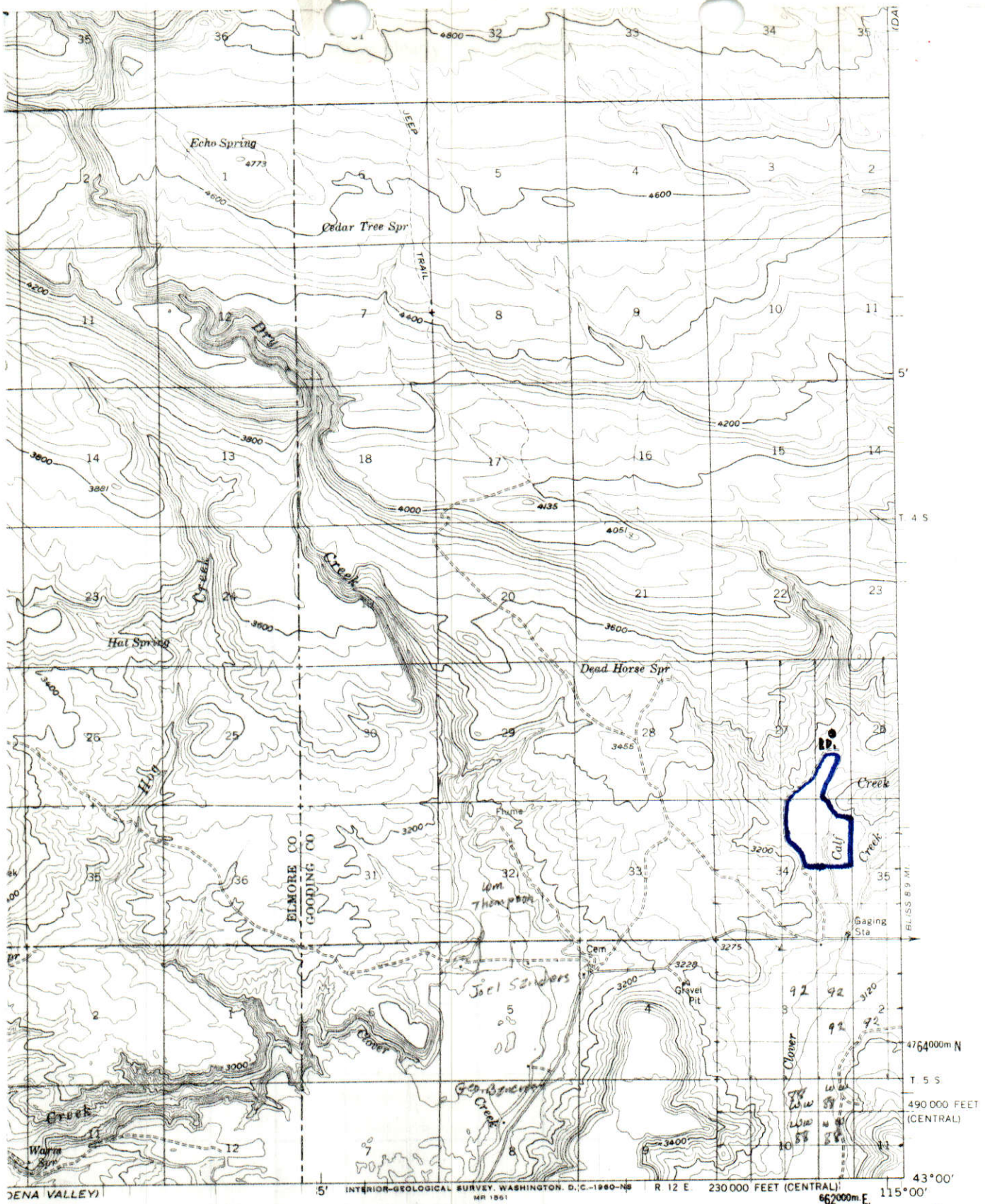




Scale: 1:62500
 0 1 2 3 4 MILES
 0 1000 2000 3000 4000 5000 FEET
 0 2 4 6 KILOMETERS
 INTERVAL 40 FEET
 MEAN SEA LEVEL

NATIONAL MAP ACCURACY STANDARDS
 DENVER 25, COLORADO OR WASHINGTON 25, D. C.
 MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



ROAD CLASSIFICATION
 Heavy-duty ——— Light-duty ———
 Unimproved dirt - - - - -
 U. S. Route

KING HILL, IDAHO
 N4300—W11500/15
 1958

Z-1

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.

