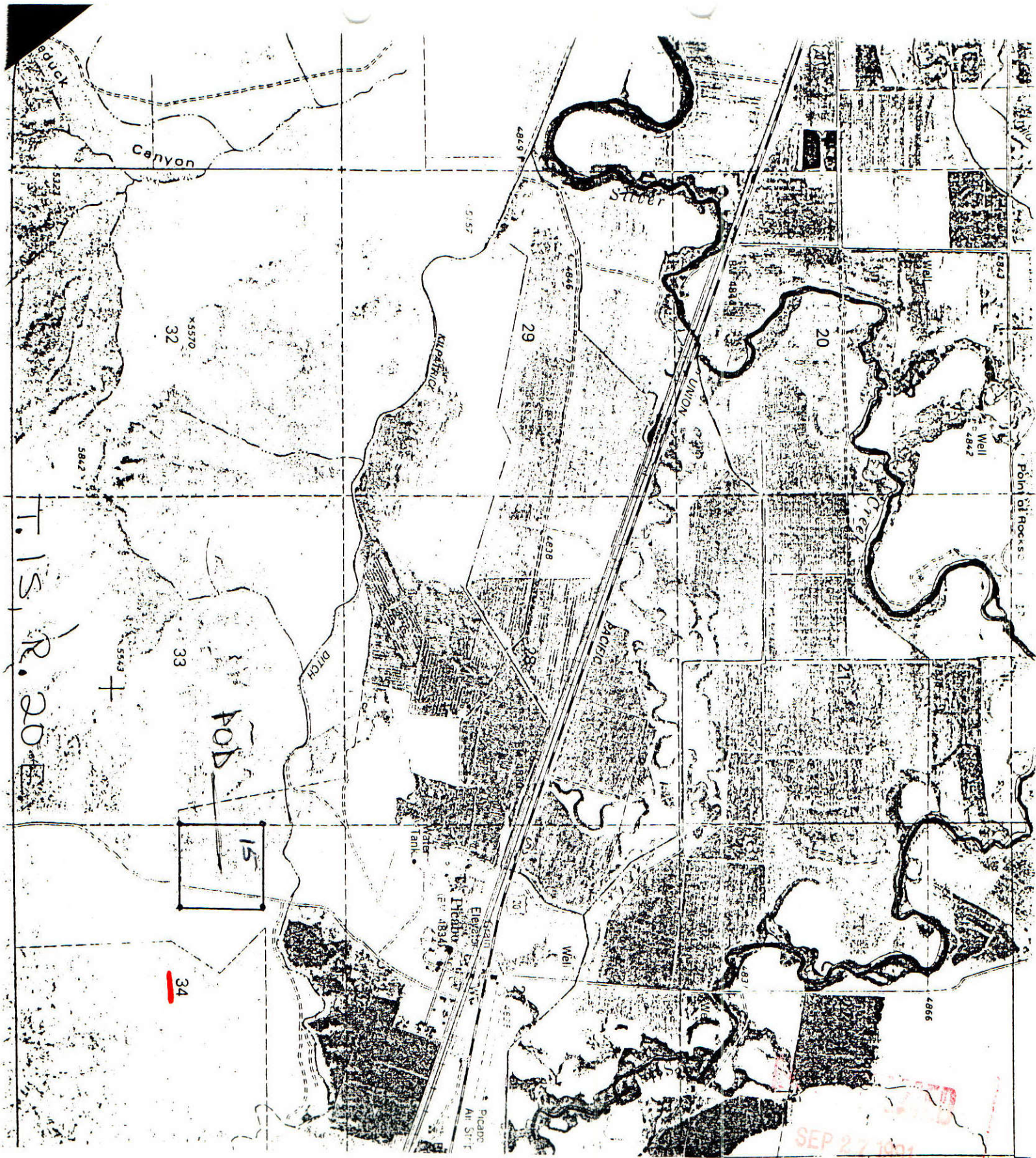
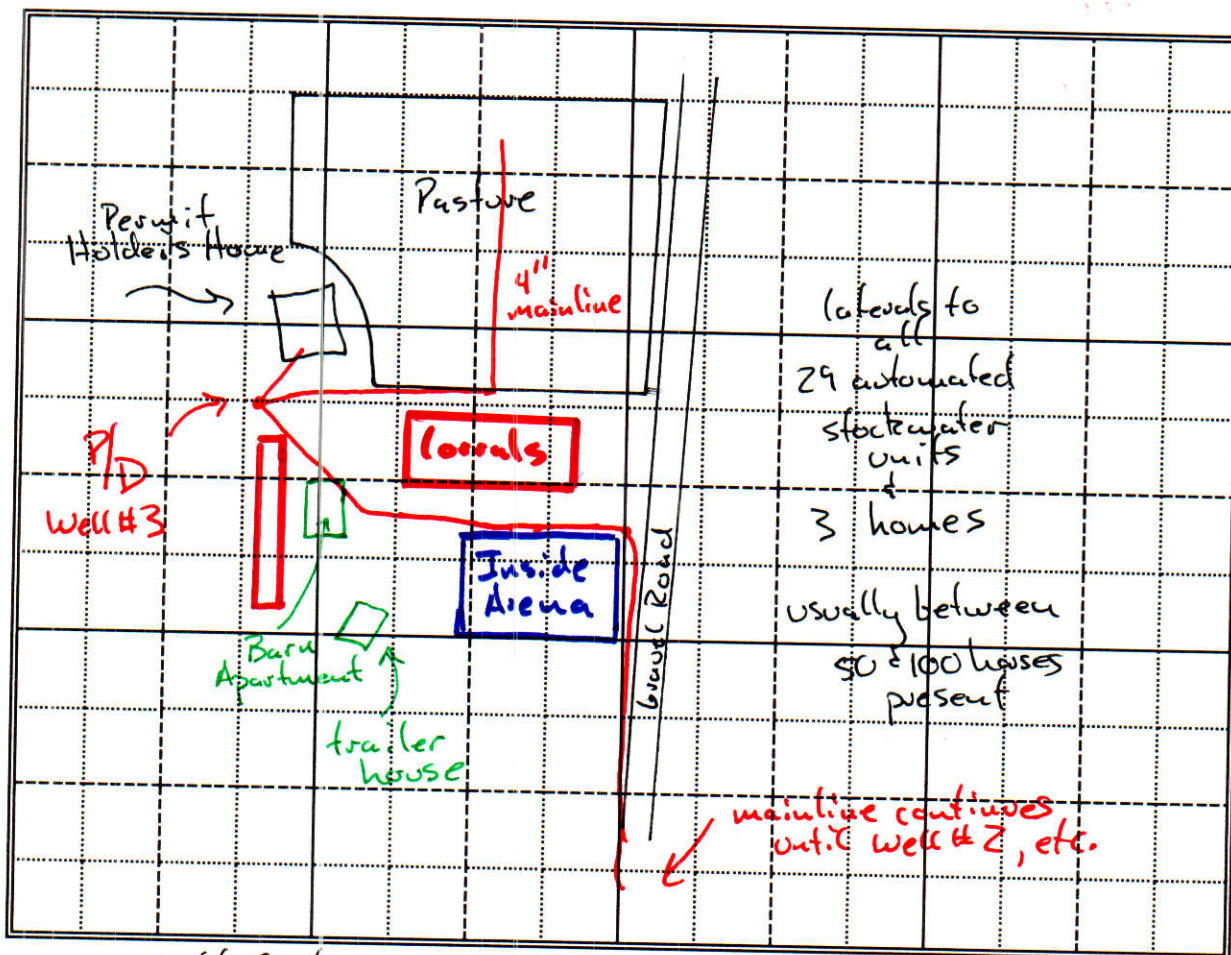




BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Katherine Breckenridge
 (Applicant)
 KATHERINE BRECKENRIDGE

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____ Not to Scale

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
# 2	STA-RITE Submersible	20	Model H40P		
# 3	STA-RITE Submersible	5	Not available		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot tube & Psi gauge						

2. **Measurements:** With 22hds running (all $\frac{3}{16}$ ") with avg. of 60psi
 $\approx$ 8.12 gpm at each head With the planimeter, I measured 13
 acres irrigated from the ASCE aerial photo.

