE OF INFORMATION REQUIRED BY WATER APPROPRIATION RULE 4,5.

Dear Permit Holder:

The Department acknowledges receipt of the Trust Water Information Questionnaire and appropriate re-advertising fee for the above referenced permit. On behalf of the Department, I wish to thank you for your cooperation in providing the requested fee and information.

In the letter that accompanied the questionnaire, I informed you that you would need to submit additional information required by Water Appropriation Rule 4,5. if the undeveloped portion of the permit exceeds 200 acres.

The returned questionnaire indicates that you wish to pursue completion of the irrigation project as proposed under your permit. The project includes more than 200 acres and is therefore subject to the additional information requirements of Rule 4,5.

I wish to call your attention to the specific requirements under Rule 4,5. (copy enclosed). In particular, you must submit the information outlined in Rules 4,5,3,6,1. through 4,5,3,6,7. Note that Rule 4,5,3,6,4. is not applicable to your permit.

The information must be submitted within 30 days of the date of this notice. Failure to submit the required information within the time period allowed will be cause for the Department to advance the priority of the permit by the number of days that the information submitted.

MICROFILMED

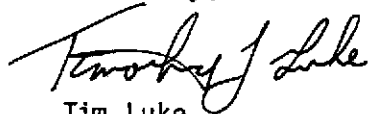
FEB 15 1990

Page 2

Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing.

Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5.

Sincerely,

A handwritten signature in cursive script, appearing to read "Timothy J. Luke".

Tim Luke
Sr. Water Resource Agent

MICROFILMED

FEB 15 1990

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

MAY 16 1989

Department of Water Resources

Application for Permit No. 36-7418

IF YOU ARE NOT INTERESTED IN HAVING YOUR APPLICATION PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
application prior to October 1, 1984? Yes _____ No ✓

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to October 1, 1984, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to October 1, 1984. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
application since October 1, 1984. -None

3. If you have not irrigated lands under this application, please
state the number of acres you plan to complete. 320

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. If the application is a supplemental filing please identify other
water rights which are used on the same land. N.H.

Use the reverse side of this form if you wish to add any comments.

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

Applicant

Arline E. Bergstrom

Date

May 15 '89

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FEB 15 1990

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

5. REMARKS/COMMENTS:

Thank you for your cooperation
Arlene E. Bergstrom

MICROFILMED

FEB 15 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 4, 1989

RE: APPLICATION FOR PERMIT NO. 36-7418

Dear APPLICANT:

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

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

If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed relinquishment form and return it to the Department.

If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire.

If the entire project was not completed prior to October 1, 1984, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,2. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to void the application.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

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FEB 15 1990

Page 2

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

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

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

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILM

FEB 15 1980

SERIAL REGISTER PAGE

AS OF: 9/10/86

PRINTED: 9/13/86

ACT 3-3-1877; 43USC321-323,325,327-329 CASE TYPE SERIAL NUMBER
DESERT LAND ACT 252000 IDI 73139

NAME AND ADDRESS

BERGSTROM ARLENE E
BOX 597
PAUL ID 83347
APPLICANT 100.00000 %

DESCRIPTION OF LAND

BOISE MER
T. 9 S, R. 21 E, JEROME COUNTY, ID
SHOSHONE DISTRICT MONUMENT RESOURCE AREA
SEC. 23: S2NE, SENW, NESW, N2SE
SEC. 24: SWNW, NWSW

320,000 ACRES

ACTIONS

DATE	CODE	TAKEN	REMARKS
9/26/1973	124	APLN RECD	10:00AM
2/21/1974	373	HELD FOR REJECTION	DESC
2/26/1974	114	AMEND-CORR APLN RECD	
2/26/1974	910	REPORT REQUESTED	USGS
3/25/1974	600	RECORDS NOTED	
5/24/1974	911	REPORT RECEIVED	USGS
2/28/1983	889	DOCUMENT FILED	01
1/14/1986	393	DEC ISSUED	PROPOSED 320 AC SUIT
2/18/1986	393	DEC ISSUED	INITIAL 320 AC SUIT
3/27/1986	042	CASE SENT	ISO (943)
4/15/1986	600	RECORDS NOTED	DWS