James E. Faulkner
 (Applicant)

COPY OF NOTICE

AFFIDAVIT OF PUBLICATION

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
37-08194**

**FAULKNER, JAMES E.
HC 60 BOX 1705
BLISS, ID 83314
Source: GROUNDWATER
Diversion Pt: NESE Sec 27 T04S R12E
Use: IRRIGATION (2.000 CFS)
FISH PROPAGATION (1.000 CFS)
POWER (1.000 CFS)
RECREATION (1.000 CFS)
Total Diversion: (2.000 CFS)
Date Filed: 10/12/1984
In: T04S R12E S27 NESE SWSE SESE
S34 NENE NWNE SWNE SENE
185.0 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, Statehouse Mail, Boise, Idaho 83720 on or before JUNE 25, 1990.

**R. KEITH HIGGINSON,
Director
G14594**

Pub:6-27, 7-4

RECEIVED

SEP 12 1984

TO: []
FROM: []
SUBJECT: []
DATE: []

883

14294

TOTAL COST

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-08194)
)
IN THE NAME OF JAMES E. FAULKNER) **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 August 1, 1996; and,

WHEREAS, the Department notified the permit holder on May 31, 1996, 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,

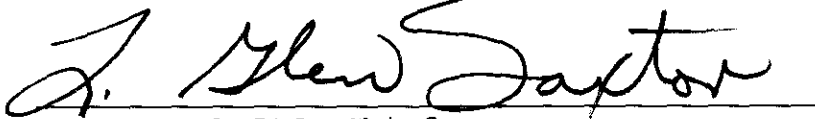
WHEREAS, the department sent the permit holder a lapse notice on August 14, 1996, since an acceptable proof of beneficial use or extension of time had not been received; and,

WHEREAS, Section 42-218a, 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 an acceptable proof of beneficial use on September 27, 1996;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 37-08194 is **REINSTATED** with an advance in priority to December 8, 1984.

DATED this 6th day of November, 1996.


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

SEP 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES RECEIVED

Department of Water Resources
Southern Region

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder 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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08194 Telephone No. 208 837 4711

2. Name(s) of Permit Holder(s): JAMES E FAULKNER

3. Mailing Address: P.O. Box 152 Bliss, Idaho 83314

4. Source of Water: well If GROUNDWATER (well), Date Drilled: mo. April yr. 85

a. Well Driller: Eaton Drilling Drilling Permit Number: _____

b. OPTIONAL: Artesian flow
Pump Horsepower: 50 ~~var~~ Pressure (psi): 50-60 Dynamic pumping level (ft): _____
on rc-1-ft pump

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): 200 beef cattle

Irrigation (No. of acres): 185 Other: fish prop, swimming pool

6. Total rate of diversion and/or volume for which proof is submitted: 2 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ☒ or No _____
Has the measuring device been installed? Yes ☒ or No _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No _____
Has the measurement port been installed? Yes _____ or No _____

8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: JAMES E FAULKNER Telephone Number: 208 837 4711

Address: 402 E 1100S

10. The information given on this form 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.

Signature of permit holder: James E Faulkner Date: 9/26/96
(include your title, if on behalf of company or organization)

RECEIVED

JUL 26 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 37-08194

Name(s) of Permit Holder: James E. Faulkner

Mailing Address: PO Box 152, Bliss, ID 83314

Date Proof is Due: 8-1-1995

Telephone No. 837-4211 (Mrs. Faulkner)

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Well has been developed. Swimming pool is installed & in use. Water flows from pool to irrigation system. About 65 acres are being irrigated

Costing \$ 30,000.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

I finally got on SCS loan to upgrade my irrigation system from gravity to sprinklers. Delays from the SCS have prevented completion of the project.

Permit holder(s) request an extension to 8-1, 19 96

FEE: \$50.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to **August 1, 1996.**

Signed this 2nd day of August, 19 95

J. E. Saylor
AUG 08 1995
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08194

Proposed Priority: October 12, 1984 **Maximum Diversion Rate:** 2.00 CFS
This is to certify, that **JAMES E. FAULKNER**
HC 60 BOX 1010
BLISS, ID 83314
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	2.00 CFS
FISH PROPAGATION	01/01 to 12/31	1.00 CFS
POWER	01/01 to 12/31	1.00 CFS
RECREATION	01/01 to 12/31	1.00 CFS
Totals		2.00 CFS

LOCATION OF POINT(S) OF DIVERSION: NESE Sec. 27, Township 04S, Range 12E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	12E	27	NESE 15	SWSE 20	SESE 15		50
		34	NENE 25	NWNE 40	SWNE 30		
			SENE 40				135
Total number of acres irrigated:							185

PLACE OF USE: POWER

TWN RGE SEC

04S 12E 27 NESE

PLACE OF USE: FISH PROPAGATION, same as IRRIGATION use

PLACE OF USE: RECREATION, 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 August 1, 1995.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.

