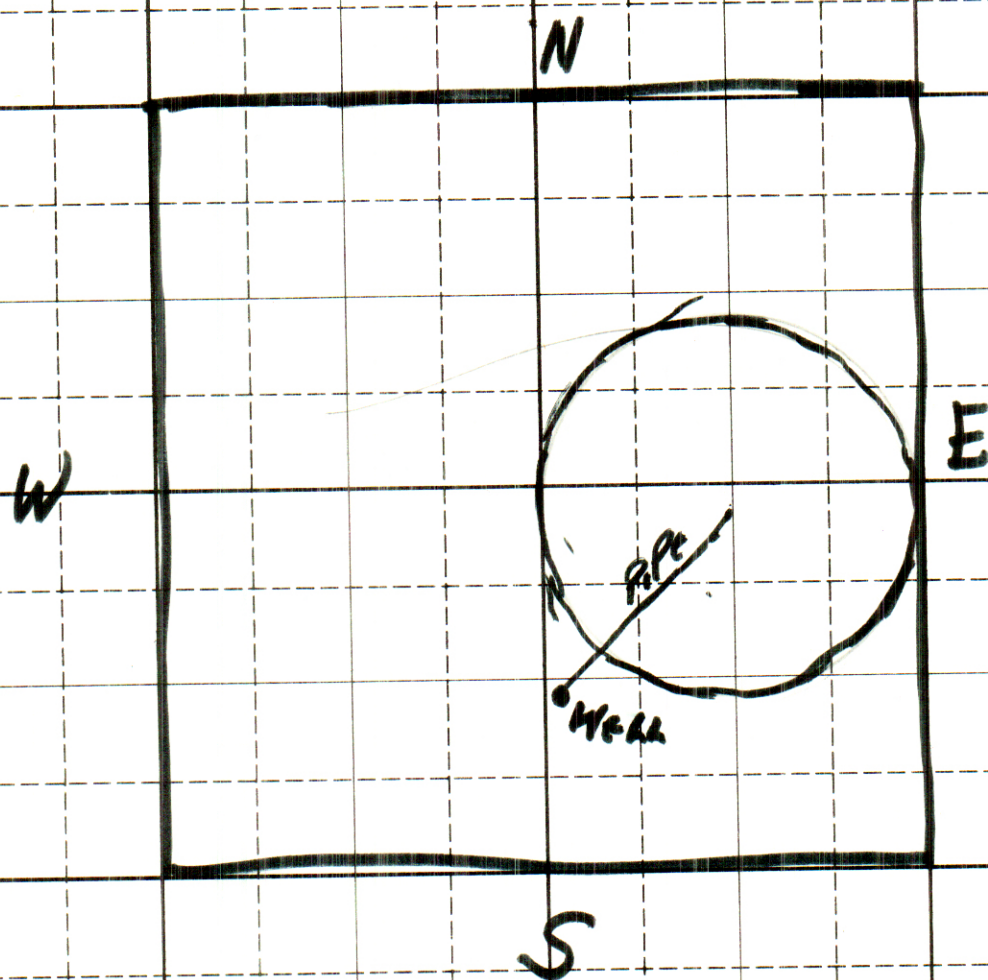


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



SEC 26 TWP 8S R14E
B.M. GOODING CO.

