

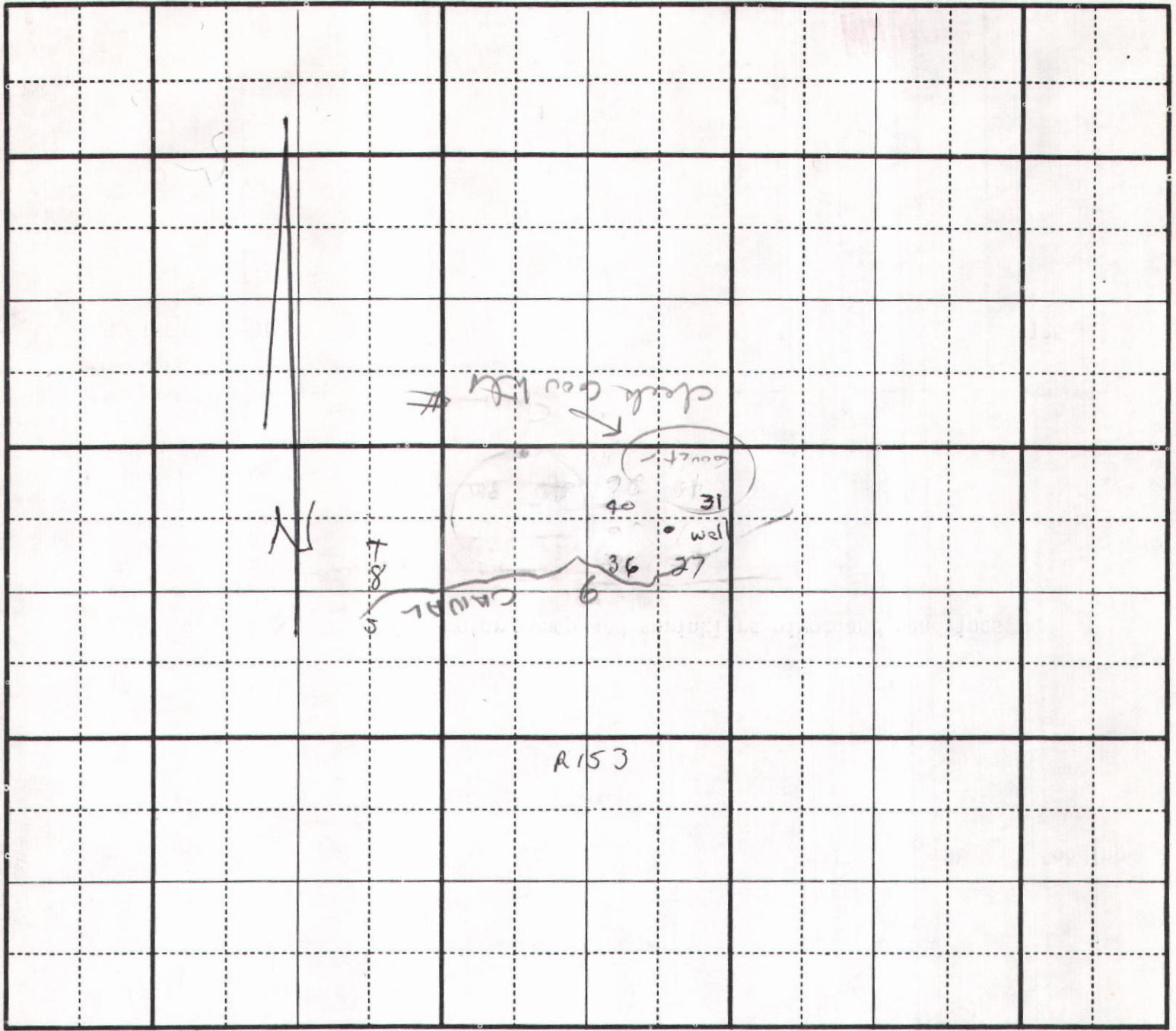
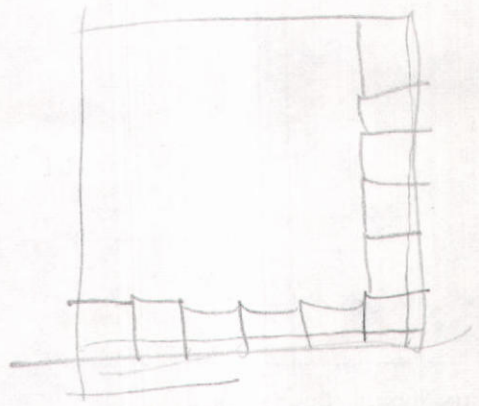


