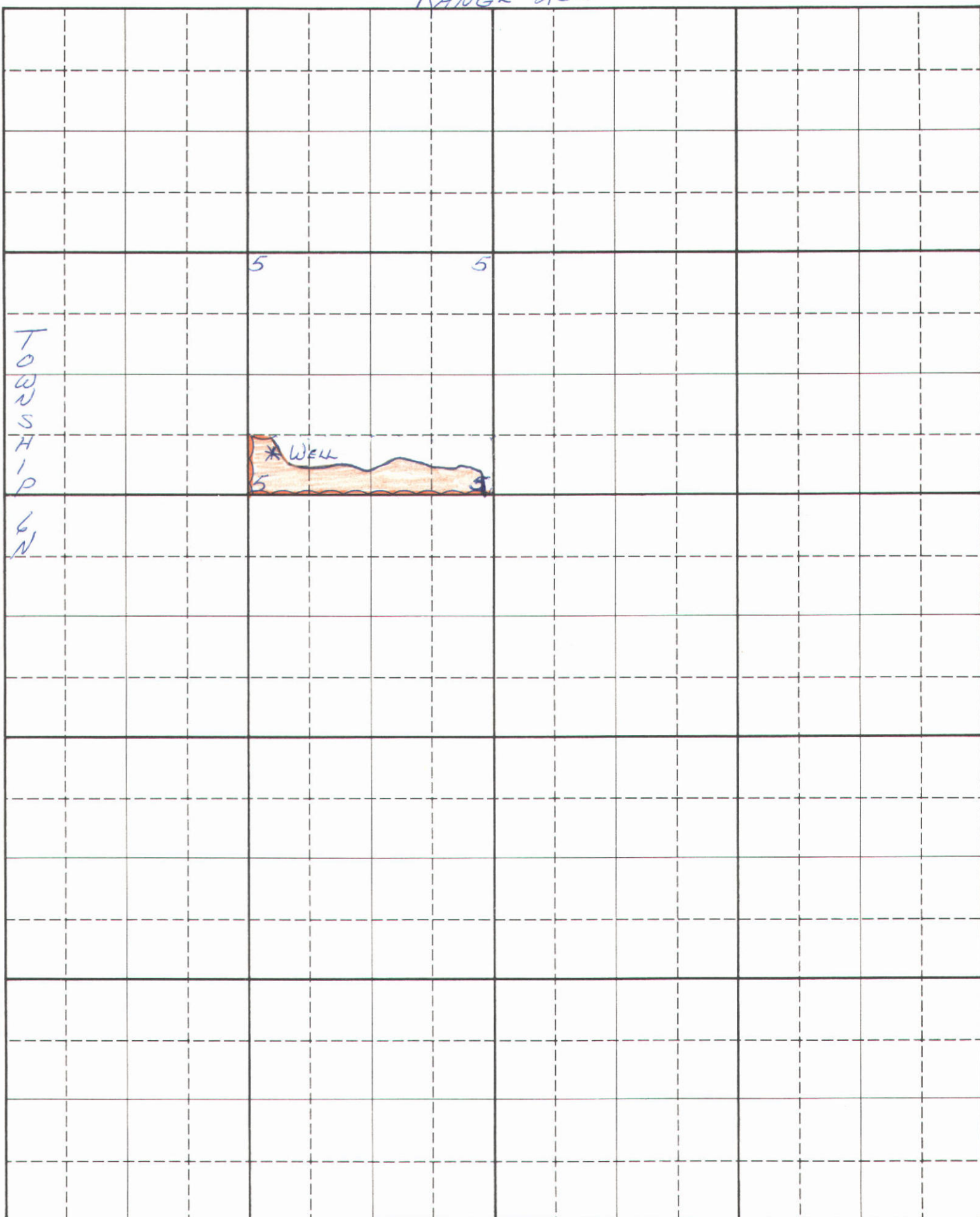


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

RANGE 25E

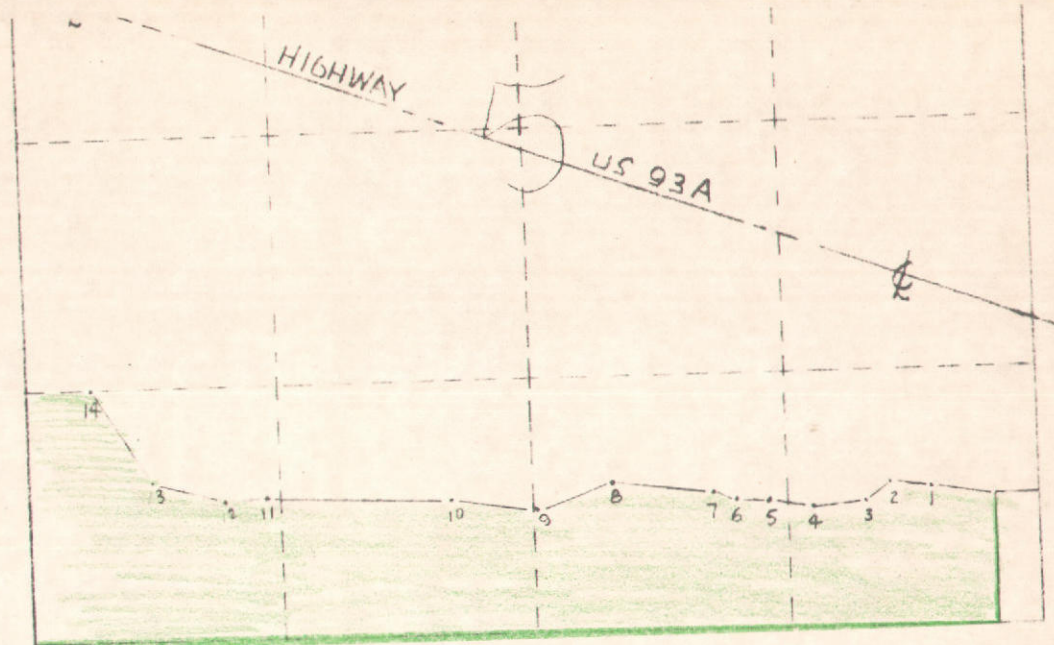


Scale: 2 inches equal 1 mile

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.

Don W. Ralston
(Applicant)

34 7058



34 7058

Pt.	Bearing	Distance
Cor	N81 45'W	333.0'
1	N82 45'W	209.0'
2	S56 36'W	135.0'
3	S83 29'W	290.0'
4	N78 20'W	210.0'
5	N86 43'W	170.0'
6	N70 29'W	114.0'
7	N83 02'W	520.0'
8	S74 32'W	420.0'
9	N79 49'W	438.0'
10	N86 41'W	940.0'
11	S86 29'W	203.0'
12	N73 56'W	405.0'
13	N47 06'W	620.0'
14		

SURVEY MADE AUGUST, 1972

Scale: 1"=1000'



RECEIVED

JAN 28 1974

Department of Water Administration
Eastern District Office

PUBLIC NOTICE

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Don W. Radford, Route No. 1, Mackay, Idaho has on 1/10/74 submitted Application No. 34-7058 for a permit to appropriate 1.4 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 6N, R. 25E, B.M. Custer County; to be used from June 1 to Nov. 1 for the irrigation of 70 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 6N, R. 25E, 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, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before February 4, 1974.

R. KEITH HIGGINSON
Director

Published in the Mackay Miner,
Mackay, Idaho on January 17 and
January 24, 1974.

Affidavit of Publication

STATE OF IDAHO }
County of Custer } ss.

I, MARGARET PARKS the
PUBLISHER

of The MACKAY MINER, a
weekly newspaper of General Cir-
culation published weekly and en-
tered in the Post Office Mackay,
Idaho, continuously since Febru-
ary 6, 1906, do solemnly swear
that a copy of the notice, as per
clipping attached, was published
weekly in the regular and entire
issue of said newspaper and not in
any supplement thereof, for 2