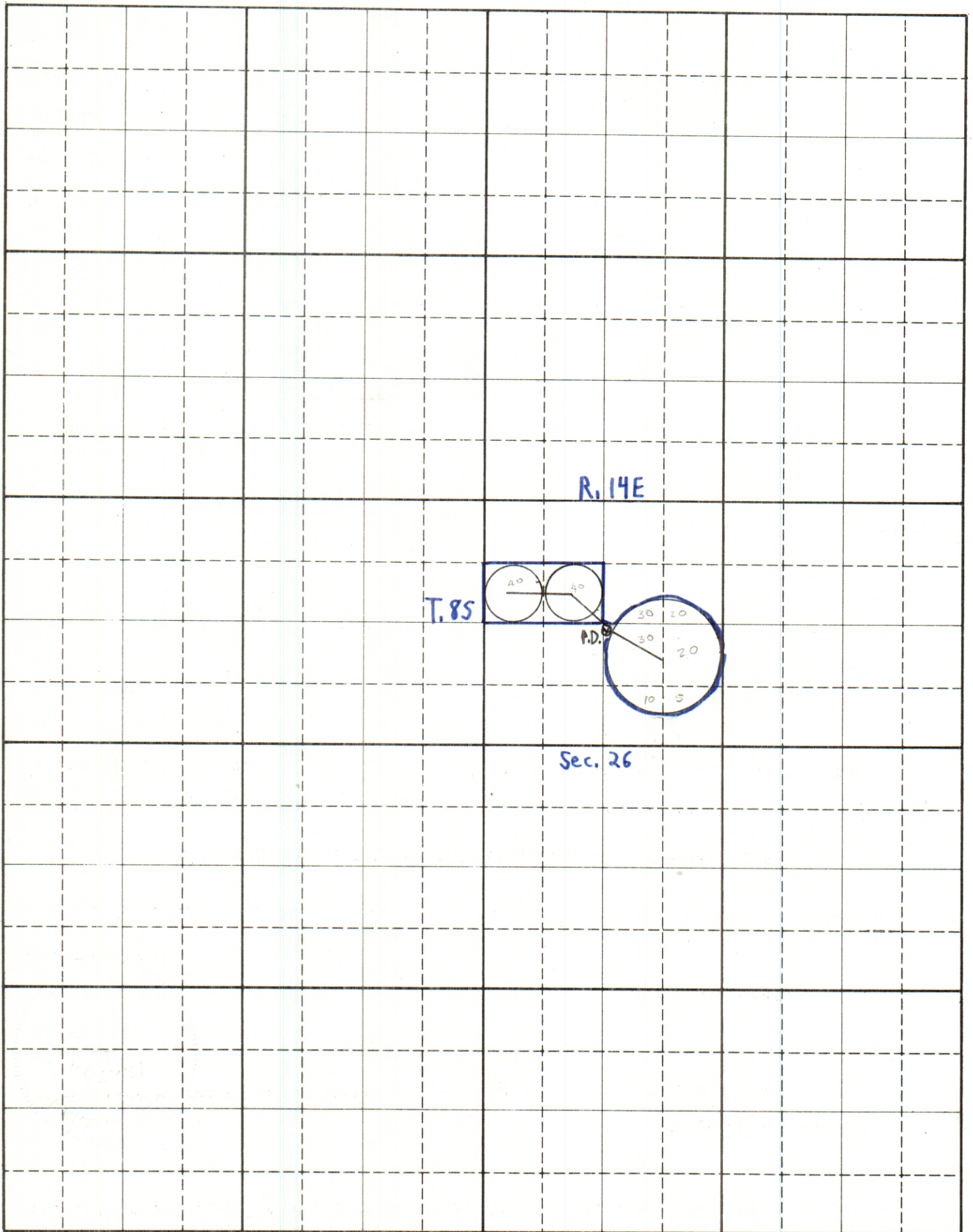
Scale: 2 inches equal 1 mile

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.

Robert Stacy
(Applicant)

36 7289

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Affidavit of Publication

RECEIVED

FEB 9 1973

State of Idaho, }
County of Gooding } ss.

Department of Water Administration
Southern District Office

Arvid E. Hagen being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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 7 day of February, 1973, and the date of the last publication was on the 8 day of February, 1973

Subscribed and sworn to before me this 8

day of February, 1973
(SEAL)

Harold Hagen
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

Lines at 14¢

Lines at 10¢

TOTAL COST.....

COPY OF NOTICE

Title of Notice

Water Permit No 36-7289
Title of Notice

Plaintiff Attorney

Defendant

Plaintiff

Bill to

*Dept of Water Admin
1041 Blue Lakes Blvd N
Twin Falls ID
83301*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert W. Stacey, Route 1, Wendell, ID 83355 has on Jan. 22, 1973 submitted Application No. 36-7289 for a permit to appropriate 2.12 cubic feet per second of water from a groundwater source by means of well and pump within the SW 1/4 SE 1/4, Sec. 26, T. 8S, R. 14E, B.M., Gooding County to be used from April 1 to Oct. 15 for the irrigation of 115 acres within the S 1/2 NE 1/4, SE 1/4, Sec. 26, T. 8S, R. 14E, 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 Boulevard North, Twin Falls, Idaho, 83301 on or before Feb. 19, 1973.

R. KEITH HIGGINSON,
Director

2-1-2tc

No 1714

36 7289

26

30	20
30	20
10	5

*

Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7289 Priority Jan. 22, 1973 Amount 2.12 cfs

THIS IS TO CERTIFY, that ROBERT W. STACEY
of Wendell, Idaho, has complied with the terms and conditions of Permit
No. 36-7289 issued pursuant to Application for Permit dated January 22, 1973,
and has submitted proof to the Department of Water Resources on January 16, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.12 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 15</u>	at <u>2.12</u> cfs and	<u>460 acre feet or</u> <u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.12 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
460 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 26,
Twp. 8 S, Rge. 14 E, B. M. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8 S	14 E	26			30	20									20	30	10	5	115

Total number of acres irrigated 115

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18 day of
February, 19 76.

Director

Identification No. _____

Application No. 36-7289

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant ROBERT W. STACEY
post office address RT 1 WENDALL IDAHO 83355
2. Source of water supply GROUND WATER which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26 Township 8S
Range 14E B.M. GOODING 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 2.12 for IRRIGATION purpose from APRIL 1 to OCT 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. 2.12 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PUMP 75 hp 10" Bowles
8" STEEL P.P. PIVOT SPRINKLER
- 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 _____ (Mo. Day) inclusive.
- c. Proposed well diameter is 12" inches; proposed depth of well is 75' feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years.
b. Estimated construction cost is \$ 6000.00 Well + Pump
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: _____

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

TWP.	RANGE	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	
83	14E	26			30	20									20	30	10	5	115