Diagram of System

0.3

1.2

1.6



RECEIVED

September 21, 1972

Re: Application Nos. 36-7260 - Paul W. Kearley
36-7261 - Francis F. Gunning
36-7262 - Francis F. Gunning
36-7263 - Francis F. Gunning

Gooding County Leader
Box 56
Gooding, Idaho 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

BH:alw

Enc. Legal Notices (4)

Bill submitted 10-2-72 by alw

36 7263

Transfer No. 2721
36-7262
Water Right No. 36-7263STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROVED
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of UseName of applicant Francis F. Gunning Phone _____
Post Office address Route #2 Wendell, Idaho 83355

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)b. License No. 36-7262 & 36-7263 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 _____

_____3. Source of water Groundwater tributary to _____4. Date of priority September 19, 1972

5. Water is used for the following purposes:

36-7262 amount 2.44 cfs for Irr. purposes from 04/01 to 10/10
36-7263 amount 2.68 cfs for Irr. purposes from 04/01 to 10/10
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 2.44 cfs 36-7262
2.68 cfs 36-7263 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is (36-7262) NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6
Township 8 S. Range 15 E., B.M., in Gooding County
Additional points of diversion, if any SENE Sec. 6, T. 8 S., R. 15 E. (36-7263)

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 $\frac{1}{4}$	
8S.	15E.	6					31	30	30	31									(36-7262) 122
8S.	15E.	6	31	40	36	27													(36-7263) 134

Total number of acres to be irrigated 2569. Describe any other water rights used for the same purpose as described above None10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

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	

Total number of acres to be irrigated _____

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

1. General Information
- a. Amount of water to be diverted No change c.f.s. &/or _____ acre feet
- b. Description of diverting works No change
- c. Describe the reasons for the proposed changes Range was incorrectly shown as 15 E. on original water rights. Applicant has for many years owned property in Sec. 6, T. 8 S., R. 16 E., but has never owned property in Sec. 6, T. 8 S., R. 15 E.
2. Change in point of diversion (36-7262)
- Point of diversion NE ¼ NW ¼, Section 6 Township 8 S.
Range 16 E., B.M., Gooding County
Additional points SENE Sec. 6, Sec. 6, T. 8 S., R. 16 E. (36-7263)
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None

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

[illegible]

Total number of acres to be irrigated 256

4. Describe any other water rights used for the same purpose as described above. None
5. 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. NO CHANGE (RANGE ONLY)

[illegible]

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

D. REMARKS

The purpose of this transfer is to correct the range from 15 E. to 16 E. on two water rights.

I hereby assert that no one will be injured by such change and that 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.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

F.L. Hummer
(Signature of Applicant)

Subscribed and sworn to before me this 13 day of August, 19 82

Maya 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. 36-7262 and 36-7263 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 22nd day of February, 19 83

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>JB</u>	Date <u>8-13-82</u>	Protest filed by <u>None</u>
Prelim. check by <u>JP</u>	Fee <u>50⁰⁰/100 #20910</u>	
Receipted by <u>JB</u>	Date <u>8-13-82</u>	
Published in <u>Gooding Co Leader</u>	Copies of protest forwarded by _____	
Pub. dates <u>8/25 & 9/1/82</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd.	by <u>ADA gum D25</u>	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7263 Priority September 19, 1972 Amount 2.68 cfs

