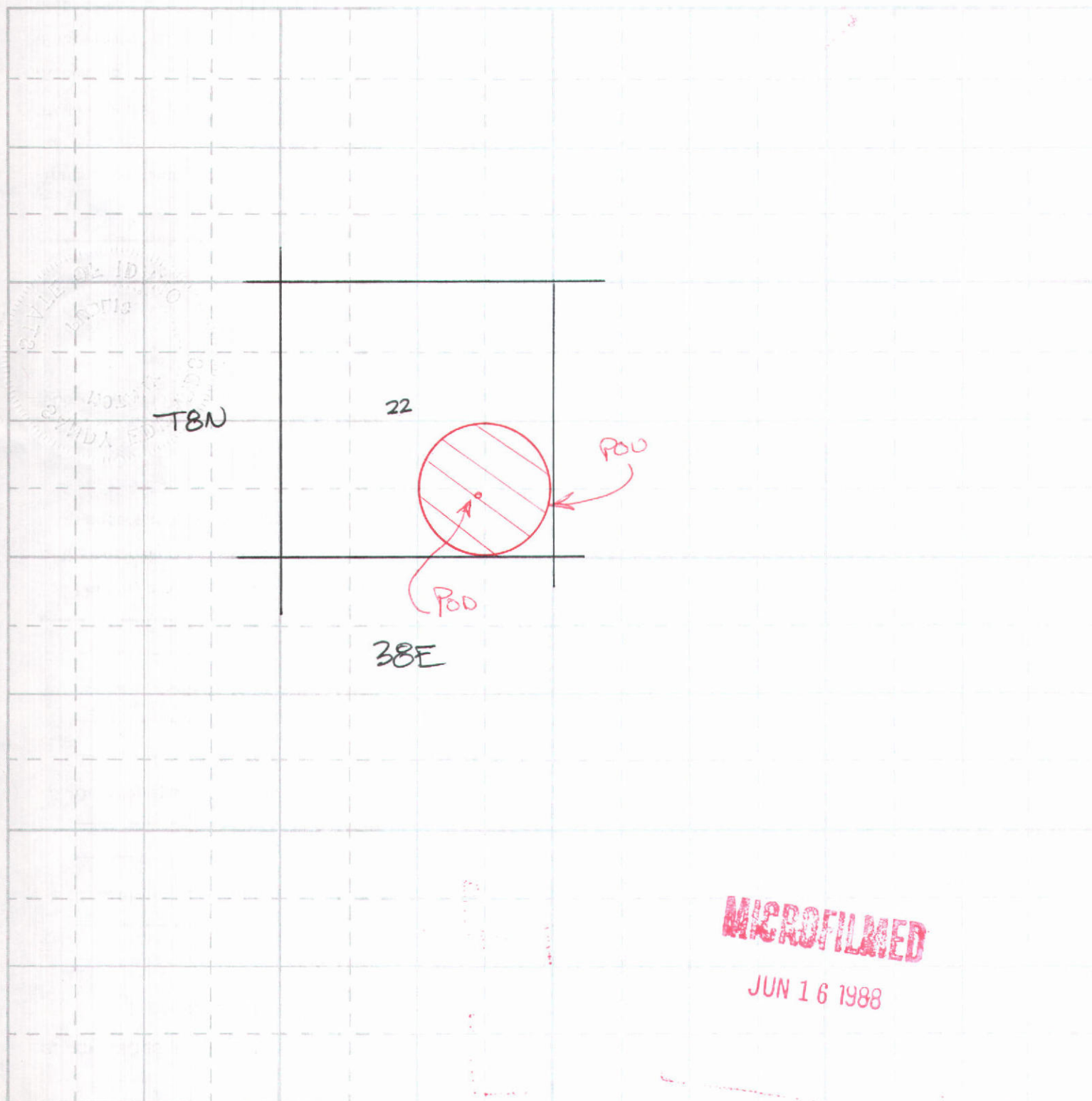


**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



**MICROFILMED**

JUN 16 1988

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho

Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Fremont

I, Terry Weatherston  
being first duly sworn, depose and say,  
that I am the printer of THE FREMONT  
COUNTY HERALD-CHRONICLE, a semi-weekly  
newspaper printed and published in  
Fremont County, Idaho; and I do solemnly

swear that the Notice Of Proposed  
a copy of which notice appears attached  
hereto, was published in the regular and  
entire issue of said newspaper, and not  
in any supplement issue thereof

for Two consecutive issues, the  
first publication having

been made on March 3, 1988  
and the last publication having

been made on March 10, 1988

Further, that said newspaper is one  
of general circulation in said county;  
that it is a legal newspaper, conforming  
to legal specifications under Idaho  
statutes; that it has at least two-  
hundred bona fide subscribers living  
within the county of publication; and  
that it has been continuously and  
uninterruptedly published in said county  
during a period of seventy-eight  
consecutive weeks prior to the first  
publication of the said notice.

*Terry Weatherston*

Subscribed to and sworn to before

me this March 11, 1988

(SEAL)

*Gayle L. Lids*  
Notary Public.

My commission expires June 8, 1993

NOTICE OF PROPOSED CHANGE  
OF WATER RIGHT  
No. 21-7034

Notice is hereby given that Frank Brent  
&/or Richard R. Blake, St. Anthony, Idaho,  
have applied to the Department of Water  
Resources for change in the point of diver-  
sion and place of use of the water of a  
groundwater source. The right sought to be  
changed is evidenced by license No.  
21-7034 and is evidenced as follows:

AMOUNT: 2.17 cfs PRIORITY: October  
10, 1973 POINT OF DIVERSION:  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 17, T. 8N, R. 41E, B.M.,

Fremont County.

The water is used to irrigate 144 acres  
within the W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec.  
17, T. 8N, R. 41E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the  
NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 22, T. 8N, R. 38E,  
B.M., Fremont County; and used to irrigate  
144 acres within the SE $\frac{1}{4}$ , Sec. 22, T. 8N,  
R. 38E, B.M.

Any protest against approval of the above  
proposed change of water right must be fil-  
ed with the Idaho Department of Water  
Resources, 150 Shoup Ave., Suite 15,  
Idaho Falls, Idaho 83402, on or before  
March 21, 1988.

R. KEITH HIGGINSON  
Director

Publ. March 3 and 10, 1988HC

**MICROFILMED**

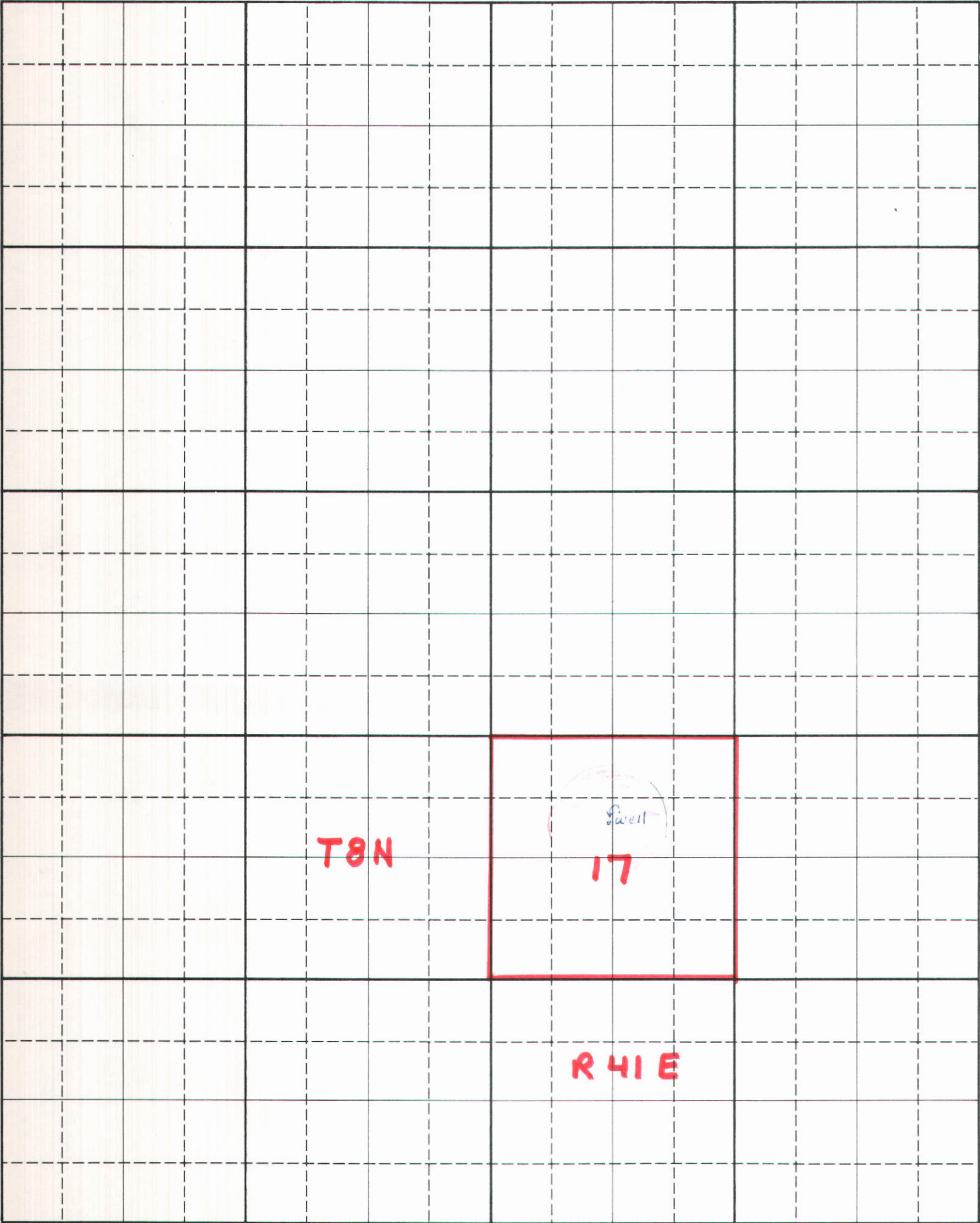
**JUN 16 1988**

**RECEIVED**

MAR 28 1988

Department of Water Resources  
Eastern District Office

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.