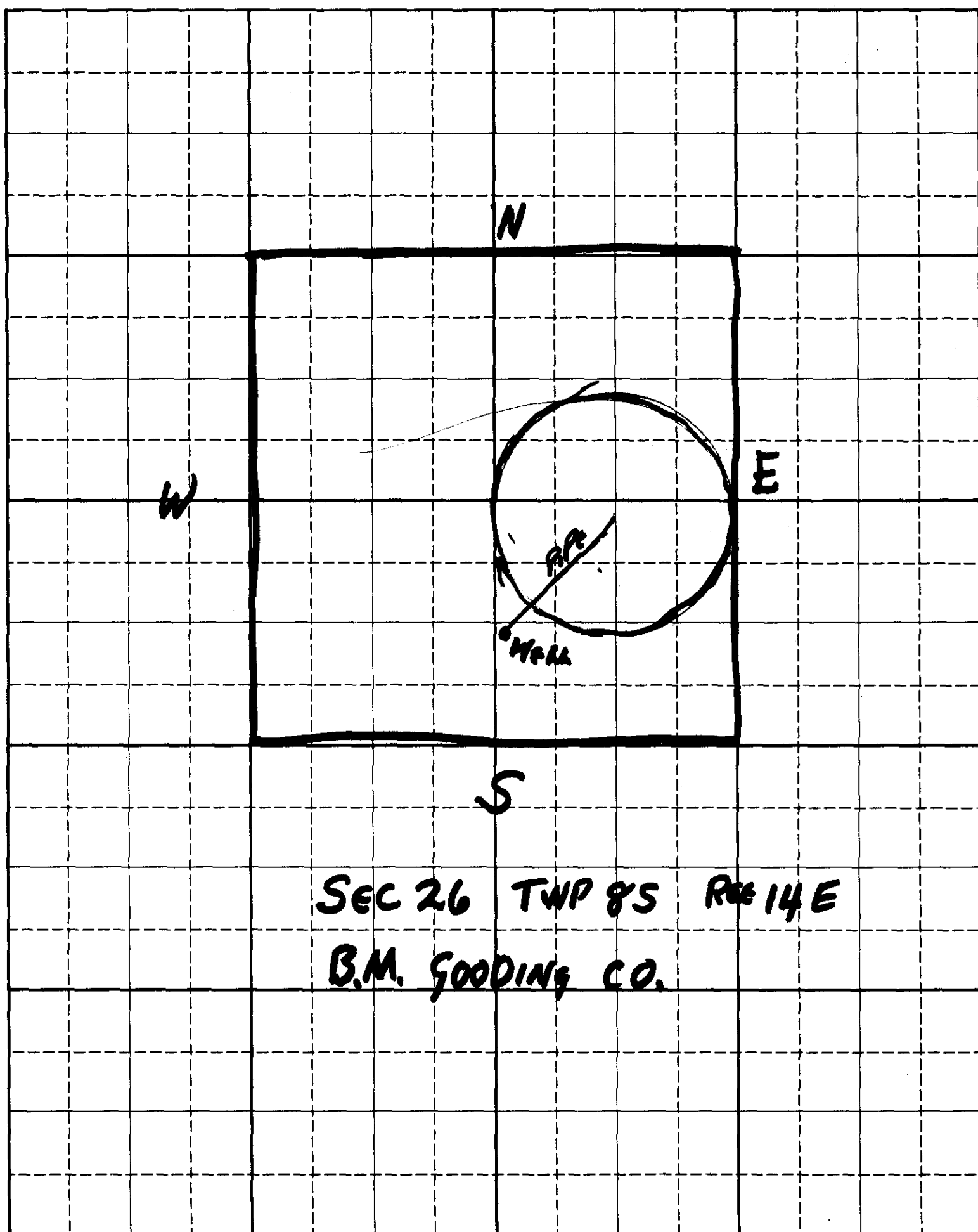
Total number of acres to be irrigated **115**

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

9. a. Who owns the property at the point of diversion **ROBERT W STACEY**
 b. Who owns the land to be irrigated or place of use **ROBERT W STACEY + BOX CANYON 146-5000**
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing **LEASE WITH OPTION TO PURCHASE ON THAT PORTION NOT NOW OWNED.**

10. Remarks

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.

Robert Stacy
(Applicant)

36 7289

Proposed Priority 1-22-1973

36 7289

Received by alw Date 1-22-73 Time 2:45 pm

Preliminary check by PSA Fee \$ 45⁰⁰

Receipted by alw Date 1-23-73 # 9530

OK Publication prepared by alw Date 1-24-73

Published in Gooding County Leader, Gooding, ID

Publication dates 2-1 & 2-8-73

Publication approved alw Date 2-9-73

Priority ~~reduced~~ to 1-22-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by _____ Date _____

Recommended for approval denial by 1

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. 36-7289, and said application is hereby APPROVED.

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

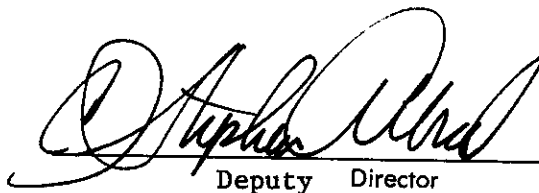
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1975.

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

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

Witness my hand this 2nd day of March, 1973.


Deputy Director

INTER-DEPARTMENT MEMO — 1

DATE 7/16/81

FROM Loreen Holmes

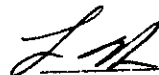
TO Application for transfer File 36-7283, 7289

SUBJECT withdrawal of Application

On 7/13/81 I talked with Mr Fred Prince, the Applicant, about the irrigation system on the land.

He informed me that Plans had changed & that the Property was being sold, so a transfer was no longer needed.

He followed up the conversation with the letter withdrawing the Application.