THIS IS TO CERTIFY, that FRANCIS F. GUNNING
of Wendell, Idaho, has complied with the terms and conditions of Permit
No. 36-7263 issued pursuant to Application for Permit dated September 6, 1972,
and has submitted proof to the Department of Water Resources on October 31, 1977,
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 2.73 cfs of water from a groundwater 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>October 10</u>	at <u>2.68</u> cfs and	<u>536</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.68 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
536 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 8S,
Rge. 15E, 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 $\frac{1}{4}$	
8S	15E	6	31	40	36	27													134

Total number of acres irrigated 134

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 28 day of
September, 19 79.

Director

APPROVED

Identification No. _____

Application No. 36-7263

APPROVED

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 Francis F. Gunning
post office address Rt. #1, Box 108B, Jerome, Idaho
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6 Township 8S
Range 15E 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 2.68 for irrigation purpose from April 1 to Oct. 10 (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. 2.68 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, mainline, circular sprinkling 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 12 inches; proposed depth of well is 200 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 \$ 25,000.00.
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: _____

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	
8S	15E	6	31	40	36	27													134

Total number of acres to be irrigated 134

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

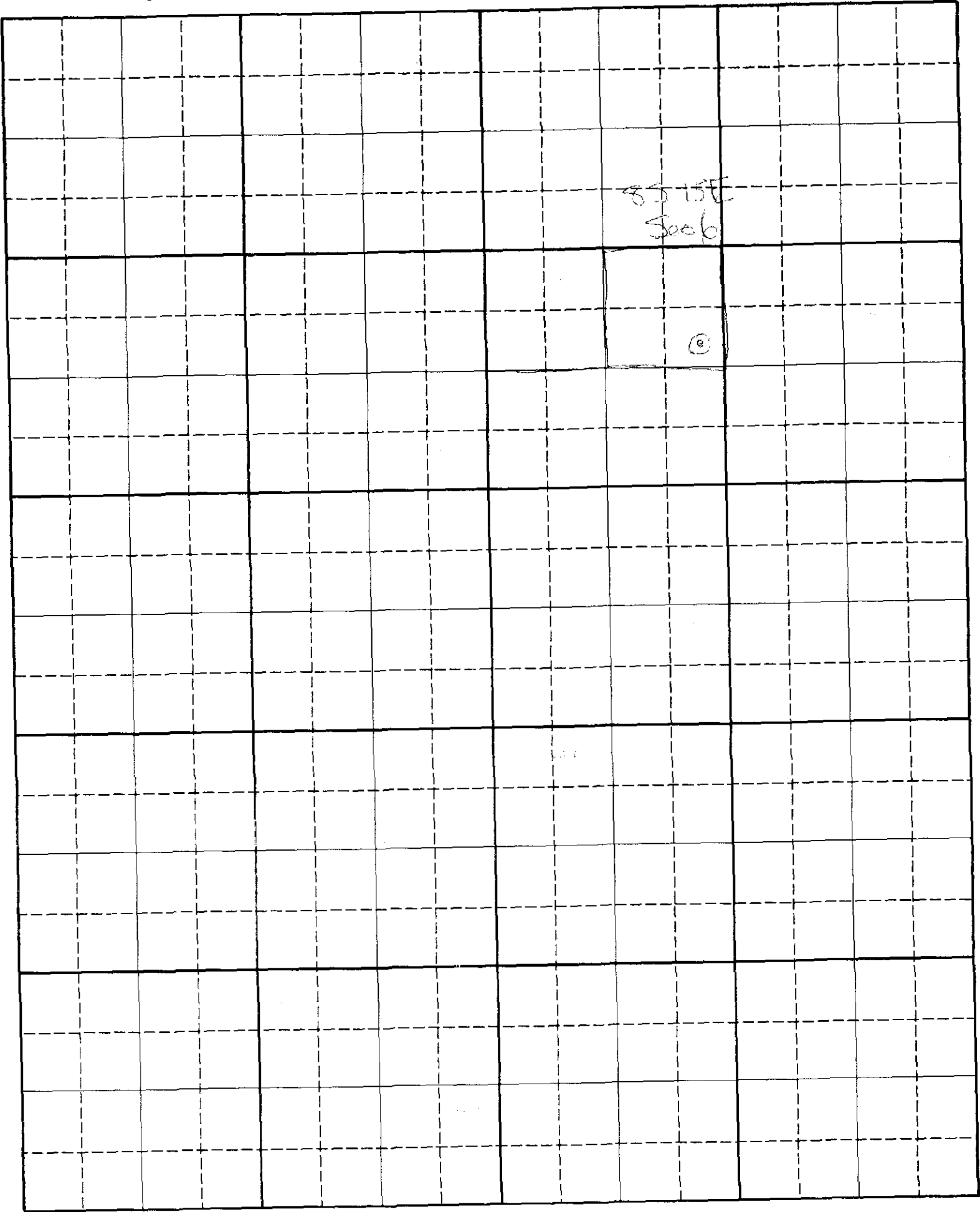
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant, all but 40 acres

