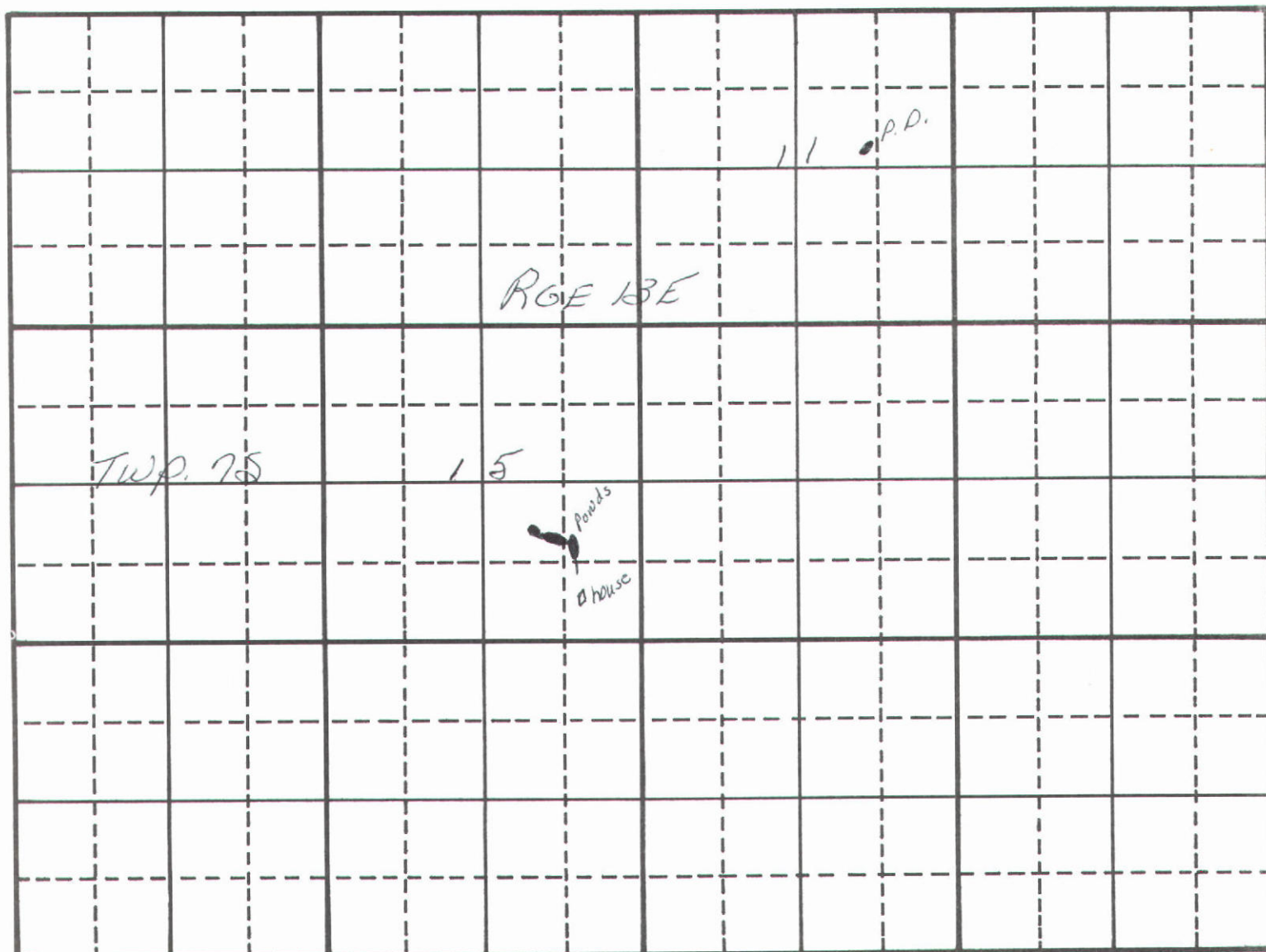


Complete the following map by showing land and point of diversion as proposed by this amendment.

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 Day M. Cook, this 17 day of January, 19 79.
Jean Cook Twin Falls Idaho
(Signature) (Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by BE Fee = \$20.00 Received by mayor Date Jan 17, 1979
Publication prepared by _____ Date _____ Published in _____
Publication dates _____

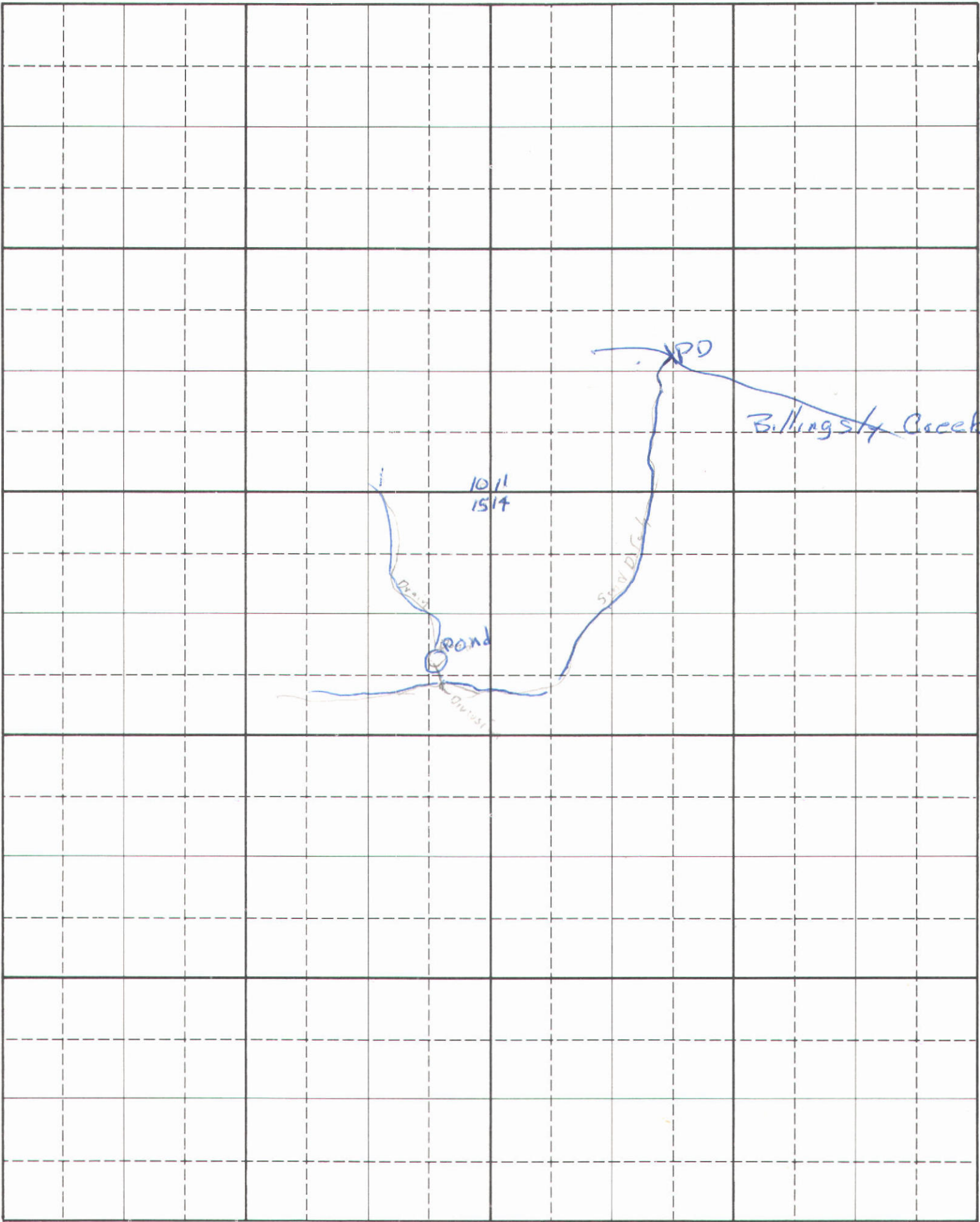
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby
APPROVE the above Application for Amendment for Permit No. 36-7172.

Witness my hand this 31 day of January

Stephen Allred, 19 79
Director

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.

K. Vay Cook
(Applicant)

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Alfred 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 15th day of April, 1971, and the date of the last publication was on the 22nd day of April, 1971.

