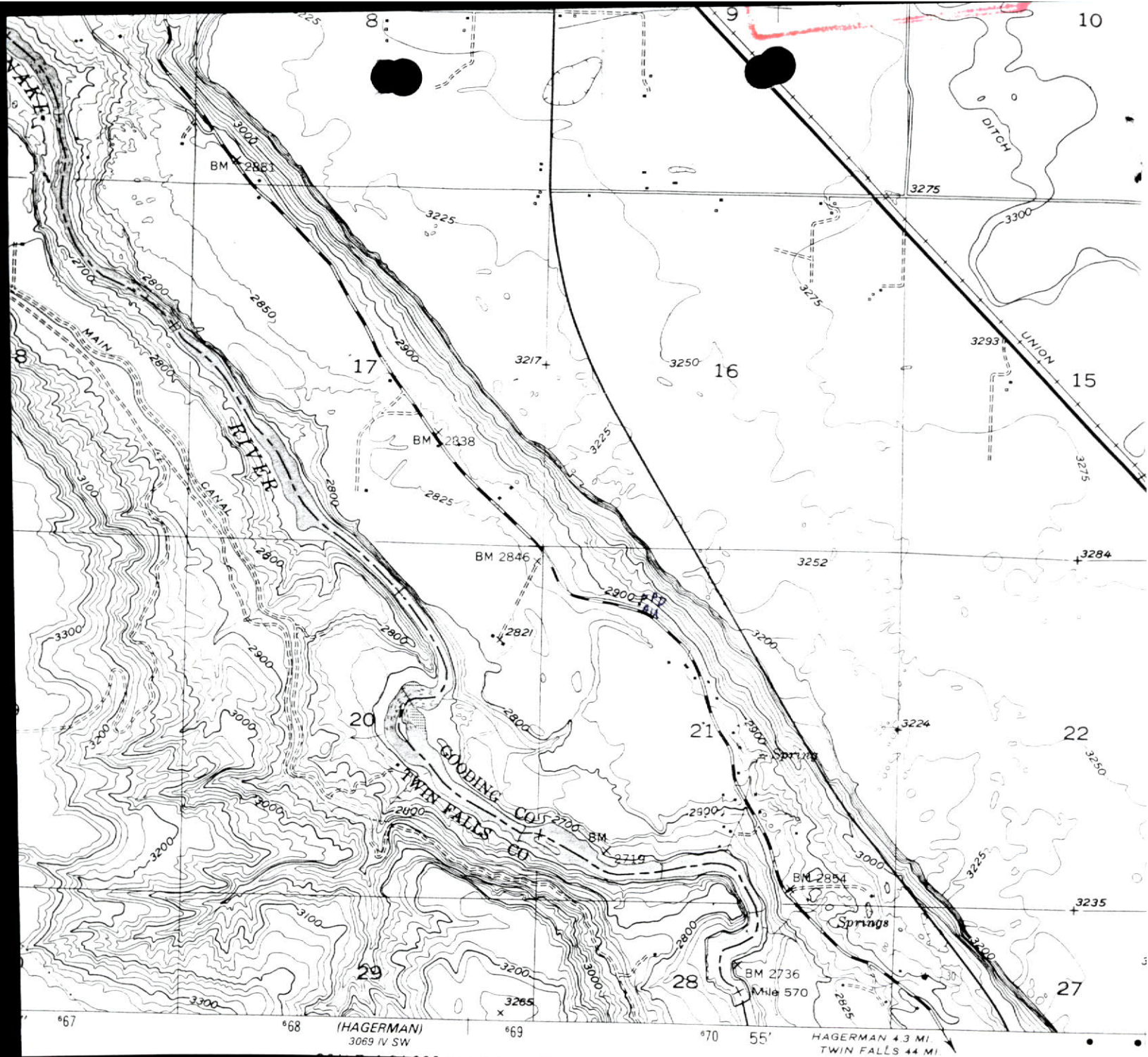




STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 23 1995

Department of Water Resources

A. GENERAL INFORMATION

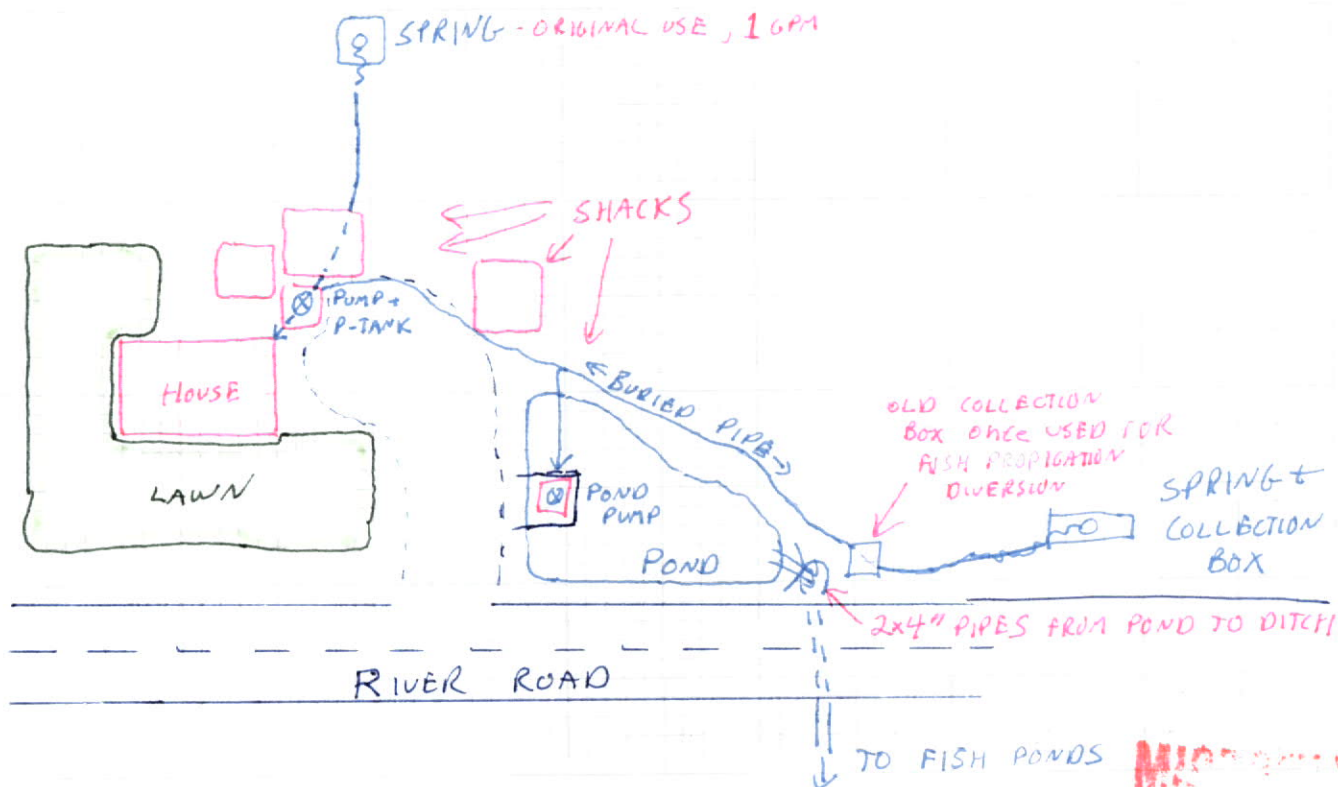
1. Owner: JAMES & JENNETTE BRIZENDINE Permit No. 37-8391
Current Address: HC 60 Box 1070, Bliss, ID 83314 Phone No. 837-6261
2. Accompanied by: JAMES BRIZENDINE EXAM. DATE: 7-7-93