consecutive weeks
commencing with the issue dated

JAN 17, 1974
and ending with the issue dated

JAN 24, 1974

Margaret Parks

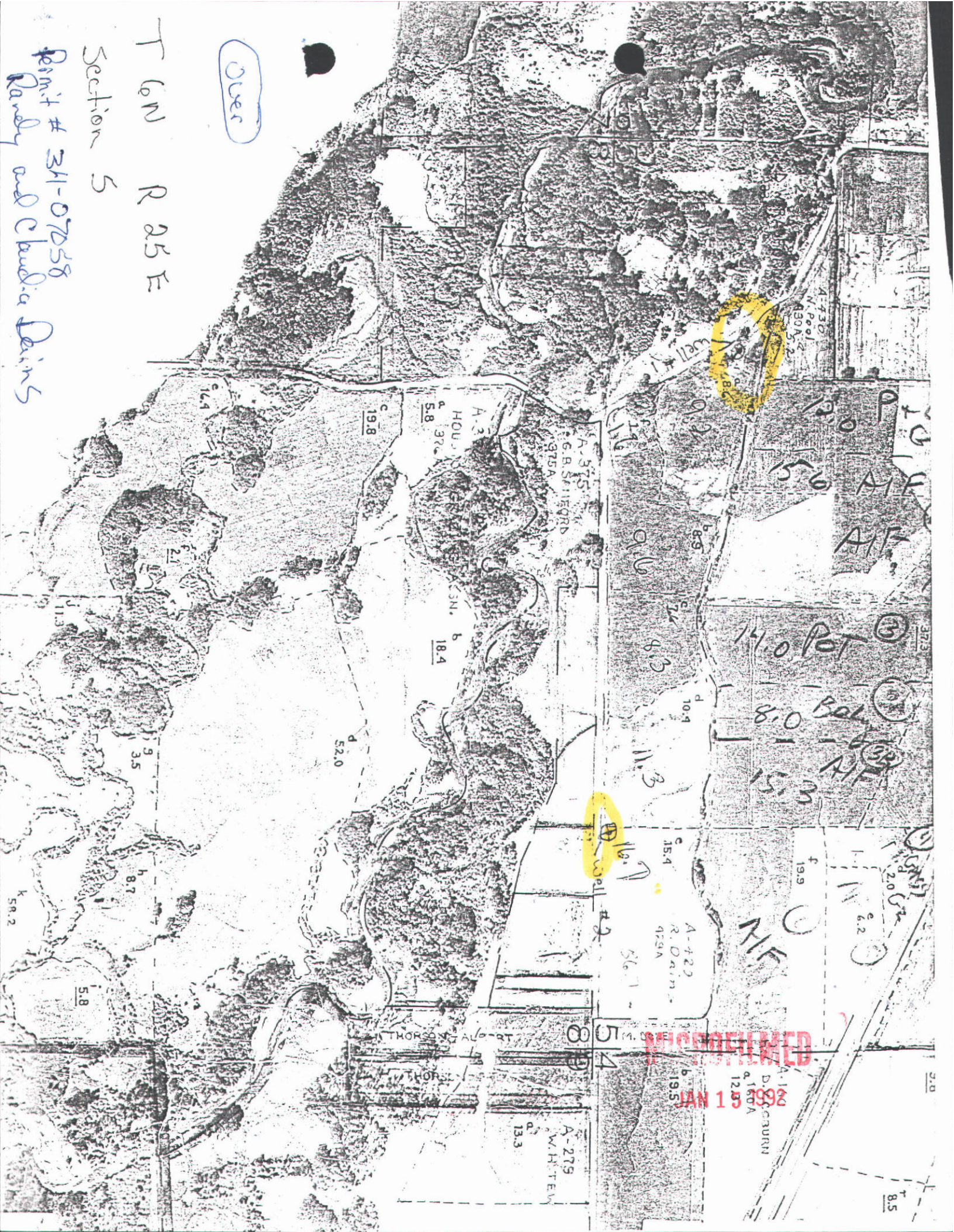
Subscribed and sworn to before
me this 25th day of

Jan., 1974

Rebecca Burdett

Notary Public
My Com. Expires: 10-24-77

34 7058



Over

T 6N R 25E
Section 5

Permit # 341-07058
Randy and Claudia Dairs

Well #1

56 AIF
AIF

14.0 Pot 3
8.0 Pot 3
15.3 AIF

N/E

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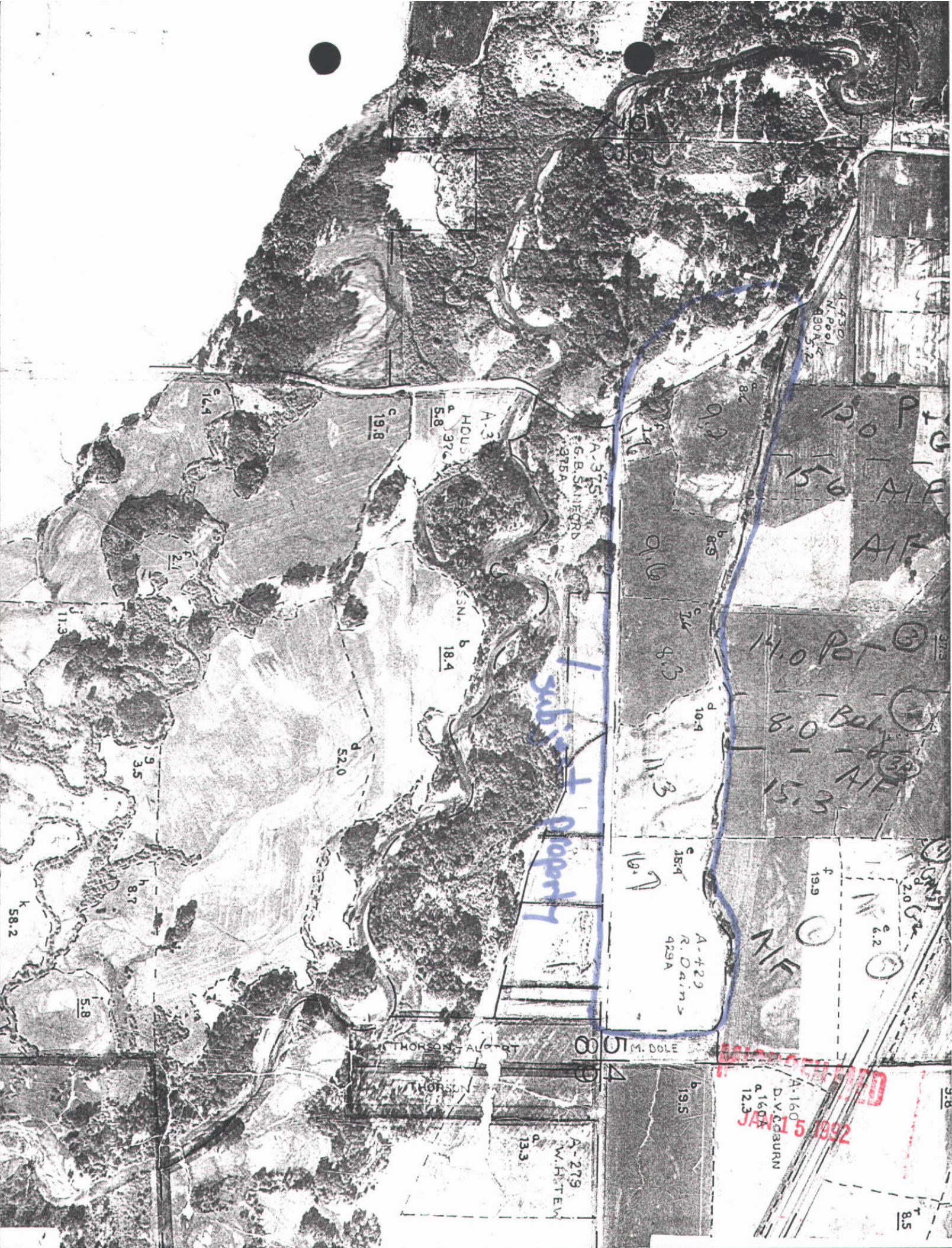
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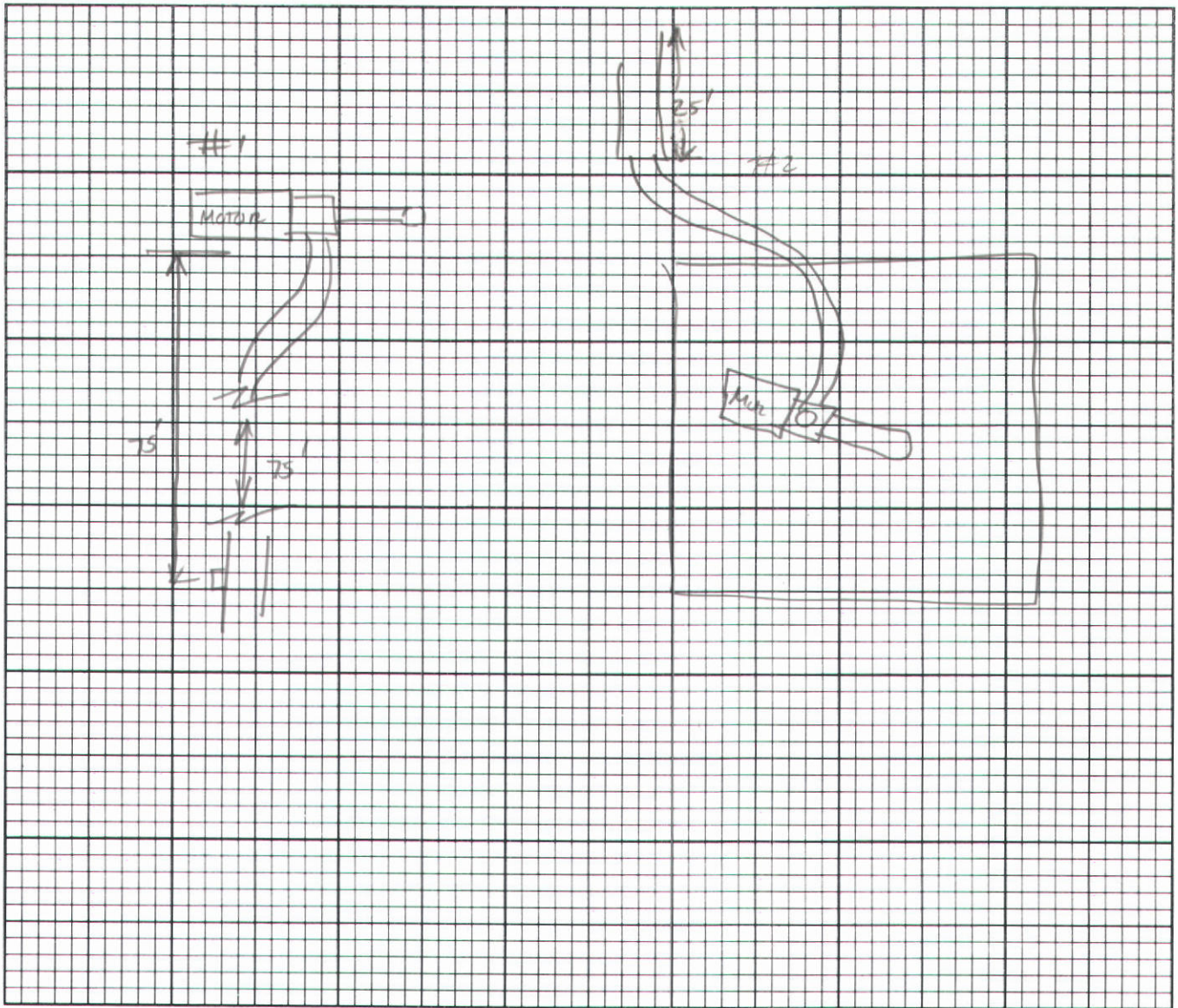
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WHITE