Subscribed and sworn to before me this 22nd

day of April, 1971
(SEAL)

Zella Barrus
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 32

Number of Insertions 2

32 Lines at 14¢ 4.48

32 Lines at 10¢ 3.20

TOTAL COST 7.68

COPY OF NOTICE

Title of Notice

Water Permit
Title of Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Vay M. and/or Jean Cook, Route 1, Hagerman, Idaho, have on March 25, 1971, submitted Application No. 36-7172 for a permit to appropriate 4.0 cubic feet per second of water from Billingsley Creek, tributary to the Snake

River by means of headgate and ditch within the SW $\frac{1}{4}$ - NE $\frac{1}{4}$ Sec. 11, T. 7S, R. 13E, B.M., Gooding County, to be used from Jan. 1 to Dec. 31 for fish propagation, stockwater and domestic purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, T. 7S, R. 13E, 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, Statehouse, Boise, Idaho, 83707, on or before May 3, 1971.

R. Keith Higginson
Director

4-15-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive
insertions.....10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions.....10c

No 1103

36 7172

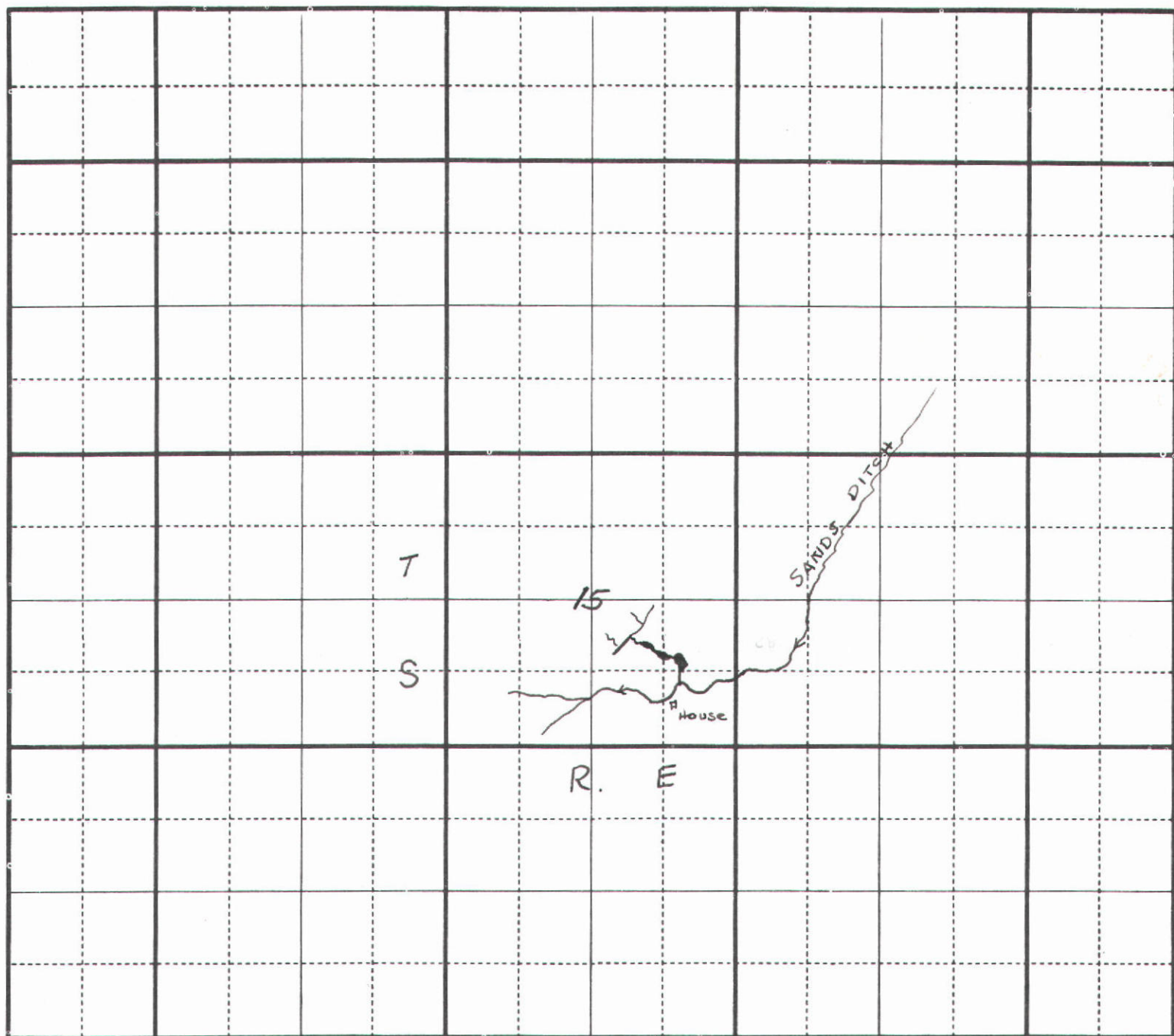
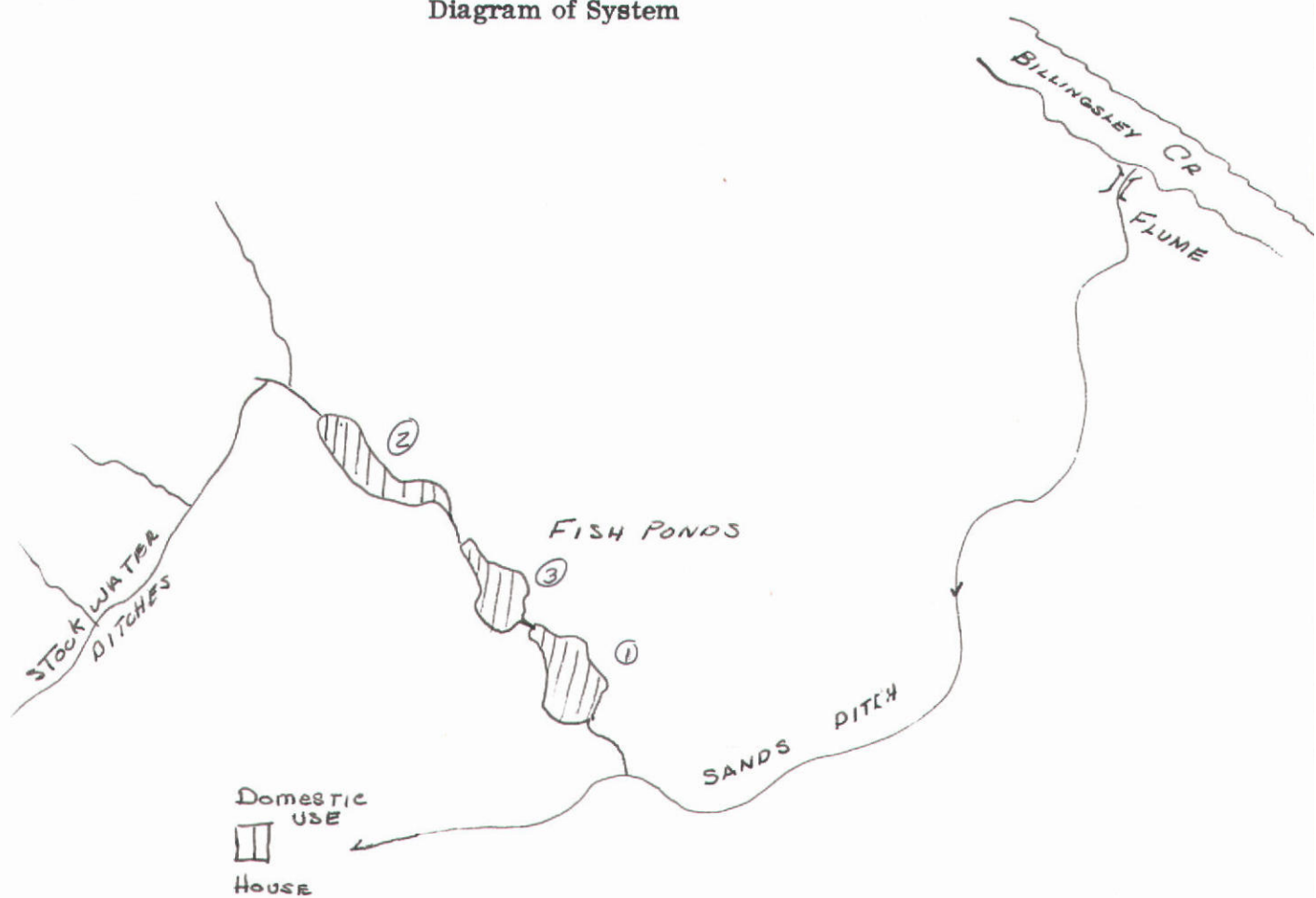
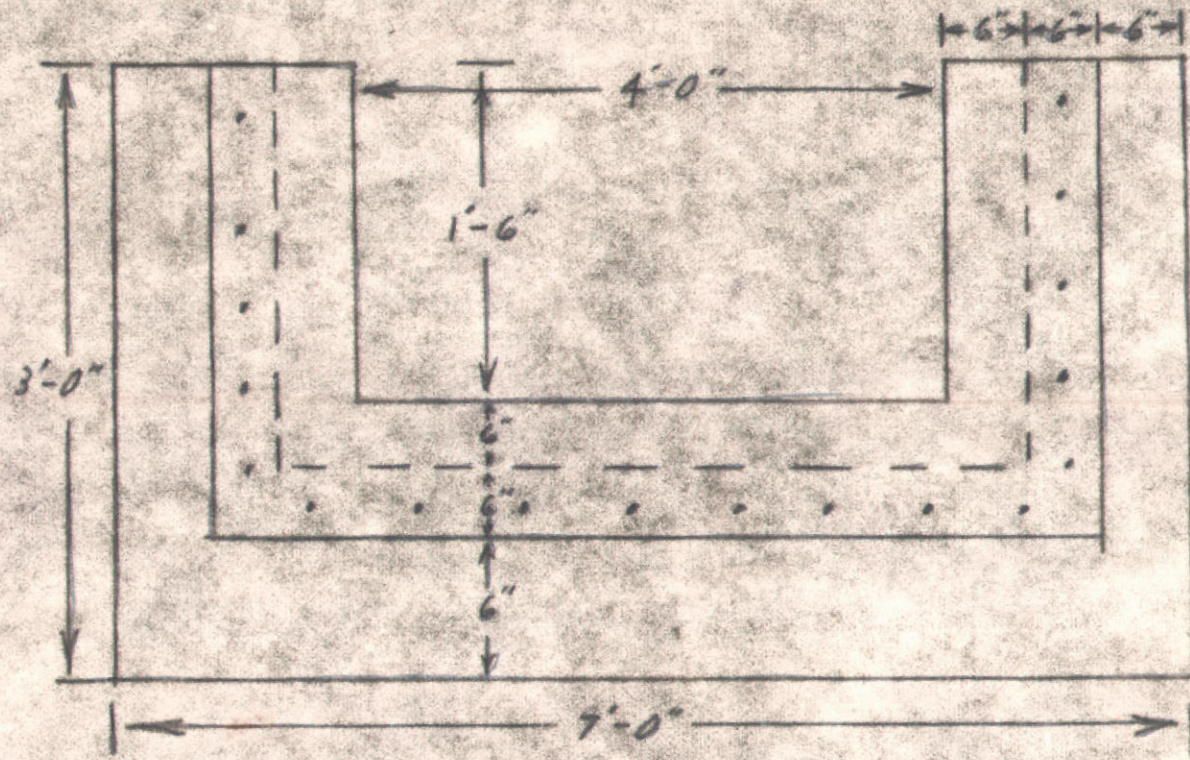