RECORDED
OCT 12 1984

Permit To Appropriate Water

NO. 37-08194

CONDITIONS/REMARKS:

5. 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.
6. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
8. The permit holder shall either install a measuring device or a flow measurement port or provide a certified measurement or computation of flow based upon system design to be prepared by a professional engineer.
9. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
10. Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
11. The water right acquired under this permit 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 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.
12. The Director retains jurisdiction of this permit in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
13. This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
14. The permit holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
15. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
16. 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.

MICROFILMED

SEP 12 1990

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

NO. 37-08194

CONDITIONS/REMARKS:

17. Water shall not be diverted solely for power production purposes, however, power may be produced utilizing water diverted for other uses.
18. Can produce 1.8 kw at 70% efficiency; horsepower 30 feet of head.
19. Water diverted under this permit must first be used for a purpose beneficially using the heat in the water before it is used for power or irrigation purposes.

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

22nd day of August, 1990.

for

J. Glen Saxton
R. Keith Higginson, Director

MICROFILMED

SEP 12 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant James E. Faulkner Phone 352-4690

Post office address H. C. 60 Box 1705, Bliss, ID 83314

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 4S

Range 12E B.M. Gooding County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0cfs for Irrigation purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs ~~or more feet per annum~~)

Amount 1.0cfs for Power ³ purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs ~~or more feet per annum~~)

Amount 1.0cfs for Fish Prop. ² purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs ~~or more feet per annum~~)

Amount 1.0cfs for Recreation ⁴ purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs ~~or more feet per annum~~)

5. Total quantity to be appropriated:

a. 2.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Artesian hot-water well, pump for gravity
irrigation, penstock to generator, fish pond

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; ~~proposed~~ depth of well is 450 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 4S

Range 12E B.M.

(2) Amount of power to be generated: Can produce 1.8 kw @ 70% efficiency*
--4.8--* horsepower under 30 feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: Power production for home use (non-commercial);
pond will be used to raise fish for private recreation or for commercial shrimp
production

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	12E	27													15		20	15	50
		34	25	40	30	40													135