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

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.

Francis L. Summing
(Applicant)

36 7263

alw 9-19-72 2:30 PM
alw 9-7-72 3:30 p.m.
Received by ej Date 9-6-72 Time 2:45 p.m.
Preliminary check by XH Fee \$ 45.00 # 8795
Received by ej Date 9-6-72
Publication prepared by alw Date 9-22-72
Published in Gooding County Leader, Gooding, Idaho
Publication dates 9-28 & 10-5-72
Publication approved alw Date 10-17-72
Priority reduced to 9-6-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

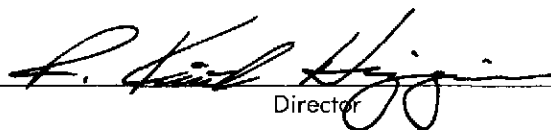
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7263, and said application is hereby APPROVED.

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 November 1, 1977.
- 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 7th day of November 1972.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)			Application No. <u>36-7263</u> Name <u>Francis F. Gunning</u>
(2)			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>abw</u>	<u>9-21-72</u>	In form for advertising
(6)	<u>abw</u>	<u>10-16-72</u>	Affidavit of Publication received
(7)			Final date for protests <u>Oct 16, 1972</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) ☐ Increasing (comment)
(12)			Comments:
(13)	<u>AAH</u>		Action recommended: ☒ Approve Priority <u>9-6-72</u> ☐ Deny Reason for Reduction See attached sheet for conditions of approval No conditions for approval
(14)			District <u>Southern</u> By <u>Bob Hanna</u> Date <u>10-19-72</u> Title <u>Dist Eng</u>

Affidavit of Publication

OCT 18 1972

State of Idaho,
County of Gooding

ss.

Department of Water Administration
Southern District Office

COPY OF NOTICE

Title of Notice

Water Permit
Title of Notice

Francis F. Gunning

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Francis F. Gunning, Route 1, Box 108 B, Jerome, Idaho has on Sept 19, 1972 submitted Application No. 36-7263 for a permit to appropriate 2.68 cubic feet per second of water from a groundwater source by means of well, mainline, and sprinkling system within the SE 1/4 NE 1/4, Sec. 6, T. 8S, R. 15E, B.M., Gooding County to be used from April 1 to Oct. 10 for the irrigation of 134 acres within the NE 1/4, Sec. 6, T. 8S, R. 15E, 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 October 16, 1972.

R. KEITH HIGGINSON,
Director

9-28-2tc

Mary Ann 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 28 day

of September, 1972, and the date of the last publication

was on the 5 day of October, 1972

Mary Ann Hagen

Subscribed and sworn to before me this 13

day of October, 1972
(SEAL)

Rudrey C. Belcher
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.....