Diagram of System



Weir Blade and Frame



Weir blade & frame to fit in str. slots

Not to
Scale

2556 00
36 7172

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7172 Priority March 25, 1971 Amount 4.0 cfs

THIS IS TO CERTIFY, that VAY M. &/or JEAN COOK
of Hagerman, Idaho, has complied with the terms and conditions of Permit
No. 36-7172 issued pursuant to Application for Permit dated March 25, 1971,
and has submitted proof to the Department of Water Resources on September 29, 1976,
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 26.0 cfs of water from Billingsley Creek,
tributary to Snake River, 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
Fish Propagation	from January 1 to December 31	at 4.0 cfs and N/A	
Domestic	from January 1 to December 31	at 0.02 cfs and 1.2 acre feet	
Stockwater	from January 1 to December 31	at 0.02 cfs and 0.7 acre feet	

(both dates inclusive)

Subject, however, to the condition that no more than 4.0 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
1.9 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, Twp. 7S,
Rge. 13E, 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 $\frac{1}{4}$	
7S	13E	15													X	X		X	

Total number of acres irrigated _____

CONDITION:

A measuring device of a type approved by the Department shall be maintained
at the point of diversion only.

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 31 day of
January, 19 79.

Director

STATE OF IDAHO
LICENSING AMENDMENT DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Vay M. &/or Jean Cookof (address) Rte. 1, Hagerman, Idaho, 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. 36-7172, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.,
County of _____. Other points of diversion: _____

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:

TWP	RGE	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 $\frac{1}{4}$	
7S	13E	15													X	X		X	

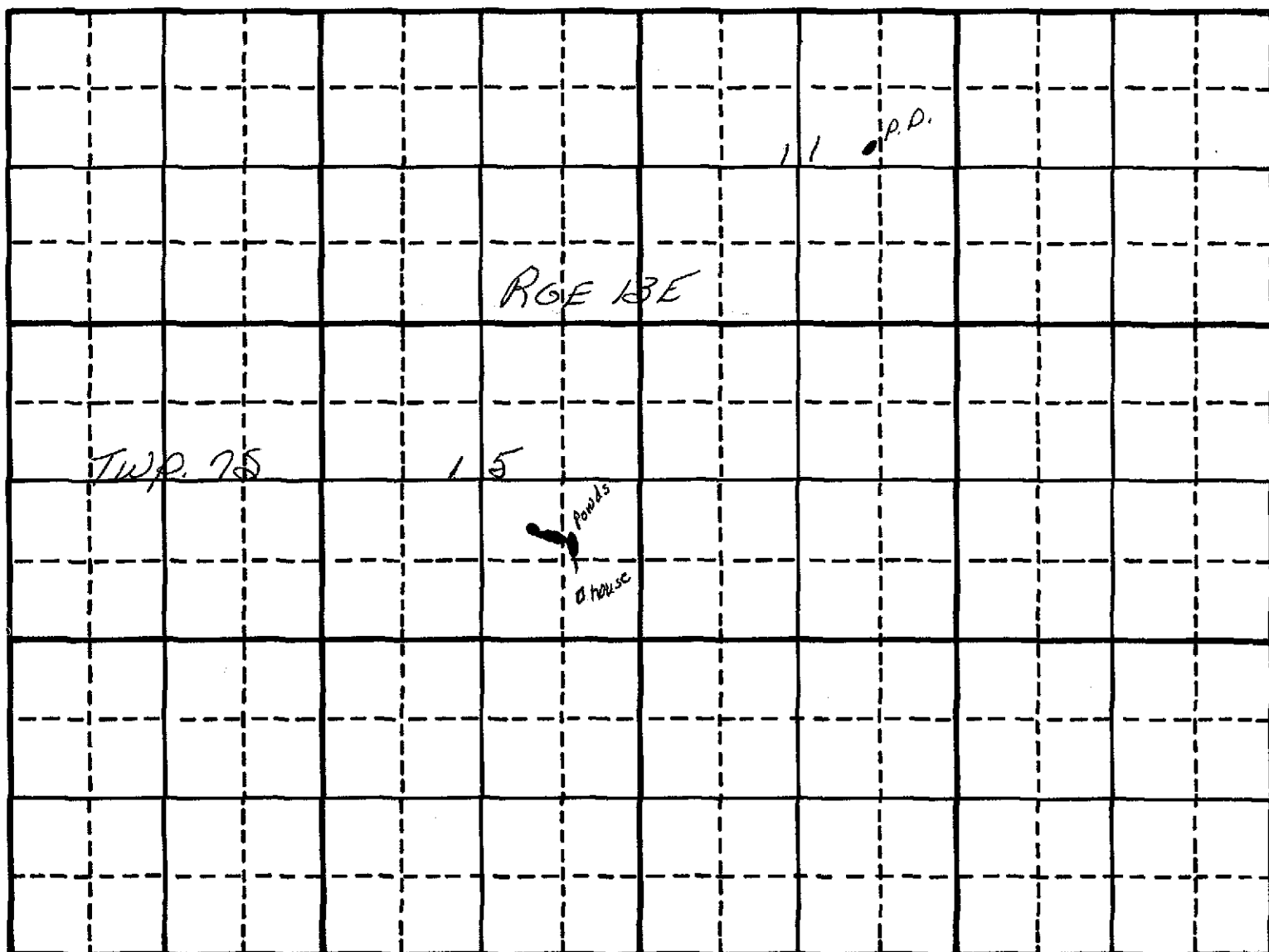
Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Dick Pope
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: right away of the ditch
since 1890.

MICROFILMED

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.

Signature Ray M. Cook, this 17 day of January, 19 79.
Signed at Jean Cook Twin Falls Idaho.
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by OF Fee = \$20.00
Publication prepared by _____ Date _____
Published in _____
Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby
APPROVE the above Application for Amendment for Permit No. 36-7172.