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: SPRING tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: -NONE- ☐ Copies Attached
2. Other water rights with same point of diversion: 37-8392 (REC. USE FOR POND) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

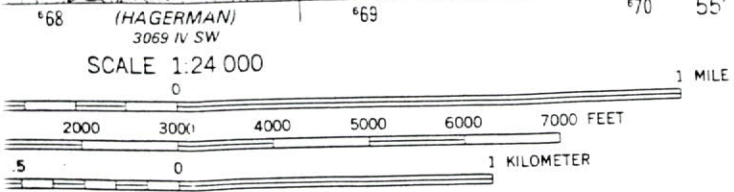
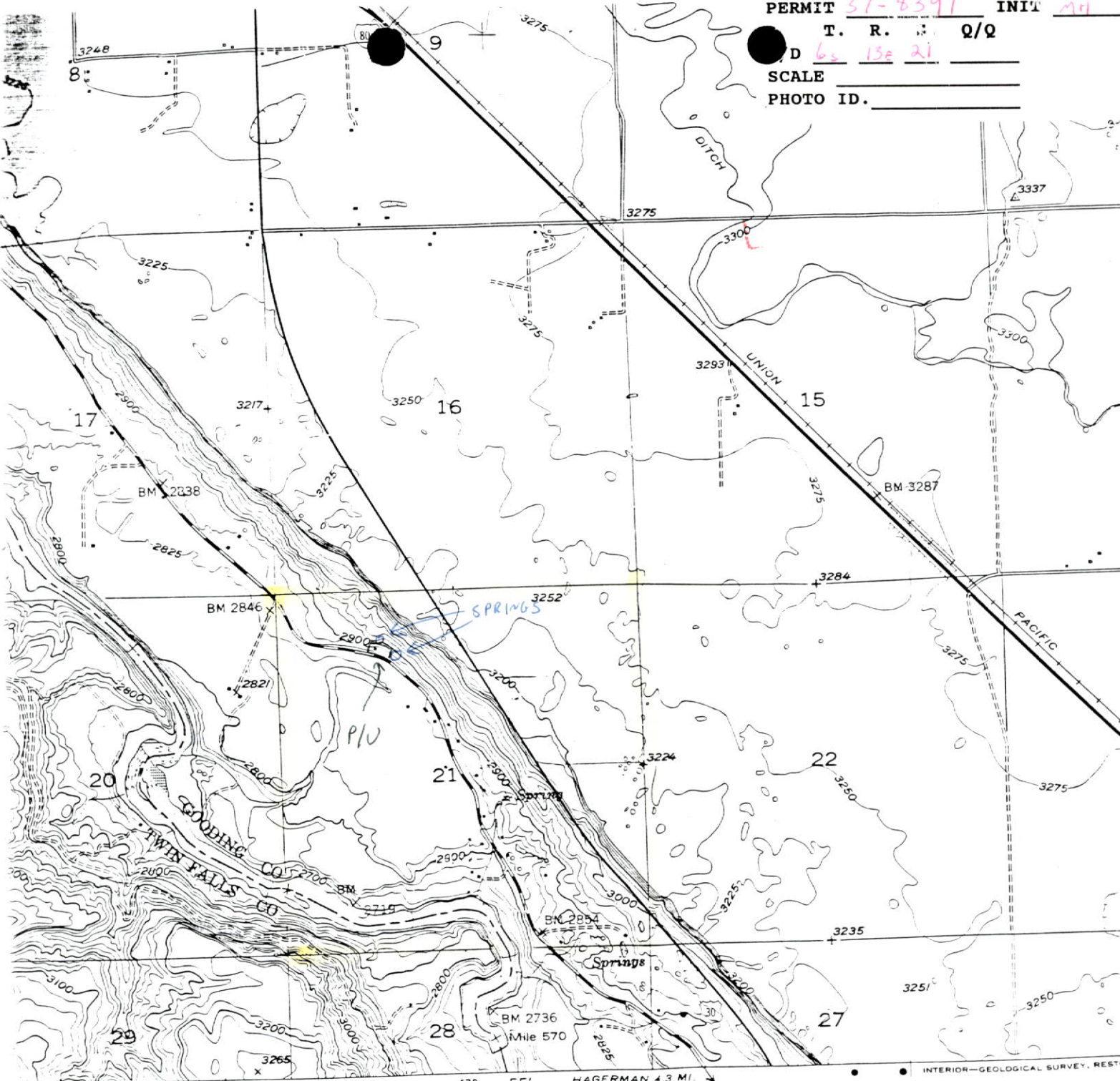