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956
7 pt. per line, straight14c
7 pt. per line, tabular20c
7 pt. per line, successive
insertions.....10c
6 pt. per line, straight15c
6 pt. per line, tabular20c
6 pt. per line, successive
insertions.....10c

No 1621

36 7263

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker

DATE 2/11/1983

TO File 36-7263

SUBJECT Transfer No. 2721

See Water Right File No. 36-7262 for all correspondence regarding the above referenced transfer.

SIGNATURE

Copy



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:

Storehouse

Boise, Idaho 83720

(208) 334-4440

July 27, 1982

Francis F. Gunning
Wendell, Idaho 83355

RE: Licenses Nos. 36-7262 and 36-7263

Dear Mr. Gunning:

It has recently come to our attention that the two licenses described above have incorrect legal descriptions. The licenses show the water rights to be in Range 15 E., whereas we have verified that the land that you own is in range 16 E.

Since the applications were originally filed with the error in the range, we cannot see where the Department has erred in the licensing process. Therefore, the only means of correcting the error is via an Application for Transfer.

It appears that both licenses can be corrected on one transfer, which costs \$50. to file. For your convenience I have prepared the application. If the information appears to be correct please sign the fourth page before a notary and mail it with the \$50. filing fee to our Southern Regional Office in Twin Falls.

If you have any questions about this matter feel free to contact me at 334-4104.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Supervisor, Water Allocation Section

DRT:jg

cc: Southern Regional Office

RECEIVED
JUL 29 1982
SOUTHERN REGIONAL OFFICE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

October 3, 1979

Francis F. Gunning
Route 1 Box 108 B
Jerome, Idaho 83338

Dear Mr. Gunning,

RE: Permit No. 36-7263

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILM

COLLINS TUBE MEASUREMENT

Location: _____

Circumference: 2.13 Outside R: .34

Pipe Thickness: .01 Inside R: .33

Factor	Mr (IR * Factor)	Mp	Velocity
0.949	N/A	N/A	
0.837	.28	1.28	7.87
0.707	.23	1.23	8.37
0.547	.18	1.18	8.34
0.316	.10	1.10	8.27
0.316	.10	1.10	8.17
0.547	.18	1.18	8.12
0.707	.23	1.23	8.48
0.837	.28	1.28	6.25
0.949	N/A	N/A	

Mp = P + Mr - O.R. where P is chosen reference point
on collins tube $\bar{V} = \frac{63.87}{8} = 7.98 \text{ ft/sec.}$

$$Q = \bar{V} \pi (IR)^2 = \underline{2.73 \text{ cfs.}}$$

1225 gal/min

$$Q = (7.98 \text{ ft/sec}) (\pi) (.33)^2 = 2.73 \text{ cfs.}$$

DATE OF EXAM 8-1-78

ACREAGE
Found 139
Recommended 134

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 2.68 c.f.s. V = 536 AF/Ann. from April 1 to Oct 10
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 2.73 c.f.s. Method of measurement Collins Tube

Total Q recommended 2.68 c.f.s. Meter No. ☒ Type ☒ Condition 1/EW

Total V recommended 536.0 Ac Ft/Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

MEAS. 2.73 CFS. (Collins Tube Measurement.)
ALLOWED 2.68 CFS. For 134 Acres.
VOLUME 536.0 Ac Ft/Ann. (4.0 Ac Ft/Ac. x 134 Acres)
IRR Reg.

SYSTEM DESCRIPTION:

V.S. MOTOR 100 HP. SERIAL # SN C2955-03-173
Layne PUMP
(9) TOWER PIVOT SPRINKLER SYSTEM. SOLID SETS
FOR THE CORNERS @ 1/4 Nozzles 62 Hds Total.

REMARKS:

GAIL Gunning WAS PRESENT DURING THE EXAM.