Total number of acres to be irrigated 185

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

Decreed rights from Galf Creek

9. a. Who owns the property at the point of diversion Applicant

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

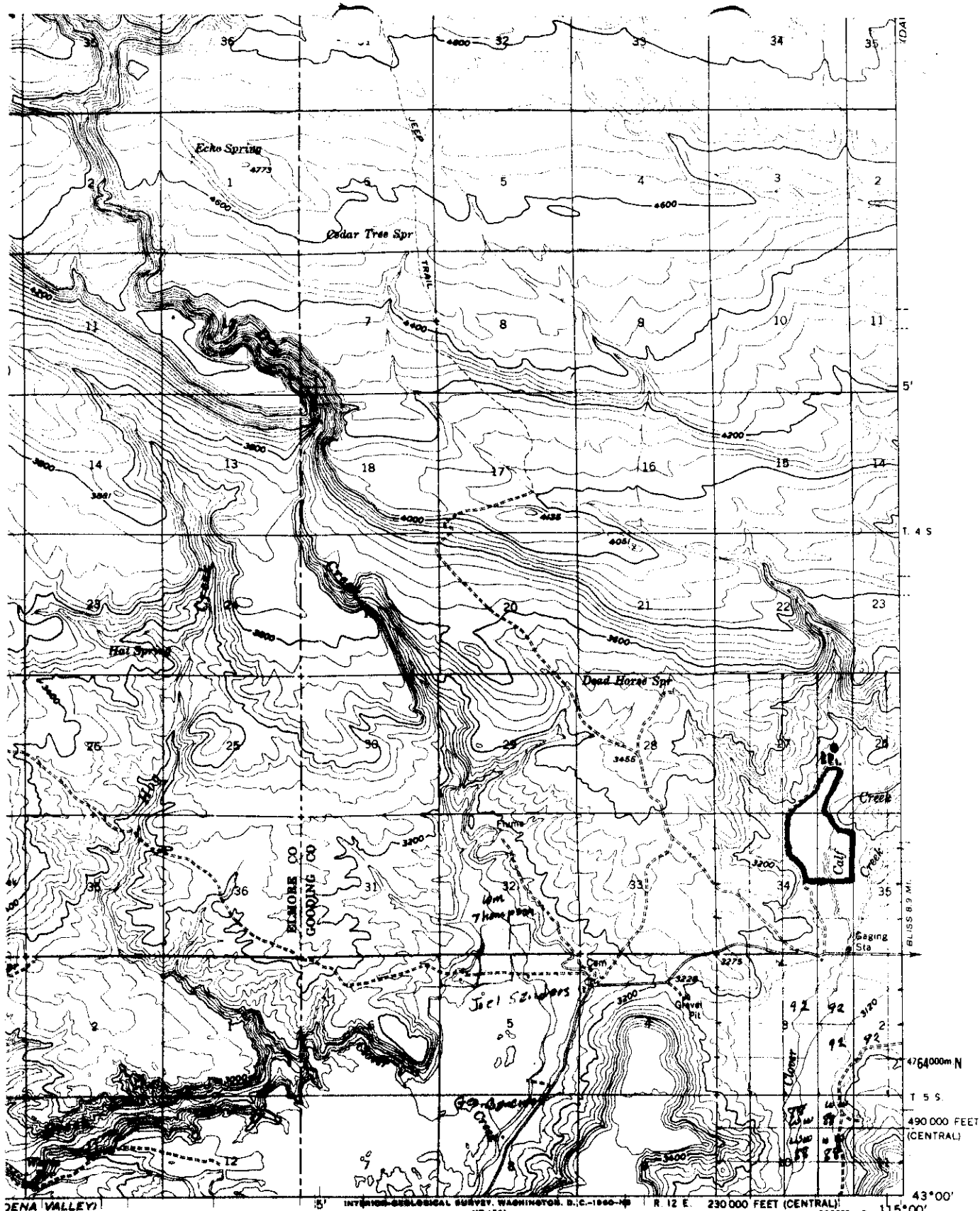
10. Remarks Well has already been drilled for heating home & swimming pool.

As it is very expensive to bring electric power to the home, I would like to use the well to produce power for my own use in the home.

Irrigation use of the well would supplement the decreed rights when stream flows decrease in late summer.

MICROFILMED

SEP 12 1990



LE 1:62500

0 1 2 3 4 MILES

0 1 2 3 4 KILOMETERS

INTERVAL 40 FEET
MEAN SEA LEVEL

NATIONAL MAP ACCURACY STANDARDS
DENVER 25, COLORADO OR WASHINGTON 25, D. C.
MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



ROAD CLASSIFICATION

Heavy-duty ——— Light-duty - - - - -

Unimproved dirt

U. S. Route

KING HILL, IDAHO
N4300—W11500/15
1958

Z-1

IMED

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.

James E. Faulkner
(Applicant)

Received by JS Date 10-12-84 Time 2:45 pm
Preliminary check by TB Fee \$ 65.00
Receipted by JS Date 10-12-84 # 35208
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: none

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

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. Other:

MICROFILMED

SEP 12 1990

RECEIVED
AUG 7 1990

State of Idaho
Department of Water Resources

37-8194
Water Right No.

**AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES**
Department of Water Resources

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, Faulkner James E of Bliss
(name) (city)

County of Gooding, State of Idaho, being duly sworn, do hereby
certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____
(name) (city)

County of _____, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the _____

_____ : that as such I am in charge of the registered office
(name of corporation)

of the said corporation as required by Section 30-1-12, Idaho Code, at _____
(city)

Idaho, wherein are kept the corporate records required by Section 30-1-52, Idaho Code: and that _____

_____ is a corporation qualified to do business in the State of Idaho under the laws
(name of corporation)
of the State of Idaho.

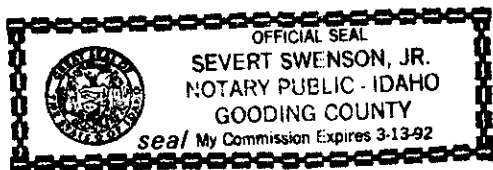
B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for Permit:

- (check one)
- ☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
 - ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
 - ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner of the facilities is the signee of this affidavit.