SIGNATURE

RECEIVED 3-81

JUL 25 1981

Dear Sirs

Department of Water Resources
Southern District Office

As per phone call, I am withdrawing the request for transferring or moving the well on Sec 26 of Gooding Co.

Licenses # 36-7283 & 36-7289.

The need for this transfer ~~is not~~ has passed since the land was sold to George Vander Vegt who had bought the Stacy property the previous year.

Thanks,

Frederick J. Davis

V.P. Manager Box Canyon Livestock

BOX CANYON LIVESTOCK, INC.
FRED OR MARGARET PRINS
ROUTE 1 536-2503
WENDELL, IDAHO 83355



Dept. of Water Resources
1041 Blue Lakes Blvd.
Twin Falls, Ida.
83301

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Box Canyon Livestock, Inc. Phone 536-2381
Post office address Route #1, Wendell, Id 83355

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
36- _____ (Name of court)
- b. License No. A) 36-7283 B) 7289 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Land has always been owned by applicant, but was leased to licence holder when these licenses were issued. The lease expired last month.
3. Source of water Groundwater tributary to _____
4. Date of priority A) 1-5-1973 B) 1-22-1973
5. Water is used for the following purposes:
amount A) 1.16cfs for irrigation purposes from Apr 1 to Oct 15
amount B) 2.12cfs for " purposes from " to "
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)
6. Total amount of water under right: a. 3.28 cubic feet per second
&/or
b. 780 acre feet per annum or 4.0 AFA/ac
7. Location of original point of diversion is A) NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 26
Township 8S Range 14E, B.M., in Gooding County
Additional points of diversion, if any B) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T. 8S R. 14E
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
A)	8S	14E	26						40	40									80
B)	8S	14E	26			30	20								20	30	10	5	115

Total number of acres to be irrigated 195

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

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 3.28 c.f.s. &/or 780 AFA or 4.0 AFA/ac acre feet
- b. Point(s) of diversion NW ¼ SE ¼, Section 26 Township 8S
Range 14E, B.M., Gooding County _____
Additional points _____
- c. Description of diverting works Well and pump to one large pivot and two 40-acre pivots.
- d. Describe the reasons for applying for a change in the point(s) of diversion _____
Move the well to lands owned by us. Original wells were located on lands
owned by the farmer that was leasing the irrigated land from us.