Examiner's Signature Harry Funderburg Date 8-2-78

Checked by Alan D. Merritt Date 8-7-78

Approved by _____ Date _____

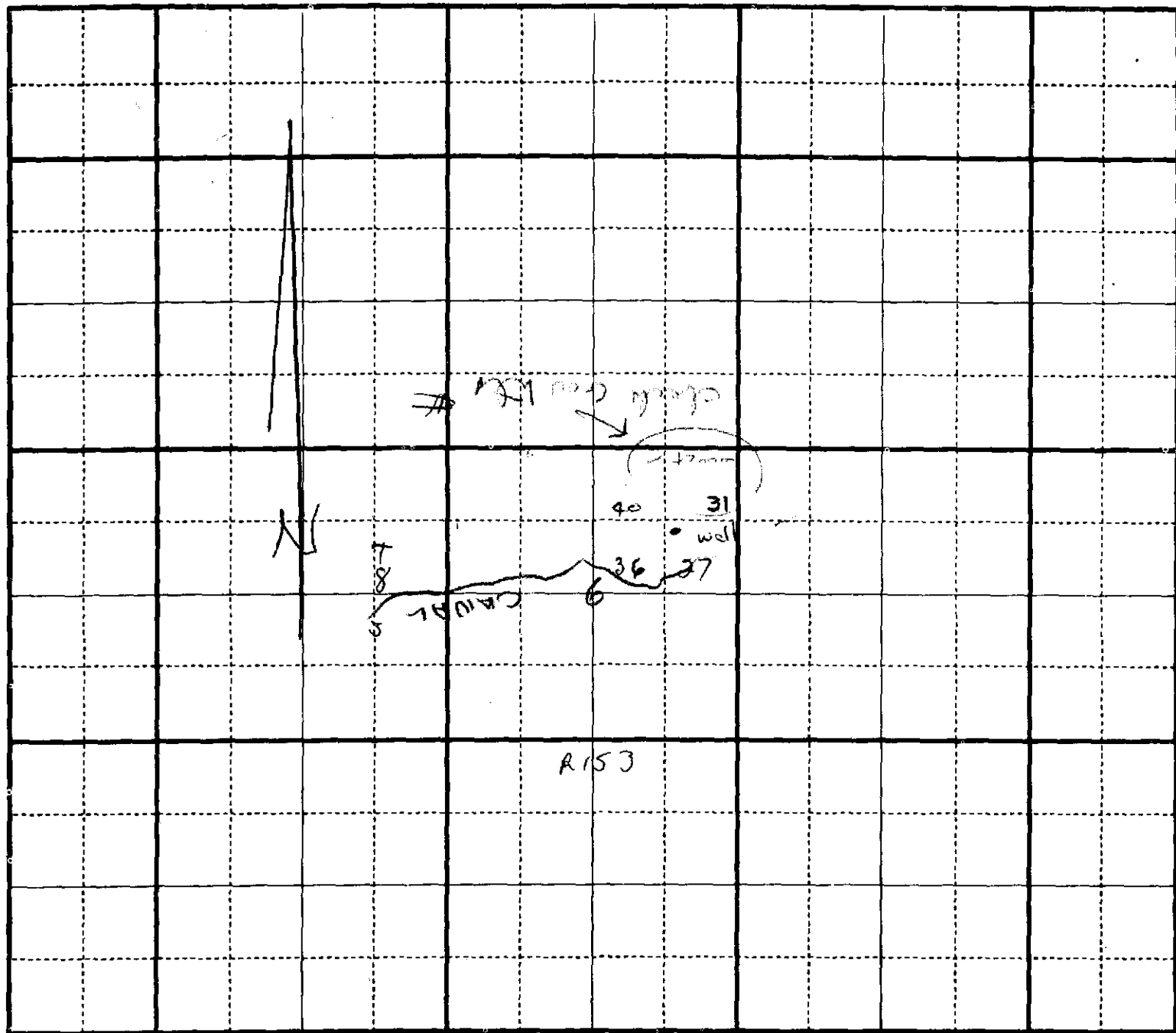


Diagram of System

3/79

IDENT. NO. 36-7263

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

WATER RIGHT
DATA ENTRY LOG

[illegible]