MICROFILMED

System Diagram P37-08578

One house, one barn apartment,
& one trailer house all part
of domestic use
50 to 100 houses are part of
stockwater (all situated stockwater)

one well line
22 hrs

89.3

Well #2 & Well #3 are
connected in case of emergency
Well #3 supplies water for
irrigation, domestic & stockwater.
under this permit
All Places of Use in South

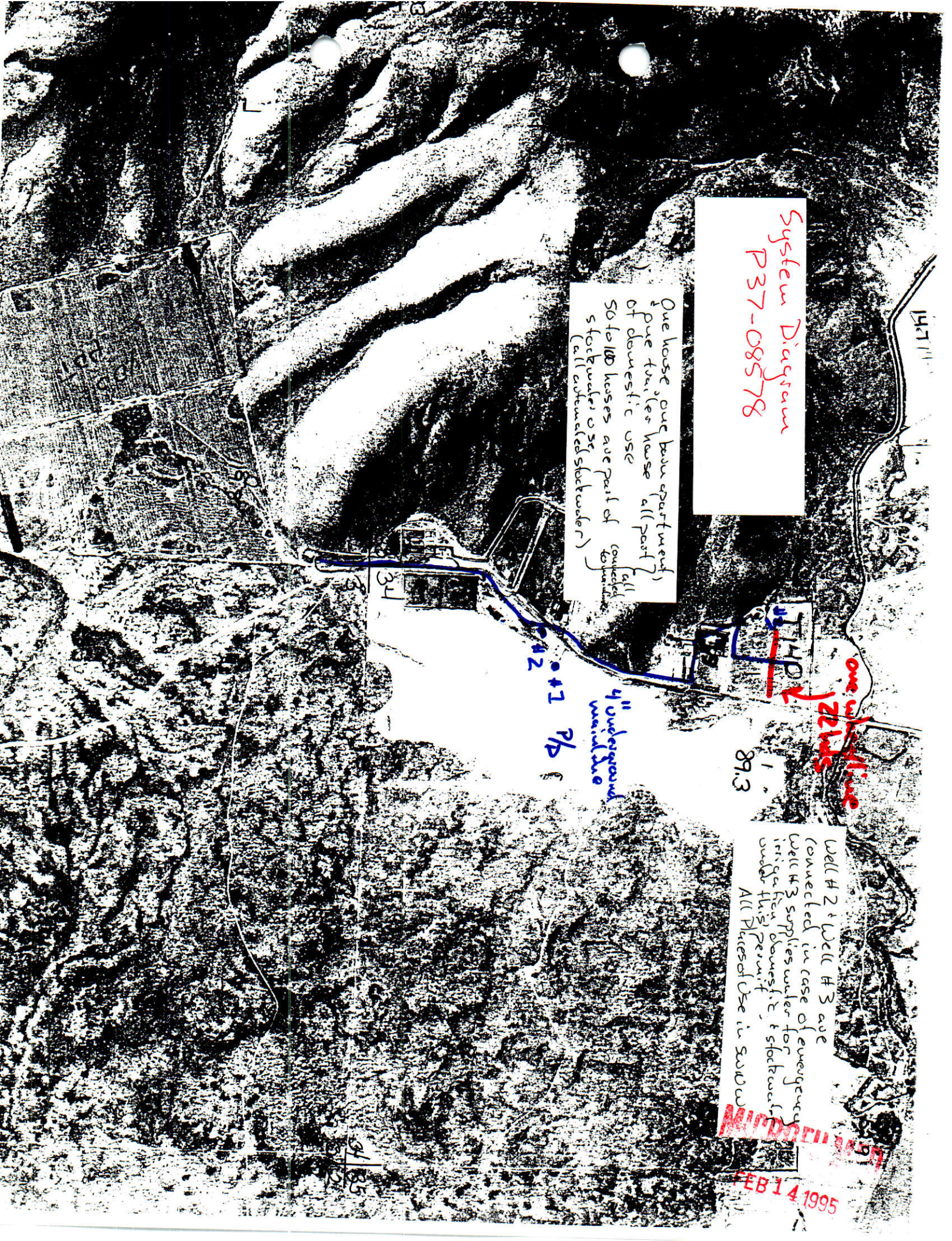
MICROFILMED
FEB 14 1995

4" underground
mainline

W#2
W#1
W#3

34

94.35



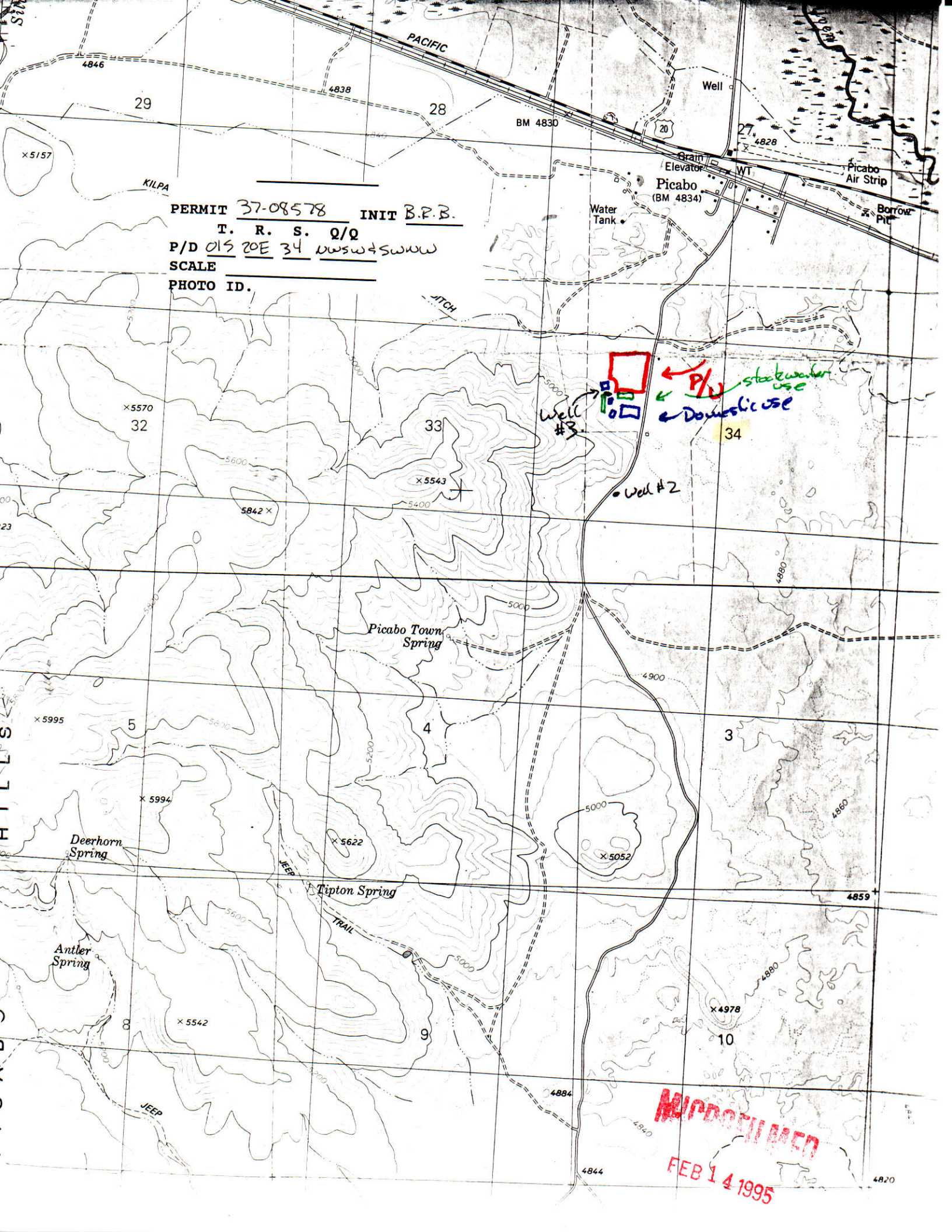
Aerial Photo 737-08578
P/O-13 acres by
plumimeter
reading

Horse
Trails Horse
Ranch
Apartment

Arena

89.3
acres

FEB 14 1995



PERMIT 37-08578 INIT B.P.B.
T. R. S. Q/Q
P/D 01S 20E 34 NWsw & SWsw
SCALE _____
PHOTO ID. _____

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P37-08578

These photos were
taken on July 18, 1993.