8.5





10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments
- | | | |
|---|---|--------------------------------|
| ☐ Change P.D. as reflected above | ☒ Add P.D. as reflected above | ☐ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

16. Examiner's/Consultant's Signature Keith C Wilson Date 8 Aug 85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

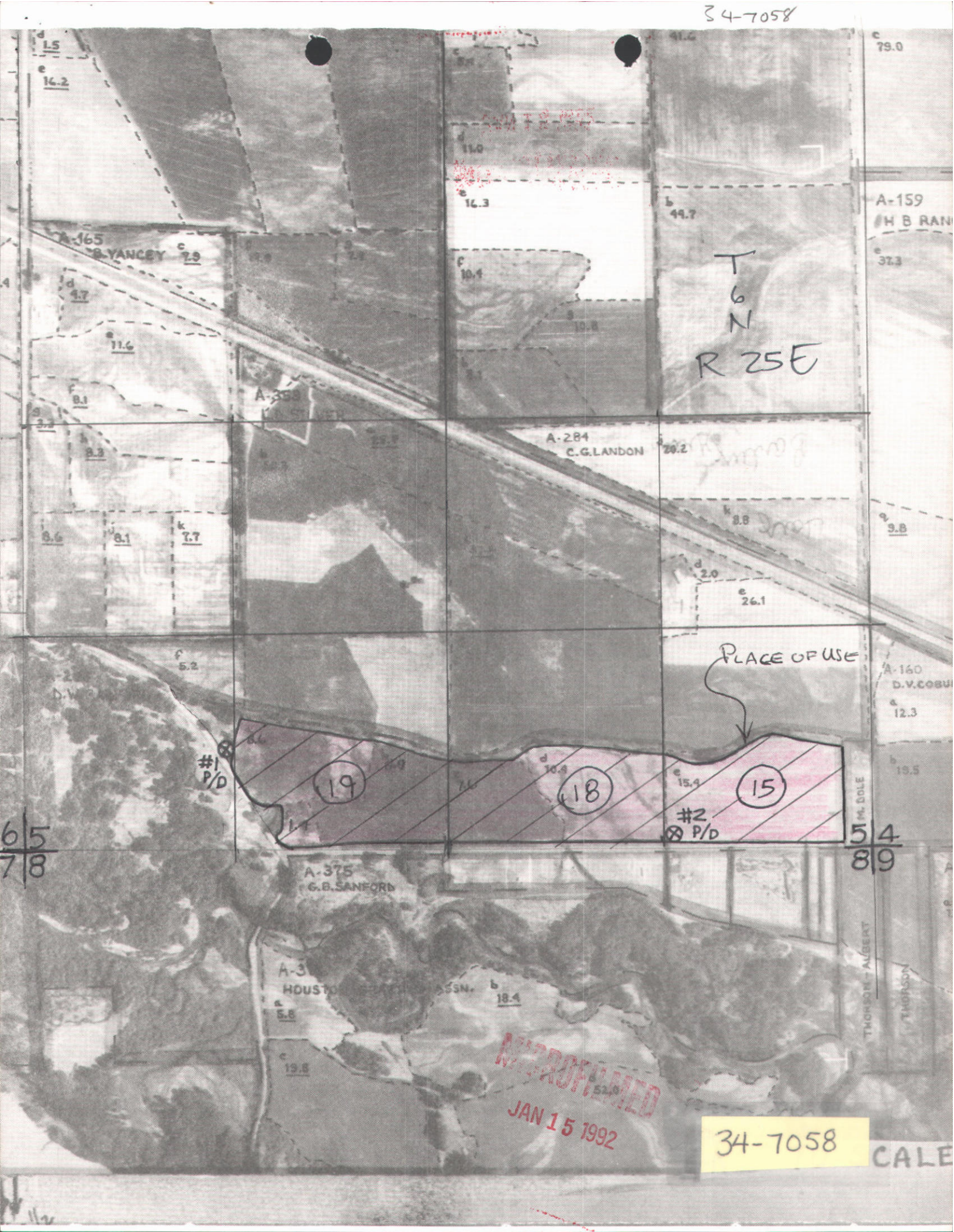
Date _____

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JAN 15 1992

CONSULTANT SEAL

34-7058



T
6
N
R 25E

PLACE OF USE

19

18

15

MICROFILMED
JAN 15 1992

34-7058

CALE

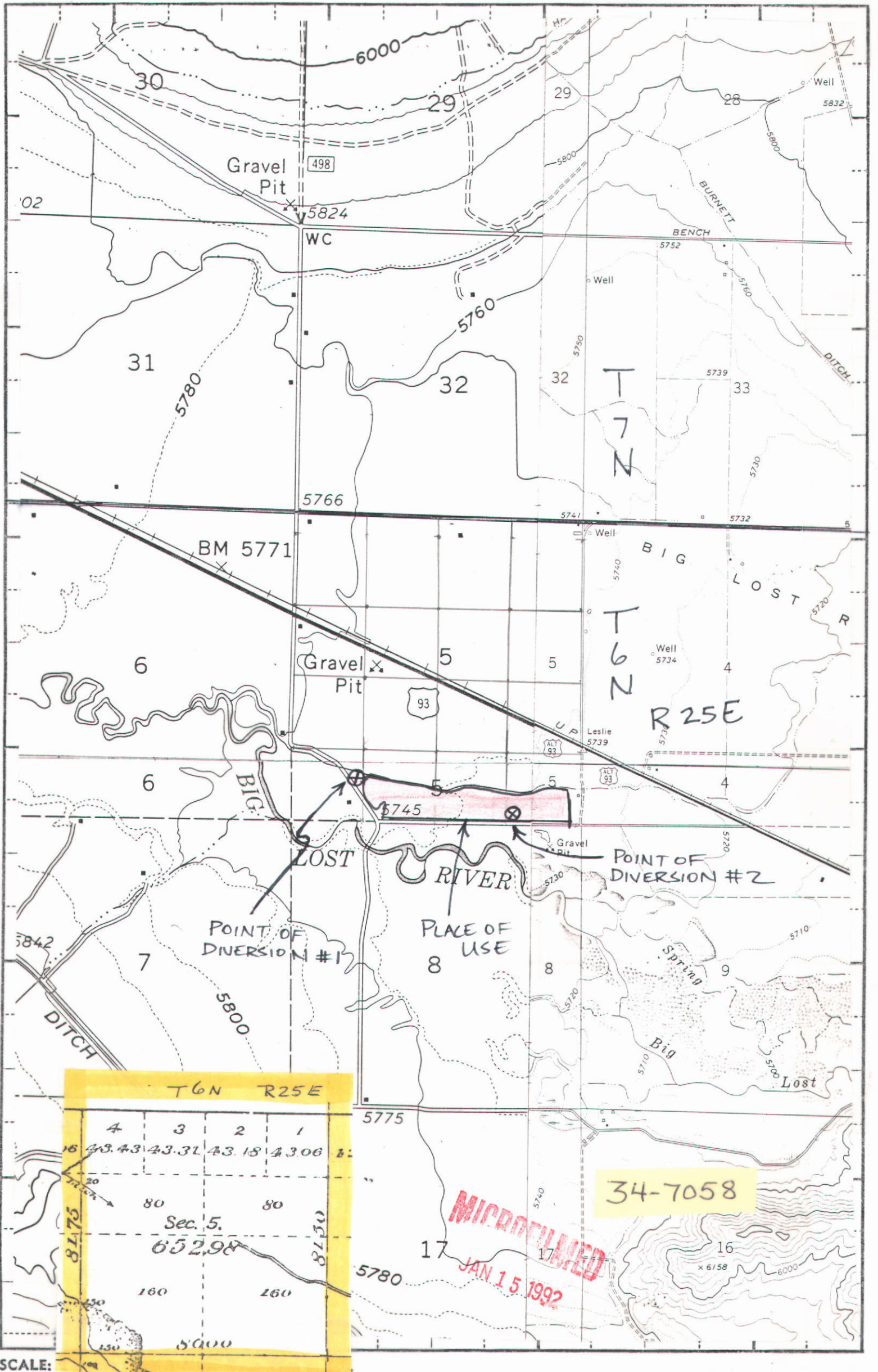


#1 P/O



MICROFILMED
P/O
#2 JAN 15 1992

34-7058



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07058

Priority: January 10, 1974

Maximum Diversion Rate: 1.08 CFS
Maximum Diversion Volume: 172.0 AF

This is to certify, that CLAUDIA LYNN DAINS
RANDY MARK DAINS

RT. 1 BOX 27B
MACKAY ID 83251

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 10, 1974; and has submitted Proof of Beneficial Use on January 30, 1984. An examination indicates that the works have a diversion capacity of 1.120 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.08 CFS	170.1 AF
STOCKWATER	01/01 to 12/31	0.03 CFS	0.7 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	1.2 AF
	Totals	1.08 CFS	172.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESWSW , Sec. 5, Township 06N, Range 25E
SWSESE , Sec. 5, Township 06N, Range 25E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	25E	5	SESW 20.4	SWSE 19.6	SESE 16.7	56.7
Total number of acres irrigated:						56.7