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

November 9, 1977

Re: Permit No's. 36-7263, 36-7262, & 36-7261

Francis F. Gunning
Route 2
Wendell, Idaho 83355

Dear Mr. Gunning:

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

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

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

Sincerely,

JANICE RENK,
Water Rights

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

RECEIVED

001 04 1977

OK

Identification No. _____

Permit No. 36-7263

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder F. F. Gunning
b) Post Office Address Rt 2 Wendell Idaho
2. Permit Number 36-7263
3. Date of Priority that you are prepared to establish 9-19-72
4. a) Source from which water was appropriated well
b) Location of the point of diversion: SS $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6
Township 8S, Range 15E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 2.68 for Err purposes from 4-1 to 10-10 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 2.68 cfs 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: _____

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) well, motor, Pump & Sprinklers
Pivot & hand lines

- b) Describe the type and size of measuring device which you have installed at your point of diversion: Water Specialties 12"

- c) Give well driller's name and address and the date the well was completed: DNR Gilber

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

11/18/72
DNR

If you are irrigating 15 or more acres, please submit an affidavit with this affidavit.

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	15E	6	31	40	36	27													134

Total number of acres irrigated 134

10. Remarks: _____

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

x Oct 31, 1977 (Date) x F. H. Lanning (Signature)

State of Idaho)
County of Lincoln) ss.

On this 31 day of October, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Kennerly

My commission expires 2/22/81



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

August 31, 1977

CERTIFIED MAIL

138938

Re: Permit No. 36-7261, 36-7262, 36-7263

Francis F. Gunning
Route 1, Box 108B
Jerome, Idaho 83338

Dear Mr. Gunning:

32-7261,
36-7262,

One of the conditions of approval of your water Permit No. 36-7263 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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

C. STEPHEN ALLRED
Director

CSA:jfr

Encl: Proof affidavit

RECEIVED
SEP 1 1977
BOISE, IDAHO

November 9, 1972

Re: 36-7263

Francis F. Gunning
Route 1, Box 108 B
Jerome, Idaho

Dear Ms. Gunning:

Enclosed is a copy of your approved Application for Permit No. 36-7263. 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 7263

RECOMMENDEDCONDITIONS 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: _____

September 21, 1972

Re: Application Nos. 36-7260 - Paul W. Kozley
36-7261 - Francis F. Gunning
36-7262 - Francis F. Gunning
36-7263 - Francis F. Gunning

Booding County Leader
Box 56
Booding, Idaho 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 Payne
District Engineer
Southern District

Bill submitted 10-2-72 by dlw

W. A. L.

Enc. Legal Notices (4)

36 7263

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Francis F. Gunning,

Route 1, Box 108 B, Jerome, Idaho

has on Sept. 19, 1972 submitted Application No. 36-7263

for a permit to appropriate 2.68 cubic feet per second ~~acre feet per annum~~
of water from a groundwater source

by means of well, mainline, and sprinkling system

within the SE 1/4, Sec. 6, T. 8S, R. 15E, B.M., Gooding County

to be used from April 1 to Oct. 10

for the irrigation of 134 acres

within the NE 1/4, Sec. 6, T. 8S, R. 15E, 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 October 16, 1972.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader, Gooding, Idaho

on Sept. 28 and Oct. 5, 1972

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

Notice is hereby given that Francis F. Gunning, Route 1, Box 108 B, Jerome, Idaho has on Sept 19, 1972 submitted Application No. 36-7263 for a permit to appropriate 2.68 cubic feet per second of water from a groundwater source by means of well, mainline, and sprinkling system within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 8S, R. 15E, B.M., Gooding County to be used from April 1 to Oct. 10 for the irrigation of 134 acres within the NE $\frac{1}{4}$, Sec. 6, T. 8S, R. 15E, 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 October 16, 1972.

OK R. KEITH HIGGINSON,
akw Director

9-29-72

9-28-2tc

36
7263