Hand lines & pasture
in background

Well #3 on map

P/D

6" x 430' Well

P/D House is part of domestic
use



MISSOURI

FEB 14 1995

737-08578

These photos were
taken on July 18, 1993.



Picabo Water Tower

P/U
One handline
with 22 hds
waters
pasture



This is where
the Picabo Spring
is located (see aerial
map). The Picabo Water
System
runs through
Breckenridge's
property to the
Picabo Water Tower.
This system is
gravity run.

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P37-08578
 These photos were
 taken on July 18, 1993.

Trailer
 P/U ~ Part of Domestic
 Use

P/U ~ Basin Apartment
 Part of Domestic
 Use



Each private corral
 has automatic stockwater

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AFFIDAVIT of PUBLICATION

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DEC 28 1989

Department of Water Resources
Southern Region Office

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 20 day of Dec, 19 89, and

the date of the last publication was on the 27 day of Dec, 19 89.

Daniel J. Gorham
Subscribed and sworn to before me this 27th day of Dec, 19 89.
(SEAL)

Kathleen Breckenridge
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 40
Number of Insertions 2
Lines tabular at 5.5¢/Pica
40 Lines straight at 22.00 5.5¢/Pica
40 Subsequent lines at 17.60 4.35¢/Pica
TOTAL COST 39.60

COPY OF NOTICE

(Paste Here) (Breckenridge)
Application # 37-08578

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res. TF
BILL TO

Breckenridge files on water rights

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-08578

BRECKENRIDGE, KATHERINE
P.O. BOX 685
PICABO, ID 83348

Source: GROUNDWATER
Diversion Pt.: SWNW Sec 34 T
01S R 20E

Use: STOCKWATER (.020 CFS)
DOMESTIC (.020 CFS)
IRRIGATION (.240 CFS)
Total Diversion: (.280 CFS)
(.115.00 AF)

Date Filed: 9/11/1989
In: T01S R20E S34 SWNW
15.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before JANUARY 8, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal--
December 20 & 27, 1989.

7-8 pt. per line straight....4.5/pica

7-8 pt. per line tabular....5.5/pica

7-8 pt. per line successive
insertion....3.5/pica

OK
1-8-90

SEP 27 1991

6860

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08578

Priority: October 9, 1989

Maximum Diversion Rate:

0.28 CFS

Maximum Diversion Volume:

48.6 AF

This is to certify, that KATHERINE BRECKENRIDGE

PO BOX 685

PICABO ID 83348

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 11, 1989; and has submitted Proof of Beneficial Use on September 29, 1992. An examination indicates that the works have a diversion capacity of 0.820 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.24 CFS	45.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	1.3 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.8 AF
Totals		0.28 CFS	48.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 34, Township 01S, Range 20E

NWSW , Sec. 34, Township 01S, Range 20E

BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	20E	34	SWNW	13		13

Total number of acres irrigated: 13

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

FEB 14 1995

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

WATER RIGHT NO. 37-08578

CONDITIONS/REMARKS:

5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
9. Right 37-07771 is also diverted through the points of diversion described above.
10. Stockwater use is for 100 horses.
11. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
12. Domestic use is for 3 horses.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 7TH
day of FEBRUARY, 1995.

Acting for R. Keith Higginson, Director

FEB 14 1995

State of Idaho
Department of Water Resources

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NOV 10 1994
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08578

Date of Priority: October 9, 1989 Maximum Diversion Rate: 0.28 CFS
Maximum Diversion Volume: 48.6 AF

Comes now KATHERINE BRECKENRIDGE
PO BOX 685
PICABO ID 83348 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-08578, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.24 CFS	45.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	1.3 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.8 AF
	Totals	0.28 CFS	48.6 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 34, Township 01S, Range 20E
NWSW , Sec. 34, Township 01S, Range 20E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	20E	34	SWNW	13		13

Total number of acres irrigated: 13

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

APPROVED

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

Signed at _____, this 7 day of Nov., 1994.

Microfilm

FEB 14 1995

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08578

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-08578 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
9. Right 37-07771 is also diverted through the points of diversion described above.
10. Stockwater use is for 100 horses.
11. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
12. Domestic use is for 3 homes.

FEB 14 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-08578

Witness my hand this 2TH day of FEBRUARY, 1995.


R. Keith Higginson, Director

FEB 14 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-08578)
IN THE NAME OF KATHERINE BRECKENRIDGE) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before September 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

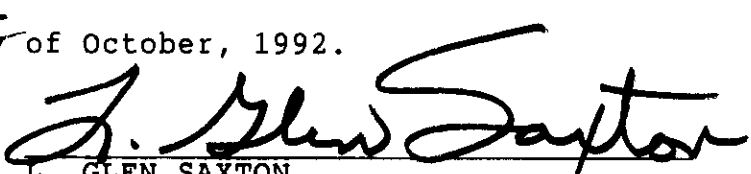
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on September 29, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-08578 be REINSTATED with an advance in priority to October 9, 1989.

Dated this 2nd day of October, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

OCT 26 1992

RECEIVED

SEP 29 1992

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 9-30-92
Receipt No. CD25622
Receipt by [Signature]

RECEIVED

SEP 18 1992

Department of Water Resources

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08578 Telephone No. 208-788-2329

2. Name(s) of Permit Holder(s): KATHLEEN BRECKENRIDGE

3. Mailing Address: Box 185 PICAGO ID 83348

4. Source of Water: WELL

If GROUNDWATER, Well Driller's Name: THIS WELL HAS BEEN IN USE SINCE AFE Date Drilled: LATE SEVENTIES DO I NEED TO FIND

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic 3 (No. of households) Stockwater 100 HEAD HORSES (No. and type of stock)

Irrigation 13 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.28 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes NO Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes YES No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 100 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

KATHLEEN BRECKENRIDGE
Name

208-788-2329
Telephone No.

Box 185 PICAGO ID 83348
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

OCT 26 1992

9/15/92
Date

Kathleen Breckenridge
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08578

Proposed Priority: September 11, 1989 Maximum Diversion Rate: 0.28 CFS

This is to certify, that **KATHERINE BRECKENRIDGE**
PO BOX 685
PICABO ID 83348

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.24 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
Totals		0.28 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNW Sec. 34, Township 01S, Range 20E
BLAINE County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>				
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
01S 20E 34	SWNW 15			15	
Total number of acres irrigated:				15	

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1992.**
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

APPROVED
SEP 27 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 37-08578

7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Stockwater use is for 100 horses.
10. Domestic use is for 3 homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

17th day of September, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

SEP 27 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant KATHERINE BRECKENRIDGE Phone 208-788-2329
Post office address P.O. Box 685, Picabo ID 83348
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 34 Township 1S Range 20E B.M. BLAINE County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .02 for STOCK WATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .24 for IRRIGATION purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .28 and/or (b) 115
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well & pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is 6 inches; proposed depth of well is 560 feet.
d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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SEP 17 1989

SEP 12 1989
Department of Water Resources
Southern Region Office

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. UP TO 100 HORSES AND FOR BARNS
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. THREE HOUSEHOLDS AND GROUNDS
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	20E	34							15										15
									D/S										