Scale: 1" = 30'

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

JUL 19 1995

PERMIT 37-8391 INIT ML
 T. R. Q/Q
 D 6s 13e 21
 SCALE _____
 PHOTO ID. _____



CONTOUR INTERVAL 25 FEET
 OUR INTERVAL ON RIVER SURFACE 5 FEET
 AL GEODETIC VERTICAL DATUM OF 1929
 PLIES WITH NATIONAL MAP ACCURACY STANDARDS
 SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
 OPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



ROAD CLASSIFICATION
 Primary highway, all weather, hard surface _____ Light-duty improved s
 Secondary highway, all weather, hard surface _____ Unimproved weather
 Interstate Route U.S. Route

MACRO
JUL 19 1995

BLI
 N4252
 PHOTO
 AMS 3069

BRIZENDINE
37-8391



SPRING + COLLECTION BOX



HOUSE + LAWN

RECEIVED
JUL 19 1995

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,)
) SS.
County of Gooding)

DEC 30 1988

Department of Water Resources
Southern Region Office

Mike Thornberry, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 21 day of Dec 19 88, and the date of the last publication was on the 28 day of December, 19 88.

Subscribed and sworn to before me this 29th day of Dec, 19 88.
(SEAL)

Launa M. Lume
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 29
Number of Insertions 2

Lines tabular at 5¢/Pica
29 Lines straight at 15.08 4¢/Pica
29 Subsequent lines at 13.20 3.5¢/Pica
TOTAL COST 28.28

COPY OF NOTICE
(Paste Here)

dept of water
TITLE OF NOTICE
Brizendine

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

dept of water
BILL TO

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
37-08391
BRIZENDINE, JAMES E.
BRIZENDINE, JENNETTE
HC 60 BOX 1070
BLISS, ID 83314
Source: SPRINGS
Tributary: SINKS
Diversion Pt: SWNENW Sec 21 T 06S R 13E; Gooding County; 5 1/2 miles NW of Hagerman on old HWY 30.
Use: DOMESTIC (.010 CFS)
Date Filed: 8/29/1988
In: T06S R13E S21 NENW
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 9, 1989.
/s/ R. Keith Higginson, Director
PUB: 12-21; 12-28 G8365

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....4¢/Pica
7-8 pt. per line tabular.....5¢/Pica
7-8 pt. per line successive
insertions.....3.5¢/Pica

No 1357

JUN 13 1989

8365

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08391

Priority: August 29, 1988

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that JAMES E BRIZENDINE
JENNETTE BRIZENDINE

HC 60 BOX 1070

BLISS ID 83314

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 29, 1988; and has submitted Proof of Beneficial Use on February 8, 1990. An examination indicates that the works have a diversion capacity of 0.100 cfs of water from:

SPRINGS

tributary to SNAKE RIVER

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>
DOMESTIC	01/01 to 12/31	0.01 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNENW, Sec. 21, Township 06S, Range 13E
GOODING County

PLACE OF USE: DOMESTIC

TWN RGE SEC

06S 13E 21

NENW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
6. Source is known locally as Decker Springs.
7. Two points of diversion are located within SWNENW, S21, 13E.
8. Right 37-08392 is also diverted through the point(s) of diversion described above.
9. Domestic use is for 1 home.

APPROVED

JUL 19 1995

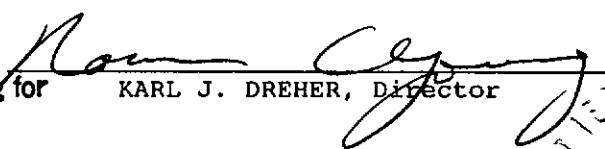
State of Idaho
Department of Water Resources