State of Idaho _____)
County of Gooding) ss.

On this 1st day of August, 1990, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



My commission expires:

James E Faulkner
Applicant

Severt Swenson Jr.
Notary Public residing at _____

MICROFILMED

SEP 12 1990

AFFIDAVIT of PUBLICATION

RECEIVED

JUL 5 1990

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

Department of Water Resources

Patty Nance, 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 27th day of June 1990, and the date of the last publication was on the 4th day of July, 1990.

Patty Nance

Subscribed and sworn to before me this 3rd day of July, 1990
(SEAL)

Walter J. Gaudin
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

MICROFILMED

SEP 12 1990

Number of Lines in Notice _____
Number of Insertions 2X

— 365.6 Lines tabular at _____ 6¢/Pica
— 18.28 Lines straight at _____ 5¢/Pica
— 14.63 Subsequent lines at _____ 4¢/Pica
TOTAL COST 32.91

already billed

COPY OF NOTICE
(Paste Here)

App. for Trust Wat. Rt.
TITLE OF NOTICE

J. Faulkner
37-08194

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. D. W. R. Boise
BILL TO

PUBLICATION RATES	
(Idaho Code, Rev. Statutes 1984)	
7-8 pt. per line straight.....	5¢/Pica
7-8 pt. per line tabular.....	6¢/Pica
7-8 pt. per line successive insertions.....	4¢/Pica

OK
TJ2
7-5-90

No 653

14594-
rerun



1954-1955

1956-1957

1958-1959

1960-1961

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 37-08194 Reviewed by JY Date 10-30-96

GENERAL CONSIDERATIONS

11/5 Name same as permit?

YES Address same as permit?

no Proof timely received?

If not, complete calculation below.

TYPES OF USE

dom, irr, rec, stock

Correct Uses? yes

SOURCE OF WATER

Surface water source

☒ Ground water source

~~yes~~ Drilling permit required? *no*

Copy in the file? ☐ Drilling Permit No. _____

Amount paid for permit

Well log in the file?

MEASURING DEVICE

Yes Required?

yes Installed?

_____ Waiver requested?

PRIORITY CALCULATION

Date proof received 9-27-96 270

Date proof due 8-1-96 - 213

No. of days late _____ = 57

Priority Date 10-12-84 + 285

New Priority Date 12-8-84 342

712-8-84

DEFICIENCIES OR ACTION ITEMS

DEFICIENCIES OR ACTION ITEMS
Reinstate & advance priority to Dec. 8, 1984.
Proof acceptable

DATA ENTRY

New Address ✓ Proof Made 9-27-96

Proof Made 9-27-96



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

November 6, 1996

JAMES E FAULKNER
PO BOX 152
BLISS ID 83314

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08194

Dear Permit Holder:

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

Enclosed is an order reinstating your permit since proof was submitted after the proof due date of August 1, 1996. Please note that the priority date has been advanced to December 8, 1984.

Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

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 the field examination, contact the **SOUTHERN** Regional Office in Idaho Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

MICROFILMED
DEC 19 1996

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

August 14, 1996

JAMES E FAULKNER
P O BOX 152
BLISS ID 83314

LAPSE NOTICE

RE: PERMIT NO. 37-08194

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 May 31, 1996. 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 fifty dollar (\$50.00) 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

Enclosures

MICROFILMED
DEC 19 1996

CERTIFICATION OF MAILING

I hereby certify that on 8-14-96
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

CERTIFIED MAIL

NO 142774

- RETURNED TO SENDER
- ☐ MOVED, LEFT NO ADDRESS
 - ☐ FORWARDING ORDER EXPIRED
 - ☒ ATTEMPTED NOT KNOWN
 - ☐ UNCLAIMED ☐ REFUSED
 - ☐ NO SUCH STREET
 - ☐ NO SUCH NUMBER
 - ☐ INSUFFICIENT ADDRESS

MAY 31 '96

PB METER
7004722

1.65
U.S. POSTAGE

Rec
6/3/96

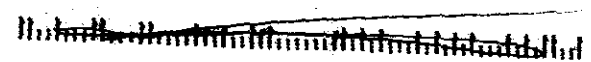
2nd cl 11/1/96

RECEIVED
JUN 24 1996

Department of Water Resources

MICROFILMED

DEC 19 1996





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

RECEIVED

JUN 24 1996

May 31, 1996

JAMES E FAULKNER
P O BOX 152
BLISS ID 83314

Department of Water Resources

PROOF DUE NOTICE

RE: PERMIT NO. 37-08194

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 August 1, 1996. (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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

May 31, 1996

JAMES E FAULKNER
P O BOX 152
BLISS ID 83314

PROOF DUE NOTICE

RE: PERMIT NO. 37-08194

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 August 1, 1996.