Total number of acres to be irrigated 15

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

SYSTEM CONNECTED TO SYSTEM CONSTRUCTED FOR 37-7771

11. a. Who owns the property at the point of diversion? APPLICANT

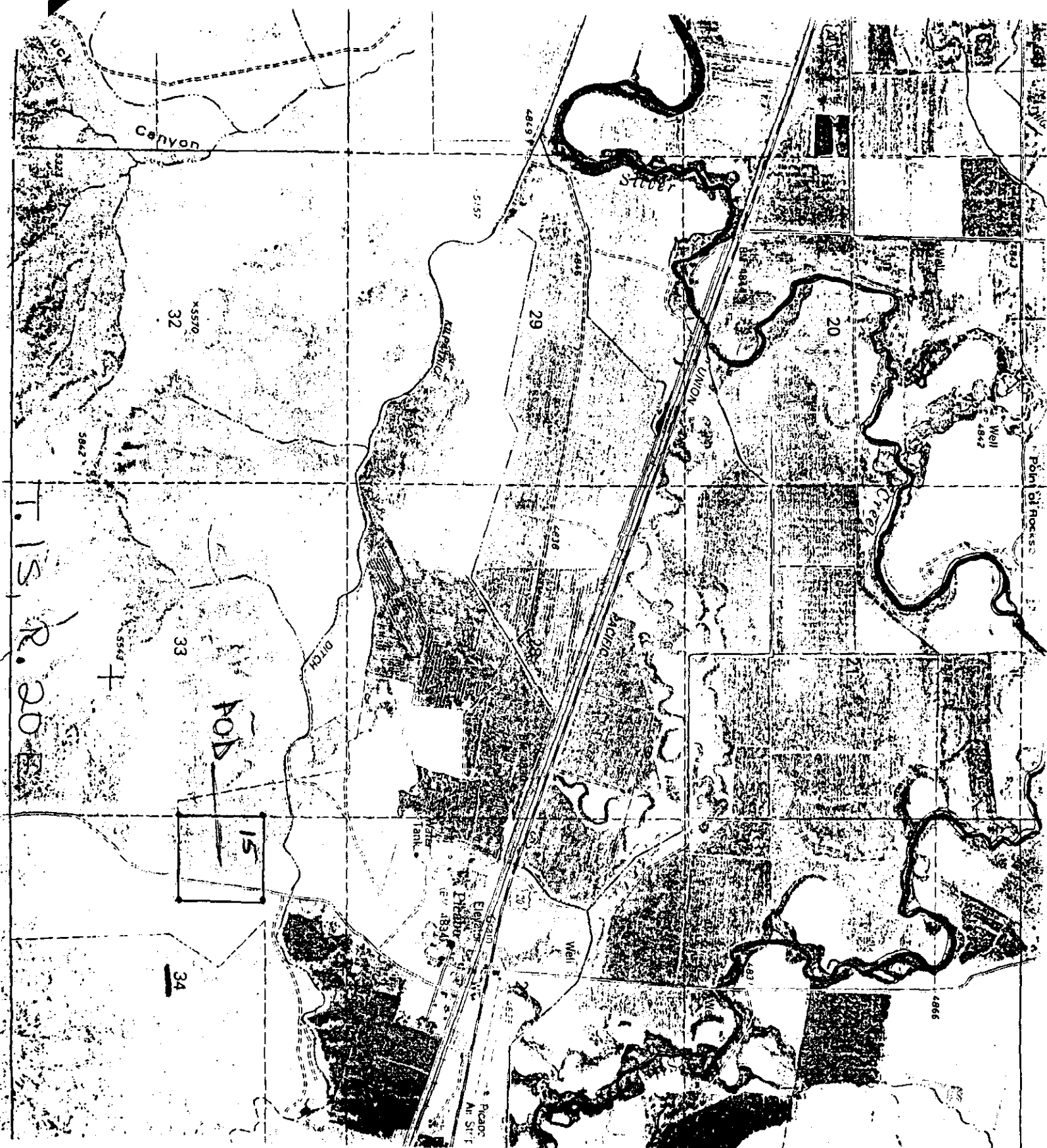
b. Who owns the land to be irrigated or place of use? APPLICANT

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

12. Remarks: _____

RECEIVED

SEP 27 1991



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.

Katherine Breckenridge
(Applicant)
KATHERINE BRECKENRIDGE

Received by SG Date 9/11/89 Time 2:40 pm Preliminary check by check attached
Fee \$ 45 Receipted by DRS # 5009151 Date 9/12/89
Publication prepared by M. Baldwin Date 12-6-89 Published in Wood River Journal
Publication approved T. Jasper Date 1-8-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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 _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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SEP 27 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 9, 1995

KATHERINE BRECKENRIDGE
PO BOX 685
PICABO ID 83348

RE: WATER RIGHT NO. 37-08578

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

FEB 14 1995

VERSION 3.1 STARS--WARRANT CONTROL FILE MAINTENANCE/INQUIRY
FUNCTION: N (R=RECALL, N=NEXT, C=CHANGE)

S047

WARRANT NUMBER: 103839950

AGENCY: 360 DEPARTMENT OF WATER RESOURCES

ISSUE DATE: 111794

VENDOR NUMBER/SFX:

VENDOR NAME 1: B BAR B INC

VENDOR NAME 2:

NEW STATUS:

STATUS DATE: 120194

AMOUNT:

50.00

DAILY BEGINNING STATUS: R REDEEMED

CURRENT STATUS: R REDEEMED

ABA NO: FINANCIAL INST NAME:

FINANCIAL INSTITUTION ACCT NO:

ACCT TYPE:

LAST PROCESS DATE: 120194

INTERRUPT:

Z06 RECORD SUCCESSFULLY RECALLED

PLEASE ENTER FUNCTION

Alt-Z FOR HELP| VT102 | FDX | 9600 N81 | LOG CLOSED | PRINT OFF | OFF-LINE

1-24-95

I called Katie Breckenridge today to request the amendment fee for this permit. She told me that she has not received our \$50⁰⁰ refund and had not, therefore, returned the fee.

Debbie Allen checked for me and found that the warrant was redeemed on 12/1/94. (See above.) I called and spoke with Mrs. Breckenridge again. She said she will send a \$50⁰⁰ fee right away.

S.W. Keen

RECEIVED

FEB 14 1995

Idaho Department Of Water Resources
Receipt Maintenance II - Maint. Screen 1

Date: 12/01/94
Time: 10:31:27

Receipt Number : C031660

Receipt AMT : 100.00

Receipt Type : CK
Date & Time : 11/15/1994 15:35:09
From Payer : B BAR B, INC.
User ID : RTOLSMA_
Adjust Flag : A
Trans Number : _____
AR Number : _____
Receipt Remarks: _____
Update Remarks : _____
Amount Refunded: 50.00
Refund Reason : _____
Refund Name : B BAR B INC

Check Number: 2267____
Julian Date : -____

Rec. Group : F
Trans Yr-Mo : ____-____

Refund Date : 11/17/1994

Refund CK No: 1652____

Receipted Fees : _

Water Right Numbers: _

(Enter=Continue)

(GOLD2=Update)

*Should have been applied to 37-08578
\$50⁰⁰ requested for 37-08578 on 11/14/94*

FEB 14 1995

M E M O R A N D U M

DATE: December 1, 1994

TO: Files 37-08578 and 37-07771

FROM: Shelley W. Keen *SK*

RE: Amendment Fees

=====

Permit 37-08578 is in the name of Katherine Breckenridge. Permit 37-07771 is in the name of B Bar B Inc., which is represented by Katherine Breckenridge. On October 3, 1994, we used separate mailings to solicit licensing amendments for each of the two permits. Each amendment requires a \$50.00 fee.

On November 8, 1994, we received the amendment for 37-07771. On November 9, 1994, we requested the fee from B Bar B Inc. On November 10, 1994, we received the amendment for 37-08578. On November 14, 1994, we requested the fee from Katherine Breckenridge.

On November 15, 1994 we received a check for \$100.00 from B Bar B Inc. Thinking it was an overpayment for 37-07771, we initiated a \$50.00 refund to B Bar B Inc. on November 17, 1994. Meanwhile, we have been waiting for payment from Katherine Breckenridge.

While reviewing the two files today, I realized that the \$100.00 was probably meant to cover both amendments. I called Katherine Breckenridge at 788-2329, and she confirmed my suspicion. After I explained and apologized, Ms. Breckenridge agreed to send \$50.00 for the amendment to 37-08578 as soon as she receives the \$50.00 refund check.

RECEIVED

DEC 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

November 14, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

KATHERINE BRECKENRIDGE
PO BOX 685
PICABO ID 83348-0685

RE: PERMIT NO. 37-08578

Dear Water Right Holder(s):

We received the signed licensing amendment for the above referenced permit; however, the \$50.00 filing fee for the amendment was not enclosed. For your reference, I am enclosing a copy of the original amendment notice letter.