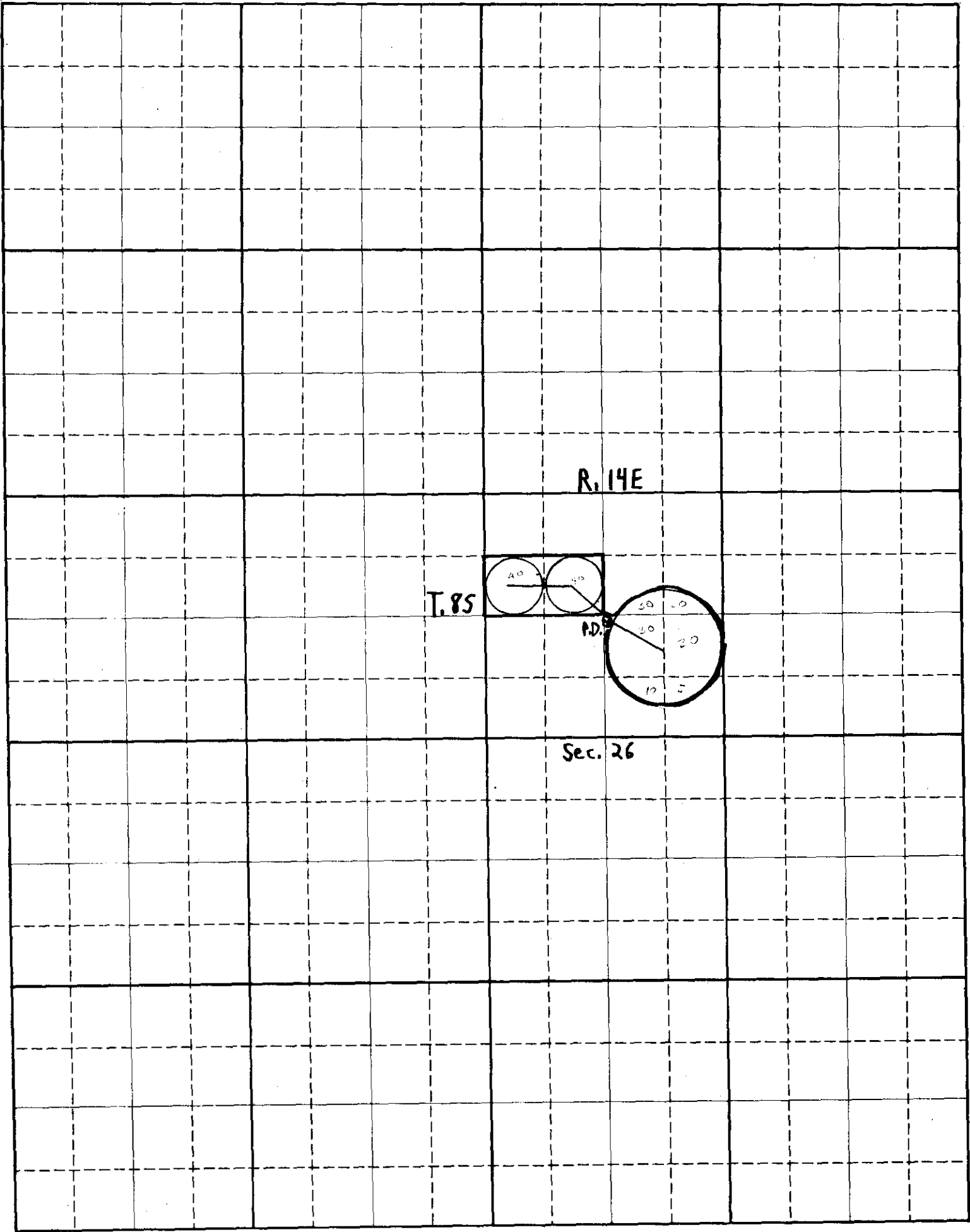
2. Change in place of use No Change

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Frederick R. ...
Manager (Signature of applicant)

Subscribed and sworn to before me this 5th day of December, 19 80.

Mary A. Hill
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

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

FOR DEPARTMENT USE ONLY

Received by go Date 12-5-80

Protest filed by _____

Prelim. check by ADM Fee 50⁰⁰

Receipted by maey Date 12/5/80 # 16705

Copies of protest forwarded by _____

Published in Healding Co. Leader

Hearing held by _____ Date _____

Pub. dates 12/24 + 12/31/80

Recommended for approval denial

Watermaster recommendation requested on _____

by TB

_____ rec'd. _____

**NOTICE OF PROPOSED
CHANGE OF WATER**

RIGHT

No. 36-7283

36-7289

Notice is hereby given that Box Canyon Livestock, Inc., has applied to the Department of Water Resources for a change of point of diversion of a groundwater source. The rights sought to be changed are evidenced by Licenses No. 36-7283 and 36-7289 and are recorded as follows:

36-7283

Amount: 1.16 cfs

Priority: January 5, 1973

Point of Diversion: NE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 26, T8S, R14E, B.M., Gooding County. The water is used for irrigation of 80 acres from April 1 to October 15, within the S $\frac{1}{2}$ -NW $\frac{1}{4}$, Sec. 26, T8S, R14E.

36-7289

Amount: 2.12 cfs

Priority: January 22, 1973

Point of Diversion: SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 26, T8S, R14E, B.M., Gooding County. The water is used for irrigation of 115 acres from April 1 to October 15, within the S $\frac{1}{2}$ -NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26, T8S, R14E.

**RIGHTS TO BE CHANGED
AS FOLLOWS:**

Amount: 3.28 cfs

Point of Diversion: NW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 26, T8S, R14E, B.M., Gooding County

Place of Use: No Change

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before January 12, 1981.

/s/ C. STEPHEN ALLRED
Director

Pub: 12-23, 30

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Sary Best being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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 23 day of December 1980, and the date of the last publication was on the 30 day of December 1980.

[Signature]

Subscribed and sworn to before me this 30

day of December, 1980.
(SEAL)

Carmer Hein
NOTARY PUBLIC

GOODING COUNTY LEADER Gooding, Idaho COST OF PUBLICATION

Number of Lines in Notice 28

Number of Insertions 2

Lines tabular at 38

Lines straight at 28 28 8.12

Subsequent lines at 28 18 5.32

TOTAL COST 13.44
15.36
28.80

COPY OF NOTICE

(Paste Here)

36-7283

TITLE OF NOTICE

Box Canyon
Livestock

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

PUBLICATION RATES		
(Idaho Code, Rev. Statutes 1971)		
7 pt. per line, straight		21c
7 pt. per line, tabular		315c
7 pt. per line, successive		15c
insertions		

35726

Nº 2643

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)			Application No. <u>36-7289</u> Name <u>Robert W. Stacey</u>
(2)	<u>RI</u>	<u>1-23-73</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)			Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>RI</u>	<u>1-23-73</u>	In form for advertising _____
(6)	<u>alw</u>	<u>2-9-73</u>	Affidavit of Publication received _____
(7)			Final date for protests <u>Feb 19, 1973</u> Protests received: yes _____ no ☒
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)			Critical groundwater area: yes _____ no ☒
(11)			Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) <u>GW levels 1972</u> ☐ Increasing (comment) _____
(12)			Comments: _____
(13)			Action recommended: ☒ Approve Priority <u>1-22-73</u> ☐ Deny Reason for Reduction _____ ☒ See attached sheet for conditions of approval No conditions for approval
(14)			District <u>Southern</u> By <u>Bob Haynes</u> Date <u>2-26-73</u> Title <u>Dis</u>

36 7289
FEB 22 1973
Department of Water Administration

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

36 7289

Affidavit of Publication

RECEIVED
FEB 2 1973

State of Idaho, }
County of Gooding } ss.

Robert W. Stacey, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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 7 day of February, 1973, and the date of the last publication was on the 8 day of February, 1973.

Subscribed and sworn to before me this 8

day of February, 1973
(SEAL)

Wangman Wager
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

Lines at 14¢

Lines at 10¢

TOTAL COST.....