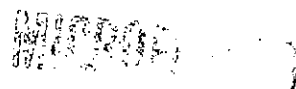
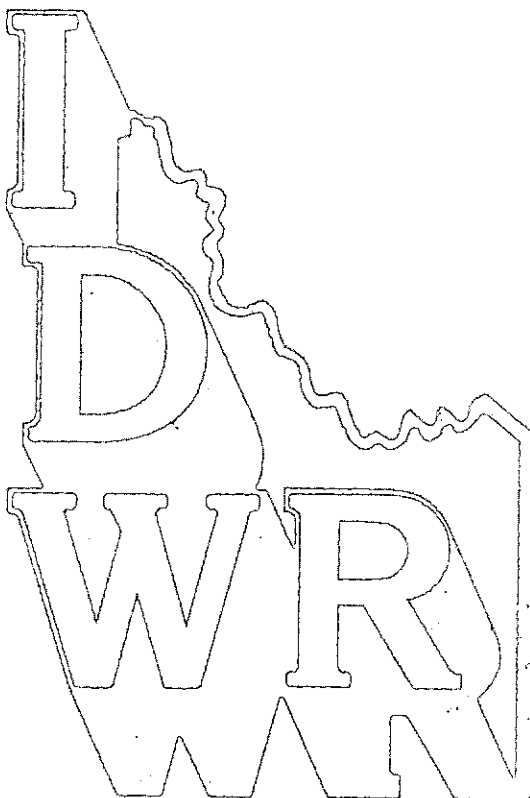
WATER RIGHT LICENSE

WATER RIGHT NO. 37-08391

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 30th
day of JUNE, 1995.

Acting for


KARL J. DREHER, Director



JUL 19 1995

RECEIVED
FEB 8 1990

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 100.00 50.00
Date 2/8/90
Receipt No. CO 4492
Received by C. Wong

*fee applied to
Permit No 37-839*

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 37-08391 Telephone No. 837 6261

Name(s) of Permit Holder(s): JAMES E. & JENNETTE BRIZENDINE

Post Office Address: HC 60 BX. 1070 BLISS IDA. 83314

Source of Water: SPRING (SINKS)

If ground water, well driller's name: N.A. Date drilled: N.A.

Extent of Use:
Domestic 1 (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.01 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1975

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes XNo Installed? Yes No

OR

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

Fee Enclosed: \$ N.A. (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

SAME AS ABOVE 837 6261
Name Telephone No.

Address

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.

MAY 23 1990

2/7/90 James E. Brizendine
Date Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-08391

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant James E. &/or Jennette Brizendine Phone 837-6261

Post office address HC 60, Box 1070, Bliss, ID 83314

2. Source of water supply Springs which is a tributary of sinks

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____

Sec. 21 Township 6S Range 13E B.M. Gooding County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.01 cfs for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.01 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. headbox & pipeline to storage tank.

Pipe from storage tank to home

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 _____ inches; proposed depth of well is _____ 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
one years (minimum 1 year).

JUN 13 1989

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. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. one
- 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	
6S	13E	21					D												

Total number of acres to be irrigated _____

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

None

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

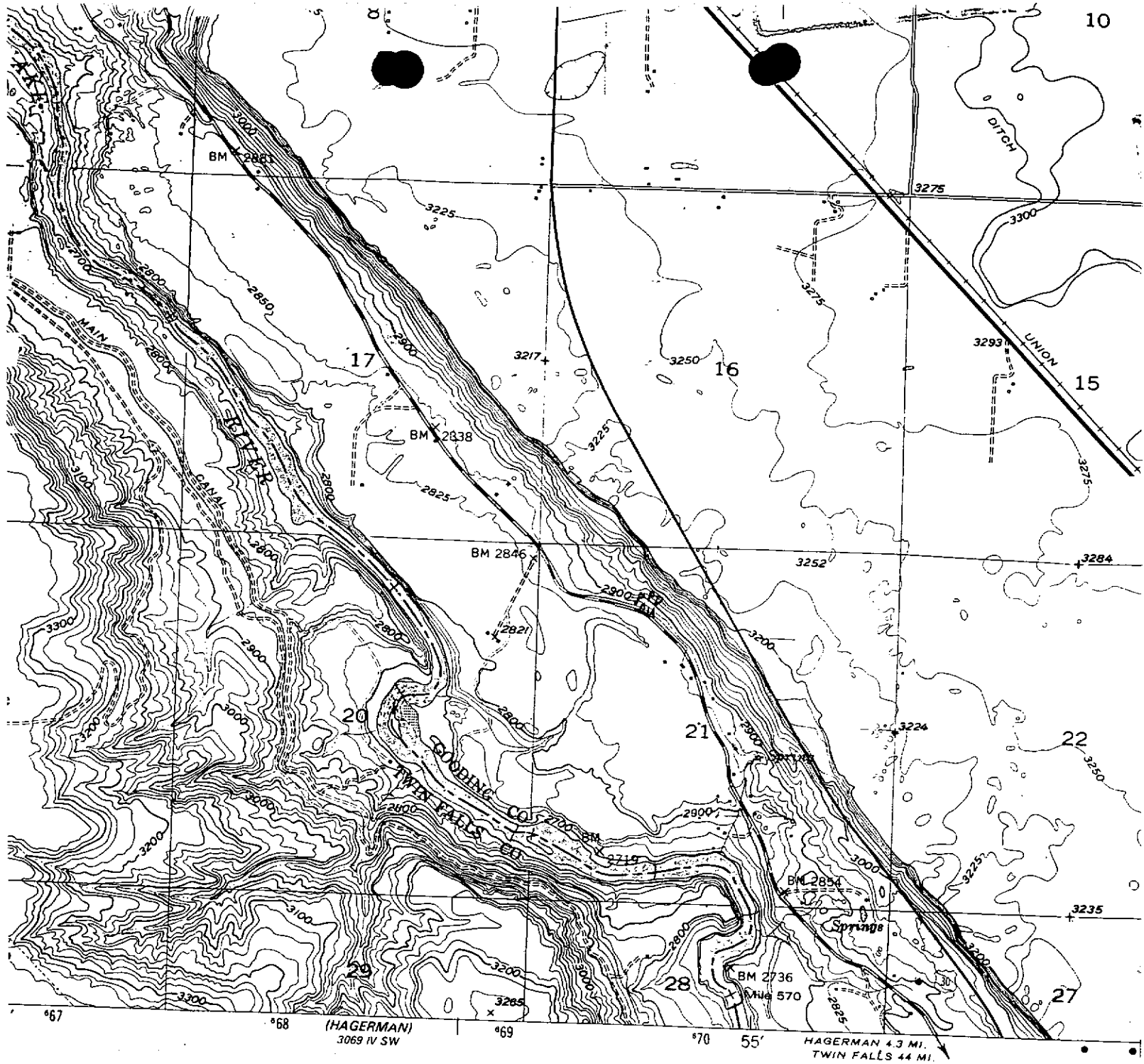
b. Who owns the land to be irrigated or place of use? "