Witness my hand this 31 day of January, 19 79.

Stephen Allred
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. 36-7172 }
IN THE NAME OF VAY M. AND/OR JEAN COOK }

ORDER

WHEREAS, on March 25, 1971, Vay M. and/or Jean Cook applied to the Department of Water Resources for a permit to appropriate 4.00 cubic feet per second of water from Billingsley Creek to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, Twp. 7S, Rge. 13E, B.M., Gooding County, to be used for fish propagation, stockwater and domestic purposes; and,

WHEREAS, on May 12, 1971, the Department approved said application and issued Permit No. 36-7172 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before May 1, 1976, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, proof of beneficial use of water was received by the Department on October 1, 1976; and,

WHEREAS, on December 13, 1978, the Department received a request from the permit holder for the removal of the measuring device requirements at the outlet works; and,

WHEREAS, it has been determined by the Department that the permit holder has shown just cause to relieve the measuring device requirement at the outlet works;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval of Permit No. 36-7172 that a measuring device be installed at the outlet works is REMOVED. The permit holder should be aware, however, that the Department will require a measuring device to be installed and maintained at the inlet works.

Dated this 4th day of January, 1979.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

APPLICATION FOR EXTENSION OF TIME

APR 7 1976

State of Idaho)
County of Gooding)

Department of Water Resources
Southern District Office

Permit No. 36-7172

Vay M. & Jean Cook of Route #1 Hagerman
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. 36-7172.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before May 1, 19 76.

That he has heretofore performed the following work described under said permit:

Installed headgate & measuring device.

Costing \$

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: unable to plug sink holes in pond to be used for fish prep.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to May 1, 19 81.

Vay M. Cook
(signature) *

Subscribed and sworn before me this 6 day of April, 19 76.

seal

Richard B. Strickland
(notary public)

My commission expires Oct 1977

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION
Administrator, Operations Division

I, A. KENNETH DUNN, ~~Director~~ of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. 36-7172 to May 1, 1978.

Witness my hand this 15 day of April, 19 76.

A. Kenneth Dunn
Director
Administrator, Operations Division

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

Identification No. 36-7172
Application No. _____

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 Vay M. &/or Jean Cook
post office address Route 1 Hagerman
2. Source of water supply Billingsly Creek which is a tributary of Snake River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11 Township 7S
Range 13E 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 4.0 for Fish Prop purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for stock purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 4.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Headgate in Billingsly
Cr. into sand ditch to place of use.

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 _____ inches; proposed depth of well is _____ 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 \$ 19,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 7S
Range 13 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 up to 300 head
Beef cattle
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.
(5) If water is to be used for other purposes describe: Fish propagation

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	

Total number of acres to be irrigated _____

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

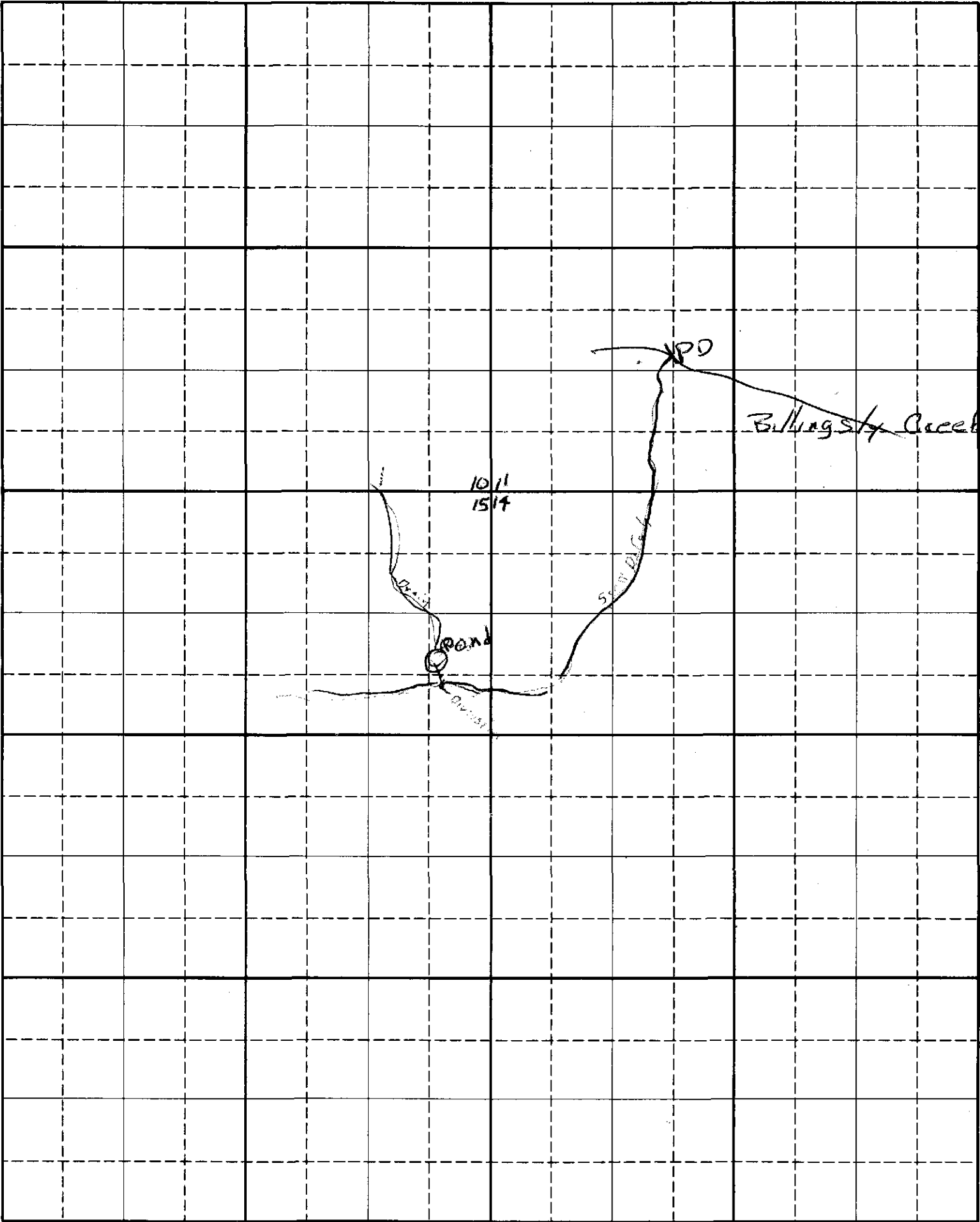
9. a. Who owns the property at the point of diversion Dick Pope

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing We are share holders in sands ditch water users co.

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.

K. Vay Cook
(Applicant)

Received by dy Date 3/25/71 Time 3:00
 Preliminary check by RUE Fee \$ 35.00
 Receipted by dy Date 3/26/71
 Publication prepared by dr Date 4-6-71
 Published in Gooding County Leader
 Publication dates 4-15 & 4-22, 1971
 Publication approved dr Date 4-28-71
 Priority reduced to _____ Reason _____

 Protests filed by: _____

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

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. 36-7172, 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 May 1, 1976.
- c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device at the point of diversion of a type approved by this Department.

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

Witness my hand this 12th day of May, 1971.

R. Keith Higin
 Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 36-7172 Name Vay M. and/or Jean Cook

Source Billingsly Creek

Point of Diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 7S, R. 13E, B.M., Gooding County

Quantity 4.0 Use Fish Propagation Period Jan. 1 - Dec. 31

Quantity .02 Use Stock Period Jan. 1 - Dec. 31

Quantity .02 Use Domestic Period Jan. 1 - Dec. 31

Well Size _____ Diameter _____ Proposed Depth _____ Feet

Use _____

Date Forwarded 4-7-71

Date Returned _____

Received by _____

COMMENTS: Annual spring measurements indicate a flow of 150-200 cfs. at the requested diversion point. Outstanding permits & licenses total many times this amount.

RECOMMENDED:

Applied: Qty. 4.0 cfs Use fish Period 1-1-71-12-31 AF/A - AF 2900

Qty. .02 cfs Use stock Period " AF/A - AF -

Qty. .02 cfs Use dom. Period " AF/A - AF 1

Maximum: Qty. 4.0 cfs Use fish Period " AF/A - AF 2900

Qty. .02 cfs Use stock Period " AF/A - AF -

Qty. .02 cfs Use dom Period " AF/A - AF 1

ACTION:

Approved X

Denied _____

Conditions of approval or reason for denial: Subject to prior rights. Require flow measuring device

INVESTIGATION

By

Norman C. Young

Title

W. R. Enger

Date

4-22-71

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Alfred 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 15th day of April, 1971, and the date of the last publication was on the 22nd day of April, 1971.