PLACE OF USE: STOCKWATER

TWN RGE SEC

06N 25E 5 SWSW SESE

PLACE OF USE: DOMESTIC

TWN RGE SEC

06N 25E 5 SWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume listed within this right is defined as the maximum allowable volume of water that may be diverted annually from the source identified under this right, or limited to the amount that can actually be beneficially used on the above

RECORDED

JAN 15 1992

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

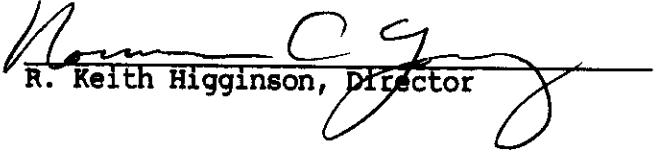
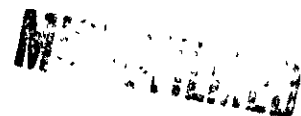
WATER RIGHT NO. 34-07058

described place of use. This right is further limited to a maximum diversion of water onto the above described place of use of 0.02 cfs per acre or 3.0 acre feet per acre per year when combined with all other appurtenant water rights.

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Stockwater is for 40 range cattle; domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6TH day of DECEMBER, 1991.

Acting for


R. Keith Higginson, Director

JAN 15 1992

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
AUG 03 1989

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-07058

Date of Priority: January 10, 1974

Maximum Diversion Rate:
Maximum Diversion Volume:¹

Department of Water Resources
Allow 1.08*
--1.04*-CFS
R.D. 156.0 AF
170.1 AF

Comes now

RANDY MARK DAINS
CLAUDIA LYNN DAINS

MACKAY, ID 83251

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. 34-07058, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	R.D. 06/01 to 11/01 04/01	1.08* -1.04*-CFS	R.D. 156.0 AF 170.1 AF
<u>LOCATION OF POINT(S) OF DIVERSION:</u>			
SESE, Sec. 5, Township 06N, Range 25E SWSW, Sec. 5, Township 06N, Range 25E CUSTER County			

15

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	25E	5	SESW -19-* Allow 20.4*	SWSE -18-* 19.6*	SESE -15-* 16.7*	R.D. 52 56.7
Total number of acres irrigated:						R.D. 52 56.7

STOCKWATER:

06N 25E 5 SWSW SESE

DOMESTIC:

06N 25E 5 SWSW

*Changes per memo of 8/30/1989 - kw

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JAN 15 1992

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

Signed at Mackay, Idaho, this 31st day of July, 1989.
Randy Dains
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 34-07058

FOR DEPARTMENT USE ONLY

#C008845

Preliminary check by KW Fee = \$20.00 ✓

Received by C Wong Date 8/4/89

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 34-07058 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Witness my hand this 6TH day of DECEMBER, 1991.

Acting for

R. Keith Higginson
R. Keith Higginson, Director

MISS FILED

JAN 15 1992

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	34-7058	Don W. Radford	1.4 cfs
Full Assignment		Randy Mark &/or Claudia Lynn Dains	1.4 cfs

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Water Permit Pages 276

REAL ESTATE PURCHASE AND SALE AGREEMENT

THIS AGREEMENT, Made and entered into this 13th day of August, 1981, by and between DON W. RADFORD and HELEN E. RADFORD, Husband and Wife, of Mackay, Custer County, State of Idaho, the party of the first part, hereinafter called "Seller", and RANDY MARK DAINS and CLAUDIA LYNN DAINS, Husband and Wife, of Mackay, Custer County, State of Idaho, the party of the second part, hereinafter called "Purchaser";

W I T N E S S E T H:

In consideration of the mutual covenants and agreements herein contained, the Seller agrees to sell, and the Purchaser agrees to purchase the real property situate and being in Custer County, State of Idaho, described as follows, to-wit:

TOWNSHIP 6 NORTH, RANGE 25 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO:

SECTION 5:

A parcel of land in Section 5, being generally described as that portion of the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) and the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of said Section 5 lying south of a fence along the northerly side of an irrigation ditch, which parcel is more particularly described as follows:

Beginning at the Southeast corner of said Section 5; thence North 89°38'36" West along the Southern boundary of said Section 5, a distance of 201.50 feet to the Real Point of Beginning; thence North 0°28'06" West parallel to the east boundary of said Section 5, a distance of 684.47 feet to a fence line; thence along said fence line the following courses and distances: North 81°18'13" West, 517.26 feet; South 65°08'50" West, 350.07 feet; North 84°12'15" West, 1150.77 feet; South 74°42'57" West, 407.33 feet; North 81°00'39" West, 145.88 feet; North 71°00'40" West, 197.79 feet; North 72°14'58" West, 155.91 feet; North 79°10'55" West, 134.66 feet; North 82°59'12" West, 212.72 feet; North 77°00'04" West 232.00 feet; North 79°17'39" West, 237.52 feet; North 83°07'44" West, 175.07 feet; North 81°38'26" West, 126.05 feet; thence North 67°11'26" West, 370.75 feet to the centerline of a county road right-of-way; thence along the centerline of said county road right-of-way the following courses and distances: South 31°08'49" East, 119.77 feet; South 45°22'12" East, 100.17 feet; South 41°51'32" East, 104.32 feet; South 33°49'23" East, 106.19 feet; South 30°55'48" east, 815.14 feet to the south boundary of said Section 5; thence along the south boundary of said Section 5, South 88°04'40" East, 1064.85 feet to the South Quarter (S $\frac{1}{4}$) corner of said Section 5; thence South 89°38'36" East

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ok - acceptable
evidence of
assignment
of permit.
KW
2-9-84

along the south boundary of said Section 5, a distance of 2549.98 feet to the Real Point of Beginning.

The above-described parcel of land contains 63.86 acres, and is subject to 25.0 feet wide county road access easement along the southern and westerly boundaries thereof.

TOGETHER With all water and water rights appurtenant thereto including, but not limited to: State of Idaho Water Permit No. 34-7058, which Permit has been extended for proof of beneficial use, to February 1, 1984;

AND, The following described Irrigation Equipment:

One-fourth Mile, 5", Mainline;

680 feet, 4" Mainline;

11 pieces, 6", Mainline, 50 feet per piece;

3 pieces, 6", Mainline, 30 feet per piece;

754 pieces, 3", McDowell lateral handline;

One Century 10 h.p. electric motor, Part#6-333658-02, with Berkley Pump, Serial No. 7837280.

PURCHASE PRICE:

The agreed purchase price for the above described real and personal property is the sum of SIXTY FIVE THOUSAND AND NO/100 DOLLARS (\$65,000.00), lawful money of the United States of America, which Purchaser agrees to pay as follows:

The sum of TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00), upon the execution of this Agreement, the receipt of which is hereby acknowledged by Seller;

The balance of FIFTY FIVE THOUSAND AND NO/100 DOLLARS (\$55,000.00), together with interest on the unpaid principal balance at the rate of 10% per annum, from January 2, 1981, as follows:

\$6,460.27, including principal and interest, on, or before, the 2nd day of January, 1983, and a like sum of \$6,460.27 on, or before, the 2nd day of January, in every year thereafter until the entire balance of principal and interest has been paid in full.

PREPAYMENT:

Purchaser may not prepay any sums on this agreement, without the express written consent of the Seller.

POSSESSION, USE AND OCCUPANCY:

Purchaser shall be entitled to the possession, use and occupancy, and enjoy the income therefrom, except as hereinafter stated, after date of this Agreement, and shall be entitled to continue in possession thereof so long as they shall not be in default in the performance of any of the covenants and agreements herein contained; PROVIDED That the Seller shall have the right to retain Second crop hay, and all grain and

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of this Agreement, with Seller paying all prior to said date, and Purchaser paying all subsequent thereto, promptly, as the same shall become due and payable.

TITLE INSURANCE:

Within 30 days of the date of this Agreement, Seller agrees to furnish Purchaser with a Title Insurance Policy, in the amount of \$65,000.00, insuring the fee simple title to the property to be vested in Seller, subject only to the usual printed exceptions and rights-of-ways of record.