Please return the \$50.00 fee within fourteen (14) days to prevent any further undue delay in licensing this permit. Since I am handling the review procedure, please send the check to my attention and it will help expedite the process.

Thank you for your assistance, and if you have any questions please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Brenda Chapman".

BRENDA CHAPMAN
Water Resource Agent

BC:dc

Enclosure

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FEB 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 28, 1994

KATHERINE BRECKENRIDGE
PO BOX 685
PICABO ID 83348

RE: WATER RIGHT NO. 37-08578

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact me. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a long horizontal flourish extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

RECEIVED

FEB 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 3, 1994

KATHERINE BRECKENRIDGE
PO BOX 685
PICABO ID 83348

RE: WATER RIGHT NO. 37-08578

Dear Water Right Holder(s):

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

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

RECEIVED

FEB 14 1995

LICENS REVIEW CHECKLIST

PERMIT NO. 37-08578 DATE 9-29-94



NAME Yes No ✓ Or Address Change?

PRIORITY DATE ✓ Advance? YES Advanced to: 10-9-89
Order to reinstate needed? same
Incorrect fee for rate recommended? No

SOURCE ✓ Changes or just clarification of originally intended source?
Notice of Intent to Void necessary?

POINT OF DIV ✓ Amendment needed? Add well # 2 in NWSW
✓ Overlaps? 37-07771 ← (2 of its 3 wells)

PLACE OF USE ✓ Amendment needed?
 ✓ Overlaps?

DIV RATE ✓ Permit/fee limits: .28
Meas Q = .42 Theo Q = .40 Recommend: .28 cfs
Well # 2 Q = .42 cfs Dom permit limit @ .02 Stock @ .02 (50-100 horses)
Well # 3 Q = .40 cfs 13 acres x .02 = .26 Permit limit @ .24
CAPACITY = .82 cfs Combined rates exceed capacity No

ANNUAL VOLUME ✓ Season of use: B/3.5 (4-15 to 10-15)
Calculations: 13 x 3.5 = 45.5 3 INTERNAL
100 Horses = 1.3 domestics = 1.8
Flow limit: cfs x x 1.9835 =
Combined volumes exceed capacity/allowable No

USES ✓ Change in Nature of Use or additional uses?
Amendment necessary?

REMARKS Multiple p/d(s) in ¼ ¼?
u36 u85 Other 37-07771

CONDITIONS ✓ Measuring/Locking Devices
 ✓ Watermaster control - District
R30 Irrigation Overlap
 ✓ Water Quality (55
 ✓ Other TRUST-R 56 Heat/Cool/ Fish verified
57

COMMENTS: Reduce Acres to 13.

COMMENTS: Redeem Acres to 13.
11-14-94 Added domestic ^{regulation} in-house candidate Add P/B

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO</u>
			Adjustment Memo Needed	<u>YES</u>
<u>Irrigation</u>	<u>.24</u>	<u>45.5</u>		
<u>Stockwater</u>	<u>.02</u>	<u>1.3</u>		
<u>Domestic</u>	<u>.02</u>	<u>1.8</u>		
			LICENSE	
			1ST AMENDMENT LETTER	<u>P39+P38</u>
<u>Totals</u>	<u>.28</u>	<u>48.6</u>	FINAL AMENDMENT LETTER	<u>P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08578

1. Owner: Katherine Breckenridge

Phone No. 788-2329

Current Address: P.O. Box 685 Picabo

83348

2. Accompanied by: Katherine Breckenridge

EXAM DATE: 6-18-93/7-23-93

Address: _____

Phone No. 788-2329

Relationship to Permit Holder: _____

3. Source: groundwater

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: 37-08578 37-07771

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#2			NW	SW	34	01S	20E	Blaine	Aerial Photo, Inspection
#3			SW	NW	34	01S	20E	Blaine	" "

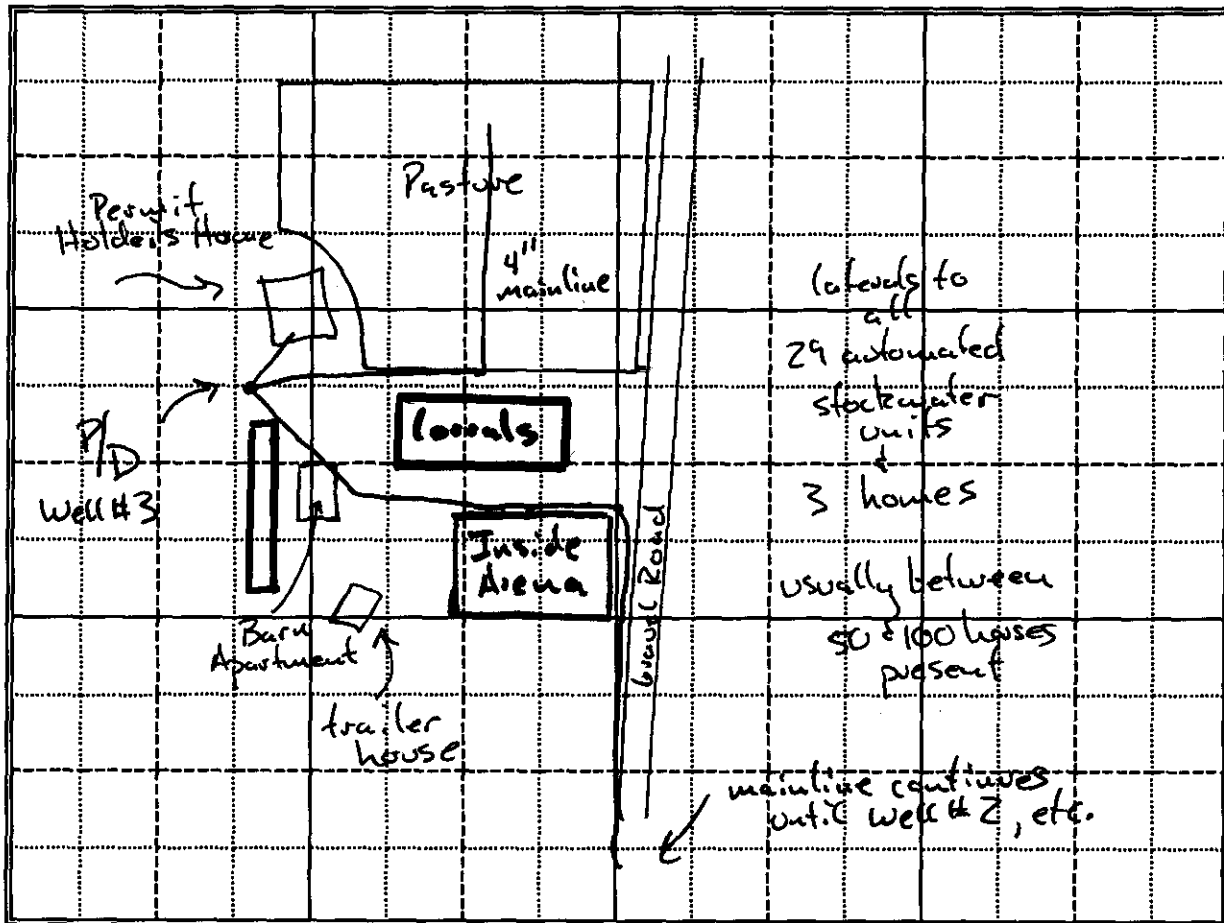
2. Place(s) of Use:

Indicate Method of Determination Fluorimeter, Aerial Photo

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	34							13										13
									D										D
									S										S

FEB 14 1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = 100' Not to Scale

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
# 2	STA-RITE Submersible	26	Model H40P		
# 3	STA-RITE Submersible	5	Not available		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot tube & Psi gauge						

2. Measurements: With 22 heads running (all $\frac{3}{16}$ ") with avg. of 60 psi
 & 8.12 gpm at each head With the planimeter, I measured 13
 acres irrigated from the ASCE aerial photo.