Subscribed and sworn to before me this 22nd

day of April, 1971
(SEAL)

Zella Barrus
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 32

Number of Insertions 2

32 Lines at 14¢ 4.48

32 Lines at 10¢ 3.20

TOTAL COST 7.68

COPY OF NOTICE

Title of Notice

Water Permit
Title of Notice

PERMIT

Notice is hereby given that Vay M. and/or Jean Cook, Route 1, Hagerman, Idaho, have on March 25, 1971, submitted Application No. 36-7172 for a permit to appropriate 4.0 cubic feet per second

B.M., Gooding County, to be used from Jan. 1 to Dec. 31 for fish propagation, stockwater and domestic purposes within the NE 1/4 Sec. 16, T. 7S, R. 18E, 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, Statehouse, Boise, Idaho, 83707, on or before May 3, 1971.

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive
insertions.....10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions.....10c

Nº 1103

36 7172

WATER RIGHT NUMBER 36-7172

VERIFIED ROH

5/1/85
OK KW
6/4/85

OWNER LAST NAME - COCK ✓
OWNER LAST NAME - COCK ✓
ADDRESS LINE 1 - RT. 1 ✓
ADDRESS LINE 3 -
SOURCE - BILLINGSLEY CREEK ✓
STAGE - LICENSE ✓
TOTAL DIV. VOLUME - 1.90 AFA TRFR/AMEND -
DIVERSION POINT - SWNE 11 07S 13E LOT REDIV -
FROM - 01-01 40 - 12-31 USE - STOCKWATER ✓
FROM - 01-01 40 - 12-31 USE - DOMESTIC ✓
FROM - 01-01 40 - 12-31 USE - FISH PROP. ✓
USE - STOCKWATER ✓
DECREE NAME -
REMARKS -
NON IRRIG USE - S/300 HEAD. ✓
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED -
PROOF MADE - FLD EXAM - COND. OF APPROVAL - R01 ✓
DIVERSION MEANS -

FIRST NAME - VAY M. ✓
FIRST NAME - JEAN ✓
ADDRESS LINE 2 -
CITY - HAGERMAN ✓
TRIBUTARY OF - SNAKE RIVER ✓
PRIORITY - 03-25-1971 ✓
COUNTY - GOODING ✓
TOTAL DIV. RATE - 4.0000 CFS
WATER DIST. - 35A DLE/CAREY ACT - RIGHT BASIS -
272.0 386.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.9
USE DIV. RATE - .0200 CFS USE DIV. VOLUME - .70 AFA
USE DIV. RATE - .0200 CFS USE DIV. VOLUME - 1.20 AFA
USE DIV. RATE - 4.0000 CFS USE DIV. VOLUME - .00 AFA
PLACE OF USE - TWN 07S RNG 13E SEC 15 TRACT NESE LOT AC TRACT NWSE LOT AC
TRACT SESE LOT AC
DATE - TOTAL ACRES 0 ✓
HEARING - OLD NO. -

February 1, 1979

Re: Permit No.'s 36-7172 & 36-7233

Vay M. &/or Jean Cook
Route #1
Hagerman, Idaho 83332

Dear Mr. or Mrs. Cook:

Enclosed herewith are copies of the water right licenses issued on the above referenced permits along with copies of the approved applications for amendment for these permits.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enc: 2

FILED
FEB 1 1979
IDAHO

January 11, 1979

Re: Permit No.'s 36-7172 & 36-7233

Vay M. &/or Jean Cook
Route #1
Hagerman, Idaho 83332

Dear Mr. or Mrs. Cook:

Enclosed is an Order which removes the measuring device requirement at the point of effluent discharge. Please note a measuring device is still required at the point of diversion.

A representative of this Department made an examination of the works covered by your Permit No. 36-7172 on April 4, 1978 and on No. 36-7233 on May 24, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho Law: 4.0 cfs for No. 36-7172 and 9.2 cfs for No. 36-7223. Source: Billingsley Creek for both.

The maximum quantity diverted shall not exceed 1.9 acre feet per year for No. 36-7172 and N/A for No. 7233. *(domestic & stockwater only)*

Point of diversion for both Permits is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, Twp. 7S, Rge. 13E, B. M.

Beneficial use: 36-7172 - Fish propagation, Domestic, and stockwater within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp 7S, Rge. 13E, B. M., and 36-7233 - Fish propagation within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp 7S, Rge. 13E, B. M.

Priority date established for 36-7172 - March 25, 1971, and for 36-7233 - April 17, 1972.

In order for the Department to issue the above licenses, it will be necessary for you to amend the permits to correspond with the findings of the field examiner. We are enclosing partially completed amendment forms for your use in this matter.

Please sign the amendment applications and return them to this office along with a \$20.00 filing fee for each amendment within 30 days in order that we might issue your licenses as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosures

CONVERSATION MEMORANDUM

DATE 1/12/79FILE 36-71724
36-7233

NAME OF PARTY

EMPLOYEE

RE:

Gary Lunderburg ~~may~~ stated that
the water goes thru the ponds
& out to their fields for irrigation
and there are no downstream
users, therefore, he recommended
the measuring device be removed
at the outlet (pools), but remain at
the inlet works.

MICROFILMED

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: ADM

Right Number 36-7172 Applicant Vay M. &/or Jean Cook
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:

- N/A ☐ Affidavit of publication received.
- N/A ☐ Amendment published correctly.
- N/A ☐ Protests processed.

- ☒ Approve.
- ☐ Deny.

Conditions As Per License Rough Draft

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

MICROFILMED

Jan
Route 1 Box 24
Hagerman, Idaho 83332
December 11, 1978

State of Idaho
Department of Water Resources
373 W. Franklin
Boise, Idaho 83720

RECEIVED
DEC 13 1978
Department of Water Resources

Gentlemen:

We would like a waiver of measuring devices for outlet
devices due to no other uses on application No. 36-7172
and 36-7233. ^{uses}

Thank you,
Vay Cook & Jean Cook
Mr. and Mrs. Vay Cook

VC:mms

MICROFILMED

837-4880

OCT 7 1976
1. Name of pe

1. Name of permit holder Vay M. &/or JEAN Cook

Department of Water Resources
Post office address
Southern District Office

Rt. 1, Hagerman, ID 83332

Phone

Person to contact

Phone

2. Source of water supply: Groundwater ☐ Surface water ☒ Billingsley Cr.

(name spring, stream, etc.)

Tributary to Snake

3. Water will be used for the following purposes:

Amount 4.00 c.f.s. for Fish Propagation
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount 0.02 c.f.s. for Stockwater (300 beef cattle)
 AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount 0.02 c.f.s. for Domestic (1)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 4.00 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7S N/S, Range 13E E/W, B.M., Section 11, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$, 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: headgate from creek into sands ditch down to headgate into pond.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