(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.

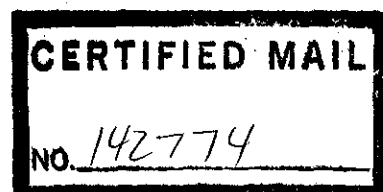
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SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

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DEC 19 1996



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 37-8194 Reviewed by [Signature] Date 8-2-95

BASIC INFORMATION

7-26-95 Date stamp received

yes Extension received timely

yes Fee received and receipted

yes Name and signature same as permit

yes Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Should extend to August 1, 1996, on basis of Due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address P.O. Box 152, Bliss, Id. 83314

Change Proof Due Date 8-1-96

Change Priority Date X



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

August 2, 1995

James E. Faulkner
P.O. Box 152
Bliss, ID 83314

RE: Permit No. 37-08194

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **August 1, 1996**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED

AUG 08 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 31, 1995

JAMES E. FAULKNER
HC 60 BOX 1010
BLISS ID 83314

COPY

PROOF DUE NOTICE

RE: PERMIT NO. 37-08194

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 August 1, 1995.

(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.

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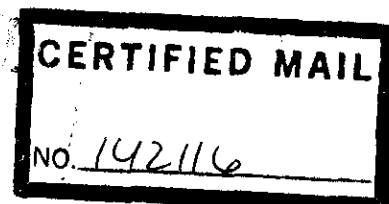
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAILED
JUL 1 1995

AUG 08 1995



S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
August 22, 1990

JAMES E. FAULKNER
HC 60 BOX 1010
BLISS, ID 83314

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 37-08194

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.

Please be advised that your application for permit has been approved because we no longer wait for approval from the Federal Energy Regulatory Commission (FERC) or the Idaho Public Utilities Commission (PUC) when the flow is less than 25 cfs and the power to be generated is less than 500 HP. However, you may still need to obtain approval from FERC and/or PUC.

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.

Please be advised that your plans for fish propagation may be subject to regulations of the Idaho Department of Fish and Game. We suggest that you check with them before starting construction.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port, or to provide a certified measurement or computation of flow based upon the design of the system to be prepared by a professional engineer.

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Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

FAULKNER, James E.

INITIAL REVIEW BY: TGB

APPLICATION NUMBER: 37-8194

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. 2-17
☒ Yes ☐ No Other rights on same place of use. 37-0817

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☐ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
10-12-1984 Date of priority recommended.
Special conditions of approval or cover letter. _____

App. in TRUST area - Trust App.

OK to allow 5 yrs. to complete

★ Water shall not be diverted solely for power production purposes, however, power may be produced utilizing water diverted for other uses.

STATE OFFICE REVIEW:

P18, P23, P06, P19, P17

46 51 52 53 26 01F
★(above) 08A 09C 17K 17M

- ☐ See attached sheet for more information.

By: KW 8/9/90

Date: 25 42 44

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

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lot (R)

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lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

POWER CALCULATIONS FOR APPLICATION NO.

37-8194

3.5
P = Kilowatts
4.8hp
.74 X hp
Q = cfs 1.0
H = feet 30
e = efficiency

- ✓ 1.) Affidavit of Residency
✓ 2.) Ownership of Facilities
N/A 3.) *Financial Ability
None 4.) Feasibility of Project
a. Plans, drawings
b. Economic analysis
N/A 5.) *Compliance w/FERC
*only for projects of more than 25 cfs
or more than 500 horsepower.

$$e = \frac{P(11.8)}{QH} = \frac{3.5(11.8)}{1.0 \times 30} = \frac{41.3}{30} = 1.4 \leftarrow \text{high}$$

$$P = \frac{QHe}{11.8} = \frac{1.0 \times 30 \times .7}{11.8} = 1.8 \text{ kW} @ 70\% \text{ eff.}$$

Based on the above calculations the proposed project must have an 70 % efficiency.