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

12. Remarks: System was developed in 1974. Spring flows less than 0.01 cfs.

FILED

JUN 13 1989



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

MICROFILMED

Scale: 2 inches equal 1 mile.

JUN 13 1989

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.

Janette Brezendine
(Applicant)

Proposed Priority 8/29/88

Received by JS Date 8-29-88 Time 3:45 pm Preliminary check by JK

Fee \$ 30.00 Receipted by JS # S001859 Date 8-29-88

Publication prepared by M. Baldwin Date 12/1/88 Published in Gooding Co. Leader

Publication approved T. Jasper Date 1/16/89

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. 37-8391, 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 April 1, 19 90.

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:

Witness my hand this 10th day of March, 1989.

J. Glen Saylor

MICROFILMED

JUN 13 1989



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

KARL J. DREHER
DIRECTOR

June 30, 1995

JAMES E BRIZENDINE
JENNETTE BRIZENDINE
HC 60 BOX 1070
BLISS ID 83314

RE: WATER RIGHT NO. 37-08391

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

JUL 19 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 037-08391 DATE 6/28/95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE Advance? ☒ Advanced to: Order to reinstate needed? Incorrect fee for rate recommended? NO

SOURCE Changes or just clarification of originally intended source? NEED TO ADD TRIB TO SNAKE RIVER
Notice of Intent to Void necessary? WITH ADDITIONAL SPRING ADDED

POINT OF DIV Amendment needed? ☒
Overlaps? 37-08392

PLACE OF USE Amendment needed? ☒
Overlaps? ☒

DIV RATE Permit/fee limits: .01 CFS
Meas Q = Theo Q = .10 Recommend: .01
(Use DOMESTIC pump theoretical ONLY)
PERMIT limit @ .01
Combined rates exceed capacity

ANNUAL VOLUME Volume Limit: Season: 1-1 to 12-31
Calculations: Standard @ 1.2
Flow limit: cfs x x 1.9835 =
Combined volumes exceed capacity/allowable

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

ADDITIONAL INFO Supplemental Groundwater PPU Scenario
Irr/Dom Combination Shared G/W System

NEW REMARKS W32 Multiple p/d(s) in 1/4 1/4? SWNENW-521-T6S-R13E
YES Other W36 + W01

NEW CONDITIONS B04 Watermaster control - District 137 Source no longer sinks
Measuring/Locking Devices
Irrigation Overlap
Other
Water Quality Heat/Cool/Fish verified

COMMENTS: _____

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	
<u>DOMESTIC</u>	<u>.01</u>	<u>1.2</u>	<u>Adjustment Memo Needed</u>	<u>NO</u>
_____	_____	_____	<u>LICENSE</u>	<u>NO</u>
_____	_____	_____		☒
_____	_____	_____	<u>1ST AMEND LETTER</u>	_____
_____	_____	_____	<u>2ND AMEND LETTER</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 23 1995