Purchaser shall have ten (10) days from delivery of the Preliminary Title Report to object to the state of the title, which objections shall be made, in writing, and shall specify the particulars of such objections; Seller shall have a reasonable time, according to the nature of the objections, to correct such objections. If no objections are made within said 10-day period, Purchaser shall be conclusively presumed to have accepted the state of Seller's title.

WATER PERMIT:

It is understood and agreed that the Water Permit described herein must be converted to a License by showing proof of Application to beneficial use. Purchaser agrees to submit such proof, and to secure a license for the irrigation well on, or before, February 1, 1984. Further, Purchaser agrees not to transfer the Permit from the land described herein, so long as any amounts remain due and owing to Seller.

BINDING ON SUCCESSORS AND ASSIGNS:

All of the provisions of this agreement are to be construed as covenants and agreements as though words importing such covenants and agreements were used in each

separate paragraph hereof, and all the provisions herein shall be binding on and accrue to the benefit of the parties hereto, and to their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals, the day and year first above written.

Donald W. Radford
Donald W. Radford

Helen E. Radford
Helen E. Radford
SELLER

Randy Mark Dains
Randy Mark Dains

Claudia Lynn Dains
Claudia Lynn Dains
PURCHASER

STATE OF IDAHO)
 : ss.
County of Buho)

On this 3rd day of August, 1981, before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD W. RADFORD and HELEN E. RADFORD, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

William A. Shuman
Notary Public for Idaho,
Residing at Arco, Idaho

STATE OF IDAHO)
 : ss.
County of Buho)

On this 3rd day of August, 1981, before me, the undersigned, a Notary Public in and for said State, personally appeared

RECORDED

578
RECEIVED

JAN 24 1979

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

Don W. Radford

(Name)

of Route #1, Mackay,

(Address)

State of Idaho, 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. 34-7058.

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before February 1, 1979.

That he has heretofore performed the following work described under said permit: Drilled 10" well,
with 10 hp. pump, sprinkler system of hand lines.

Costing \$ 9,000.00

That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: Applicant has not had time to complete the project since he does not farm
full-time. Prohibitice cost to bring 440 volt power for the 20 hp. pump. Applicant
wishes to wait until neighboring property owners develop lands, thus defraying cost to
applicant.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to February 1, 1984.

Don W Radford dep
(Mrs) Helen E Radford
(Signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time
within which to submit proof of beneficial use of water is extended to February 1,
1984.

Signed this 5th day of February, 1979.

L. Glen Saylor
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 34-7058

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

Identification No. 34 7058

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 Don W. Radford
post office address Route #1, Mackay, Idaho PH: 588-3390
- 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 SW $\frac{1}{4}$ of Section 5 Township 6N
Range 25E B.M. Custer 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 1.4 for Irrigation purpose from June 1 to Nov. 1 (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 1.4 cubic feet per second and/or
b _____ acre feet per annum.
6. Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. 10" well 20 hp pump with sprinkler system

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam. _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c Proposed well diameter is 10 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 \$ 4,000.00.
- 8 Description of proposed uses:
a If water is **not** for irrigation N.A.
(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 _____

34 7058

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			
			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
6N	25E	5									14	19				22	15	
TOTALS																		70

Total number of acres to be irrigated 70

c. Describe any other water rights used for the same purposes as described above. High Water from Mackay Reservoir

- 9 a Who owns the property at the point of diversion. Applicant
- b. Who owns the land to be irrigated or place of use. Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks

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

RANGE 25E

1/2 ACRES

5 5

TOWNSHIP
6N

WELL

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.

Don W. Rafford
(Applicant)

34 7058

Proposed Priority 1-10-1974Received by MB Date 1-10-74 Time 4:20 pPreliminary check by BC Fee \$ 35.00Receipted by MB Date 1-10-74 Receipt # 12678Publication prepared by MB Date 1-11-74Published in Mackay MinerPublication dates Jan 17 + 24, 1974Publication approved CB Date 1/28/74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCYM

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. 34-7058, and said application is hereby APPROVED.

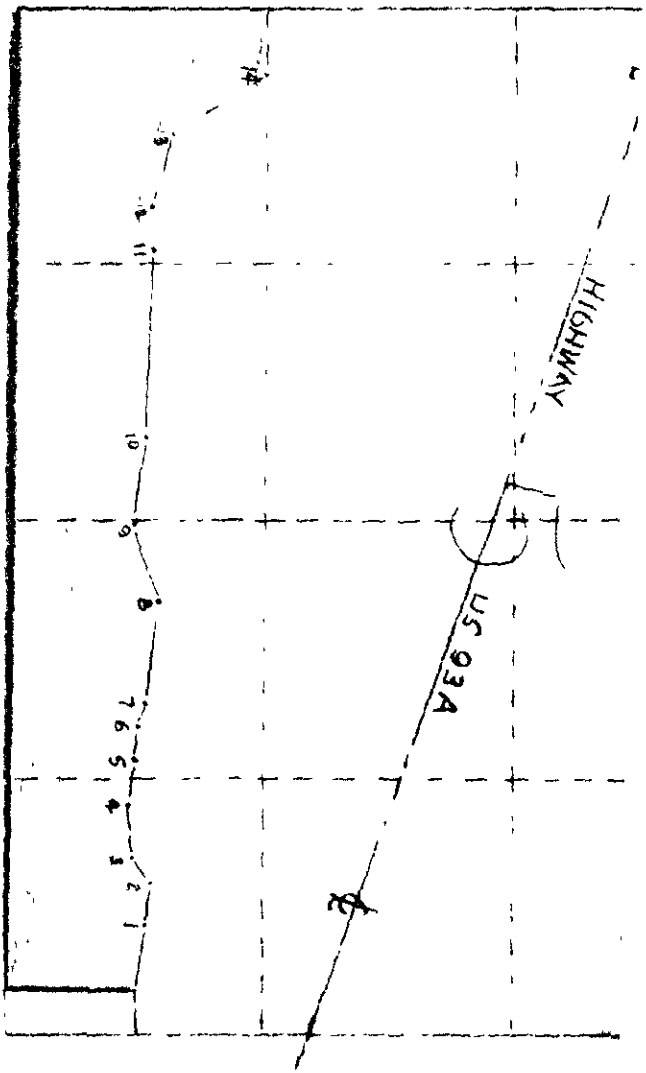
1. Approval of said application is subject to the following limitations and conditions.

- 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 February 1, 19 79.
- 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 8 day of February 19 74.

R. Karl Higin
Director

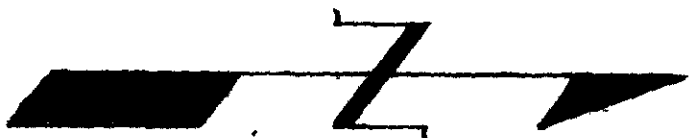


34 7058

TRAVEL MADE ADJUST, 1972

Scale: 1"=1000'

Pt.	Bearing	Distance
0or	N81 45'W	333.0'
1	N82 45'W	209.0'
2	S56 36'W	135.0'
3	S83 29'W	290.0'
4	N78 20'W	210.0'
5	N86 43'W	170.0'
6	N70 29'W	110.0'
7	N83 02'W	520.0'
8	S74 32'W	420.0'
9	N79 49'W	438.0'
10	N86 41'W	940.0'
11	S36 29'W	203.0'
12	173 55'W	305.0'
13	N47 06'W	620.0'
14		



DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>SA</u>	<u>1/11/74</u>	Application No. <u>34-7058</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>"</u>	<u>"</u>	In form to receipt
	<u>"</u>	<u>"</u>	Send Copies to: <u>NA</u> ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	<u>NA</u> ☐ Request Special Use Permit from U.S. F. S. ☐ Request Easement from B. L. M. ☐ Request Information from Applicant
(5)	<u>"</u>	<u>"</u>	In form for advertising <u>yes</u>
(6)	<u>"</u>	<u>"</u>	Located within Water District No. <u>34</u>
(7)	<u>"</u>	<u>"</u>	Critical groundwater area: yes <u>no</u> ☒
(8)	<u>"</u>	<u>"</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☒ Increasing (comment) <u>NA #27 shows 1' to 2' rise in water levels in general area. 34-2349</u>
(9)	<u>NCY</u>	<u>2/4/74</u>	Comments: <u>Top Plat shows lie in SE 1/4 S 1/4 E 1/4 Sec 5 N. 25 E. Applicant claims land south of canal. - OK</u>
(10)	<u>MB</u>	<u>1/28/74</u>	Affidavit of Publication received (date) <u>January 28, 1974</u>
(11)	<u>MB</u>	<u>2/1/74</u>	Final date for protests <u>February 4, 1974</u> Protests received: yes <u>no</u> ☒
(12)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>NA</u> Decision reached at hearing <u>NA</u>
(13)	<u>NCY</u>	<u>2/4/74</u>	All requested information received from agencies or applicant yes <u>no</u> ☒
(14)	<u>"</u>	<u>"</u>	Action recommended: ☒ Approve Priority <u>1/10/74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>E</u>	By <u>NCY</u>	Date <u>2/4/74</u>

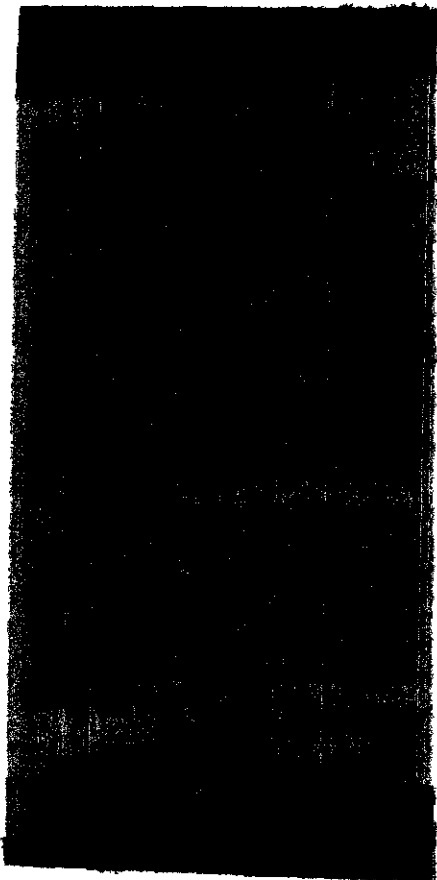
34 7058

Coy

RECEIVED

1974

Department of Administration
State Office



Affidavit of Publication

STATE OF IDAHO

County of Custer

ss.