Permit No. 36-7172

Examination for b/u

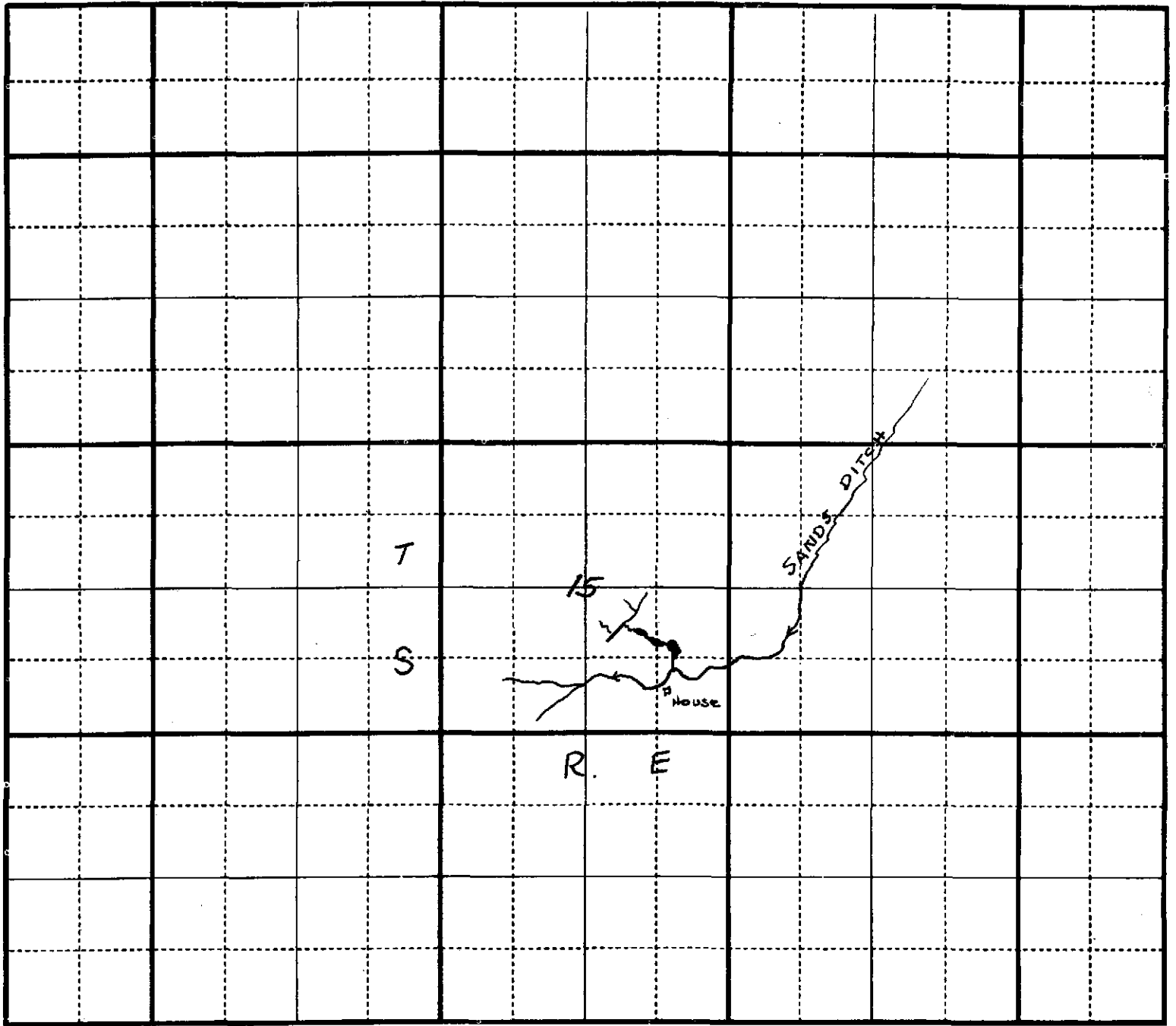
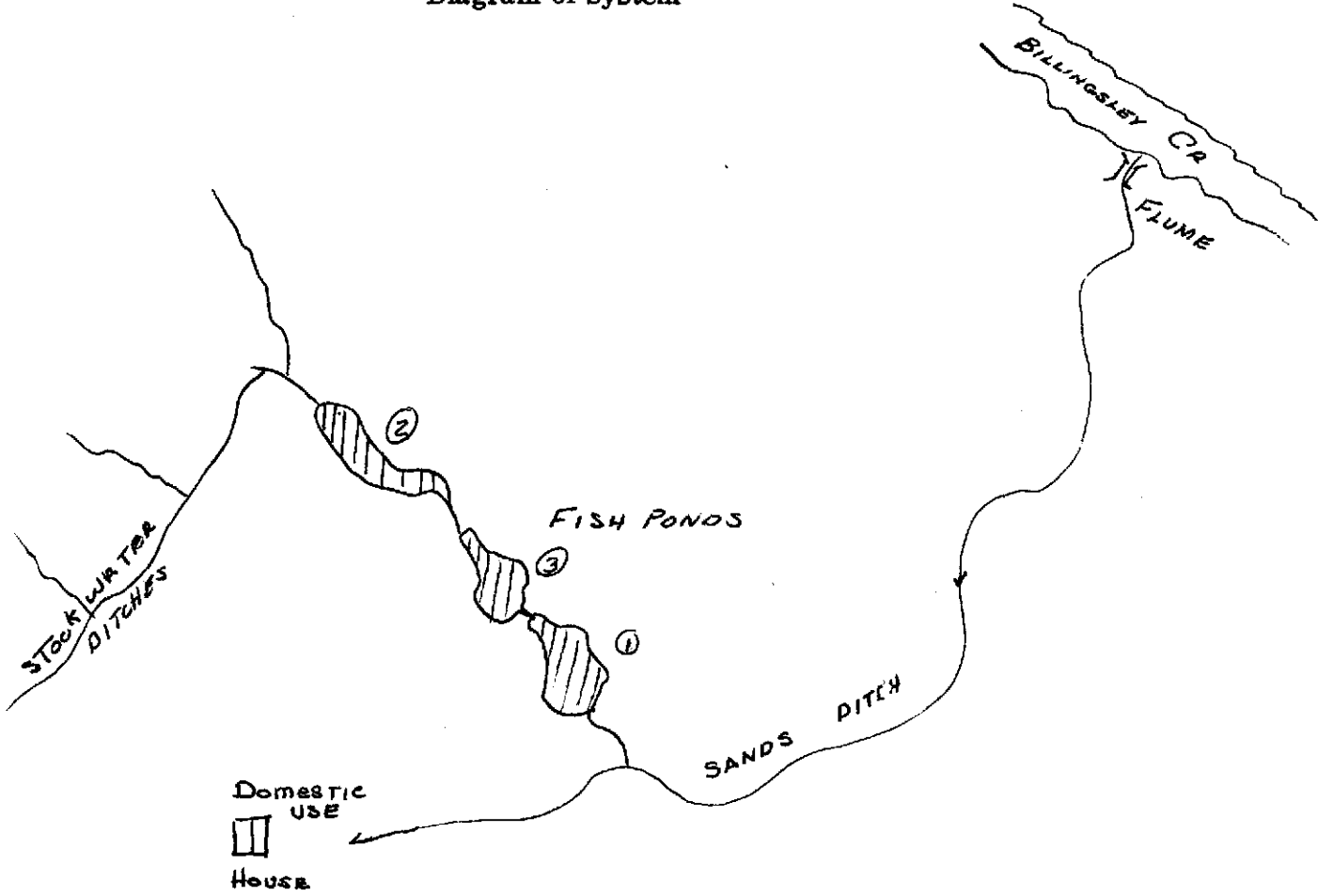


Diagram of System



DATE OF EXAM 4-26-78

ACREAGE

Found ✓
Recommended ✓

Irrigation Requirement ✓ Ac Ft/Ac

USE

Irrigation Q = ✓ c.f.s. V = ✓ AF/Ann. from ✓ to ✓
Domestic Q = .02 c.f.s. V = .6 AF/Ann. from JAN 1 to DEC. 31
Livestock Q = .02 c.f.s. V = .7 AF/Ann. from JAN 1 to DEC. 31
Fish Pro. Q = 4.00 C.F.S. V = N/A from JAN 1 to DEC. 31

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 26.0 C.F.S. Method of measurement RATED FLUME

Total Q recommended 4.00 C.F.S. Meter No. ✓ Type CONCRETE Condition NEW

Total V recommended 1.9 ✓ 1.3 AC FT/ANN. (Dom. & Livestock only) (note)

Recommended Amendments:

P.D. _____
Place of Use NE 1/4 SE 1/4, NW 1/4 SE 1/4, Sec. 15 T. 7 S. - R. 13 E.
Other _____
None _____

MEASUREMENT CALCULATION:

CRITICAL DEPTH FLUME (8') CONCRETE, RECTANGULAR, RATED BY
CHARLES E. BROCKWAY, REGISTERED PROFESSIONAL ENGINEER OF THE
STATE OF IDAHO. STAFF GAGE READING 1.7 = 26.0 C.F.S. SEE
RATING CURVE. (1) 4' RECTANGULAR (CONTRACTED) WIER AT THE
OUTLET OF THE FIRST POND, STAFF GAGE READING .88 = 10.5 C.F.S.
DOMESTIC .02 C.F.S. .6 AC FT/ANN; LIVESTOCK .02 C.F.S. 0.7 AC FT/ANN; (See Dept. Memo 4-7-75)
FISH PROPAGATION 4.0 C.F.S.

SYSTEM DESCRIPTION:

Billingsley Creek water is diverted into the Sands Ditch which
conveys the water to its place of use. A measuring device
is located at the fish ponds. Water is diverted thru the
ponds and discharge to ditches for stock watering. Water is
left in the Sands Ditch and used for domestic.
Fish Ponds are ① 75' L x 55' W ② 154' L x 55' W ③ 150' L x 50' W.