Department of Water Resources

A. GENERAL INFORMATION

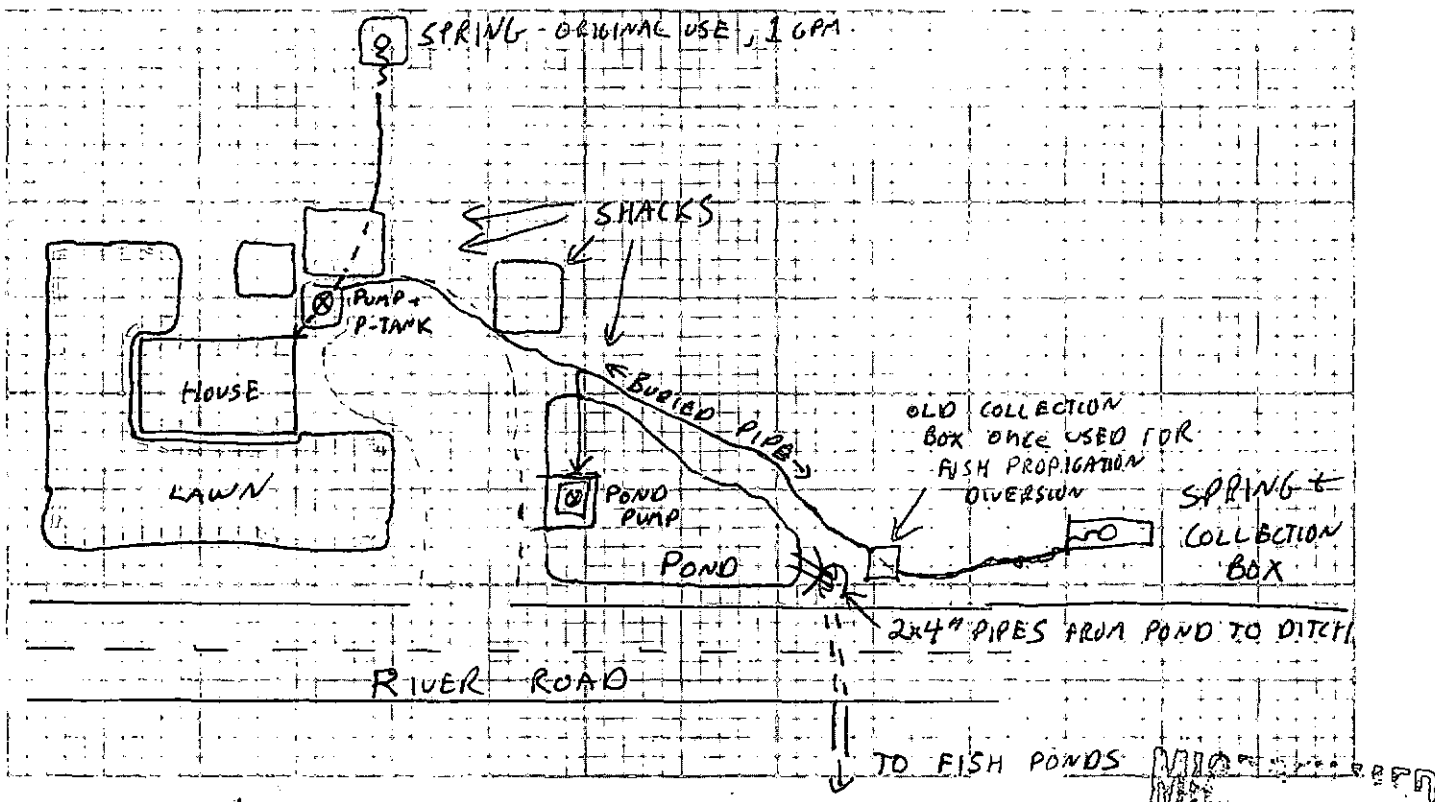
1. Owner: JAMES & JENNETTE BRIZENDINE Permit No. 37-8391
Current Address: HC 60 BOX 1070, BLISS, ID 83314 Phone No. 837-6261
2. Accompanied by: JAMES BRIZENDINE EXAM. DATE: 7-7-93
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: SPRING tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: - NONE - ☐ Copies Attached
2. Other water rights with same point of diversion: 37-8392 (REC. USE FOR POND) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 30'

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). (required for irrigation of 10 acres or more).
- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

JUL 19 1995

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

TWO SPRINGS SERVICE A DOMESTIC USE PUMP AND RUN OFF
INTO A "RECREATIONAL USE" POND (FILED UNDER 37-8392). THE
ORIGINAL SPRING FLOWED AT ONE GPM AND WAS THE ONLY
SPRING IN USE WHEN THIS PERMIT'S APPLICATION WAS FILED. FLOW
WAS INADEQUATE & SO A SECOND SPRING WAS ADDED TO THE SYSTEM.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	N/A	1.5		- SUB -	

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
BOTH SPRINGS		SW	NE	NW	21	6S	13E	GOODING	QUAD

6. **Place(s) of Use:**

Indicate Method of Determination QUAD

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	13E	21					D												D

Do not use this space

MICROFILMED

JUL 19 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

POND RUN-OFF WAS MEASURED AT 1.03 CFS (SEE 37-8392)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: THEORETICAL (1.5 HP, 4' LIAT, 40 PSI) = 0.10 CFS

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ EXT. DOMESTIC: 1.2 AFA

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ 0.10 365 72.4 AFA

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ 1.2 AFA

2. Volume Calculations for Other Uses:

JUL 19 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

WATER WHICH IS NOT USED FOR DOMESTIC RUNS INTO A POND
FILED UNDER 37-8392 AS "RECREATION".

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	1/1	12/31	0.01	1.2
Totals:			0.01	1.2