I, MARGARET PARKS the

PUBLISHER

of The MACKAY MINER, a weekly newspaper of General Circulation published weekly and entered in the Post Office Mackay, Idaho, continuously since February 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in

any supplement thereof, for 2

consecutive weeks
commencing with the issue dated

JAN 17, 1974
and ending with the issue dated

JAN 24, 1974

Margaret Parks

Subscribed and sworn to before
me this 25th day of

Jan., 1974

Rebecca Burstedt

Notary Public

My Com. Expires: 10-24-77

34 7058

January 10, 1992

CLAUDIA LYNN DAINS
RANDY MARK DAINS
RT. 1 BOX 27B
MACKAY ID 83251

RE: WATER RIGHT NO. 34-07058

Dear Water Right Holder(s):

Enclosed is a copy of your water right license along with a copy of the approved application for amendment you had submitted.

This right is included in the Snake River Basin Adjudication and you will be receiving further information regarding this in the near future.

If you have any questions, let me know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED
JAN 15 1992

MEMORANDUM

TO: FILE 34-07058

FROM: JIM JOHNSON

RE: TELECON WITH RANDY DAINS

DATE: July 24, 1991

=====

During my review of this file I found that the map describing the well used for domestic and stockwater did not show the location of the well. I called Mr. Dains who informed me that two pumps and motors were used from one well located with in the SWSW Section 5 Twp.06N Rge.25E. This well is also used to supply water for irrigation of lands as described on the field report.

Based upon this information the capacity amount listed on the license should be the sum of three pumps and motors.

Well #1	10hp	0.55cfs
Well #1	0.5hp	0.03cfs *
Well #2	10hp	0.53cfs

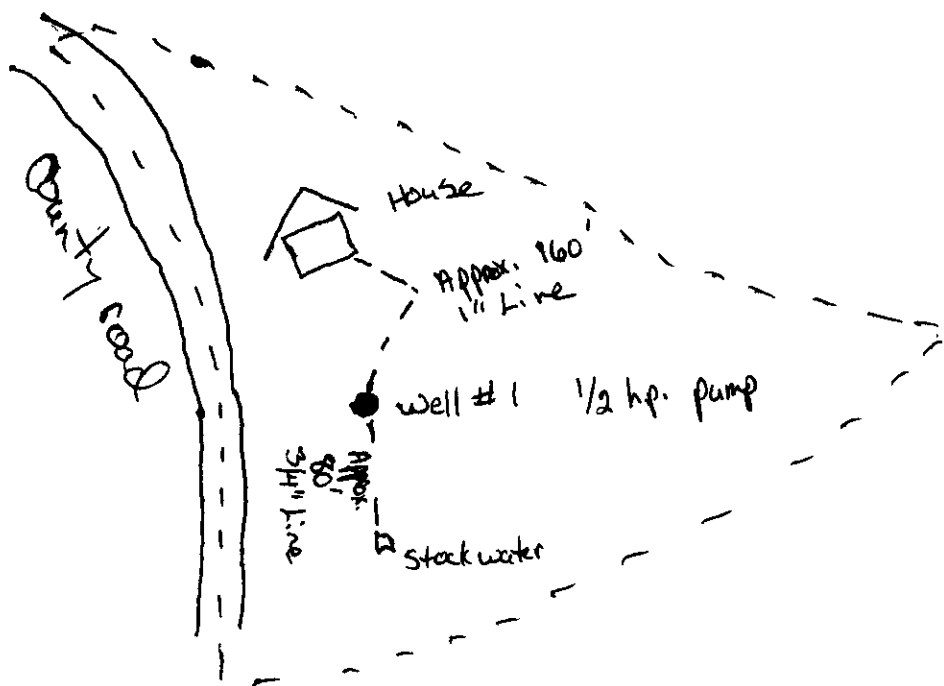
		1.12cfs = Total Capacity

*no information collected, rate of flow estimated on capacity of one (1) inch pipe with a velocity of 5.0 feet per second

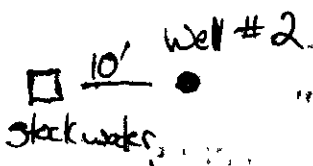
RECEIVED
JAN 15 1992

Well #1 consists of 1/2 h.p. centrifugal pump and pressure tank. Approximately 80' of 3/4" plastic pipe to Automatic stock waterer and Approximately 160' of 1" plastic pipe to residence.

not to scale



Well #2 consists of 1/2 h.p. pump and pressure tank. Approximately 10' of 1/2" galvanized pipe to Automatic stock waterer.



NOTIFIED

JAN 15 1992

RECEIVED

JAN 19 1990

Department of Water Resources

From: DWR70::ESRBA 10-JAN-1990 15:26:53.21
To: DWR03::WALKER → Jim
CC:
Subj: PERMIT 34-07058; DAINS

Norm has file

HI KAY:

RANDY DAINS WAS IN EASTERN TODAY TO FILE A CLAIM ON PERMIT 34-07058. HE WANTED TO INCLUDE HIS DOMESTIC AND STOCKWATER USE ON THE PERMIT. SINCE THE ORIGINAL PERMIT WAS FOR 70 ACRES OF IRRIGATION, IT SHOULD BE POSSIBLE TO AMEND THE PERMIT SO THAT THE PERMIT IS FOR LESS IRRIGATION (HE CLAIMED 56.7 ACRES) AND THE 1 DOMESTIC UNIT AND 40 HEAD OF CATTLE OR HORSES ADDED. IT WOULD BE TO HIS ADVANTAGE TO HAVE TO D & S USE SHOW ON HIS LICENSE, RATHER THAN HAVE HIM HAVE TO FILE A SEPARATE CLAIM FOR D & S USE WITH A LATER PRIORITY DATE THAN THE PERMIT. I PRESUME THE ADMENDMENT FEE WOULD BE \$20.00, WHICH IS CHEAPER THAN A \$25.00 CLAIM. PLEASE LET ME KNOW IF I AM ON THE "WRONG TRACK" WITH THIS.

THANK YOU VERY MUCH!

CARTER

P.S. THE WEATHER IS UNBELIEVABLY (SPELLING?) MILD FOR IDAHO FALLS IN JANUARY. I HOPE YOU ARE HAVING A GOOD WEEK.

Can we add the domestic & stock use ~~to~~ to this permit?

Kay
1-11-~~1990~~ 90

Per Jim:
yes - Mr. Dains needs to submit additional info re: delivery system to house ~~stock~~ stock tank.

JAN 15 1992

Per telecon w/Mr. Dains 1/11/90 - he will submit additional info to my attention. kw

MEMORANDUM

TO: FILE 34-7058

FROM: KAY WALKER *kw*

RE: LICENSING RECOMMENDATIONS

DATE: 30-AUG-1989

When Mr. Dains' returned his licensing amendment he also submitted new data from the ASCS which documents the addition of 4.9 acres to his place of use. Upon review of the ASCS revised aerial photo it has been determined that we should allow the following number of acres to be licensed under this permit.

06N 25E Section 5 SESW 20.4 ac SWSE 19.6 ac SESE 16.7 ac
TOTAL = 56.7 acres

The capacity of Mr. Dains' well is 1.08 cfs. The amount of water required for this number of acres is 1.13 cfs; we should allow 1.08 cfs for the lands under this license. Also, the volume of water required is $56.7 \text{ ac} \times 3.0 \text{ af} = 170.1 \text{ AFA}$ vs. $1.08 \text{ cfs} \times 1.9835 \times 214 \text{ days} = 458.4 \text{ AFA}$... Allow 170.1 AFA

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JAN 15 1992



A-3
HOUSE
d. 1932
58

SN. 5
18.4

A-375
G.B. SNIFFORD
375A

A-423
R. D. DAINES
423A

M. DOLE

A-160
D.V. COBURN
a. 160A
12.3

A-279
W. H. TEW
13.3

Microfilm

18 JAN 15 1992

State of Idaho -
Dept. of Water Resources
Attn. Kay Walker

Rec'd
8/3/89 w/license
amendment -
KW

Dear Kay,

As per our telephone conversation on 7/31/89 concerning Permit No. 34-07058, I have enclosed the requested information. As you can see from the enclosed ASCS aerial map, the numbers wrote in pen are the acres computed using the new planimeter and they total 36.7. The numbers with the line through them total 52 and I assume this was the total that your field inspector was using. Please amend the Application to show this corrected amount.