GENERAL REMARKS

01 01-WATER PERMIT 36-7418, PRIORITY 12/11/73

MICROFILMED

FEB 15 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

May 14, 1986

RE: Application for Permit No. 36-7418

Arlene E. Bergstrom

Box 597

Paul, ID 83345

Dear Ms. Bergstrom:

We are in receipt of the Bureau of Land Management's classification of your Desert Land Entry No. I-7313. However, as you are probably aware, you are named as a defendant in the Idaho Power lawsuit, and we cannot take final action on your water right application until our proposed rules and regulations have been adopted by the legislature.

We will take action on your application as soon as we are able. If you have any questions regarding this matter, please contact our office.

Sincerely,

JIM JOHNSON

Water Rights Supervisor

JJ:sc

cc: BLM

MICROFILMED

FEB 15 1990

RECEIVED

MAR 26 1986

INTER-DEPARTMENT MEMO — 1

FROM Southern

DATE 3-24-86

TO Jim Johnson

Department of Water Resources

SUBJECT Desert Entry Application 36-7418

Attached is BLM documentation allowing farming on the land under this application.

MICROFILMED

FEB 15 1990


SIGNATURE



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Shoshone District Office

400 West F Street

Shoshone, Idaho 83352

IN REPLY
REFER TO:

I-7313

February 18, 1986

CERTIFIED MAIL

Arlene E. Bergstrom
P. O. Box 597
Paul, Idaho 83345

Dear Ms. Bergstrom:

Attached is a copy of an initial decision that we have prepared pursuant to the regulations in 43 CFR 2450.4. This decision is designated as Attachment "A". The official land report sets out the facts upon which the decision is based. A copy of this report is available for review at the District Office upon request.

For a period of 30 days after receipt of this decision, you are allowed to submit written or oral arguments concerning the decision. No particular form of comment or protest is required. Any comment or protest will be analyzed and evaluated according to the content.

All comments, objections, or protests to this decision should be sent to the District Manager, Bureau of Land Management, P. O. Box 2B, Shoshone, Idaho 83352. They must be sent within 30 days of receipt of this decision. However, they should be sent as early as possible to insure enough time for their full review.

Sincerely,

For the State Director

Attachment A

MICROFILMED

FEB 15 1990

ATTACHMENT "A"
(INITIAL)

CLASSIFICATION DECISION

The following described land has been examined and is classified as suitable for disposal under the Desert Land Act of March 3, 1877 (19 Stat. 377; 43 U.S.C. 321-323) as amended:

T. 9S., R. 21E., Boise Meridian, Jerome County, Idaho
 Section 23: S½NE¼, SE½NW¼, NE½SW¼, N½SE¼
 Section 24: SW½NW¼, NW½SW¼
 Containing 320 acres

Reasons Supporting This Classification

1. The Congress of the United States has declared that it is the policy of the United States that ... "public lands be retained in federal ownership, unless as a result of the land use planning ... it is determined that disposal of a particular parcel will serve the national interest." The land use plan decision for this parcel has identified these lands for transfer under a T-4 designation. That decision allows for the development under the Desert Land Act with each entry being evaluated on its own merits.

2. The land use plan also identifies those lands which will be considered for disposal under the Desert Land Act as those which have 50 percent SCS Class III or better soils. Information Bulletin ID-85-7, Change 1, identifies this criteria to within each legal subdivision (40 acres). Only one of the eight 40 acre parcels does not have the majority of SCS Class III or better soils. However, they are needed together with the better soils to provide for a better irrigation system and improve the farmability of the parcel. Without this parcel the irrigation system could not be developed as proposed. Therefore, all of the land should be disposed of.

3. The subject land is chiefly valuable for agricultural purposes and at this time this represents the highest and best use of the land as well as the most profitable legal use, as provided in 43 CFR 2430.5(a). The long term public benefits would be well served by this classification, 43 CFR 2410.2.

4. The land is physically suited for agricultural use and they meet the requirements of the Desert Land Act for the purpose they are being classified, 43 CFR 2520.0-8.

5. Section 7 of the Taylor Grazing Act (43 U.S.C. 315f) authorizes the Secretary of the Interior, in his discretion, to examine and classify lands for a particular use or type of disposal. Section 203 of the Federal Land Policy and Management Act, further confirms the Secretarial determining method of disposal.

6. This decision is in conformance with the provisions of 43 CFR 2410(a-d) which considers physical suitability, present and potential users, consistency with local regulatory agencies, and consistency with federal programs.

NOT FILMED

FEB 15 1990

The following petition for classification is hereby approved as it applies to the above described lands. This decision relates only to land classification. The merits of the application and the qualifications of the applicant will be determined at a later date.

Name of Petitioner: Arlene E. Bergstrom
Type of Petition: Desert Land Entry, I-7313

Jon H. Evers
For the State Director

2-18-86

Date

MICROFILMED

FEB 15 1990

January 9, 1974

Re: Application No. 36-7418

Arlene E. Bergstrom
Box 597
Paul, Idaho 83347

Dear Mrs. Bergstrom:

Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the Bureau of Land Management, this office will take no further action until such time as evidence that your desert land entry has been classified as suitable for entry is submitted to the Department of Water Administration in writing.

If we may be of further assistance, please contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:lt

cc: Bureau of Land Management
Room 334, Federal Building
550 West Fort
Boise, Idaho 83702

✓ IDWA--Boise

MICROFILMED

January 9, 1974

Re: Application No. 36-7418

Arlene E. Bergstrom
Box 597
Paul, Idaho 83347

Dear Mrs. Bergstrom:

Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the Bureau of Land Management, this office will take no further action until such time as evidence that your desert land entry has been classified as suitable for entry is submitted to the Department of Water Administration in writing.

If we may be of further assistance, please contact us.

Very truly yours,

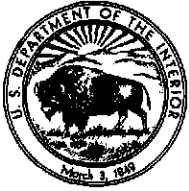
Bob Haynes
District Engineer
Southern District

BH:lt

cc: Bureau of Land Management
Room 334, Federal Building
550 West Fort
Boise, Idaho 83702

IDWA--Boise

MICROFILMED



United States Department of the Interior

7150

BUREAU OF LAND MANAGEMENT

RECEIVED

Shoshone District Office

P.O. Box 2 B

Shoshone, Idaho 83352

DEC 18 1973

December 12, 1973

Department of Water Administration
Southern District OfficeState of Idaho
Department of Water Administration
1041 Blue Lakes Boulevard North
Twin Falls, Id 83301Re: 36-7418 - Arlene E. Bergstrom
36-7419 - Jeffrey A. Bergstrom
36-7420 - Clair E. Bergstrom
36-7421 - Clair E. Bergstrom
36-7422 - Adeline A. Haag
36-7423 - Lawrence R. Haag

Gentlemen:

The Bureau of Land Management objects to the issuance of any water permit concerning national resource lands prior to their classification. The subject applications are all located on lands under our administration. To date this office has received two desert land applications from the applicants.

What the final disposition of these lands will be cannot be determined at this time. Until such time that a classification has been issued we would request that your agency withhold issuance of any water permit.

Sincerely,

Donald H. Sweep
Actg District ManagerRECORDED
INDEXED
DEC 19 1973
FBI - IDAHO

December 11, 1973

RE: Application Nos. 36-7418 - Arlene E. Bergstrom
36-7419 - Jeffrey A. Bergstrom
36-7420 - Clair E. Bergstrom
36-7421 - Clair E. Bergstrom
36-7422 - Adeline A. Haag
36-7423 - Lawrence R. Haag

Bureau of Land Management
Shoshone District
P.O. Box 2B
Shoshone, Idaho 83352

Gentlemen:

We are enclosing a copy of the above referenced applications for permit, which may be of interest to your agency.

Please review the applications and if you have any comments, please submit them to our Department as soon as possible.

We normally complete the processing of an application within a six (6) week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please don't hesitate to contact this Department.

Very truly yours,

Janet M. Messersmith
Secretary
Southern District

MICROFILMED

AFFIDAVIT of PUBLICATION

RECEIVED
JUN 30 1989

State of Idaho, }
County of Jerome } SS.

Department of Water Resources

Patty Nance G. Manager, being first duly sworn, deposes and says that she is the printer (~~publisher~~) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 28 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 21 day of June, 19 89, and the date of the last publication was on the 28 day of June, 19 89.

Subscribed and sworn to before me this 28 day of June, 19 89.
(SEAL)

Norma De Voe

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 28

_____	Lines tabular at _____	5¢/Pica
<u>351</u>	Lines straight at <u>1404</u>	4¢/Pica
_____	Subsequent lines at <u>1229</u>	3.5¢/Pica
TOTAL COST <u>26 33</u>		

COPY OF NOTICE

(Paste Here)

36-7418 Bergstrom
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

Id. Dept. of Water Resources
Statehouse Mail Boise, ID
BILL TO 83702

NOTICE OF PUBLICATION FOR WATER RIGHT APPLICATION NO. 36-7418
Name: ARLENE E. BERGSTROM
Address: Box 557, PAUL, ID 83347
Source: GROUNDWATER
Diversión Pt.: SESE SEC. 23 T9S R21E JEROME COUNTY
Use: IRRIGATION (6.40 CFS)
Priority: DECEMBER 11, 1973
Place of Use: S½NE, N1/SE, SENW, NESW SEC. 23;
SWNW, NWSW SEC. 24; T9S R21E
Total Acres: 320
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests based on Sec. 42-203C must overcome the presumption of Water Appropriation Rule 5.2. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before July 10, 1989.

R. Keith Hlgginson, Director
Pub: 6-21, 28 N17569

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight	4¢/Pica
7-8 pt. per line tabular	5¢/Pica
7-8 pt. per line successive insertions	3¢/Pica

No 3367

14569

December 11, 1973

RE: Application Nos. 36-7418 - Arlene E. Bergstrom
36-7419 - Jeffrey A. Bergstrom
36-7420 - Clair E. Bergstrom
36-7421 - Clair E. Bergstrom
36-7423 - Lawrence R. Haag

North Side News
P.O. Box 468
Jerome, Idaho 83338

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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 1-3-74 by jmm

BH:jmm

Enc.: Legal Notices (5)

MICROFILMED

mm OK 12-14-73
JEROME LEGAL

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Arlene E. Bergstrom, Box 597, Paul, ID, has on December 11, 1973 submitted Application No. 36-7418 for a permit to appropriate 6.4 cubic feet per second of water from ground-water by means of well, pump, sprinkler system within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 9S, R. 21E, B.M., Jerome County to be used from Mar. 15 to Nov. 15 for irrigation of 320 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 9S, R. 21E, 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 Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before January 7, 1974.

R. KEITH HIGGINSON
Director

12-20-2tc-n

NOTICE OF APPLICATION FOR WATER PERMIT

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Box 597, Paul, ID

has on December 11, 1973 submitted Application No. 36-7418

for a permit to appropriate 6.4 cubic feet per second ~~none feet per second~~

of water from groundwater

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to be used from Mar. 15 to Nov. 15

for irrigation of 320 acres

within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24;

T. 9S, R. 21E, 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 Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before January 7, 1974.

R. KEITH HIGGINSON

Director

Published in the North Side News

on December 20 and December 27, 1973

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