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name MICHAEL HARSHBARGER

Signature Michael Harshbarger

Certification Date _____

Field Report Preparation Date 7-28-93

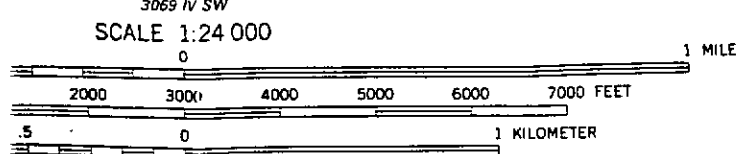
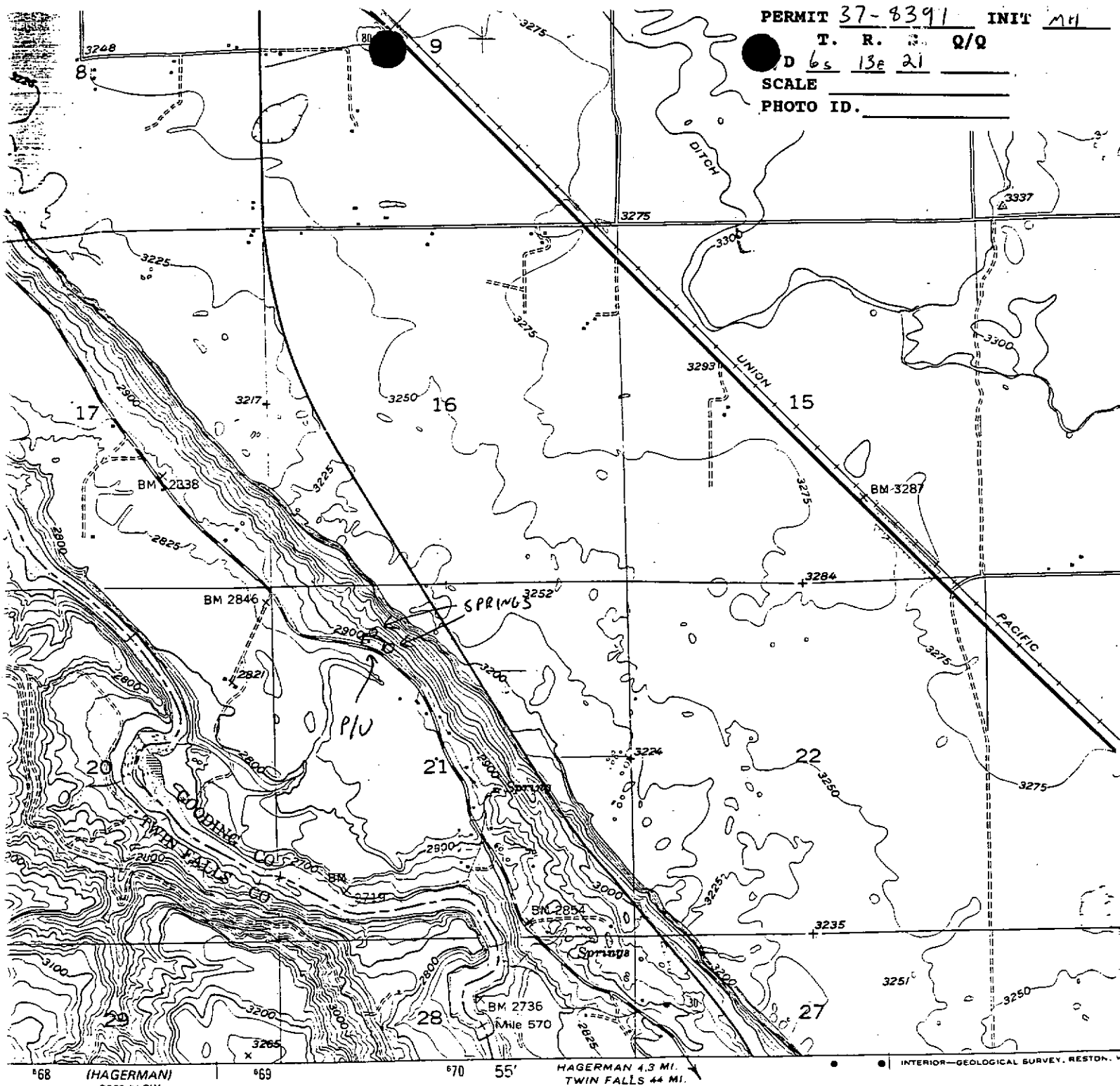
CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

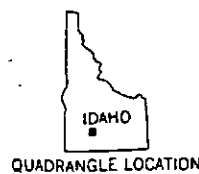
JUL 19 1995

PERMIT 37-8391 INIT MH
 T. R. 3 Q/Q
 D 6s 13e 21
 SCALE _____
 PHOTO ID. _____



CONTOUR INTERVAL 25 FEET
 RIVER INTERVAL ON RIVER SURFACE 5 FEET
 MEAN GEODETIC VERTICAL DATUM OF 1929

CONFORMS WITH NATIONAL MAP ACCURACY STANDARDS
 SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
 TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



ROAD CLASSIFICATION

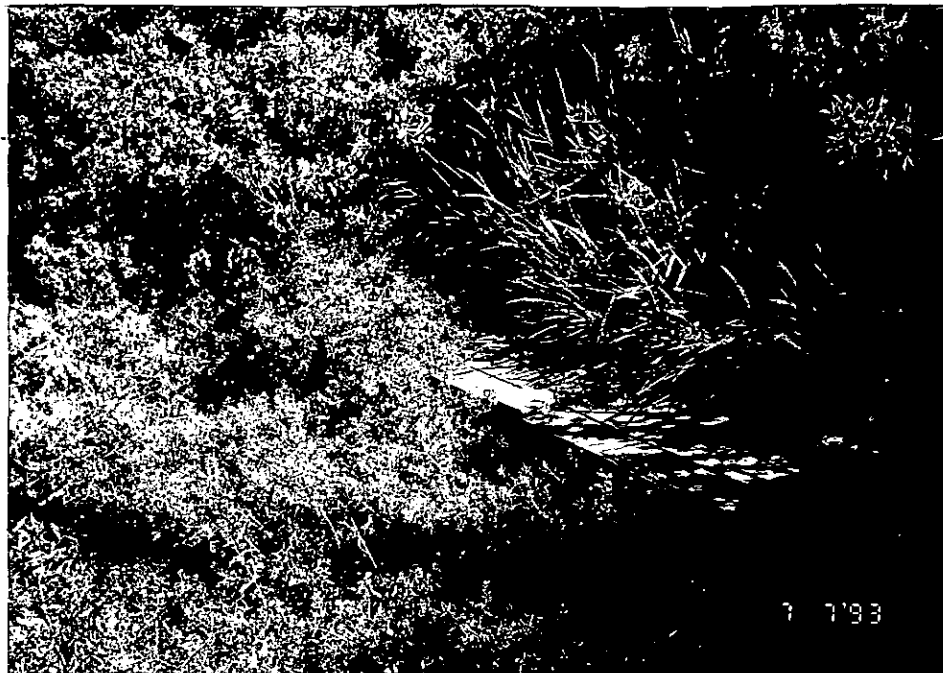
Primary highway, all weather, hard surface _____	Light-duty road, all weather, improved surface _____
Secondary highway, all weather, hard surface _____	Unimproved road, weather _____

○ Interstate Route □ U. S. Route

BLIC
JUL 19 1995
 N4252..