Also, this application doesn't say anything about domestic use. I explained to the field inspector that I was using the wells for one (1) domestic

RECORDED

JAN 18 1992

residence and also for stock water
for forty (40) head of cattle.

Should this not be shown on
the Application also? If you have
any questions please feel free to
contact me. Thank you.

Sincerely,

Randy Dains

Randy Dains

Rt. 1 Box 27 B

Mackay, Id. 83251

(208) 588-2342

Application # 341-07058

JAN 15 1992



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Custer County ASCS
P.O. Box 447 - 716 West Custer
Mackay ID 83251

(208) 588-2624

July 31, 1989

*Rec'd 8/3/89
w/ licensing
amendment
pw*

Department of Water Resources
Boise ID 83720

To Whom It May Concern:

We have remeasured the farm of Randy Dains that is under irrigation on T6N R25E SEC. 5, and we have determined there to be 56.7 acres according to our map and also a more accurate planimeter is being used in our office now than when the maps were first measured.

If we can be of further assistance, please call.

Marcie Williams,

Marcie Williams

Program Assistant

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JAN 15 1992



18.4

A-375
G.B. SAIFORN
375A

Sub 207 Property

A-429
R. O a i n s
429A

OT M. DOLE

A-160
D.V. GDAURN
a 160
12.35

MEMORANDUM

TO: FILE 34-7058

FROM: KAY WALKER

RE: LICENSING AMENDMENT

DATE: 31-JUL-1989

Mr. Dains called the office today and requested a change in the period of use on his water right as shown above. I told him that we could allow an irrigation season of April 1 thru November 1 for the area that he is in. He would much rather have this period of use than the one that the original permit holder filed for. The 4/1 to 11/1 period is recommended in the Water Appropriation Rules and Regs.

Mr. Dains also said that the county just recently revised their aerial photos and found that he has more acres irrigated than the number shown on the original photo that we have a copy of in our file. He said that they added 5 more acres on their numbers and that he would send in a copy of the revised photo and a statement from them so that we could allow the additional acres. He also stated that these acres were irrigated when the examiner came out to his place in 1985.

MICROFILMED

JAN 15 1992

July 10, 1989

RANDY MARK DAINS
CLAUDIA LYNN DAINS
MACKAY, ID 83251

RE: PERMIT NO. 34-07058

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

JAN 15 1992

RESERVED

Department of Water Resources

Permit No. 34-7058

Phone No. 588-2542

1. Owner: Randy Dains Permit No. 54-7058
Current Address: Rt 1 Mackay Id Phone No. 588-2542
2. Accompanied by: SAME EXAM. DATE: 8 Aug 85
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	Century	10	6-333658-02	Berkelag	7837280
# 2	Baldor	10	37E284X47	Berkelag	3"

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

- 5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)**

#1 well pump flexible mainline to 6" al. mainline

#2 well pump flexible manifold to 6" a/manife

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
#1 Flow Station Manometer	Annubar	Dieterich	7517-316-SS	191132	6.0"	
#1 Flow Station Manometer	Annubar	Dieterich	7517-316-SS	191132	6.0"	

- 7. Measurements** ☐ Additional data/computation sheets attached

#1 6" id pipe 3.2" w 6.0" annubar

#2 6" id pipe 3.0' w 6.0" diameter

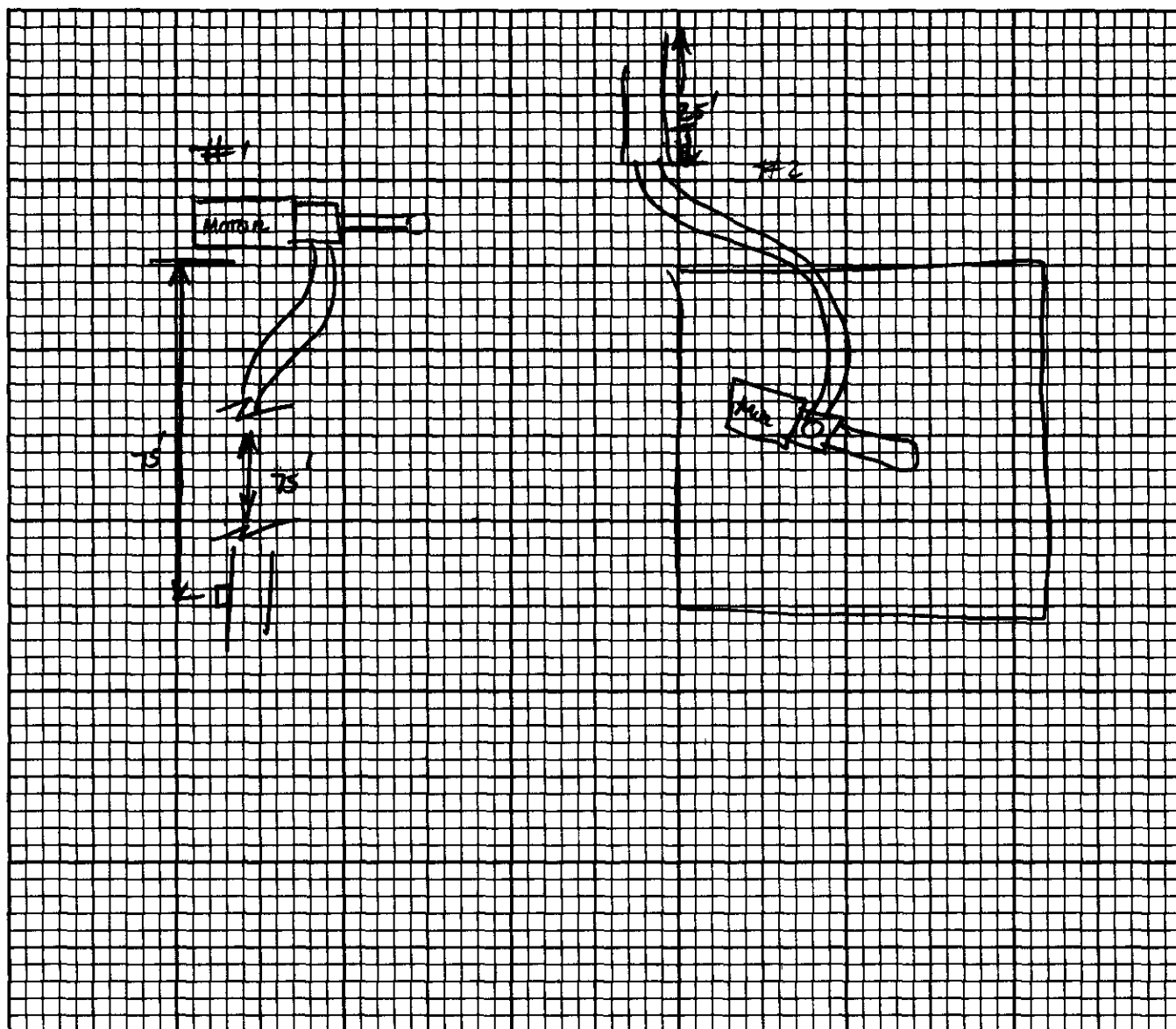
- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

9. **Place(s) of Use:** Irrigation - give acres served by system at time of exam.
Indicate Method of Determination

[illegible]

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments

☐ Change P.D. as reflected above

☒ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature Keith C. Wilson Date 8 Aug 85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