COPY OF NOTICE

Title of Notice

Water Permit No. 36-7289
Title of Notice

Plaintiff Attorney

Defendant

Plaintiff

Bill to

Wgt of water (cubic ft)
1041 Blue Lakes Blvd
Twin Falls ID

Notice is hereby given that Robert W. Stacey, Route 1, Wendell, ID 83356 has on Jan. 22, 1973 submitted Application No. 36-7289 for a permit to appropriate 2.12 cubic feet per second of water from a groundwater source by means of well and pump within the SW 1/4 SE 1/4, Sec. 26, T. 8S, R. 14E, B.M., Gooding County to be used from April 1 to Oct. 15 for the irrigation of 115 acres within the S 1/4 NE 1/4, SE 1/4, Sec. 26, T. 8S, R. 14E, 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 Boulevard North, Twin Falls, Idaho, 83301 on or before Feb. 19, 1973.

R. KEITH HIGGINSON,
Director

2-1-2tc

No 1714

36 7289

INTER-DEPARTMENT MEMO — 1

FROM Jim Johnson

TO LOREN

SUBJECT TRANSFER 2502

RECEIVED

DATE

2/11/81

FEB 20 1981

Department of Water Resources
Southern District Office

Hi Loren, I am returning this transfer for additional action. The $P/4$ acreage after transfer does not reflect actual irrigated acres if a CENTER PIVOT is used. The transfer should reflect acres irrigated in each 40 acre tract. If more land is irrigated than existing rights will cover then a new permit should be recommended.

Also proof of ownership should be required on this one.

over.

SIGNATURE

Dave, suggests that ^{or verified} proof of ownership
be determined by call to assessors
office. See Dave's, Note in file.

TO DAVE

This transfer does not reflect acres irrigated after transfer very accurately.

Note that under item C. 1. ^c applicant plans to use pivots. The acres irrigated w/o a P/U is NOT very accurate.

considering the advertising already done should we require the P/U acreages to be changed?

Jim
IF P/U ACRES ARE ADJUSTED IS PROOF OF OWNERSHIP REQUIRED?

Jim:
Let's request an explanation of the acres from the regional office. If a center pivot is used as shown, an app may be necessary.

Proof of ownership must be verified in some way since the Transfer applicant is not the license ~~holder~~ holder. A telecon with the assessor documented in the file would be satisfactory.

Dave

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 36-7283
36-7289

Notice is hereby given that Box Canyon Livestock, Inc., has applied to the Department of Water Resources for a change of point of diversion of a groundwater source. The rights sought to be changed are evidenced by Licenses No. 36-7283 and 36-7289 and are recorded as follows:

36-7283

Amount: 1.16 cfs

Priority: January 5, 1973

Point of Diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T8S, R14E, B.M., Gooding County

The water is used for irrigation of 80 acres from April 1 to October 15, within the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 26, T8S, R14E.

36-7289

Amount: 2.12 cfs

Priority: January 22, 1973

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T8S, R14E, B.M., Gooding County

The water is used for irrigation of 115 acres from April 1 to October 15, within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26, T8S, R14E.

RIGHTS TO BE CHANGED AS FOLLOWS:

Amount: 3.28 cfs

Point of Diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T8S, R14E, B.M., Gooding County

Place of Use: No Change

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before January 12, 1981.

C. STEPHEN ALLRED
Director

Published in Gooding County Leader on December 24, December 31, 1980.

LEGAL (257) GALLEY
PROOF le

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT

No. 36-7283
36-7289

Notice is hereby given that Box Canyon Livestock, Inc., has applied to the Department of Water Resources for a change of point of diversion of a groundwater source. The rights sought to be changed are evidenced by Licenses No. 36-7283 and 36-7289 and are recorded as follows:

36-7283

Amount: 1.16 cfs

Priority: January 5, 1973

Point of Diversion: NE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 26, T8S, R14E, B.M., Gooding County. The water is used for irrigation of 80 acres from April 1 to October 15, within the S $\frac{1}{2}$ -NW $\frac{1}{4}$, Sec. 26, T8S, R14E.

36-7289

Amount: 2.12 cfs

Priority: January 22, 1973

Point of Diversion: SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 26, T8S, R14E, B.M., Gooding County. The water is used for irrigation of 115 acres from April 1 to October 15, within the S $\frac{1}{2}$ -NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26, T8S, R14E.

RIGHTS TO BE CHANGED
AS FOLLOWS:

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/s/ C. STEPHEN ALLRED
Director

Pub: 12-23, 30

ok
may
1/42/80

December 12, 1930

Gooding County Leader
Box 56
Gooding, Idaho 83330

Re: Proposed Change of Water Right No. 36-7283 - 36-7289

Gentlemen:

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

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

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Bill submitted: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: ADW

1. Right number 36-7283 36-7289 Applicant BOX CANYON LIVESTOCK, Inc.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
- (a) ☒ All of right.s
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- (c) ☒ Check description of point(s) of diversion.
- (d) ☒ Check description of place of use. No change -
- (e) ☒ Check map (shows p.d. and p.u. after transfer).
- (f) ☒ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred. N.A.
- h. ☒ Check for expansion in use of right. Comments None
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NA
- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* This transfer shall be subject to conditions on
licenses transferred. (Access port requirement may be substituted for
permanent measuring device.)
4. By YB Date 1-19-81

February 20, 1976

Re: Permit No. 36-7289

Mr. Robert W. Stacey
Route 1
Wendell, ID 83355

Dear Mr. Stacey:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

RECEIVED

February 3, 1976

Mr. Robert W. Stacey
Route # 1
Wendell, Idaho 83355

Dear Mr. Stacey:

A representative of this Department has made an examination of the works covered by your Permit No. 36-7289 and has found the following:

Quantity of water diverted: 3.12 cfs Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 2.12 cfs

The maximum quantity diverted shall not exceed 60 acre feet, or 4.0 acre feet per acre, per year.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 8 S, Rge. 14 E, B. M.