APPROVED

FEB 14 1995

E. NARRATIVE/REMARKS/COMMENTS

see attached sheet

Note: The Picabo Spring is located about $3\frac{1}{4}$ of a mile south of Katie's house & well. The water from this spring flows by gravity to the Picabo Tower. The 4 in mainline is capable or ^(underground) connected to this water system for backup for the town of Picabo. It has only been used once in the last 8 years.

Irrigated acres were calculated at 13 but irrigation diversion rate limited to permitted rate of .24 cfs.

Well # 3 is primary source for this permit and a backup for 37507771. Well # 2 is a primary backup for both rights.

Have conditions of permit approval been met? ☒ yes ☐ no

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Additional Computation Sheets Attached

Domestic: 3 homes at 0.02 cts ~ internal use only
for volume & 1.8 cts

Stockwater: 100 horses at 12 $\frac{\text{gpd}}{\text{hd}}$ = 1200 gpd / 120 min = $\frac{10 \text{ gpm}}{448.8 \text{ gpm}} = 0.02 \text{ cfs}$

Irrigation: 22 hrs at 60 psi
with 3/16" nozzles

$\approx 8.12 \text{ gpm} \times 22 = 0.40 \text{ ds}$ (limited to 0.26 ds)
(limited to 0.24 ds by permit)

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (13 \text{ acres}) (3.5 \text{ cfm/acre}) = 45.5 \text{ cfm}$$
$$V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.40 \text{ cfs}) (184 \text{ days}) (1.9835) = 146 \text{ cfs}$$
$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 45.5 \text{ volts}$$

Calculations for Other Uses:

Livestock: $(0.02 \text{ cfs}) \left(\frac{2 \text{ hr}}{\text{day}} \right) (365 \text{ days}) \left(\frac{3600 \text{ s}}{1 \text{ day}} \right) = 52,560 \text{ ft}^3$
 or 1.2 cfs

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	4/15	10/15	0.24 cfs	45.5 afa
Domestic	1/1	12/31	0.02 cfs	1.8 afa
Stockwater	1/1	12/31	0.02 cfs	~~1.2 afa~~ 1.3 BC
Totals:			0.28 cfs	~~48.5 afa~~ 48.6 BC

___ Change P.D. as reflected above ☒ Add P.D. as reflected above ___ None
 ___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

Field Examiner's Name Brett Barry Date 8-27-93

Reviewer	Date
----------	------

* See attached adjustment explanation memo. BC

DEC 14 1995

MEMORANDUM

TO: File 37-08578 / Katherine Breckenridge
FROM: Brenda Chapman
DATE: November 29, 1994
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

G. VOLUME CALCULATIONS

Standard annual volume for 100 horses is 1.3 af.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-15 to 10-15	.24	45.5
Stockwater	1-01 to 12-31	.02	1.3
Domestic	4-01 to 11-01	.04	1.4

See Item G.

RECORDED
FEB 14 1995

DATE: August 30, 1993

FROM: Brett Barry

SUBJECT: P37-08578 Field Examination: Narrative/Comments

On June 18, 1993, the first visit for this field examination was conducted. Katie Breckenridge, the permit holder, accompanied myself during this examination.

P37-7771 and P37-8578 are very closely related in proximity and use. Well #3(see system diagram) was originally designed for P37-8578 and Well #2 was designed for P37-7771. But due to recent emergencies and lightning strikes, the two wells were tied together for backup. The two wells cannot be used together because the pressure head created would be too extreme. The two wells are connected by a 4 in underground mainline. The majority of the time the two wells serve their original intention.

P37-8578 has a domestic, stockwater, and irrigation use for a total of 0.28 cfs. Well #3 has a 5 H.P. pump and has the pump set at 231 ft. With 22 Rainbird hds(3/16 in nozzles) running, I measured a pressure of 60 psi at the nozzle. This corresponds to about 8 gpm at each head or 0.40 cfs total. I calculated a theoretical diversion rate of 0.42 cfs for Well #2. Therefore, both pumps are capable of producing what the permit requires.

The stockwater use is for between 50-100 horses. The permit holder has about 30 automated stockwater units for these horses. The domestic use is for a house, a barn apartment, and a trailer house.

A total of 13 acres covered by the wheelline was determined by the planimeter.

FEB 14 1995

System Diagram P37-08578

One house, one bar apartment,
one trailer house all part of
of domestic use
So to 100 houses are part of
of domestic use
(all automated stationer)

4" underground
mainline

89.3

Well #2 & Well #3 are
connected in case of emergency
Well #3 supplies water for
irrigation, domestic, & stockwater
under this permit
All Places of Use in SWD

FEB 14 1995

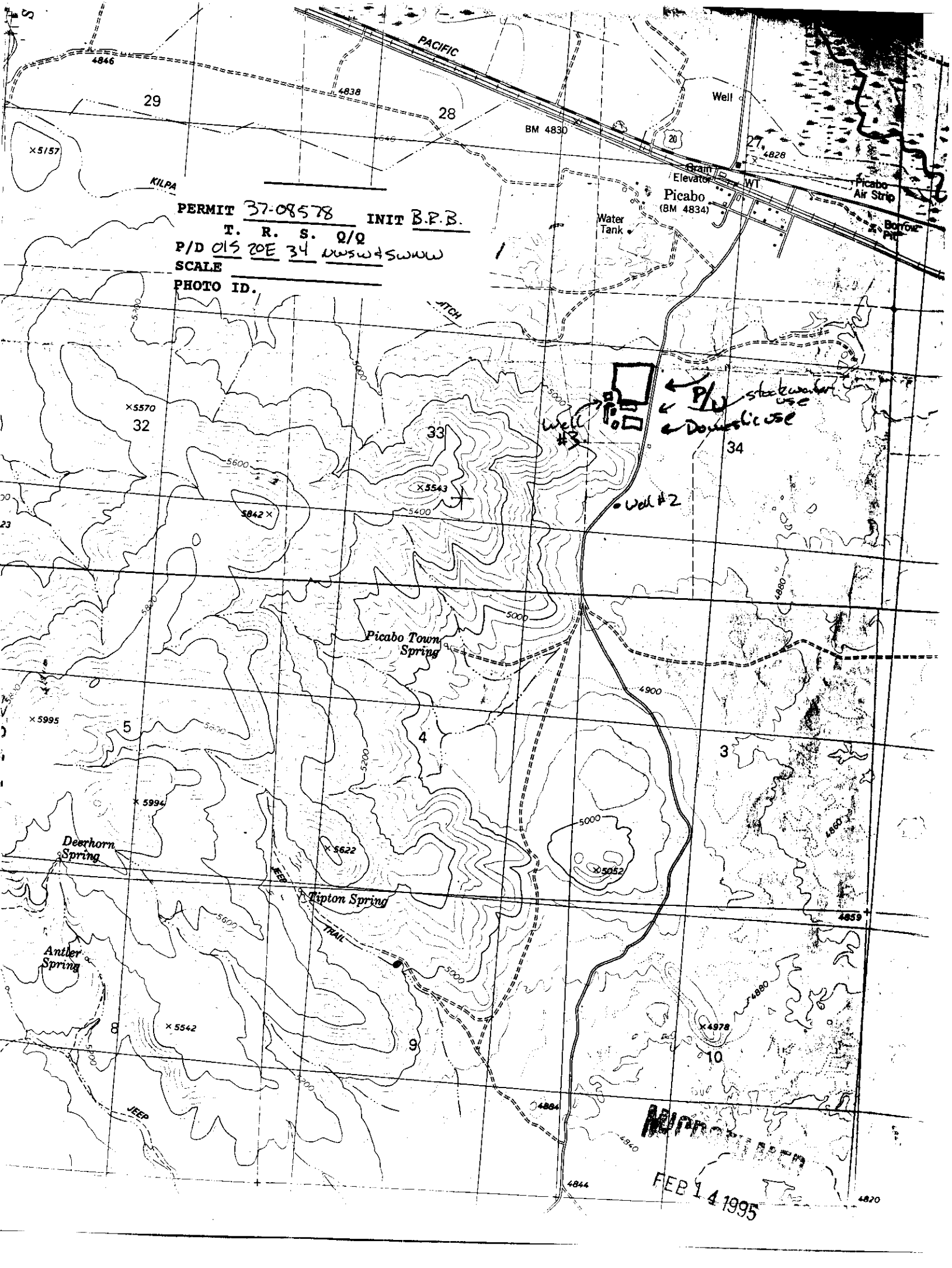
Aerial Photo 737-08578
P/O-13 gets by her
plum: water
reading

House
Trailer
Rain
Apartment

89.31
← corals

Avenue

Feb 14 1995



PERMIT 37-08578 INIT B.P.B.