RECEIVED

CONSULTANT SEAL

JAN 15 1992

34-7058

79.0

16.3

A-159
H B RAN

5E

GLANDON

22

26.1

PLACE OF USE

72.3

34-7058

SALE

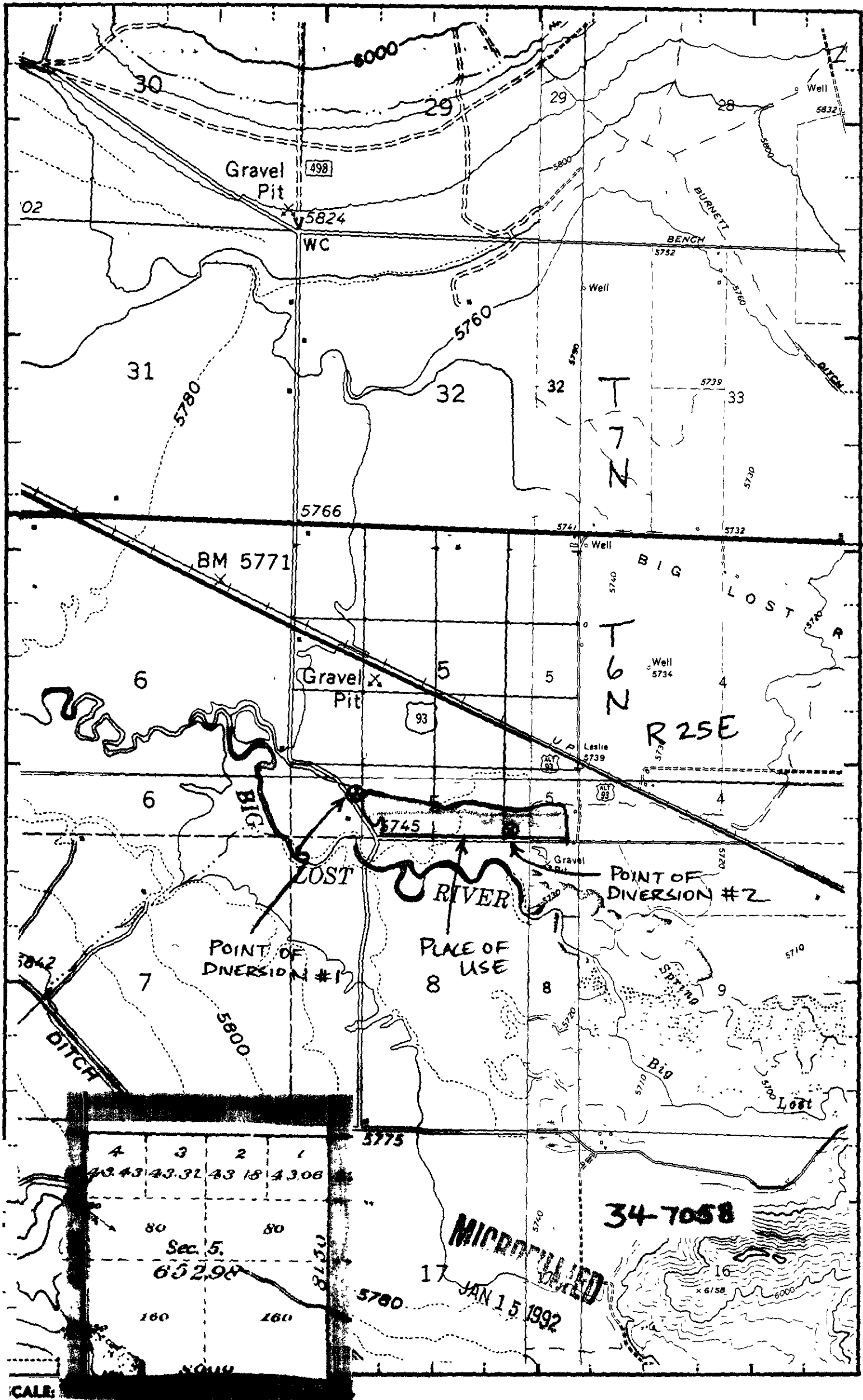


#1 P/O



MICROFILMED
P/O
#2 JAN 15 1992





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

JUN 2, 1986

Permit No

34-7058

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

FLOW MEASURED WITH ANNUBAR AND MANOMETER

$$Q = 3.85 (i.d.)^2 \sqrt{Y} (K) \text{ where } i.d. = \text{inside diam. of pipe in inches}$$

$$Y = \Delta \text{ head in inches of water}$$

$$K = \text{correction factor for meter}$$

Well #1

$$i.d. = 6" \quad Y = 3.2" \quad K = 1.0 \text{ for manometer}$$

$$Q = 3.85 (6)^2 \sqrt{3.2} (1.0) = 247.9 \text{ gpm} = 0.55 \text{ cfs}$$

Well #2

$$i.d. = 6" \quad Y = 3.0 \quad K = 1.0 \text{ for manometer}$$

$$Q = 3.85 (6)^2 \sqrt{3.0} (1.0) = 240.1 \text{ gpm} = 0.53 \text{ cfs}$$

$$\text{Total } Q = 1.08 \text{ cfs}$$

$$0.02 \text{ cfs/ac} \times 52 \text{ ac.} = \underline{1.04 \text{ cfs}} - \text{Limited by acres irrigated}$$

b) Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 52 \times 3.0 = 156$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.04 \times 152 \times 1.9835 = 313.5$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{156 \text{ afa}}$$

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: ~~34-0217A~~, ~~34-2349~~; 34-2349; 34-0678

b) Other water rights with same point of diversion: None

c) Analysis: R 29 (34-0678)

34-2349 Appears in same $\frac{1}{4}$ - $\frac{1}{4}$ but probably not same land.

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JAN 15 1992

RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
| 34-7058 | | | | | 1.08 |

4. Permit Holder: _____

Address: _____

5. Source: Groundwater tributary to _____

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
IRRIGATION	6/1	11/1	1.04	156

Allowable Maximums: 1.04 cfs 156 afa

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: R 29

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JAN 15 1992

10. Recommended Amendments

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

☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

11. Examiner's Signature Keith Callan

Checked in Regional Office by Oary Packman

Approved in State Office by _____

Date 28 May 1986

Date 5-30-86

Date 12/1/88

April 4, 1984

Randy Mark and/or Claudia Lynn Dains
Mackay, ID 83251

Dear Mr. and Mrs. Dains:

Re: Permit No. 34-7058

This office acknowledges receipt of the assignment conveying a portion of this permit to you. The assignment has been entered into the department's records. A copy of the permit is enclosed for your records.

Also, this office acknowledges receipt of the statement of beneficial use submitted for your portion of the 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 contact you to schedule the exam at a convenient time.

If you have any questions regarding the field examination, please contact our Eastern Regional office at 208 525-7161.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

cc: Eastern Regional Office

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below. Permit No. 34-7058.

Name(s) of Permit Holder:

Don W. Radford sold to Randy Lains

Post Office Address:

Tel. No.

208 (508-2542)

Source of Water:

Well

Extent of Use:

☒ Domestic

One

(number of households)

☒ Stockwater

70 Hereford Cows

(number and type of stock)

☒ Irrigation

65

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes ☐ No

Installed?

☐ Yes ☒ No

Access Port:

Required?

☒ Yes ☐ No

Installed?

☐ Yes ☒ No

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

1/24/84

Date

Randy Lains
Signature of Permit Holder

Darryl Davis

Rt. 11

Mackay, Id. 8325

PLACE
13 CENT
STAMP

RECEIVED

JAN 30 1984

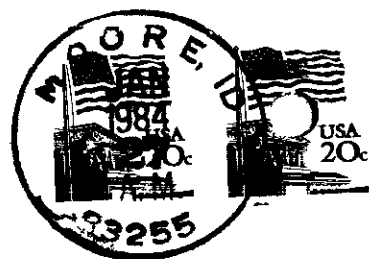


Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILM

Randy Dains
Mackay, Id.
83251



MICROFILMED

Idaho Dept. of Water Resources
State house
Boise, Idaho 83720,

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138208

RADFORD, DON W.
RT. 1
MACKAY, ID 83251

PROOF DUE NOTICE

NOVEMBER 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 34-7058 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE FEBRUARY 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED

February 5, 1979

Don W. Radford
Route 1,
Mackay, ID 83251

Dear Mr. Radford:

Re: Permit No. 34-7058

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 February 1, 1984.

Sincerely,

Jan Grover
Water Rights Supervisor

MICROFILMED



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

CERTIFIED MAIL

November 30, 1978

Re: Permit No. 34-7058

100470

Don W. Radford
Route 1
Mackay, ID 83251

Dear Mr. Radford:

One of the conditions of approval of your water Permit No. 34-7058 (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 February 1, 1979. 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.


RITA FLECK
Water Rights

Encl: Proof affidavit

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10/10/78

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure



February 11, 1974

Re: Permit No. 34-7058

Don W. Radford
Route 1
Mackay, Idaho 89251

Dear Mr. Radford:

Enclosed is a copy of your approved Application for Permit No. 34-7058. We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. KEENOR
Assistant Director

34 7058

BDF/bjg

Enclosures

XXXXXXXXXXXXXXXXXXXX 1515 Lincoln Road

January 11, 1974

Re: Application for Permit No. 34-7057 Johnson
34-7058 Radford

Custer Publishing Co.
P. O. Box 405
Challis, ID 83226
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,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enc: Legal Notices (2)

Bill submitted 1-28-74 by MB

34 7058

**46 NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Don W. Radford, Route No. 1, Mackay, Idaho has on 1/10/74 submitted Application No. 34-7358 for a permit to appropriate 14 cubic feet per second of water from a ground-water source by means of well and pump within the SW¹/₄SW¹/₄, Sec. 5, T. 6N, R. 25E, B.M. Custer County; to be used from June 1 to Nov 1 for the irrigation of 70 acres within the S¹/₂SW¹/₄, S¹/₂SE¹/₄, Sec 5, T. 6N, R. 25E, 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, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before February 4, 1974

R. KEITH HIGGINSON
Director

Published in the Mackay Miner,
Mackay, Idaho on January 17 and
January 24, 1974.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Don W. Radford,

Route #1, Mackay, Idaho

has on 1/10/74 submitted Application No. 34-7058

for a permit to appropriate 1.4 cubic feet per second ~~acre feet per annum~~

of water from a ground-water source

by means of well and pump

within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 6N, R. 25E, B.M. Custer County;

to be used from June 1 to Nov. 1

for the irrigation of 70 acres

within the S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 6N, R. 25E, 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, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before February 4, 1974.

R. KEITH HIGGINSON

Director

Published in the Mackay Miner, Mackay, Idaho

on January 17 and January 24, 1974.

34 7058

CB-L.H.
CB-A.
CB-A.