Frank Brent Blake  
(Applicant)

**AFFIDAVIT OF  
PUBLICATION**

State of Idaho }  
County of Fremont }

ss.

Dorothy D. Hunsaker

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

That he is the Owner  
of The Chronicle-News, a news-  
paper as defined by Idaho  
Codes Annotated, section 58-106,  
as amended, and that said  
newspaper is a weekly news-  
paper printed and published at  
St. Anthony, in Fremont County,  
Idaho, having a general circula-  
tion in said county, and that  
said newspaper has been print-  
ed and published as a weekly  
newspaper in said county for  
more than 78 consecutive weeks  
prior to the first publication of  
the attached notice, advertise-

ment or publication of .....

Notice for application

of water

And affiant further says that  
said notice, advertisement or  
publication, as per clipping  
attached, was published in said  
newspaper, in the regular and  
entire issue thereof, and not in  
any supplement issue thereof,

for two consecutive is-  
sues thereof; first publication

having been made on the 8

day of Nov., 19 73,

and the last publication on the

15 day of Nov.

19 73

And affiant further says that at  
the times herein mentioned said  
newspaper was made up of at  
least four pages of at least five  
columns each, printed from  
type matter, of at least seven-  
teen and three-fourths inches  
deep.

Dorothy D. Hunsaker  
Subscribed in my presence and

sworn to before me this 7

day of December,

19 73.

Lynette Rose  
Notary Public for the  
State of Idaho, resi-  
(SEAL) dence and post office  
address: St. Anthony,  
Idaho.

RECEIVED

DEC 17 1973

Department of Water Administration  
Eastern District Office

MB  
NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that Frank Brent  
Blake &/or Richard Blake, 621 East 15th St.  
Idaho Falls, Idaho - St. Anthony, Idaho, have  
on 10/30/73 submitted Application No. 21-7034  
for a permit to appropriate 3.0 cubic feet  
per second of water from a groundwater  
source by means of well and pump within the  
SE1/4NW1/4, Sec. 17, T. 8N, R. 41E, B.M.  
Fremont County; to be used from Apr. 1 to  
Nov. 1 for the irrigation of 150 acres within  
the W1/2NE1/4, E1/2NW1/4, SW1/4NW1/4,  
NE1/4SW1/4, NW1/4SE1/4, Sec. 17, T. 8N,  
R. 41E, 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 November 26, 1973.

R. KEITH HIGGINSON  
Director

Published in the Fremont County Chronicle  
News, St. Anthony, Idaho on November 13  
and November 15, 1973.

21 7034

**AFFIDAVIT OF  
PUBLICATION**

State of Idaho }  
County of Fremont }

ss.

Dorothy D. Hunsaker  
being first duly sworn, upon his  
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Notice of

Application for water

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any supplement issue thereof,

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sues thereof; first publication

having been made on the 8

day of Nov., 1973,

and the last publication on the

15 day of Nov.

19 73

And affiant further says that at  
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teen and three-fourths inches  
deep.

Dorothy D. Hunsaker  
Subscribed in my presence and

sworn to before me this 7

day of December,

19 73

Shirley Rose

Notary Public for the  
State of Idaho, resi-  
(SEAL) dence and post office  
address: St. Anthony,  
Idaho.

RECEIVED

DEC 17 1973

Department of Water Administration  
Eastern District Office

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

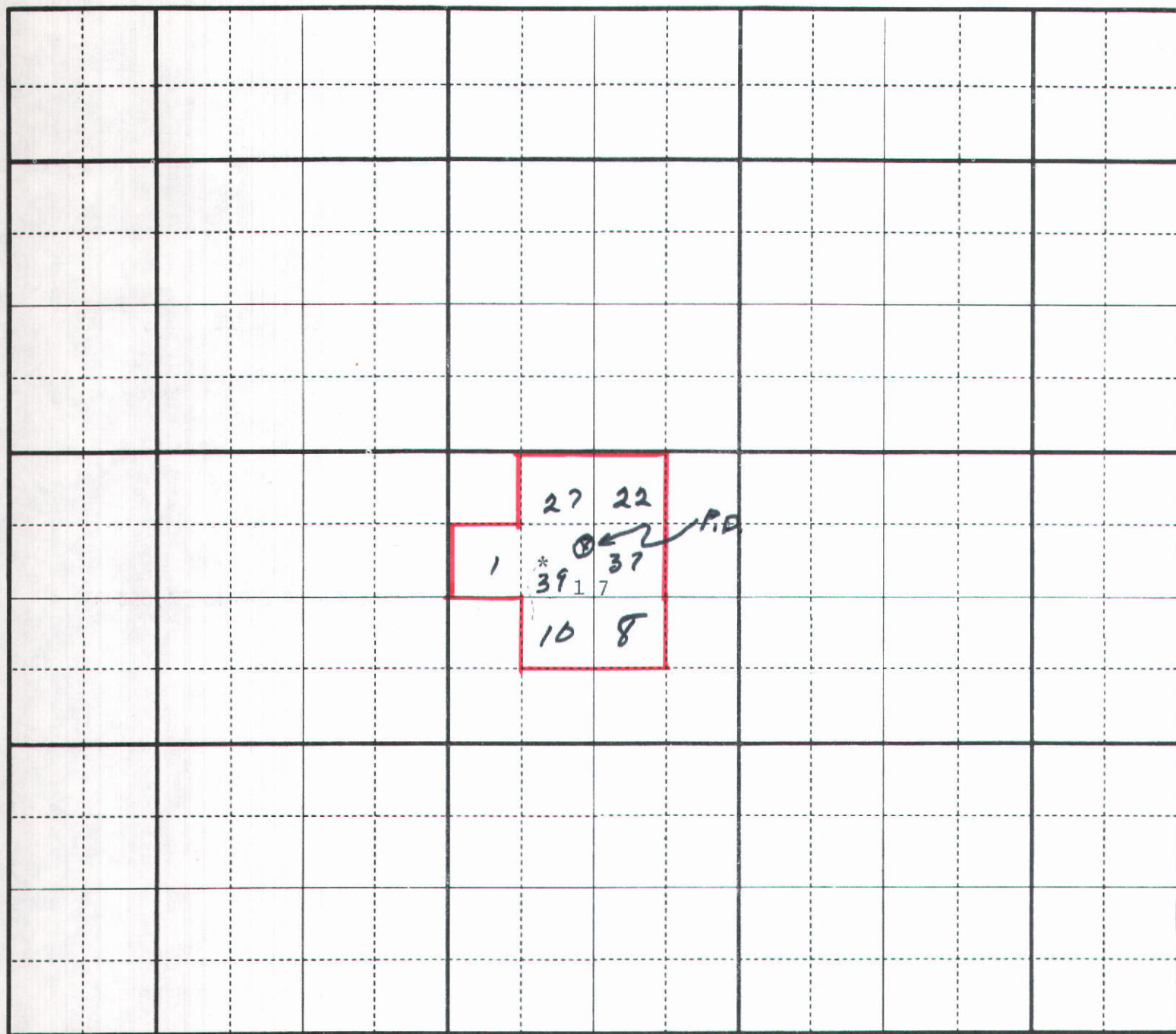
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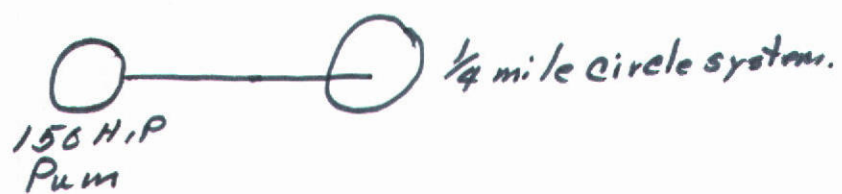
R. KEITH HIGGINSON  
Director

Published in the Fremont County Chronicle  
News, St. Anthony, Idaho on November 8  
and November 15, 1973.

21 7034



### Diagram of System



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
Case No 39576 ) I.R.C.P. 54(b) FOR  
                  ) Water Right 31-07663

NAME AND ADDRESS. CORNELISON - OLSEN PARTNERSHIP  
PO BOX 396  
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY. 2.17 CFS  
432.00 AFY

PRIORITY DATE: 10/10/1973

POINT OF DIVERSION T08N R38E S22 NESWSE Within Fremont County

| PURPOSE AND PERIOD OF USE | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|---------------------------|----------------|----------------|------------------------|
|                           | Irrigation     | 04-01 TO 11-01 | 2 17 CFS<br>432.00 AFY |

| PLACE OF USE. | Irrigation        | Within Fremont County               |
|---------------|-------------------|-------------------------------------|
|               | T08N R38E S22     | NESE 36 0<br>NWSE 36 0<br>SESE 36 0 |
|               | 144 0 Acres Total |                                     |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE I.C. SECTION 42-1412(6)

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

**THIS  
RIGHT HAS BEEN  
DECREED IN THE  
SRBA**

Page 1 of 6STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No 3382APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1Name of applicant Frank Brent Blake &/or Richard R. Blake Phone 24-3304/624-3860  
Post Office address Box 211-6 or 211-5, St. Anthony, ID 83445

## A. PURPOSE OF TRANSFER

- 1 ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes Owners of right have placed farm in federal CRP Program. They wish to lease water rights to Hillman & Robertson to irrigate land under a new development. The transfer will be made under conditions agreed to by the parties (see attached agreement)

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number                   | Priority          | Amount (cfs/ae-ft) | Nature of Use     | Period of Use             |
|-----------------------------------|-------------------|--------------------|-------------------|---------------------------|
| <u>31-07663</u><br><u>21-7034</u> | <u>10/10/1973</u> | <u>2.17 cfs</u>    | <u>irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| _____                             | _____             | _____              | _____             | _____ to _____            |
| _____                             | _____             | _____              | _____             | _____ to _____            |
| _____                             | _____             | _____              | _____             | _____ to _____            |
2. Total amount of water being transferred 2.17 cubic feet per second and/or 432 acre-feet per annum.
3. Source of water groundwater tributary to \_\_\_\_\_
4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County  | Local name for diversion |
|-----|----|----|----|------|------|------|---------|--------------------------|
|     | NE | SW | SE | 22   | 8N   | 38E  | Fremont |                          |
|     |    |    |    |      |      |      |         |                          |
|     |    |    |    |      |      |      |         |                          |
|     |    |    |    |      |      |      |         |                          |

## 5 Lands irrigated or place of use:

| Twp | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 8N  | 38E  | 22   |      |      |      |      |      |      |      |      |      |      |      |      | 36   | 36   | 36   | 36   | 144    |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres 144

PART 1

6 General Information

a Description of diversion system well/pump/center pivot

b Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

See attached agreement between Ralph Hillman/Dyle Robertson and the applicants.

d. Remarks

This right, when combined with 21-7050, shall not exceed 4.82 cfs.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 21-7034 And said application is hereby APPROVED, subject to the following limitations and conditions:

RECEIVED JUN 16 1988

Witness my hand this

day of

2002

1988

[Signature]

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

**1 Right evidenced by**

- a. Decree No \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No 21-7034 issued by the Idaho Department of Water Resources.
- c. Claim No \_\_\_\_\_ on file with the Idaho Department of Water Resources
- d. Transfer No \_\_\_\_\_ which produced this right.

**2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:**

☒ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

**3. Source of water** groundwater tributary to \_\_\_\_\_

**4. Date or priority** October 10, 1973

**5 Water is used for the following purpose**

amount 2.17 cfs for irrigation purposes from 4/1 to 11/1  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

**6. Total amount of water under right** 2.17 cubic feet per second and/or 432 acre-feet per annum.

**7. Point(s) of Diversion:**

| Lot | ¼ | ¼  | ¼  | Sec. | Twp | Rge. | County  | Local name for diversion |
|-----|---|----|----|------|-----|------|---------|--------------------------|
|     |   | SE | NW | 17   | 8N  | 41E  | Fremont |                          |
|     |   |    |    |      |     |      |         |                          |
|     |   |    |    |      |     |      |         |                          |

**8. Lands irrigated or place of use:**

| Twp | Rge | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 8N  | 41E | 17   |      | 22   | 37   |      | 27   |      | 1    | 39   | 10   |      |      |      |      | 8    |      |      | 144    |
|     |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

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**JUN 16 1988**

Total acres 144

**9. Describe any other water rights used for the same purpose as described above** None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

\_\_\_\_\_ If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp | Rge | County | Local name for diversion |
|-----|---|---|---|------|-----|-----|--------|--------------------------|
|     |   |   |   |      |     |     |        |                          |
|     |   |   |   |      |     |     |        |                          |
|     |   |   |   |      |     |     |        |                          |

3. Lands irrigated or place of use.

| Twp | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use

| Twp. | Rge | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |     |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |     |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

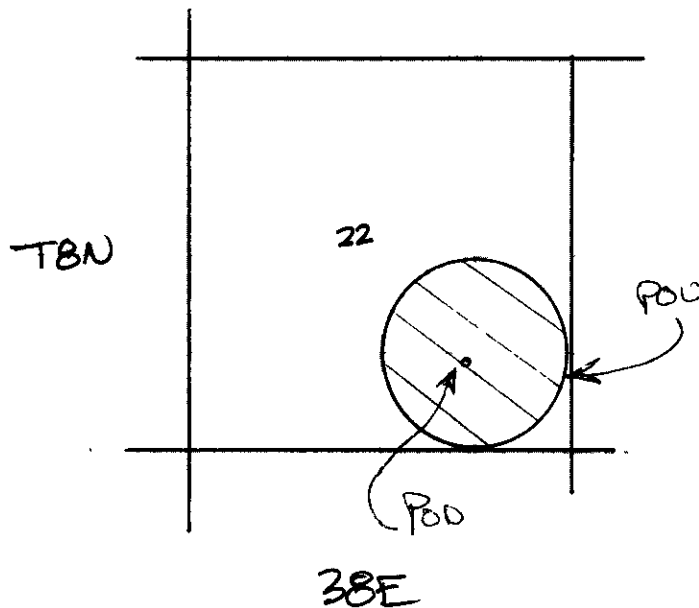
Total acres \_\_\_\_\_

**MICROFILMED**

JUN 16 1988

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



**MICROFILMED**

JUN 16 1988

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   |                   |                       |                 | to            |
|   |                   |                       |                 | to            |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

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

Subscribed and sworn to before me this 17<sup>th</sup> day of February, 19 88.

(Signature of Applicant)

Sandy Edwards  
(Notary Public)

My commission expires February 24, 1992

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by ESV Date 2-23-88 Protest filed by \_\_\_\_\_Prelim. check by HWJ Fee 50~~00~~ #46439Receipted by ds Date 2-24-88Published in Democrat City Chronicle Copies of protest forwarded by \_\_\_\_\_Pub. dates 2/24 2/10/88 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_Watermaster recommendation requested on NA Recommended for ☒ approval ☐ denial\_\_\_\_\_ rec'd. \_\_\_\_\_ by Jim

Copy of transfer sent to lien holder \_\_\_\_\_

JUN 16 1988

# CONSOLIDATED TAX NOTICE AND RECEIPT

FREMONT COUNTY  
TAX COLLECTOR

1987  
BKRP

PAT MCCOY

REAL PROPERTY

MARKET VALUE

TAX CODE AREA

PARCEL NUMBER

BILL NUMBER

9,600

34-00

RP3650

A

9,600

ALL  
SEC 17 TWP 8 RGE 41

640.000

BLAKE, RICHARD R  
& BLAKE, F BRENT  
RT #1 BOX 211-5  
ST ANTHONY, ID 83445

DELINQUENT CERT

1986 RP

1985 RP

1984 RP

\*COPY#

YOUR CANCELLED CHECK IS YOUR RECEIPT

\*COPY#

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP3650  
BLAKE, RICHARD R  
& BLAKE, F BRENT

A  
BKRP

SPECIAL CODE TAX CODE AREA TAX

57.29

2ND INSTALLMENT

57.29

34-00

PEN  
SUB TOT  
INT  
TOT

2F

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE  
MAKE CHECKS PAYABLE TO

FREMONT COUNTY TAX COLLECTOR

PAT MCCOY

151 W 1 N ROOM 11

ST ANTHONY, ID 83445-1496

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 1988

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

STATE WPC

COUNTY

SCHOOL #215

S F FIRE

S F HOSPITAL

LIBRARY

.004972

.005589

.000649

.000586

.000134

47.74

53.66

6.24

5.64

1.30

TAX 114.58

PEN

SUB TOT

INT

TOT

1ST INSTALLMENT

57.29

TAX

PEN

SUB TOT

INT

TOT

2ND INSTALLMENT

57.29

MICROFILMED  
JUN 16 1988

TOTAL

114.58

114.58

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1987 RP3650  
BLAKE, RICHARD R  
& BLAKE, F BRENT

A  
BKRP

SPECIAL CODE TAX CODE AREA TAX

114.58

TOTAL TAX

114.58

34-00

PEN  
SUB TOT  
INT  
TOT

2F

FULL

1st

2F

SPECIAL CODE

TAX

CODE

AREA TAX

57.29

1ST INSTALLMENT

57.29

PEN

SUB TOT

INT

TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DECEMBER 20, 1987



**GOLDEN WEST IDAHO FALLS, INC.**  
P.O. BOX 488      356-9318      REXBURG, IDAHO 83440

February 18, 1988

Mr. Eric Verner  
Idaho Dept. of Water Resources  
150 Shoup Avenue  
Idaho Falls, ID      83401

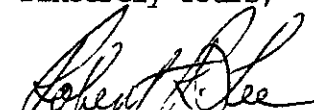
Dear Mr. Verner:

Enclosed are the following items pertaining to the Blake - Hillman water rights transfer:

1. Water Rights Transfer Agreement
2. Applications for Transfer of Water Rights
3. Blakes Tax Notices showing ownership of ground from which water rights are being transfered.
4. CRP Contract on farm ground
5. Check for \$150.00 for water rights transfer fee.

We appreciate your efforts in helping expedite this water rights transfer.

Sincerely Yours,

  
Robert R. Lee

RRL/sje

Enclosures

**RECEIVED**

**JUN 16 1988**

**CONSERVATION PLAN  
SCHEDULE OF OPERATIONS**

2 OF 2

**NOTE** The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a). The authorities for requesting the information to be supplied on this form are: 16 U.S.C. 590a-1 (Soil and Water Conservation); 16 U.S.C. 590h(b) (Agriculture Conservation); 16 U.S.C. 590p(b) (Great Plains); 30 U.S.C. 1236 et seq. (Rural Abandoned Mine Reclamation); 33 U.S.C. 1288 et seq. (Rural Clean Water); The Food Security Act of 1985, Public Law 99-198; and the regulations promulgated thereunder. The information requested is necessary for the development and implementation of a conservation, reclamation or water quality plan as the basis for satisfying program eligibility and compliance requirements, and for providing technical assistance and/or cost-sharing under the previously mentioned authorities. Furnishing this information is voluntary; however, failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other State or Federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

| 1. NAME<br><b>BLAKE BROTHERS</b> |       | 2. COUNTY<br><b>FREMONT</b>                            |                          | 3. STATE<br><b>IDAHO</b> |                   | 4. CONTRACT OR AGREEMENT NO.<br><b>CRP #24-87</b>                                            |       | 5. TOTAL ACRES UNDER CONTRACT<br><b>944.2</b> |       |          |    |  |          |
|----------------------------------|-------|--------------------------------------------------------|--------------------------|--------------------------|-------------------|----------------------------------------------------------------------------------------------|-------|-----------------------------------------------|-------|----------|----|--|----------|
| ITEM NO.                         | FIELD | PLANNED CONSERVATION TREATMENT<br>(Record of Decision) | ESTIMATED AMOUNT (UNITS) | COST BASIS               | COST-SHARE RATE % | COMPLETION SCHEDULE AND ESTIMATED COST-SHARE BY YEAR<br>(For Noncost-Share Items Show Units) |       |                                               |       |          |    |  | REF. NO. |
|                                  |       |                                                        |                          |                          |                   | 19 87                                                                                        | 19 88 | 19 89                                         | 19 90 | 19 91-96 | 17 |  |          |
| 6                                |       | Total Contract Cost-Share: \$ 43,433.00                |                          |                          |                   | 19 87                                                                                        | 19 88 | 19 89                                         | 19 90 | 19 91-96 | 17 |  |          |
| 7                                |       | Total Cost-Share by Year:                              |                          |                          |                   | \$ 43,433                                                                                    | \$    | \$                                            | \$    | \$       |    |  |          |

**NOTES:**

- A. All items numbered in column 6 must be carried out as a part of this contract to prevent violation.
- B. When established, the conservation practices listed in column 8 must be maintained by the participant at no cost to the government.
- C. Enter total cost per unit in column 10 unless the method of cost-share is flat rate. When flat rate, enter the amount per unit to be paid to the participant.
- D. All cost share rates in column 11 are based on average cost with the following exceptions:  
 AA = Actual costs not to exceed average cost.  
 FR = Flat rate.  
 NC = Non cost-shared.  
 AM = Actual cost not to exceed a specified maximum.  
 Modifications will be referenced by number in column 17.
- E. By signing, the participant acknowledges receipt of this conservation plan including the SCS-CPA-11 and SCS-CPA-11B and agrees to comply with the terms and conditions hereof.
- F.

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JUN 16 1988**

|                                                           |                |                                                                 |                 |
|-----------------------------------------------------------|----------------|-----------------------------------------------------------------|-----------------|
| 18. CERTIFICATION OF PARTICIPANTS                         |                | 19. REVIEWING OFFICIALS SIGNATURES                              |                 |
| SIGNATURE<br><i>Frank Reed Blake</i>                      | DATE<br>1-7-87 | SIGNATURE<br><i>Howard Johnson</i>                              | DATE<br>11-6-86 |
| DISTRICT CONSERVATIONIST-TECHNICAL ADEQUACY CERTIFICATION |                | APPROVED BY (Signature of Conservation District Representative) |                 |
|                                                           |                | DATE<br>11-6-86                                                 |                 |

CONSERVATION PLAN  
SCHEDULE OF OPERATIONS

| 1. NAME<br>BLAKE BROTHERS |            | 2. COUNTY<br>FREMONT                                           |                          | 3. STATE<br>IDAHO |                   | 4. CONTRACT OR AGREEMENT NO.<br>COP 89-97                                                    |      | 5. TOTAL ACRES UNDER CONTRACT<br>944.2 |      |         |        |  |
|---------------------------|------------|----------------------------------------------------------------|--------------------------|-------------------|-------------------|----------------------------------------------------------------------------------------------|------|----------------------------------------|------|---------|--------|--|
| ITEM NO                   | FIELD      | PLANNED CONSERVATION TREATMENT<br>(Record of Decisions)        | ESTIMATED AMOUNT (UNITS) | COST BASIS \$     | COST-SHARE RATE % | COMPLETION SCHEDULE AND ESTIMATED COST-SHARE BY YEAR<br>(For Noncost Share Items Show Units) |      |                                        |      |         | REF NO |  |
|                           |            |                                                                |                          |                   |                   | 1987                                                                                         | 1988 | 1989                                   | 1990 | 1991-96 |        |  |
|                           |            | CONSERVATION RESERVE PROGRAM                                   |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
|                           |            | NON-IRRIGATED - 944.2 ACRES                                    |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
|                           |            | Fields: #1A-24.6 Ac., #1B-11.0 Ac., #1C-49.5 Ac.,              |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
|                           |            | #A-58.4 Ac., #B-186.8 Ac., #C-121.0 Ac., #D-119.0 Ac.,         |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
|                           |            | #E-121.5 Ac., #F-77.8 Ac., #G-110.1 Ac., #H-32.6 Ac.,          |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
|                           |            | #I-31.9 Ac.                                                    |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
| 1                         | All Fields | CP-1 Establishment of Permanent Introduced Grasses and Legumes |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
|                           |            | 512-Pasture and Hayland Planting (See Specifications)          |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
|                           |            | A. Seedbed Preparation                                         |                          | \$16.00           | PLAT RATE         |                                                                                              |      |                                        |      |         |        |  |
|                           |            | and Seeding                                                    | 944.2 Ac.                | F.R. \$60.00      |                   | \$15,107                                                                                     |      |                                        |      |         |        |  |
|                           |            | B. Seed                                                        | 944.2 Ac.                | A.M.              | 50%               | \$28,326                                                                                     |      |                                        |      |         |        |  |
|                           |            | (Refer to ID-CPA 25, Grass Seeding Plan)                       |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
| 2                         | All Fields | 645-Wildlife Upland                                            | 944.2 Ac.                | N/C               | N/C               |                                                                                              |      |                                        |      |         |        |  |
|                           |            | Habitat Management                                             |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |
|                           |            | (See Specifications)                                           |                          |                   |                   |                                                                                              |      |                                        |      |         |        |  |

NOT FILMED  
JUN 16 1988



**Farm Credit Services**  
Rexburg

217 N. Second East  
P.O. Box 157  
Rexburg, Idaho 83440  
208/356-4442

March 31, 1988

District Office  
Idaho Department of Water Resources  
150 Shoup Avenue  
Idaho Falls, Idaho 83401

Dear Mr. Verner:

The Federal Land Bank as first lien holder on the Blake Brothers property North of St. Anthony, Idaho, hereby approves the temporary transfer of water rights 21-7066, 21-7034, 21-7044 to Ralph Hillman and Dyle Robertson as per the attached statement subject to approval of the State Department of Water Resources.

Sincerely Yours,

Senior Credit Officer

State of Idaho  
County of Madison

Subscribed and sworn before me this 31st day of March,  
1988.

Notary

My commission ends: 12-31-91

**MICROFILMED**  
JUN 16 1988

BART M. DAVIS, ESQ.  
The Law Offices of  
WEINPEL, WOOLF, JUST, COMBO & DAVIS  
545 Shoup Avenue, Suite 227  
P. O. Box 936  
Idaho Falls, ID 83402  
(208) 524-5380

Attorney for Debtors.

U.S. BANKRUPTCY COURT  
BANKRUPTCY DIVISION  
Filed at 10 2 1988

JERRY L. CLARK, Clerk

By BEL, Deputy

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

|                       |   |                      |
|-----------------------|---|----------------------|
| In the Matter of      | ) | Case No.: #87-02982B |
|                       | ) |                      |
| FRANK BRENT BLAKE and | ) | ORDER GRANTING       |
| SHARON HANSEN BLAKE,  | ) | AUTHORITY TO         |
|                       | ) | LEASE PROPERTY       |
|                       | ) |                      |
| Debtor(s).            | ) |                      |

Debtor's Motion for Authority and Notice of Intent to Lease the Property, and Notice of Time to File Objection having come before this Court for hearing, and the Debtor appearing through counsel and the Federal Land Bank of Spokane appearing through counsel, and the Court being fully advised herein, and the Federal Land Bank having withdrawn its objection,

NOW, THEREFORE, THIS COURT HEREBY GRANTS authority to the Debtor's to enter into a lease, to lease debtor's interest in the water rights permits #'s 21 7034, 21 7044, and 21 7066, pursuant to the terms as outlined in the Motion and the exhibit attached thereto, with the additional term as agreed to at the hearing herein, that the payment will be made directly to the Federal Land Bank of Spokane.

EDWARD J. LODGE

EDWARD J. LODGE  
U. S. BANKRUPTCY JUDGE

**MICROFILMED**

JUN 16 1988

**COPY**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28 day of March, 1988,  
I mailed a true and correct copy of the foregoing to the  
designated parties as follows:

Bart M. Davis, Esq.  
P. O. Box 936  
Idaho Falls, ID 83402

Trustee, Ltd.  
P. O. Box 4886  
Pocatello, ID 83205

Jim Pappas, Esq.  
P. O. Box 4883  
Pocatello, ID 83205

Craig Christensen, Esq.  
P. O. Box 967  
Pocatello, ID 83205

Steve Hoskins, Esq.  
501 Broadway  
Idaho Falls, ID 83402

JERRY L. CLAPP

CLERK OF THE COURT

Berta Stogdill

Deputy

RECORDED

JUN 16 1988

WATER RIGHTS TRANSFER AGREEMENT

FEB. 16, 1988

Richard and Brent Blake hereby agree to transfer the following water rights to Ralph Hillman, Idaho Falls, and Dyle Robertson, Plano, for the next nine years commencing with the 1988 irrigation season and ending after the 1996 irrigation season:

| <u>Water Rights No.</u> | <u>Acreage</u> |
|-------------------------|----------------|
| 21-7034                 | 144            |
| 21-7044                 | 126            |
| 21-7066                 | <u>277</u>     |
| TOTAL                   | 547 Acres      |

The compensation for the water rights transfer amounts to \$10/acre for 528 acres per year for a total of \$5280 per year payable in advance on March 15 of each year to Valley Bank Escrow Account in the name of the Blakes.

Richard and Brent Blake also agree to grant Mr. Hillman and Mr. Robertson the first right of refusal to renew the transfer agreement or purchase the water rights at the end of the present agreement. The first right of refusal must be exercised before the end of the present agreement.

If the annual payments are not made by March 15 of each year, this agreement is void at Blake's option and damages may be sought for failure to pay the delinquent payment and future payments owed under this agreement.

This agreement is subject to:

1. Approval of the water rights transfer by the Idaho Department of Water Resources. If approval is not granted no payments are owed and the agreement is cancelled.
2. Completion of the irrigation project in time for the 1988 irrigation season. All well drilling, power lines, pump installation and circle installation must be completed. In the event this is not possible, Mr. Hillman and Mr. Robertson are

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JUN 16 1988

not obligated for payments under this agreement. However,  
they have the first right of refusal to consummate the agreement  
for 1989 and subsequent years through 1996.

FEBRUARY 17, 1988

Notary

*Ronald C. Murphy*  
Reisburg, ID Comm Exp - Life

Richard Blake

Brent Blake

Ralph Hillman

Dyle Robertson

*Richard Blake*  
*Brent Blake*  
*Ralph Hillman*  
*Dyle Robertson*

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JUN 16 1988

THE FREMONT COUNTY HERALD-CHRONICLE  
St. Anthony, Idaho  
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO  
County of Fremont

I, Terry Weatherston  
being first duly sworn, depose and say,  
that I am the printer of THE FREMONT  
COUNTY HERALD-CHRONICLE, a semi-weekly  
newspaper printed and published in  
Fremont County, Idaho; and I do solemnly

swear that the Notice Of Proposed  
a copy of which notice appears attached  
hereto, was published in the regular and  
entire issue of said newspaper, and not  
in any supplement issue thereof

for Two consecutive issues, the  
first publication having

been made on March 3, 1988  
and the last publication having

been made on March 10, 1988

Further, that said newspaper is one  
of general circulation in said county;  
that it is a legal newspaper, conforming  
to legal specifications under Idaho  
statutes; that it has at least two-  
hundred bona fide subscribers living  
within the county of publication; and  
that it has been continuously and  
uninterruptedly published in said county  
during a period of seventy-eight  
consecutive weeks prior to the first  
publication of the said notice.

*Terry Weatherston*

Subscribed to and sworn to before

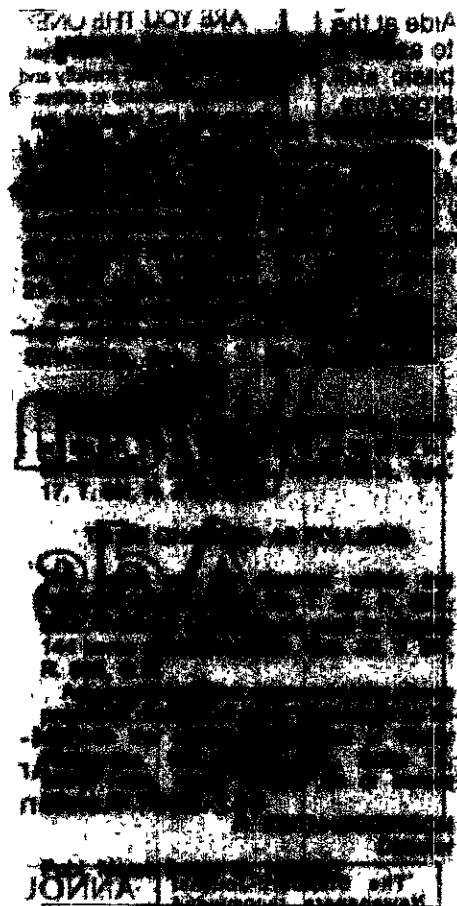
me this March 11, 1988

*Gayle L. Lids*

Notary Public.

(SEAL)

My commission expires June 8, 1993



**MICROFILMED**

JUN 16 1988

**RECEIVED**

MAR 28 1988

Department of Water Resources  
Eastern District Office

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 21-7034 Priority Oct. 10, 1973 Amount 2.17 cfs

THIS IS TO CERTIFY, that Frank Brent Blake &/or Richard Blake  
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit  
No 21-7034 issued pursuant to Application for Permit dated October 10, 1973,  
and has submitted proof to the Department of Water Resources on January 24, 1974,  
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a  
capacity for the diversion of 2.17 cfs of water from a ground water source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows

| Beneficial Use    | Period of Use                        | Rate of Diversion      | Annual Volume           |
|-------------------|--------------------------------------|------------------------|-------------------------|
| <u>Irrigation</u> | from <u>April 1</u> to <u>Nov. 1</u> | at <u>2.17</u> cfs and | <u>432 acre feet or</u> |
|                   | from _____ to _____                  | at _____ cfs and       | <u>3.0 af per acre</u>  |
|                   | from _____ to _____                  | at _____ cfs and       | _____                   |

(both dates inclusive)

Subject, however, to the condition that no more than 2.17 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  
432 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 17,  
Twp. 8 N, Rge. 41 E, B. M. in the County of Fremont

Description and location of place of use

| Twp | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|-----|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 8 N | 41 E  | 17   |                  | 22               | 37               |                  | 27               |                  | 1                | 39               | 10               |                  |                  |                  |                  | 8                |                  |                  | 144    |
|     |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 144

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

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of  
August, 19 76.

Director

Identification No. 21 7034  
Application No. \_\_\_\_\_

STATE OF IDAHO

LICENSE ISSUED FOR 219 SEC. FT. DEPARTMENT OF WATER ADMINISTRATION

**APPROVED**

**APPLICATION FOR PERMIT**

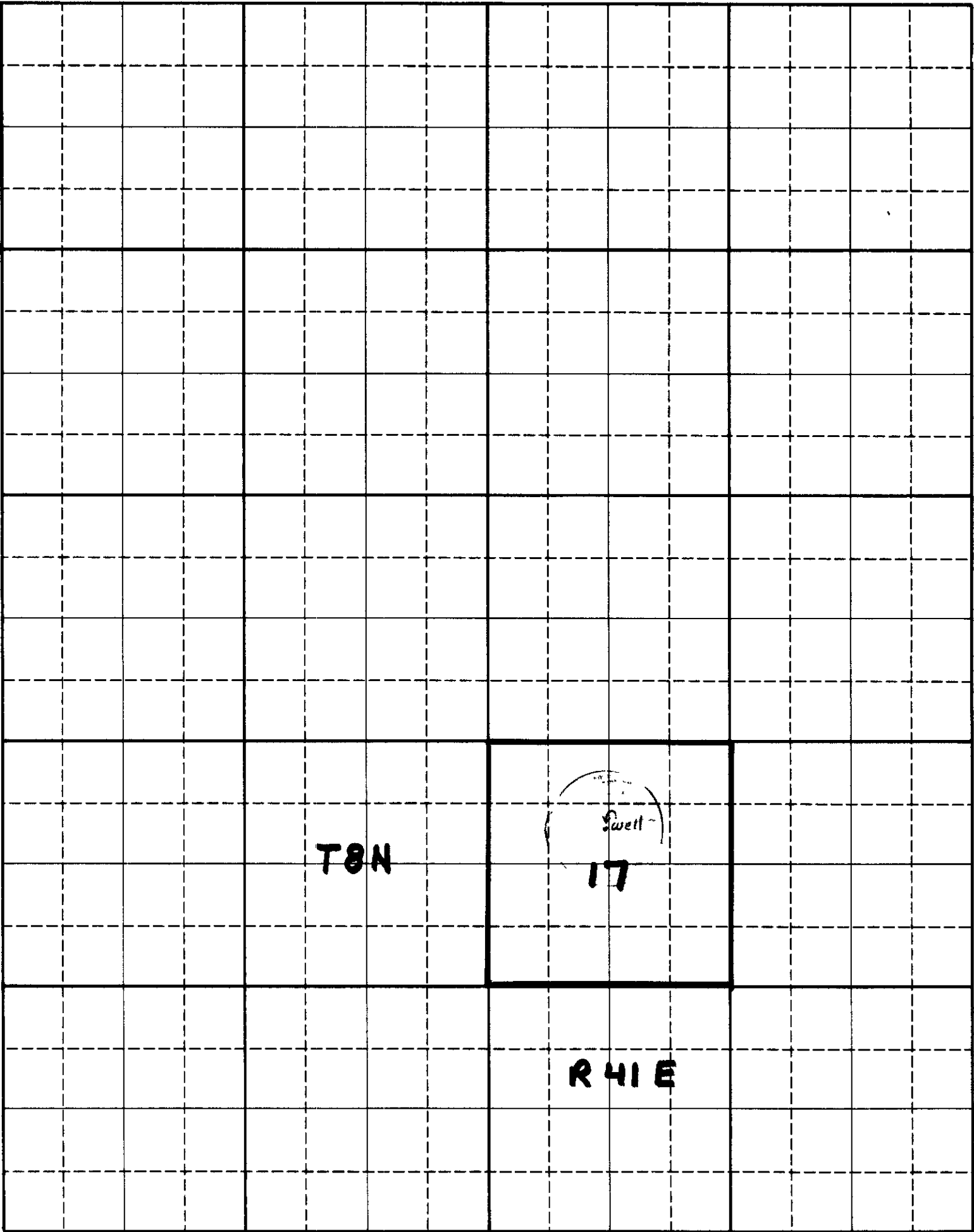
To Appropriate the Public Waters of the State of Idaho  
(TYPE OR PRINT IN INK)

1. Name of applicant Frank Brent Blake for Richard Blake  
post office address (621 East 15<sup>th</sup> St., Idaho Falls) St. Anthony
2. Source of water supply Ground Water which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 17 Township 8 N.  
Range 41 E B.M. Fremont 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 3.0 cfs for irrigation purpose from Apr. 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. 3.00 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works.  
a. Description of ditches, flumes, pumps, headgates, etc. deep well Turbine pump  
electric motor, Circular sprinkler system.  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)  
c. Proposed well diameter is 20" inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 years  
b. Estimated construction cost is \$ 40,000.
8. Description of proposed uses:  
a. If water is **not** for irrigation.  
(1) Give the place of use of water \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M. \_\_\_\_\_  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_.  
(5) If water is to be used for other purposes describe \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

21 7034



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.

Frank Brent Blake  
(Applicant)

10-30-1973  
 Proposed Priority 10-30-1973

Received by MB Date 10-30-73 Time 8:20 AM

Preliminary check by 200 Fee \$ 45.00

Receipted by MB Date 10-30-73 Receipt # 12608

Publication prepared by MB Date 11-1-73

Published in Shelton County Chronicle News

Publication dates 11/8 & 11/15/73

Publication approved CB Date 12/12/73

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by W JDF

#### 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. 21-7034, 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 December 1, 19 78.

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 24th day of December 19 73.

R. Kirk Higin  
 Director

DEPARTMENT OF WATER ADMINISTRATION  
- STAFF ANALYSIS -

| Item | Initial           | Date            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------|-------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)  | <u>RDC</u>        | <u>10/30/73</u> | Application No. <u>21-7032</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| (2)  |                   |                 | <input checked="" type="checkbox"/> Source<br><input checked="" type="checkbox"/> Point of Diversion<br><input checked="" type="checkbox"/> County<br><input checked="" type="checkbox"/> Quantity of Water and Period of Use<br><input checked="" type="checkbox"/> Description of Diverting Works<br><input checked="" type="checkbox"/> Time required for B/U of water<br><input checked="" type="checkbox"/> Place of Use or Acres Irrigated - <u>ACTUAL ACREAGE 2127</u><br><input checked="" type="checkbox"/> Map<br><input checked="" type="checkbox"/> Signature<br><input checked="" type="checkbox"/> Fee |
| (3)  | <u>"</u>          | <u>"</u>        | In form to receipt <u>YES</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|      | <u>"</u>          | <u>"</u>        | Send Copies to:<br><u>Idaho State Health Department</u><br><u>Idaho Fish and Game Department</u><br><u>NA Bureau of Land Management</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| (4)  | <u>"</u>          | <u>"</u>        | <u>NA</u> Request Special Use Permit from U.S.F.S.<br><u>NA</u> Request Easement from B.L.M.<br><u>NA</u> 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>NA</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| (7)  | <u>"</u>          | <u>"</u>        | Critical groundwater area: yes <u>no</u> <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| (8)  | <u>"</u>          | <u>"</u>        | Groundwater levels:<br><u>Decline (comment)</u><br><u>Stable (comment)</u><br><u>Increasing (comment)</u> <u>No obs well available</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| (9)  |                   |                 | Comments: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| (10) | <u>MB</u>         | <u>12/17/73</u> | Affidavit of Publication received (date) <u>December 17, 1973</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (11) | <u>MB</u>         | <u>12/4/73</u>  | Final date for protests <u>November 26, 1973</u><br>Protests received: yes <u>no</u> <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| (12) | <u>"</u>          | <u>"</u>        | Date and Place of hearing <u>N.A.</u><br>Decision reached at hearing <u>N.A.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| (13) | <u>RDC</u>        | <u>12/17/73</u> | All requested information received from agencies or applicant<br><u>OK</u> yes <u>no</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| (14) | <u>"</u>          | <u>"</u>        | Action recommended:<br><input checked="" type="checkbox"/> Approve <u>Priority 10/30/73</u><br><u>Deny</u> Reason for Reduction _____<br><input checked="" type="checkbox"/> Measuring device required<br><u>See attached sheet for additional conditions of approval</u><br><u>No additional conditions for approval</u>                                                                                                                                                                                                                                                                                            |
| (15) | District <u>E</u> | By <u>RDC</u>   | Date <u>12/DEC/73</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

**AFFIDAVIT OF  
PUBLICATION**

State of Idaho }  
County of Fremont } ss.

Dorothy D. Hunsaker

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

That he is the Owner  
of The Chronicle-News, a news-  
paper as defined by Idaho  
Codes Annotated, section 58-106,  
as amended, and that said  
newspaper is a weekly news-  
paper printed and published at  
St. Anthony, in Fremont County,  
Idaho, having a general circula-  
tion in said county, and that  
said newspaper has been print-  
ed and published as a weekly  
newspaper in said county for  
more than 78 consecutive weeks  
prior to the first publication of  
the attached notice, advertise-

ment or publication of .....

Notice for application

of water

And affiant further says that  
said notice, advertisement or  
publication, as per clipping  
attached, was published in said  
newspaper, in the regular and  
entire issue thereof, and not in  
any supplement issue thereof,

for two consecutive is-  
sues thereof; first publication

having been made on the 8

day of Nov., 1973,

and the last publication on the

15 day of Nov.

19 73

And affiant further says that at  
the times herein mentioned said  
newspaper was made up of at  
least four pages of at least five  
columns each, printed from  
type matter, of at least seven-  
teen and three-fourths inches  
deep.

Dorothy D. Hunsaker  
Subscribed in my presence and

sworn to before me this 7

day of December,

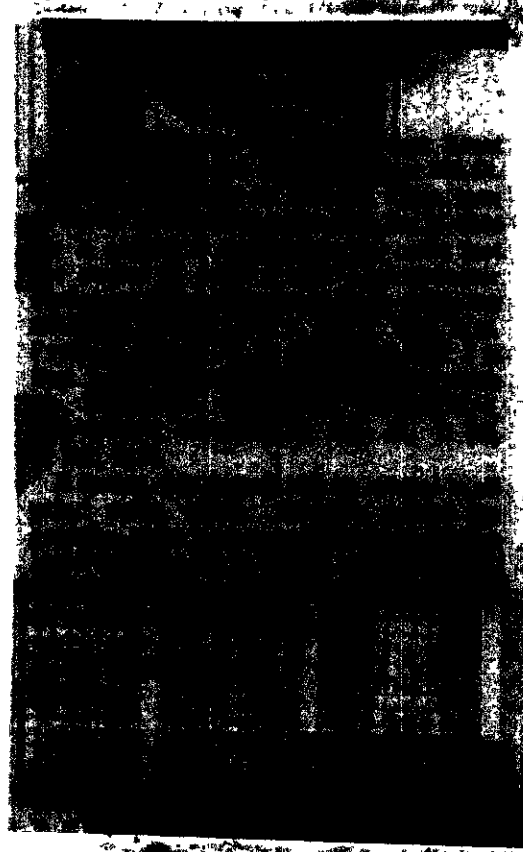
1973.

Suzette Rose  
Notary Public for the  
State of Idaho, resi-  
(SEAL) dence and post office  
address: St. Anthony,  
Idaho.

RECEIVED

DEC 17 1973

Department of Water Administration  
Eastern District Office



21 7034

**AFFIDAVIT OF  
PUBLICATION**

State of Idaho  
County of Fremont

ss.

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19 73

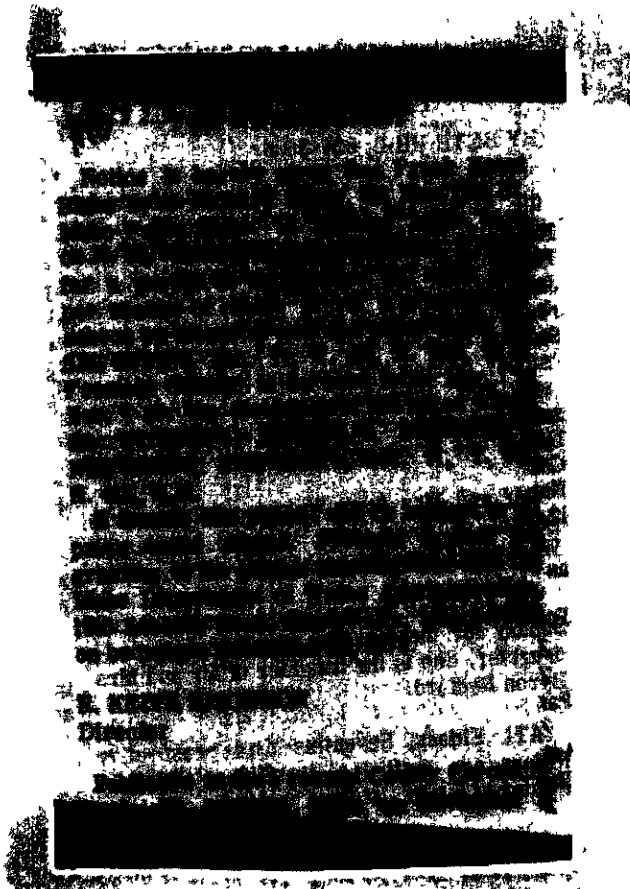
Synette Rose  
Notary Public for the  
State of Idaho, resi-  
(SEAL) dence and post office  
address: St. Anthony,  
Idaho.

**R E C E I V E D**

**DEC 17 1973**

Department of Water Administration  
Eastern District Office

*Duplicate*



21 7034

MEMORANDUM

TO: FILE 31-07663

FROM: PAM SKAGGS/STATE OFFICE *CS*

SUBJECT: RIGHT RENUMBERED

DATE: October 3, 2000

---

This right was originally numbered 21-07034. Review of this right found that the diversion actually is located within Basin 31. Right 21-07034 has been **renumbered** to 31-07663.

MICROFILMED  
OCT 06 2000

**CORNELISON FARMS**  
**P.O. BOX 396**  
**REXBURG, ID 83440-0396**  
**PHONE (208) 356-0396 FAX (208) 356-9935**

**RECEIVED**  
**FEB 10 1997**

Department of Water Resources

January 31, 1997

Ms. Pam Skaggs  
Idaho Department of Water Resources  
1301 N. Orchard  
Boise, ID 83706

Dear Ms. Skaggs:

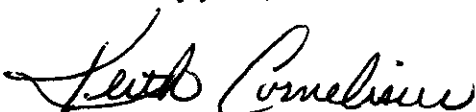
I am writing this letter regarding the following:  
Applications for Transfer of Water Rights (#3382, #3390, #3391, and #3486)  
Water Rights (#21-7034, #21-7066, #21-7044, #21-7032, #21-7045)  
Water Rights Transfer Agreements dated Mar. 2, 1988 and Nov. 15, 1988.

I met with State Representative Golden Lindford, State Senator Robert Lee, IDWR Director Karl Dreher, and Norm Young approximately one year ago. It was the general agreement of all involved to leave all water right transfers in place and not execute the automatic return of the water rights as stated in the transfer agreements. We also discussed the options we had, at that point in time, to make the transfers permanent. Since that time I have been diligently working to make all necessary arrangements.

Recently, I met with Harold Jones at the Idaho Falls IDWR office. At that time I gave him all the information necessary to execute our first right of refusal as outlined in the transfer agreements. This information included the available water rights we will be using to finalize this transfer.

Therefore, we would appreciate your assistance by not reversing the current transfers until these steps can be completed. Thank you for your help in this matter.

Sincerely yours,

  
Keith Cornelison

Approved by:

\_\_\_\_\_  
Richard Blake

\_\_\_\_\_  
Brent Blake

\_\_\_\_\_  
Barbara Hillman

\_\_\_\_\_  
Dyle Robertson

**MICROFILMED**  
**OCT 06 2000**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 2, 1988

RE: Transfer of Water Right No. 21-7034

Frank Brent Blake  
&/or Richard R. Blake  
Box 211-6  
St. Anthony, ID 83445

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3382).

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

JUN 16 1988

MAR 4 1988

Department of Water Resources

March 7, 1988

Mr. Norm Young  
Administrator  
Resource Administration Division  
Department of Water Resources  
1301 North Orchard Street  
Boise, ID 83706

Dear Mr. Young:

Thank you for your letter of March 4, 1988 agreeing to issue well drilling permits on our proposed project if we agree to certain conditions.

We hereby agree to a consent order including the following conditions with the understanding that our agents, employees, assigns and successors are governed by the same agreement:

- ✓ 1. Will not divert or authorize the diversion of water from the wells unless and until written authorization is received from the director of the Department of Water Resources in accordance with an approved water right.
2. Do not have or claim valid water rights to divert from the proposed well sites.
3. Acknowledge that diverting water from these wells, other than for a pump test approved by the department, is a violation of Section 42-351, Idaho Code, unless and until a valid water right is obtained.
4. That the director is authorized to lock or take other similar action to disable the pumps as necessary to prevent the diversion of water from the wells without a valid water right.
5. Agree to indemnify and hold harmless the director, the department and its employees from liability and expense on account of any claim, suits and costs resulting from the construction of the wells in the event the pending applications for transfer of water rights are not approved, and from the action of the department or its employees in locking or similarly disabling the pumps to prevent their use without a valid water right.

**RECEIVED**

JUN 16 1988

March 7, 1988

6. Agree that the director may enforce the consent order in district court, if necessary, without further administrative proceedings if the order is violated.

7. Agree that evidence concerning the approval of the drilling permits, and the existence and cost of constructing the wells will not be given any weight in the director's decision on the pending application for transfer.

We appreciate your allowing the well drilling to commence and look forward to official notification of the approval.

Sincerely Yours,

*Ralph Hillman*  
Ralph Hillman

*Dyle Robertson*  
Dyle Robertson

*Keith Cornelison*  
Keith Cornelison  
Cornelison Farms

*Ronald C. Sprung*  
Rabun, Macon Co. Iowa  
My Commission Expires, 1/1/89

**MAILED**

JUN 16 1988

RECEIVED

FEB 24 1988

State of Idaho  
Department of Water Resources

Department of Water Resources  
Eastern District Office

DRILLING PERMIT

(Authorizing Construction of a Well)\*

1. Applicant CORNELISON FARMS

2. Address 155 N. 1ST WEST

REXBURG, IDAHO 83440

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

3. Water right permit no. T 21-7034; Injection well permit no. \_\_\_\_\_

4. Proposed well location NE 1/4 SW 1/4 SE 1/4, or Gov't lot No. \_\_\_\_\_,

Sec. 22, Twp. 8N, Rge. 38E, County FREMONT,

Lot, block and subdivision \_\_\_\_\_

5. Proposed use of well: (Check all that apply)

( ) Domestic ( ) Stockwater ( ) Monitoring  
( ☒ ) Irrigation ( ) Industrial ( ) Municipal  
( ) Injection ( ) Other, Specify \_\_\_\_\_

6. Well construction information:

( ☒ ) New well ( ) Deepen ( ) Replace

Proposed surface diameter 16" Proposed depth 700'

Anticipated bottom hole temperature:

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

7. Anticipated construction start date \_\_\_\_\_

8. Well Driller (if known) \_\_\_\_\_

Address \_\_\_\_\_

Date 2/24/88 Applicant's signature Leib Cornelison

Title Partner

RECORDED

JUN 16 1988

☒ Approved☐ Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

## GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

## SPECIFIC CONDITIONS:

Use of water from the well(s) is subject to the conditions of the Consent Order signed March 7, 1988, relative to the well(s).

Dated this 1st day of April, 1988.

Signed

Title Eastern Regional ManagerReceived by da Fee \$100<sup>00</sup> Date 2-24-88Receipt No. 46440 Construction start date \_\_\_\_\_

Construction start extension to \_\_\_\_\_

Extension approved by \_\_\_\_\_

**RECORDED****JUN 16 1988**

FROM Ernest Carlsen.

DATE 30 March 88

TO Transfer Applications 21-7034, 21-7044 &amp; 21-7066

SUBJECT Drilling Permits :

The State Office has received the signed Consent Order stipulating the conditions under which drilling permits could be issued prior to approval of the above applications. Glenn Saxton telephoned to advise that the drilling permits could therefore be issued subject to the following condition: Use of water from the well(s) diversion - water is subject to the conditions of the Consent Order signed 7 March 1988 relative to the well(s).

SIGNATURE

MICROFILMED

JUN 16 1988

CONVERSATION MEMORANDUM

DATE February 25, 1988

Grant Bohyme, Fedral Land Bank  
Steven Hawskins, Valley Bank

FILE Transfers - Blakes

NAME OF PARTY John Pierce, Fedral Home Administration

EMPLOYEE Eric Verner

RE: Blake Transfers

-The above mentioned lending institutions hold mortgage interests in the Blake's property under this proposed transfer.

-Per request I contacted the listed representatives of each institution to verify their position regarding the application to transfer water rights.

-Grant Bohyme, from the Fedral Land Bank, called me to verify that the Bank was aware of the transfer applications and that the Bank had no objection to advertising the applications at this time. He further stated that the other mortgage holders; Valley Bank and FHA, were aware of the applications. He stated also that an agreement with the creditors and the Blakes will be signed next Monday or Tuesday. A copy of this agreement will be sent to the Department.

-I contacted Steven Hawskins from Valley Bank and John Pierce from FHA to verify the information Grant Bohyme gave me. Both of them confirmed what Grant had said and further agreed that they are not opposed to advertising the applications @ this time.

**MICROFILMED**

**JUN 16 1988**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

1. Right number 21-7034 Applicant Blake
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Other \_\_\_\_\_
4. Check:
  - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
  - b. ☒ Description of original point of diversion.
  - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
  - a. ☒ All of right.
  - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
  - c. ☒ Check description of point(s) of diversion.
  - d. ☒ Check description of place of use.
  - e. ☒ Check map (shows p.d. and p.u. after transfer).
  - f. ☒ Check for correct signature, notarization, and fee.
  - g. ☒ Check proof of ownership of right &/or land from which water is transferred. *Also need statement from lien holder for quest. 6 B*
  - h. ☒ Check for expansion in use of right. Comments \_\_\_\_\_
  - i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) \_\_\_\_\_
  - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No  
If yes, what district? \_\_\_\_\_

p.d.  
2-21-88

Tax notice requested

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

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

protest date 3-21-88

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions\* Subject to agreement between parties

4. By Ernst Carlson Date 11 April 88

RECEIVED  
APR 14 1988

Jim 5-2-88

\* All uses within Watermaster Districts require special conditions.

Department of Water Resources

C. E. Roemer



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Eastern Region

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Mailing Address:  
150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

March 23, 1988

Fremont County Chronicle News  
P.O. Box 568  
St. Anthony, Idaho 83445

RE: Transfer Applications Nos. 21-7034, 21-7044,  
21-7066

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on March 3, and 10, 1988.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Deena Green  
Office Secretary

**MICROFILMED**

JUN 16 1988



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Eastern Region

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Mailing Address:  
150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

March 4, 1988

Frank Brent Blake &/or  
Richard R. Blake  
Box 211-6  
St. Anthony, Idaho 83445

RE: Transfer Applications No. 21-7034, 21-7044, 21-7066

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your Transfer Applications. Please refer to the application numbers above in all further correspondence.

This office is currently in the process of advertising the applications in the Fremont County Chronicle News. The advertisements will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlsen  
Water Rights Supervisor

**MICROFILMED**

JUN 16 1988



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Mailing Address:  
150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

February 25, 1988

Fremont County Chronicle News  
P.O. Box 568  
St. Anthony, ID 83445

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before March 21, 1988.

Very truly yours,

COLLEEN WRAY  
Adm. Secretary

Enc: 3

**MICROFILMED**  
JUN 16 1988

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 21-7034

Notice is hereby given that Frank Brent &/or Richard R. Blake, St. Anthony, Idaho, have applied to the Department of Water Resources for a change in the point of diversion and place of use of the water of a groundwater source. The right sought to be changed is evidenced by License No. 21-7034 and is evidenced as follows:

AMOUNT: 2.17 cfs      PRIORITY: October 10, 1973

POINT OF DIVERSION: SE1/4NW1/4, Sec. 17, T. 8N, R. 41E,  
B.M., Fremont County.

The water is used to irrigate 144 acres within the W1/2NE1/4, E1/2NW1/4, SW1/4NW1/4, NE1/4SW1/4, NW1/4SE1/4, Sec. 17, T. 8N, R. 41E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE1/4SW1/4SE1/4, Sec. 22, T. 8N, R. 38E, B.M., Fremont County; and used to irrigate 144 acres within the SE1/4, Sec. 22, T. 8N, R. 38E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before March 21, 1988.