OVERLAP REVIEW

Ret VAX 8/9/90-

P/D

none -

P/U

37-00817 Clinton Sheep Corp. - Calf Cr. -
no overlap

BYPASSED AREA

none -

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SEP 12 1990

kw



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 17, 1990

RE: Application for Permit No. 37-8194

James W. Faulkner
H.C. 60, Box 1705
Bliss, ID 83314

Dear Mr. Faulkner:

We are in the final stages of processing the above referenced application for permit and find that more information is required prior to approval. In order for the Department to consider approving your application, we must have the enclosed affidavit for water rights to be used for power purposes completed in the presence of a notary public. This is a requirement of Sections 42-205/206, Idaho Code.

Please complete and return this form at your earliest convenience. We will resume processing your application upon receipt of the completed form.

If you have any questions in regard to this matter, please feel free to contact either this office or our regional office in Twin Falls.

Sincerely,

Kay Walker
KAY WALKER
Technical Records Specialist

KW:k
Enclosure

cc: Southern Region

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SEP 12 1990

*Rec'd
affidavit
8/9/90
KW
see below
app.*

MEMORANDUM

TO: FILE/APPLICATION NO. 37-8194

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 5-30-90

=====

The applicant has returned the trust water questionnaire and has noted that the groundwater source under this application is a supplemental source to surface water. Applicant has further noted that much of the groundwater source has not been used for irrigation either before or since 1984.

The IDWR remote sensing data and overlap report shows that 168 of 185 acres are classified as irrigated in 1986. The 1974 department orthophoto does not conclusively show irrigation on any of the lands under the application. One decreed right with a diversion rate of 3.2 cfs is listed as appurtenant to the same land. At one miners inch per acre, the right may be appurtenant to 160 acres.

This supplemental filing will constitute a trust water diversion. Based on the limited information above, I recommend that 25 acres be counted as trust acres (i.e.; 185 acres less 160 acres).

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SEP 12 1990

PAGE: 1

PLACE OF USE 1/4 1/4 OVERLAP REPORT

05/29/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM	
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
3708194																								
3700817	CLINTON SHEEP CORP.	D	CALF CREEK	04S	12E	27																		
3708194	FAULKNER	A	GROUNDWATER	04S	12E	27																		
3708194	1986 MAPPING DATA	-	COUNTY 47 QUAD Z	68	04S	12E	27	2	1	4	16							6		30	22	32	16	129
3708194																								
3700817	CLINTON SHEEP CORP.	D	CALF CREEK	04S	12E	34	X	X	X	X														
3708194	FAULKNER	A	GROUNDWATER	04S	12E	34	25	40	30	40														135
3708194	1986 MAPPING DATA	-	COUNTY 47 QUAD Z	68	04S	12E	34	10	39	25	16	20	1	2	6					23	15	2	33	192

SEP 12 1990

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S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MAY 29, 1990

Gooding County Leader
442 Main Box 56
Gooding, ID 83330

Dear Legal Dept.:

Enclosed you will find legal notices 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 JUNE 25, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

SEP 12 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08194

FAULKNER, JAMES E.
HC 60 BOX 1705
BLISS, ID 83314

Source: GROUNDWATER

Diversion Pt: NESE Sec 27 T 04S R 12E

Use: IRRIGATION (2.000 CFS)
 FISH PROPAGATION (1.000 CFS)
 POWER (1.000 CFS)
 RECREATION (1.000 CFS)
 Total Diversion: (2.000 CFS)

Date Filed: 10/12/ 1984

In: T04S R12E S27	NESE	SWSE	SESE	
S34	NENE	NWNE	SWNE	SENE

185.0 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, Statehouse Mail, Boise, Idaho 83720 on or before JUNE 25, 1990.

R. Keith Higginson, Director

Published 6/ 6/1990 & 6/13/1990

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SEP 12 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 37-8194

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes ☒ No ☐

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ☐ No ☒

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. 30

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 160

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

37-0817 3.2 cfs 37-0830 3.2 cfs 4/6/04

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant James E. Gaulken

Date 5/22/90

MICROFILMED

SEP 12 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 4, 1990

RE: APPLICATION FOR PERMIT NO. 37-8194

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (in particular, Rules 4,5,3. thru 4,5,3,5, apply to your project if it is more than 200 acres).

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SEP 12 1990

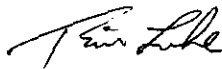
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

SEP 12 1990

IDENT. NO. 37-8194

WATER RIGHT
DATA ENTRY LOG

[illegible]