T. R. S. Q/Q
P/D 01S 20E 34 NW 1/4 SW 1/4

SCALE

PHOTO ID.

P/W stock water use
Domestic use

FEB 14 1995

P37-08578

These photos were
taken on July 18, 1943.



Hand lines & pasture
in background

Well #3 on map

P/O

6" x 430' Well

P/O House is part of domestic
use

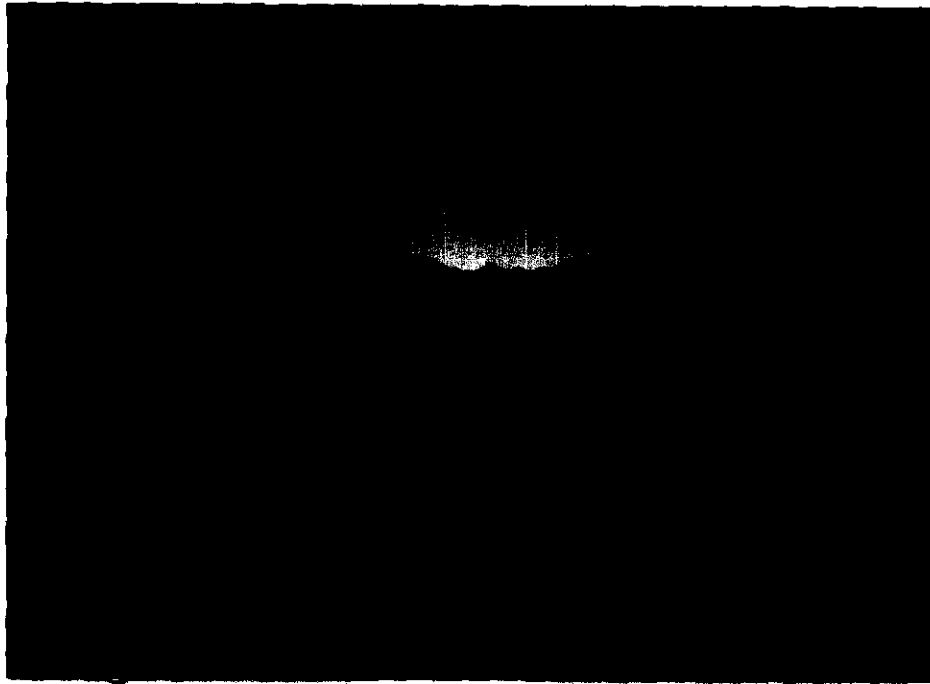


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FEB 14 1995

737-08578

These photos were
taken on July 18, 1993.



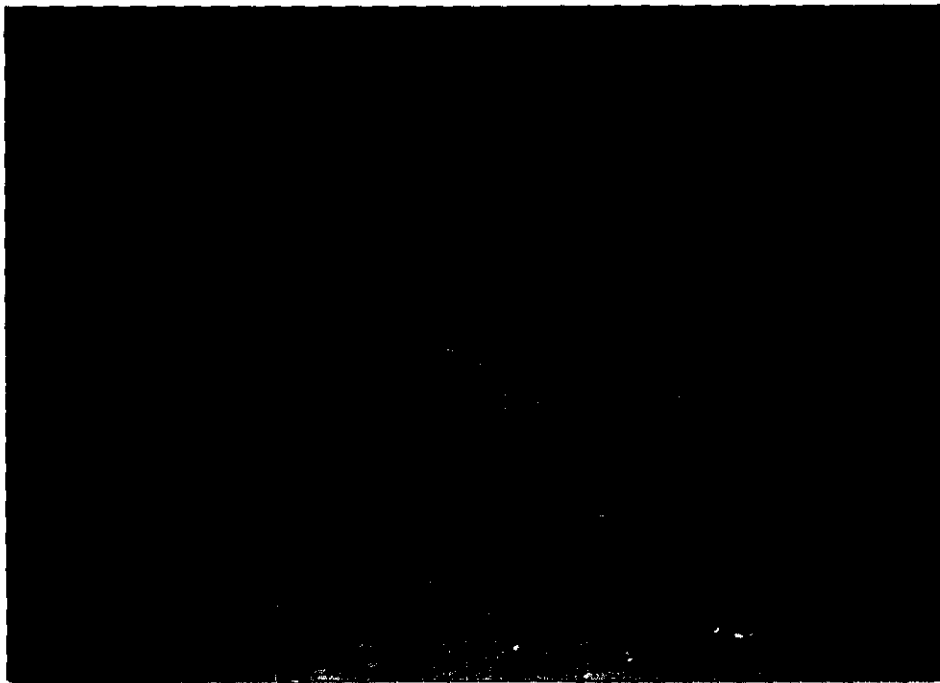
Picabo Water Tower

P/O
One handline
with 22 hds
waters
pasture



This is where
the Picabo Spring
is located (see aerial
map). The Picabo Water
System
runs through
Breckenridge's
property to the
Picabo Water Tower.
This system is
gravity run.

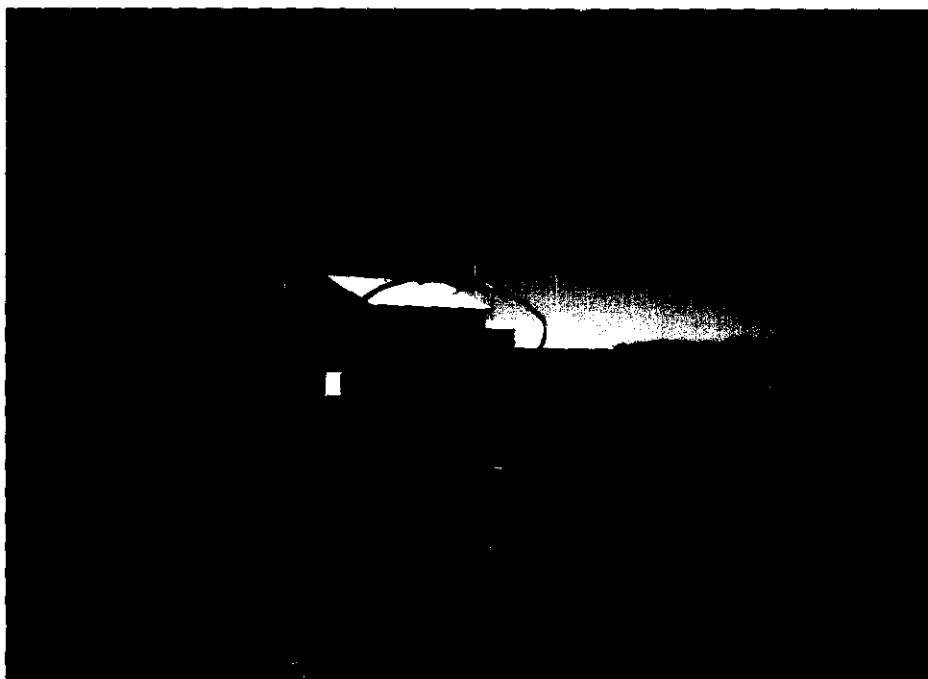
FEB 14 1995



P37-08578
These photos were
taken on July 18, 1993.

Trailer
P/U ~ Part of Domestic
Use

P/U ~ Basic Apartment
Part of Domestic
Use



Each private canal
has automatic stockwater

RECEIVED
FEB 14 1995

October 2, 1992

KATHERINE BRECKENRIDGE
PO BOX 685
PICABO ID 83348

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08578

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

RECEIVED
OCT 26 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 17, 1992

Katherine Breckenridge
PO Box 685
Picabo, ID 83348

Re: Permit No. 37-08578

Dear Permit Holder:

Returned is the proof of beneficial use you submitted to this office. In order for the Department to complete processing, further information is required. You failed to complete #6 (total rate and/or volume). Your permit was issued for 0.28 cfs.