R. KEITH HIGGINSON

Director

Published March 3 and 10, 1988

**MICROFILMED**  
JUN 16 1988

DEPARTMENT OF WATER ADMINISTRATION  
FIELD REPORT

1. Name of permit holder Frank Brent Blake &/or Richard Blake  
Post office address 621 E. 15th Street, Idaho Falls, ID  
Person to contact \_\_\_\_\_

Phone 522 1435

**RECEIVED**

2. Source of water supply: Groundwater ☒ Surface water ☐  
Tributary to \_\_\_\_\_  
(name spring, stream, etc.)

FEB 5 1964  
Department of Water Resources  
Eastern District Office

3. Water will be used for the following purposes

Amount 3.0 c.f.s. for irrigation  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use from Apr. 1 to Nov. 1  
(mo.-day) inclusive (mo.-day)

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

Period of Use from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

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

Period of Use from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Other uses \_\_\_\_\_

Permit No. 21-7034  
Examination for \_\_\_\_\_  
b/u

4. Total amount to be appropriated

Max Rate of Diversion 3.0 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum

5. Location of Point(s) of Diversion

Township 8N N/S, Range 41E E/W, B.M., Section 17, Subdivision SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Fremont  
County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , \_\_\_\_\_  
County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , \_\_\_\_\_  
County

Other Points of Diversions \_\_\_\_\_

Description of diverting works: 150 hp pump, 12" well, 335' deep, water stands at 225'. Pump is set at 250'. Circular wheel move.

Measuring device required yes ☒ no ☐

6. Lands to be irrigated or place of use

| TWP | RANGE | SEC | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|-----|-------|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |       |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 8N  | 41E   | 17  |                  | 22               | 37               |                  | 27               |                  | 1                | 39               | 13               |                  |                  |                  |                  | 11               |                  |                  | 150    |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

TOTAL ACREAGE 150

Hand-drawn diagram on graph paper showing a 3x3 grid of squares. The central square contains a circle with a dot inside. The top row of squares contains the numbers 27, 22, and 37. The middle row contains 1, 39, and 8. The bottom row contains 10 and 8. A curved arrow points from the circle to the number 37. The text "P.D." is written next to the arrow.

156 H.P  
Pum



$\frac{1}{4}$  mile circle system.

DATE OF EXAM 8-13-75

ACREAGE  
Found 144  
Recommended 144

Irrigation Requirement 3.0 Ac Ft/Ac

USE  
Irrigation Q = 2.17 c.f.s. V = 432 AF/Ann. from April 1 to Nov. 1  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ☒

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

Exchange? yes \_\_\_\_\_ no ☒

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

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

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

Total Q measured 2.17 cfs Method of measurement Mcrometer-Inline

Total Q recommended 2.17 cfs Meter No. 738315 Type In Line Condition New

Total V recommended 432 AF/Ann

Recommended Amendments:

P D \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None NONE

#### MEASUREMENT CALCULATION

$$Q = .01 \text{ AF/201 sec.} = \frac{435.6 \text{ c.f.s.}}{201 \text{ sec.}} = \textcircled{2.17 \text{ cfs}}$$

$$V = (144 \text{ ac})(3.0 \text{ AF/ac}) = \textcircled{432 \text{ AF/Ann}}$$

#### SYSTEM DESCRIPTION:

G.E. motor, 150 H.P., model 5K6277XH1A, Ser. # MJT 1205157, 8" Mcrometer flowmeter, Ser. # 738315, Johnston pump - No nameplate. Discharges to 3 1/2 mile Valley Circle system.

#### REMARKS:

Mr. Richard Blake accompanied examiner.

Examiner's Signature Kenneth O. Edwards Date 8-13-75

Checked by Loren O. Halverson Date 5-26-76

Approved by \_\_\_\_\_ Date \_\_\_\_\_



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

August 30, 1976

Re: Permit Nos. 21-7032  
21-7034

Frank Brent Blake &/or Richard Blake  
621 East 15th Street  
Idaho Falls, ID 83401

Gentlemen:

Enclosed herewith are copies of the water right licenses issued on the above referenced permits.

Sincerely,

D. DARLENE REICH  
Water Rights Supervisor

DDR:mef

Enc.

August 12, 1976

Frank Brent Blake &/or Richard Blake  
621 East 15th Street  
Idaho Falls, ID 83401

Re: Permits No. 21-7032 & 21-7034

Gentlemen:

In August, 1975, a representative of this Department made an examination of the works covered by the above referenced permits and found the following:

Permit 21-7032      Quantity of water diverted: 2.12 cfs      Source: ground water  
Amount of water that can be recognized as beneficially used under Idaho law: 2.12 cfs  
The maximum quantity diverted shall not exceed 432 acre feet, or 3.0 af per acre, per year.  
Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 8, Twp. 8 N, Rge. 41 E, B.M.  
Beneficial use: Irrigation of 144 acres within the E $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 8; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 17; Twp. 8 N, Rge. 41 E, B.M.  
Priority date established: October 10, 1973

Permit 21-7034      Quantity of water diverted: 2.17 cfs      Source: ground water  
Amount of water that can be recognized as beneficially used under Idaho law: 2.17 cfs  
The maximum quantity diverted shall not exceed 432 acre feet, or 3.0 af per acre, per year.  
Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 17, Twp. 8 N, Rge. 41 E, B.M.  
Beneficial use: Irrigation of 144 acres within the W $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 17, Twp. 8 N, Rge. 41 E, B.M.  
Priority date established: October 10, 1973

If you do not concur with these findings please contact us within 15 days, otherwise water licenses will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

February 3, 1975

Re: Permit No.'s 21-7032 & 21-7034

Frank Brent Blake &/or Richard Blahh  
621 E. 15th Street  
Idaho Falls, ID 83401

Gentlemen:

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

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

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

Sincerely,

D. Darlene Reich  
Water Rights Supervisor

DDR:JG

**MICROFILMED**

RECEIVED  
JAN 24 1974

Department of Water Resources  
Eastern District Office

Identification No. \_\_\_\_\_

Permit No. 21-7034

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Frank Brent Blake &/or Richard Blake  
b) Post Office Address 621 E. 15th St., Idaho Falls, Idaho
2. Permit Number 21-7034
3. Date of Priority that you are prepared to establish Oct. 30, 1973
4. a) Source from which water was appropriated ground water  
b) Location of the point of diversion: SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 17  
Township 8N, Range 41E Boise Meridian, Other points of diversion: \_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
Amount 3.0 for Irrig. purposes from Apr. 1 to Nov. 1 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 3.0 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: Gem State Irrigation with diesel motor tester
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:  
N.A.  
b) Describe the agreement or understanding by which you take water from the works:  
N.A.
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) 150 Hp. pump, 12" w311, 335 feet deep. Water stands at 225'. Pump is set at 250'. Circular wheel move.  
b) Describe the type and size of measuring device which you have installed at your point of diversion: Propeller type flow meter.  
c) Give well driller's name and address and the date the well was completed: Eugene Richards, Blackfoot, Idaho. Well completed in May, 1974.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: \_\_\_\_\_

Exam typed 2/3/75 by js

MICROFILMED

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 |       |
| 8N | 41E | 17   |     | 22  | 37  |     | 27  |     | 1   | 39  | 13  |     |     |     |     | 11  |     |     | 150   |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total number of acres irrigated 150

10. Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

1/24/75 Frank Brent Blake  
(Date) (Signature)

State of IDAHO )  
 ) ss.  
County of BONNEVILLE )

On this 24<sup>th</sup> day of JANUARY, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ronald D Carlson  
Notary Public residing at FIRTH, IDAHO

My commission expires 2/19/78

January 8, 1974

Re: Permit No. 21-7034

Frank Brent &/or Richard Blake  
621 East 15th Street  
Idaho Falls, Idaho 83401

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 21-7034. 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. FLEENOR  
Assistant Director

BDF:cd

Enclosures

21 7034

1515 Lincoln Road

November 26, 1973

Re: Application for Permit No. 21-7032 Blake

Fremont County Chronicle News  
Box 568  
St. Anthony, Idaho 83445

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on November 8 and November 15, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:mb

21 7034

12-14-73 MB  
12-12-73 MB  
Called 12-5-73 MB

XXXXXXXXXXXXXXXXXXXXX 1515 Lincoln Road

November 2, 1973

Re: Application for Permit No. 21-7032 Frank Brent Blake & Richard Blake

Fremont County Chronicle News  
Box 568  
St. Anthony, Idaho 83445

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

Bill submitted 12-17-73 by MB

NCY:mb  
Enc: Legal Notice (1)

21 7034

MB

NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that Frank Brent Blake &/or Richard Blake, 621 East 15th St. Idaho Falls, Idaho - St. Anthony, Idaho, have on 10/30/73 submitted Application No. 21-70324 for a permit to appropriate 3.0 cubic feet per second of water from a groundwater source by means of well and pump within the SE1/4NW1/4 Sec. 17, T. 8N, R. 41E, B.M. Fremont County; to be used from Apr. 1 to Nov. 1 for the irrigation of 150 acres within the W1/2NE1/4, E1/2NW1/4, SW1/4NW1/4, NE1/4SW1/4, NW1/4SE1/4, Sec. 17, T. 8N, R. 41E, 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 November 26, 1973.

R. KEITH HIGGINSON  
Director

Published in the Fremont County Chronicle News, St. Anthony, Idaho on November 8 and November 15, 1973.

21 7034

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frank Brent Blake &/or Richard Blake,  
621 East 15th St. Idaho Falls, Idaho - St. Anthony, Idaho,  
have ~~has~~ on 10/30/73 submitted Application No. ~~21-7032~~ 21-7034  
for a permit to appropriate 3.0 cubic feet per second ~~acre feet per annum~~  
of water from a groundwater source  
by means of well and pump  
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 17, T. 8N, R. 41E, B.M. Fremont County;  
  
to be used from Apr. 1 to Nov. 1  
for the irrigation of 150 acres  
  
within the W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 17, T. 8N, R. 41E, 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 November 26, 1973.

R. KEITH HIGGINSON

Director

Published in the Fremont County Chronicle News, St. Anthony, Idaho  
on November 8 and November 15, 1973.

21 7034

21-7034  
W.P.G.  
R.B.A.  
CALLED FREMONT COUNTY CHRONICLE NEWS 11-7-73 MB