PHOTO
 AMS 3069

BRIZENDINE
37-8391



SPRING + COLLECTION BOX



HOUSE + LAWN

JUL 19 1995

May 15, 1990

JENNETTE BRIZENDINE
JAMES E. BRIZENDINE
HC 60 BOX 1070
BLISS, ID 83314

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08391

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MINUTEMAN

MAY 23 1990

138117
January 31, 1990

JENNETTE BRIZENDINE
JAMES E. BRIZENDINE
HC 60 BOX 1070
BLISS, ID 83314

PROOF DUE NOTICE

RE: PERMIT NO. 37-08391

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 April 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

RECORDED

MAY 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
March 27, 1989

JENNETTE BRIZENDINE
JAMES E. BRIZENDINE
HC 60 BOX 1070
BLISS, ID 83314

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08391

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.

We have enclosed 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 for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUN 13 1989

01-Dec-1988

James E. &/or Jennette Brizendine
HC 60 Box 1070
Bliss, ID 83314

Re: Applications for Permit Nos. 37-08391, 37-08392

Dear Mr. & Mrs. Brizendine:

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office will be advertising the applications in the Gooding County Leader on 12/21 & 12/28/88. A period of ten days following the second publication will be allowed for the submittal of protests.

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

If the applications are not protested, they 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 applications 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,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

RECEIVED
JUN 13 1989

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,)
) SS.
County of Gooding)

DEC 30 1988

Department of Water Resources
Southern Region Office

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 21 day of Dec 19 88, and the date of the last publication was on the 28 day of December, 19 88.

Subscribed and sworn to before me this 29th day of Dec, 19 88.
(SEAL)

Laurena M. Lerner
NOTARY PUBLIC
GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 29
Number of Insertions 2

Lines tabular at 29 5¢/Pica
Lines straight at 15.08 4¢/Pica
Subsequent lines at 13.20 3.5¢/Pica
TOTAL COST 28.28

COPY OF NOTICE
(Paste Here)

appeal for water
TITLE OF NOTICE
Brizendine

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
37-08391
BRIZENDINE, JAMES E.
BRIZENDINE, JENNETTE
HC 60 BOX 1070
BLISS, ID 83314
Source: SPRINGS
Tributary: SINKS
Diversion Pt: SWNW Sec 21 T 06S R 13E; Gooding County; 5 1/2 miles NW of Hagerman on old HWY 30.
Use: DOMESTIC (.010 CFS)
Date Filed: 8/29/1988
In: T06S R13E S21 NENW
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 9, 1989.
/s/ R. Keith Higginson, Director
PUB: 12-21; 12-28 G8365

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight.....4¢/Pica
7-8 pt. per line tabular.....5¢/Pica
7-8 pt. per line successive insertions.....3.5¢/Pica

No 1357
JUN 13 1989

8365

01-Dec-1988

Gooding County Leader
Box 56
Gooding, ID 83330

Re: (6) Applications for Permit Nos.: 36-08392, 36-08393,
36-08394, 37-08390, 37-08391, 37-08392

Gentlemen:

Enclosed you will find 6 legal notices 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 galley proofs for review before publication.

After sending us galley proofs, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JUN 13 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-08391

BRIZENDINE, JAMES E.
BRIZENDINE, JENNETTE
HC 60 BOX 1070
BLISS, ID 83314

Source: SPRINGS

Tributary: SINKS

Diversion Pt: SWNENW Sec 21 T 06S R 13E ; Gooding County; 5 1/2 miles NW
of Hagerman on old HWY 30.
Use: DOMESTIC (.010 CFS)

Date Filed: 8/29/1988

In: T06S R13E S21

NENW

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 9, 1989.

R. Keith Higginson, Director

Published 12/21/1988 & 12/28/1988

MICROFILMED

JUN 13 1989

OK 7/12

LEGAL IDWR GCL LE

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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been filed to appropriate the public
waters of the State of Idaho:

37-08391
BRIZENDINE, JAMES E.
BRIZENDINE, JENNETTE
HC 60 BOX 1070
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Source: SPRINGS
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13E; Gooding County; 5 1/2 miles NW of
Hagerman on old HWY 30.
Use: DOMESTIC (.010 CFS)
Date Filed: 8/29/1988
In: T06S R13E S21 NENW

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Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301
on or before JANUARY 9, 1989.
/s/ R. Keith Higginson, Director
PUB: 12-21; 12-28 G8365

OK
12/14/88
MB

NOT FILMED

JUN 13 1989

STAFF ANALYSIS SUPPLEMENT

1) Water District None Basin # 37-08391

2) Local description (of one P/D)

☐

At the above street address

☐

 miles N/S and miles E/W

of

(City center or numbered highway intersection)

☒

5 1/2 miles NW of Hazen on old Hwy 30

(Travel directions from city center or highway intersection)