REMARKS:

MR & MRS VAY COOK were present during the field exam.
INCLOSED ARE THE COPIES OF THE RATING CURVE.
ALSO THIS SAME USE IS COVERED BY PERMIT # 36-7233

Examiner's Signature Dan Underburg Date 5-3-78

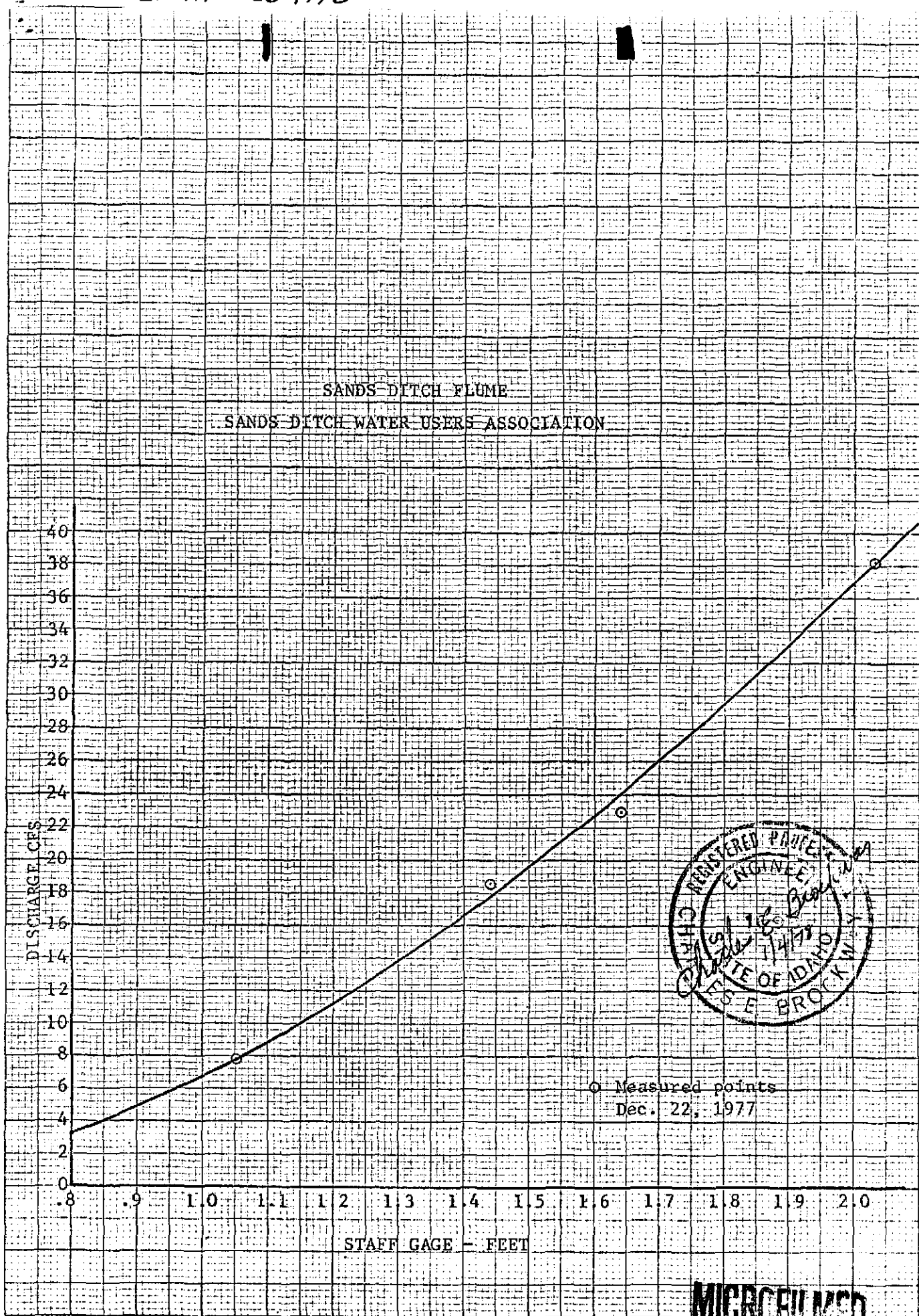
Checked by J F Stanton Date 6-29-78

Approved by LSH Date _____

PERMIT # 36-7172

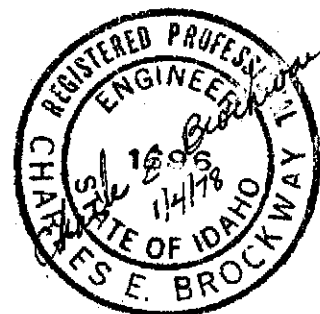
46 1320

K&E 10 X 10 TO 1/4 INCH 7 X 10 INCHES
KT-UP-FEL & ESSER CO. MADE IN U.S.A.



SANDS DITCH WATER USERS ASSOC. RATING CURVE -MEASURED DATA
 CONCRETE FLUME, $Q=10.63 -26.18H^{1.5}+22.35H^{1.5}$

GAGE	0.00	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
0.7	1.8	1.9	2.1	2.2	2.3	2.5	2.6	2.8	2.9	3.0
0.8	3.2	3.4	3.5	3.7	3.8	4.0	4.2	4.3	4.5	4.7
0.9	4.9	5.0	5.2	5.4	5.6	5.8	6.0	6.2	6.4	6.6
1.0	6.8	7.0	7.2	7.4	7.6	7.8	8.1	8.3	8.5	8.7
1.1	8.9	9.2	9.4	9.6	9.9	10.1	10.3	10.6	10.8	11.1
1.2	11.3	11.6	11.8	12.1	12.3	12.6	12.8	13.1	13.4	13.6
1.3	13.9	14.2	14.4	14.7	15.0	15.3	15.5	15.8	16.1	16.4
1.4	16.7	17.0	17.2	17.5	17.8	18.1	18.4	18.7	19.0	19.3
1.5	19.6	19.9	20.2	20.5	20.8	21.2	21.5	21.8	22.1	22.4
1.6	22.7	23.1	23.4	23.7	24.0	24.4	24.7	25.0	25.4	25.7
1.7	26.0	26.4	26.7	27.0	27.4	27.7	28.1	28.4	28.8	29.1
1.8	29.5	29.8	30.2	30.5	30.9	31.2	31.6	32.0	32.3	32.7
1.9	33.1	33.4	33.8	34.2	34.5	34.9	35.3	35.7	36.0	36.4
2.0	36.8	37.2	37.6	38.0	38.3	38.7	39.1	39.5	39.9	40.3
2.1	40.7	41.1	41.5	41.9	42.3	42.7	43.1	43.5	43.9	44.3
2.2	44.7	45.1	45.5	45.9	46.4	46.8	47.2	47.6	48.0	48.4
2.3	48.9	49.3	49.7	50.1	50.6	51.0	51.4	51.9	52.3	52.7



RECEIVED

SEP 29 1976

OKJ

Identification No. _____

Permit No. _____

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 1 1976

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Vay M. & Jean Cook
b) Post Office Address Route #1 Hagerman, Ida
2. Permit Number 36-7172
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Billingsley Creek - Tr. of Snake R.
b) Location of the point of diversion: SW 1/4 NE 1/4, Section 11
Township 7S., Range 13E. Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 4.0 cfs for fish prop. purposes from Jan 1st to Dec 31st incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount .02 for stock purposes from Jan 1st to Dec 31st incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount .02 for domestic purposes from Jan 1st to Dec 31st incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 4.44 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: by water measurement equipment by George hemman - recommended by Ralph Huckle, Garding
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: Headgate in Billingsley Cr. into Sands ditch to place of use
b) Describe the agreement or understanding by which you take water from the works: in Sands ditch to place of use - headgate into pond
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) headgate from Cr. into Sands ditch down to headgate into pond
b) Describe the type and size of measuring device which you have installed at your point of diversion: headgate built from plans received from Soil Conservation Dept. Rectangle weir
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Fish propagation or culture - water for up to 300 head of cattle. - domestic

Exam typed OKJ by f

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	

Total number of acres irrigated _____

10. Remarks: _____

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

Way Cook Way Cook
 (Date) (Signature)
Sept 29-76

State of Idaho)
) ss.
 County of Gooding)

On this 29th day of Sept, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Richard B. Stickland
 Notary Public residing at Gooding Idaho

My commission expires Oct 1977



RECEIVED
NOV 2 1976

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

October 29, 1976

Vey M. Cook
Route #1
Hagerman, Idaho 83332

Dear Mr. Cook:

On October 21 I made a field trip to complete a field report on your permit #36-7172 for fish propagation use. At the time of the examination, I discussed with you that an adequate measuring device should be installed at the point where Sands Ditch diverts from Billingsley Creek or thereof.

From my observation, the structure that is installed on Sands Ditch which is used to measure the water from Billingsley Creek does not meet the requirements of an adequate measuring device which is one of the conditions of the permit. Before the Field Report can be completed an adequate measuring device at the point of diversion will need to be installed.

If you have any questions concerning the measuring device, please feel free to contact me.

Sincerely,

Gary Funderburg
Senior Water Resource Agent

GF:lm

October 6, 1976

Re: Permit No. 36-7172

Vay M. &/or Jean Cook
Route 1
Hagerman, ID 83332

Dear Mr. & Mrs. Cook:

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 District Office in Twin Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED

April 19, 1976

Re: Permit No. 36-7172

Vay M. &/or Jean Cook
Route 1
Hagerman, Idaho 83332

Dear Mr. & Mrs. Cook:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to May 1, 1978.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	1383600	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

MAR 3

1976

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

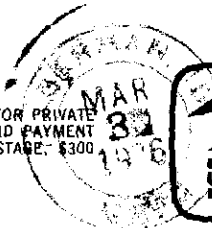
Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN
TO



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

March 1, 1976

CERTIFIED MAIL

138362

Re: Permit No. 36-7172

Vay &/or Jean Cook
Route 1
Hagerman, Idaho 83332

Dear Mr. & Mrs. Cook:

One of the conditions of approval of your water Permit No. 36-7172 (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 May 1, 1976. 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.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

Hagerman, Ida
June 7, 1971

State of Idaho
Department of State Administration
Statehouse - Annex 2
Boise, Idaho 83707
Dear Sir:

Enclosed is a picture of the
headgate we plan on putting
in for our pond on Permit no
36-7172 - Vay M. & Jean
Cook. - Hope it is satisfactory.

Thank You

36 7172

Vay & Jean Cook
Permit holders
Hagerman, Ida.

Hagerman Idaho

May 29, 1971

Idaho Dept. of Water Administration
P.O. Box 100
Burien, Idaho 83707

RECEIVED

JUN 3 1971

Dear Sir:

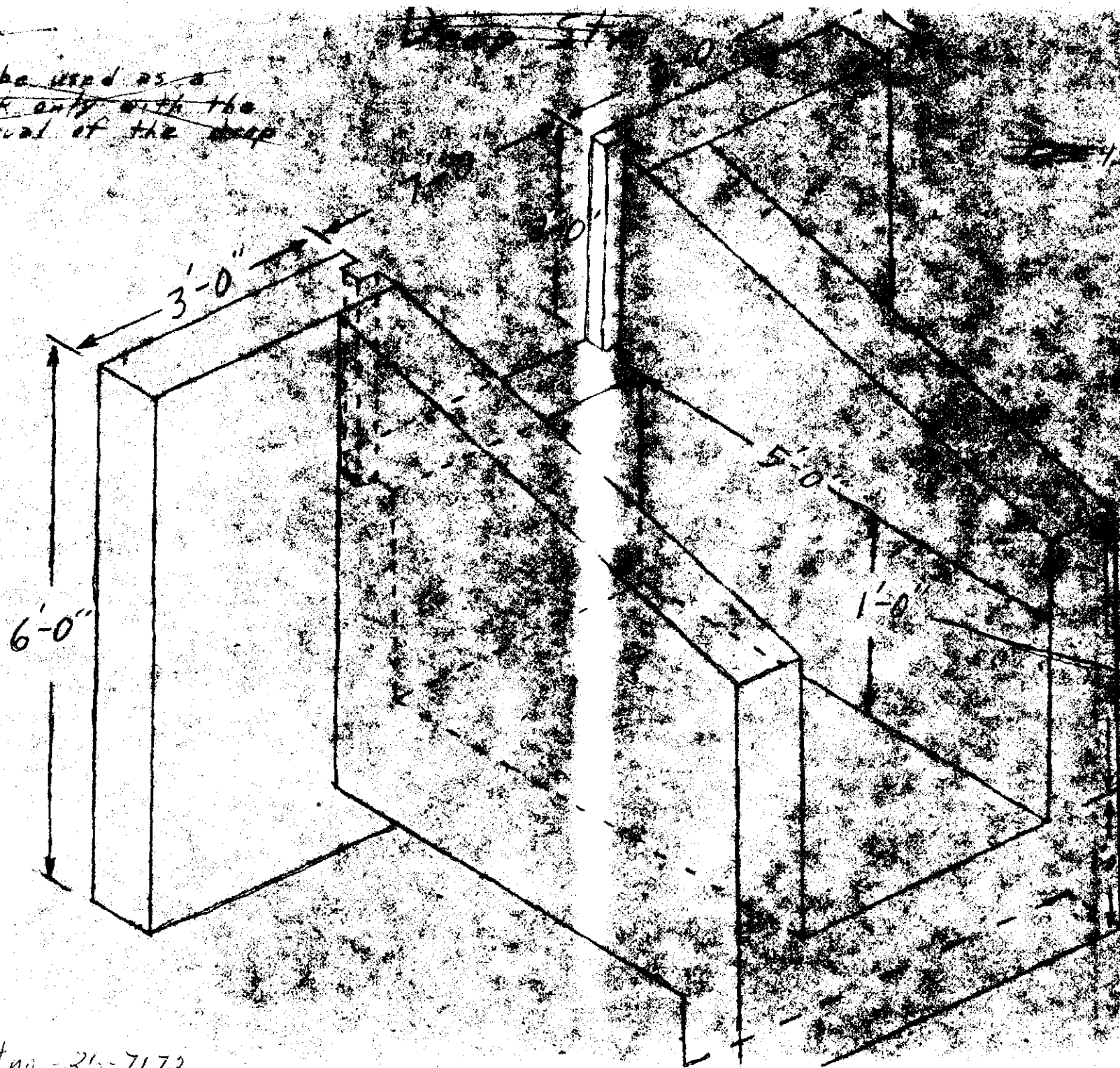
Department of Water Administration

Mr. & Mrs. Jean Cook, applicants
for water permit No. 36-7172
have decided to put in a
rectangular well & we have
the Gooding Co. S.C.S. office
working on it now. We should
have a copy ready within a
week to send to your office.

Thank you.
Vay & Jean Cook
Rt #1 Hagerman,
Idaho

36 7172

Can be used as a
check only with the
removal of the deep



Permit no. - 34-7172

Permit no. - 36-7172

Weir made and set in str. slots



Not to
scale

36 7172

May 13, 1971

Re: Permit No. 36-7172 - Vay M. and/or Jean Cook

Vay M. and/or Jean Cook
Route #1
Hagerman, Idaho 83332

Dear Mr. and Mrs. Cook:

Enclosed is a copy of your approved Application for Permit No. 36-7172. 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:kh

Enclosures

P.S. Water may not be available if needed by prior rights.

36 7172

April 6, 1971

Re: Application No. 36-7172 - Vay M. &/or Jean Cook

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

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

**Donald W. McEldowney
Appropriation Supervisor**

**DWM:DR
Enc: Legal notice**

*Bill submitted
5-6-71
JW*

36 7172

need galley proof

**NOTICE OF
APPLICATION FOR WATER
PERMIT**

Notice is hereby given that Vay M. and/or Jean Cook, Route 1, Hagerman, Idaho, have on March 25, 1971, submitted Application No. 36-7172 for a permit to appropriate 4.0 cubic feet per second of water from Billingsley Creek, tributary to the Snake River by means of headgate and ditch within the SW $\frac{1}{4}$ -NE $\frac{1}{4}$ Sec. 11, T. 7S, R. 13E, B.M., Gooding County, to be used from Jan. 1 to Dec. 31 for fish propagation, stockwater and domestic purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, T. 7S, R. 13E, 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, Statehouse, Boise, Idaho, 83707, on or before May 3, 1971.

R. Keith Higginson
Director

4-15-2tc

0.5.
4-15-71
H. J. J.
B.

36 7172

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Vay M. and/or Jean Cook, Route 1, Hagerman,
Idaho, have on March 25, 1971.

~~SECRET~~ _____ submitted Application No. 36-7172

for a permit to appropriate 4.0 cubic feet per second ~~from the Snake River~~
of water from Billingsley Creek, tributary to the Snake River

by means of headgate and ditch

within the ~~SW 1/4~~ Sec. 11, T. 78, R. 13E, B.M., Gooding County,

to be used from **Jan. 1 to Dec. 31**

for fish propagation, stockwater and domestic purposes

within the NE~~SE~~ Sec. 15, T. 78, R. 13E, B.M.

Issued

If ~~used~~, 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, Statehouse, Boise, Idaho, 83707, on or before **May 3, 1971**.

R. KEITH HIGGINSON
Director

Published in the Gooding County Leader, Gooding, Idaho,
on April 15 and April 22, 1971.

24.

36 7472

March 26, 1971

Vay M. Cook
Route #1
Hagerman, Idaho 83332

Dear Mr. Cook:

Returned herewith is your receipt No. 5809 in the amount of \$35.00
for your application for permit,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

36 7172