Beneficial use: Irrigation of 115 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26, Twp. 8 S, Rge. 14 E, B. M.

Priority established: January 22, 1973

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

FIELD REPORT

1. Name of permit holder Robert W. Stacey
Post office address Route #1, Wendell, ID 83355 Phone
Person to contact Phone
2. Source of water supply: Groundwater ☒ Surface water ☐
Tributary to (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 2.12 c.f.s. for irrigation
 AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.12 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 8S N/S, Range 14E E/W, B.M., Section 26, Subdivision SW 1/4 SE 1/4, Gooding
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: 75 hp pump, 10" bowles, 8" steel pipe, pivot sprinkler or 12 acres
s-lid set corner.

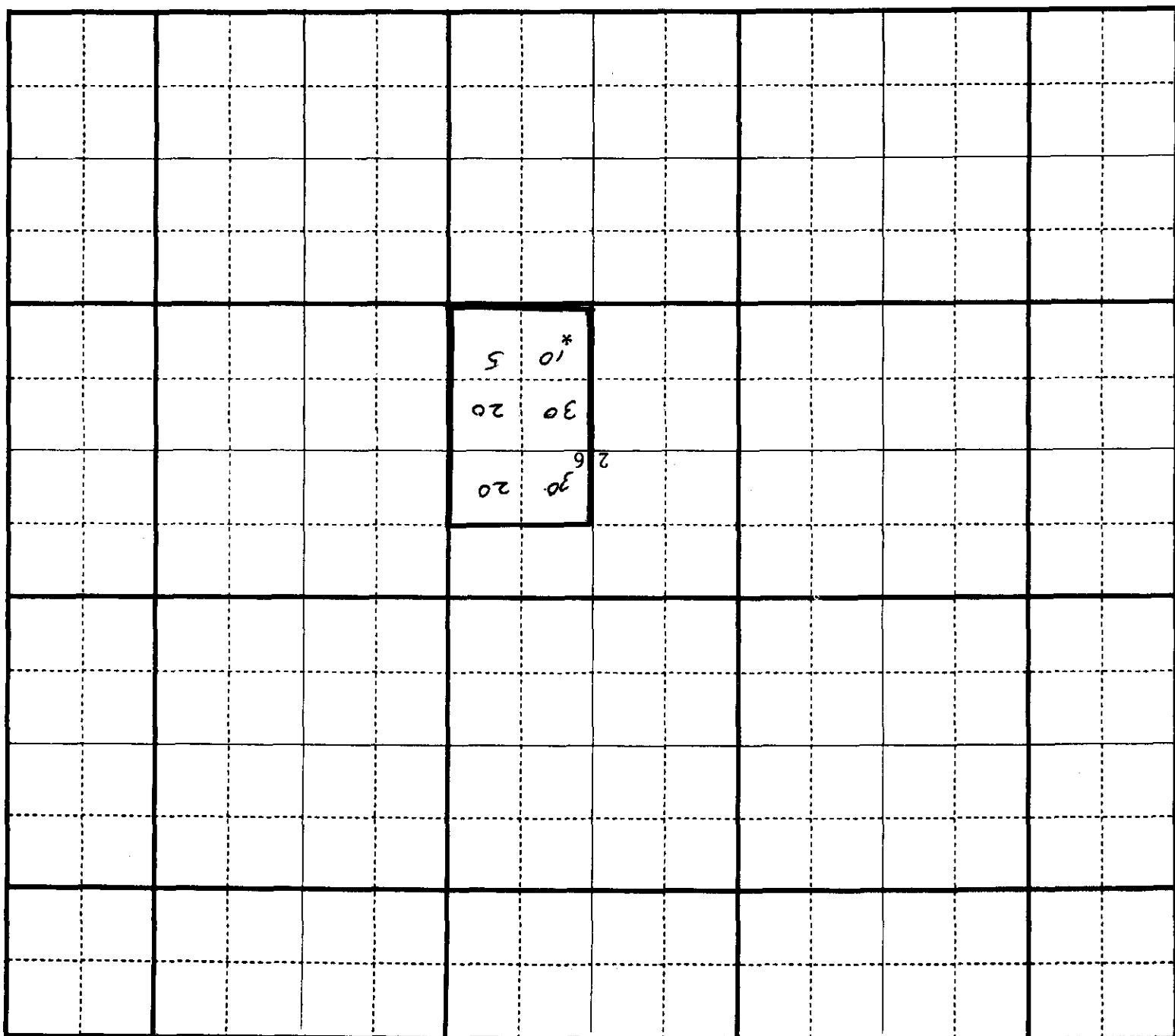
Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ **115**

Diagram of System



DATE OF EXAM 7-17-75

ACREAGE

Found 115
Recommended 115

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 2.12 c.f.s. V = 460 AF/Ann. from April 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured 3.12 c.f.s. Method of measurement Badger Meter

Total Q recommended 2.12 c.f.s. Meter No. M0590965 Type 10" Condition New

Total V recommended 460 Ac Ft/ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

Measured: 3.12 c.f.s. = (1400 gal/min ÷ 448.8 gal/min c.f.s.)
Allowed: 2.12 c.f.s. = Amount Applied for
Volume: 460 Ac Ft/ANN. = (IRR. Req 4.0 Ac Ft/Ac/ANN) (115 Acres)

SYSTEM DESCRIPTION:

G.E. Motor 75Hp #5K6258XH1A
hoyle Bowler Pump
Sprinkler System.

REMARKS:

Examiner's Signature

Jay Lunderburg

Date 11-28-75

Checked by

Alan Moritt

Date 12-2-75

Approved by

Michael Steel

Date 1-9-76

January 20, 1975

Re: Permit No.'s 36-7283 & 36-7289

Robert W. Stacey
Route #1
Wendell, ID 83355

Dear Mr. Stacey:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits.

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

If you have any questions concerning the field exams, please contact our Southern District Office in Twin Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

Identification No. _____

Permit No. 36-7289

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder ROBERT W STACEY
 b) Post Office Address RT 1 WENDELL IDAHO 83355
 2. Permit Number 36-7289
 3. Date of Priority that you are prepared to establish 1-22-73
 4. a) Source from which water was appropriated GROUND WATER
 b) Location of the point of diversion: SW 1/4 SE 1/4, Section 26
85 Township, 14E Range, Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
 amount 2.12 for IRRIGATION purposes from 1-4 to 10-15 incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated 2.12 cfs and/or acre feet per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: LOCKWOOD PIVOT SPRINKLER & BADGER WATER METER

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
 b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 75 HP DEEP WELL PUMP 10" BOWLES 60' SETTING 8" STEEL PIPE TEE'D & VALVED TO 8 TOWER LOCKWOOD PIVOT SPRINKLER OR 12 ACRES SOLID SET CORNER
 b) Describe the type and size of measuring device which you have installed at your point of diversion: 8" BADGER WATER METER
 c) Give well drillers name and address and date the well was completed D+G DRILLING DALE GILBERT WENDELL IDAHO FEB 1973
DRILLER

Exam typed 1/20/75 by JG

MICROFILMED

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

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

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	
8S	14E	26			30	20									20	30	15		115

Total number of acres irrigated 115

10. Remarks: _____

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

1/10/75
(Date)

Robert W. Stacy
(Signature)

State of Idaho)
County of Gardiner) ss.

On this 10th day of January, 1975, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

John W. West
Notary Public residing at Wendell Idaho

My commission expires 12/19/77

WELL DRILLER'S REPORT

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

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

March 2, 1973

Re. Permit No.: 36-7289

Robert W. Stacey
Route 1
Wendell, Idaho 83355

Dear Mr. Stacey:

Enclosed is a copy of your approved Application for Permit No. 36-7289 . We direct your attention to the conditions of approval as listed on the fourth page.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

36-7289

February 20, 1973

RE: Application Nos. 36-7289 - Robert W. Stacey
36-7290 - Kenneth L. Owings &/or William C. Davis

Gooding County Leader
Box 56
Gooding, ID 83330

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your paper on Feb. 1 and Feb. 8, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alv

36 7289

January 26, 1973

Re: Application Nos. 36-7269 - Robert W. Stacey
36-7290 - Kenneth L. Orings &/or William C. Davis
36-7291 - Marlin &/or Shirley Dobrev
36-7292 - France Inc.

Gooding County Leader
Box 56
Gooding, ID 83330

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 _____ by _____

BH:alw

Enc: Legal notices (4)

36 7289

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert W. Stacey,
Route 1, Wendell, ID 83355
has on Jan. 22, 1973 submitted Application No. 36-7289
for a permit to appropriate 2.12 cubic feet per second ~~XXXX XXXX XXX XXXXX~~
of water from a groundwater source
by means of well and pump
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 8S, R. 14E, B.M., Gooding County

to be used from April 1 to Oct. 15 for the irrigation of 115 acres
~~XXXX~~

within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26, T. 8S, R. 14E, 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 Boulevard North, Twin Falls, Idaho, 83301 on or before Feb. 19, 1973.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader, Gooding, ID
on Feb. 1 and Feb. 8, 1973

36 7289

OK *aw* 1-3-73

Need Galley Proof
**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Robert W. Stacey, Route 1, Wendell, ID 83355 has on Jan. 22, 1973 submitted Application No. 36-7289 for a permit to appropriate 2.12 cubic feet per second of water from a groundwater source by means of well and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 8S, R. 14E, B.M., Gooding County to be used from April 1 to Oct. 15 for the irrigation of 115 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26, T. 8S, R. 14E, 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 Boulevard North, Twin Falls, Idaho, 83301 on or before Feb. 19, 1973.

R. KEITH HIGGINSON,
Director

2-1-2tc

36 7289

January 23, 1973

Re: Application No. 36-7289 - Robert W. Stacey

Robert W. Stacey
Route 1
Wendell, ID 83355

Dear Mr. Stacey:

Attached is your Receipt No. 9530 for \$45.00 for the above referenced Application for Permit which was received in our office on January 22, 1973.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.

36 7289