When the total rate or volume is 0.04 or greater, a license examination fee applies. A license examination fee based on a rate of 0.28 cfs is \$100. I have enclosed an instruction sheet and fee schedule for your convenience.

Since the permit lapsed on September 1, 1992, it is imperative that you return the properly completed form and fee as soon as possible. If it is not returned by November 1, 1992, the Department may not be able to reinstate the permit.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

MICROFILMED

OCT 26 1992

September 4, 1992

KATHERINE BRECKENRIDGE
PO BOX 685
PICABO ID 83348

LAPSE NOTICE

RE: PERMIT NO. 37-08578

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated June 30, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 9/8/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MAILED

OCT 26 1992

June 30, 1992

KATHERINE BRECKENRIDGE
PO BOX 685
PICABO ID 83348

PROOF DUE NOTICE

RE: PERMIT NO. 37-08578

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

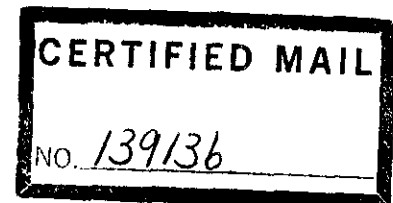
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED
OCT 26 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 20, 1991

KATHERINE BRECKENRIDGE
PO BOX 685
PICABO ID 83348

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08578

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions

SEP 27 1991

pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosure

SEP 27 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 37-8578/Trust Water Processing

DATE: 9-4-91

The above application is a trust water filing which has been advertised and reviewed in sequence with other trust filings. Continued processing of the application was delayed since the filing is located within the Big Wood River basin and the department was considering establishing a groundwater management area (GWMA) for portions of the Big Wood earlier this year. The Big Wood River GWMA has been established but the proposed point of diversion for application no. 37-8578 is located just outside of the administrative boundaries.

Review of a 1974 orthophoto and 1980 infrared aerial photo on file at the department do not provide conclusive evidence that the 15 acres described under the application were irrigated in those years. Without other evidence concerning development prior to 1984, the acreage must be counted as trust acreage. I recommend continued processing of the application and attaching trust conditions to any approval.

RECEIVED

SEP 27 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 30, 1991

Katherine Breckenridge
P.O. Box 685
Picabo, ID 83348

Dear Ms. Breckenridge:

The Department of Water Resources recently designated a ground water management area which encompasses the upper Big Wood River Valley, the Bellevue Triangle, a portion of the Silver Creek drainage, and the Camas Prairie. Our records show that you have filed an application for permit to appropriate water with the Department which proposes a point of diversion within the ground water management area.

The Department intends to process pending applications within the ground water management area. Any applicant who proposes consumptive use, other than domestic use not exceeding one-half acre of irrigation, must show that his proposed use will not reduce flows in the Big Wood River or Silver Creek, or he must propose a reasonable plan to mitigate the reduction in flow.

Our records show that you have applied for a consumptive use of water. Prior to processing your application, or conducting a hearing if the application is protested, you must submit the following information:

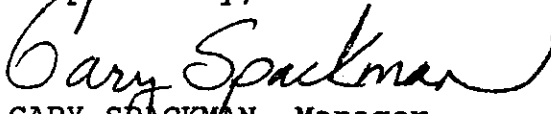
1. Hydrologic evaluation of the ground water aquifer at the proposed point of diversion and its relationship to surface water, including timing of potential impacts.
2. If the hydrologic evaluation results in a conclusion that a well can be constructed without impact, a prospectus discussing well construction methods and standards must be submitted which will be implemented to prevent depletion of surface flow.
3. If the hydrologic evaluation results in a conclusion that a well cannot be constructed without depleting surface flow, a plan of mitigation and/or compensation must be submitted that will replace depletions of surface water caused by proposed ground water withdrawal.

SEP 27 1991

If you do not wish to submit the above information, you may withdraw your application by completing the enclosed withdrawal form. If your application includes a domestic component, and you wish to limit the application to domestic use, please inform the Department.

Failure to respond to this inquiry within thirty (30) days, with either the withdrawal or a schedule for submittal of the above information, is cause for the Department to void the application for failure to submit requested information.

Respectfully,


GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

SEP 27 1991

07-Feb-1990

Katherine Breckenridge
P.O. Box 685
PICABO ID 83348

Re: Application for permit No. 37-08578

Dear Ms. Breckenridge:

The above referenced application for permit was advertised in error. Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

RECEIVED
SEP 27 1991

07-Dec-1989

Katherine Breckenridge
P.O. Box 685
Picabo, ID 83348

Re: Application for Permit No. 37-08578

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Wood River Journal on 12/20 & 12/27/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the 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.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

SEP 27 1991

SEP 27 1991

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

DEC 28 1989

Department of Water Resources
Southern Region Office

DANIEL J. GORHAM

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 20 day of Dec., 19 89, and

the date of the last publication was on the 27 day of Dec., 19 89.

Daniel J. Gorham
Subscribed and sworn to before me this 27th day of Dec., 19 89.
(SEAL)

Kathleen Breckenridge
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 40
Number of Insertions 2
Lines tabular at 5.5¢/Pica
40 Lines straight at 22.00 54.5¢/Pica
40 Subsequent lines at 17.60 43.5¢/Pica
TOTAL COST 39.60

COPY OF NOTICE

(Paste Here) (Breckenridge)
Application # 37-08578

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res. TF
BILL TO

file on water rights NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of

[Redacted Name]

[Redacted Name]

STOCKWATER
Section Pt. SWNW Sec 34 T
R 20E

Use: STOCKWATER (.020 CFS)
DOMESTIC (.020 CFS)
IRRIGATION (.240 CFS)
Total Diversion: (.280 CFS)
(.115.00 AF)

Date Filed: 8/1/1989
In: T01S R20E S34 SWNW
15.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Permits may be submitted based on the criteria of Sec. 42-202A, Idaho Code, and/or the new public interest criteria of Sec. 42-202B, Idaho Code. Permits must be filed with the Director, Dept. of Water Resources, 2100 W. Avenue East, Twin Falls, Idaho 83401, on or before June 1, 1990.

R. [Redacted Name], Director
Publisher: Wood River Journal
December 20, 1989

7-8 pt. per line straight....4.5/pica
7-8 pt. per line tabular....5.5/pica
7-8 pt. per line successive
insertion....3.5/pica

60860

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

DECEMBER 6, 1989

WOOD RIVER JOURNAL
P.O. BOX 988
HAILEY, ID 83333

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. 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 JANUARY 8, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
SEP 27 1991

37-08578

BRECKENRIDGE, KATHERINE
P.O. BOX 685
PICABO, ID 83348

Source: GROUNDWATER

Diversion Pt: SWNW Sec 34 T 01S R 20E

Use: STOCKWATER (.020 CFS)

 DOMESTIC (.020 CFS)

 IRRIGATION (.240 CFS)

 Total Diversion: (.280 CFS) (115.00 AF)

Date Filed: 9/11/1989

In: T01S R20E S34 SWNW

15.0 ACRES TOTAL

RECEIVED
DEC 18 1989
Department of Water Resources
Southern Region Office

Disk: Legals/2NofAp

**Breckenridge
files on water rights**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-08578
BRECKENRIDGE, KATHERINE
P.O. BOX 685
PICABO, ID 83348
Source: GROUNDWATER
Diversions Pt.: SWNW Sec 34 T
01S R 20E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.020 CFS)
IRRIGATION (.240 CFS)
Total Diversion: (.280 CFS)
(.115.00 AF)

Date Filed: 9/11/1989
In: T01S R20E S34 SWNW
15.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301, on or before JANUARY 8, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal--
December 20 & 27, 1989.

OK
DF 12-18-89

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42- 3A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JANUARY 8, 1990.

R. Keith Higginson, Director

Published 12/20/1989 & 12/27/1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appl. ation(s) have been filed to appropriate the public waters of the State of Idaho: