

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

T 1 N R 18 E

P.D.

P.U.

Sec 12

Scale: 2 inches equal 1 mile.

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

Bruce Ambury
(Applicant)

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

FEB 14 1989

Permit No. 37-8098

Phone No. 788-2824

A. GENERAL INFORMATION

1. Owner: Bruce ARMSTRONG
Current Address: Rt 1 Bx 58 Bellevue, Ida

2. Accompanied by: _____ EXAM. DATE: 8/3/87

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: groundwater tributary to ✓

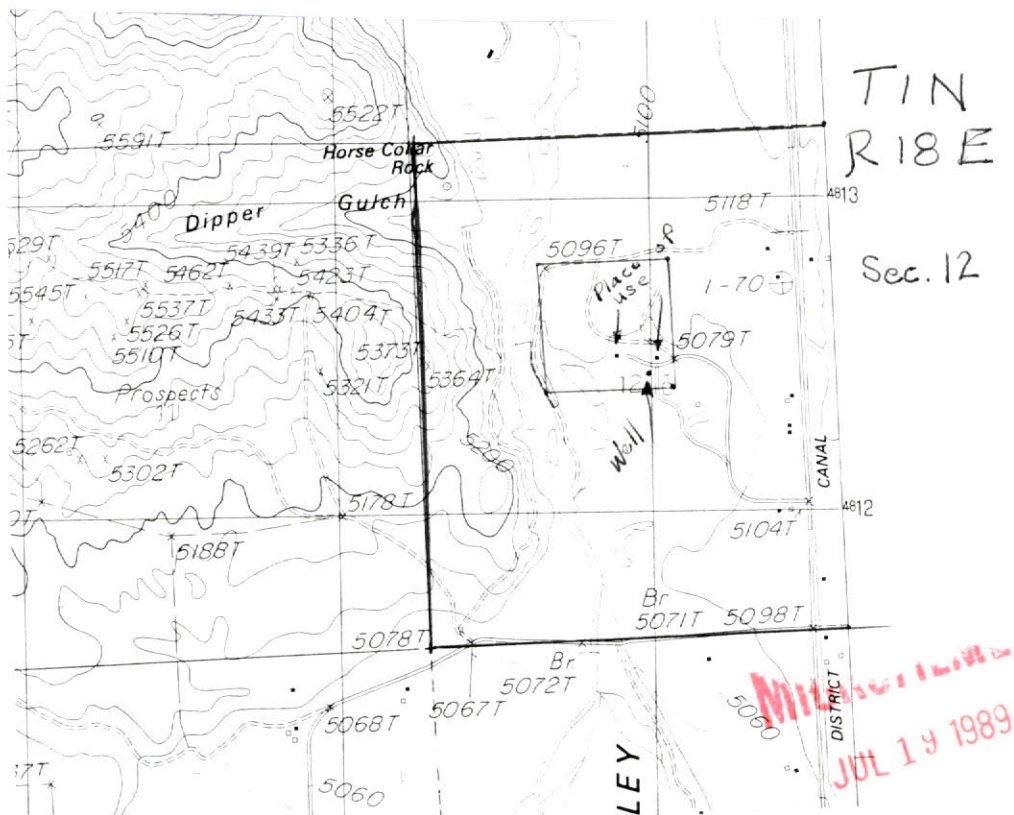
B. OVERLAP REVIEW

1. Other water rights with same place of use: no ☐ Copies Attached

2. Other water rights with same point of diversion: no ☐ 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" = _____

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).



WELL AND WELLHOUSE.



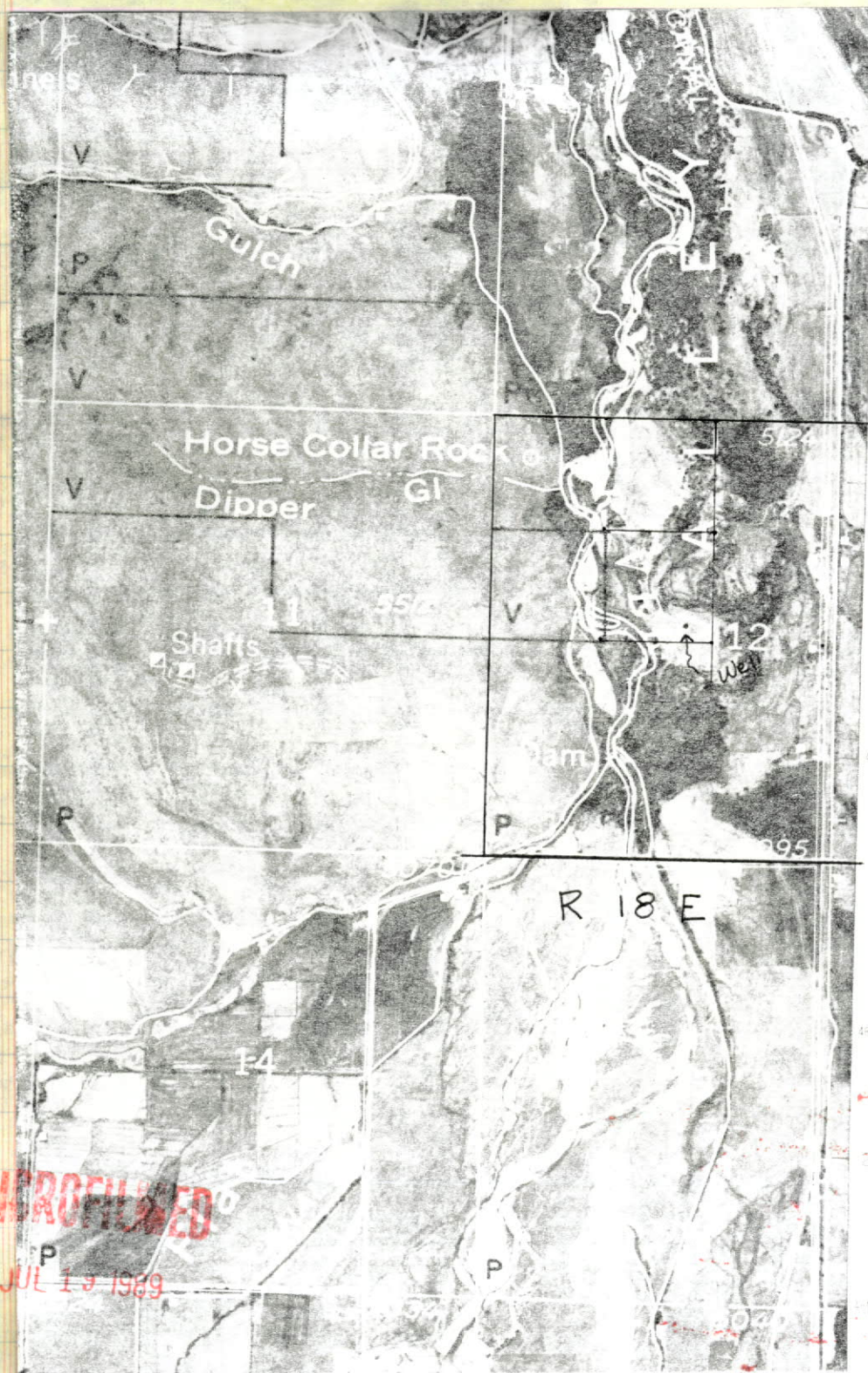
PROPERTY BEING IRRIGATED



HOUSES AND LAWN THAT IS IRRIGATED.



6861 R 1 101
MICROFILMED

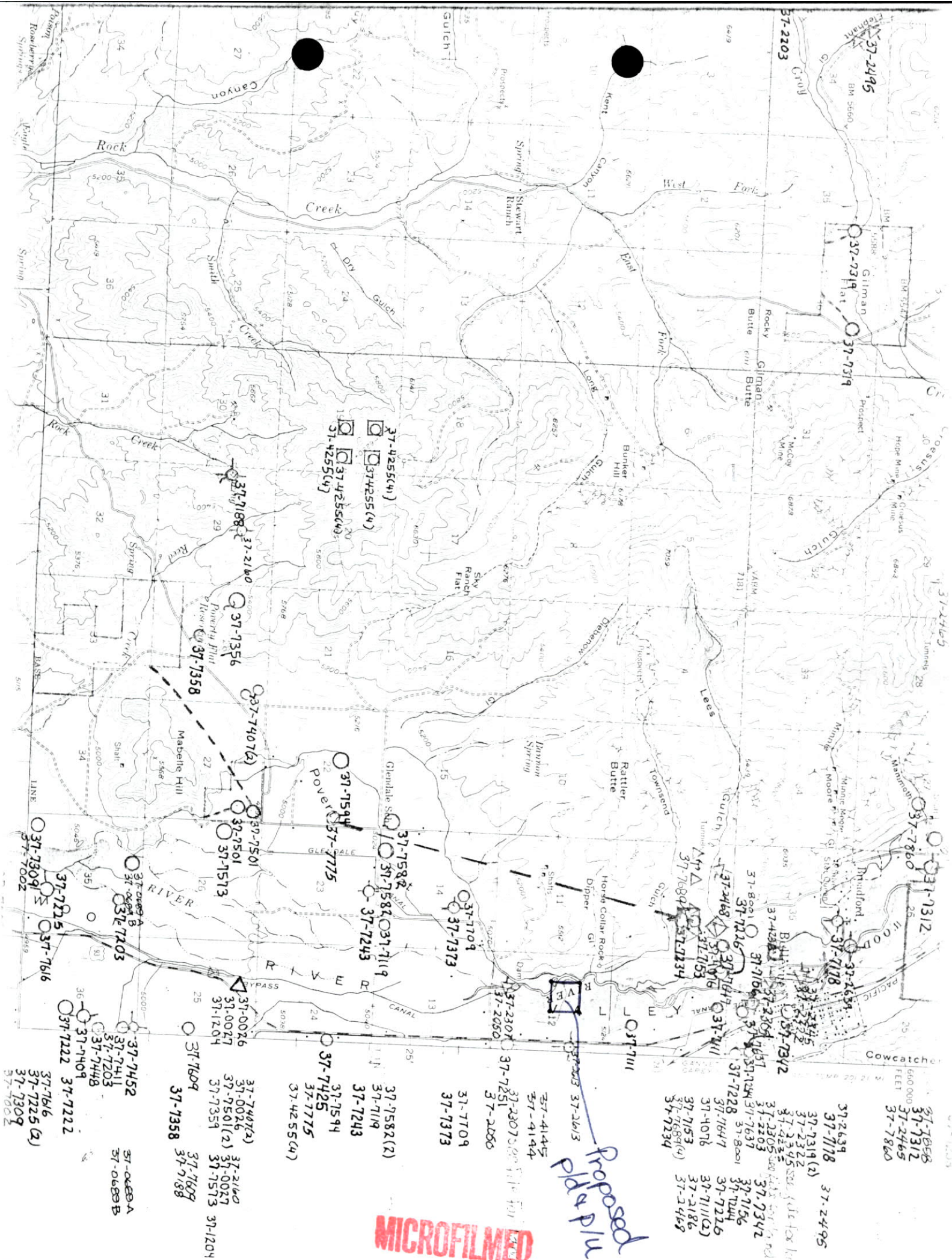


1.1 N

T
-
N

MICROFILMED

JUL 19 1989



State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08089

Proposed Priority: April 21, 1983 Maximum Diversion Rate: 0.40 CFS

This is to certify, that **TONY PALACIO**

JEAN PALACIO

799 WEST 720 NORTH

SHOSHONE, ID 83352

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNE Sec. 33, Township 04S, Range 16E
LINCOLN County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

04S 16E 33

NWNE 10

SWNE 10

20

Total number of acres irrigated:

20

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1991**.
2. Subject to all prior water rights.
3. Water shall not be diverted under this permit until a written agreement with the irrigation district or canal company serving the area containing the point of diversion is filed with the Department of Water Resources providing for the coordination of the permit use with the irrigation district or canal company operation.
4. 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.

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

27th day of July, 19 90

[Signature]
for R. Keith Higginson, Director

MICROFILMED

JUL 30 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 Tony &/or Jean Palacio Phone 886-7552
Post office address Rt. 1, Box 104, Shoshone, Idaho, 83352
2. Source of water supply Waste water which is a tributary of Milner-Gooding Canal
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33 Township 4S
Range 16E B.M. Lincoln County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.40 for Irrigation purposes from April 1 to Nov 1 (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:

- a. 0.40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Existing pump in stream
delivering to gated pipe for furrow irrigation.
- 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 _____ inches; proposed depth of well is _____ 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
- (3) List number of each kind of livestock to be watered _____
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
- (5) If water is to be used for other purposes describe: _____

MICROFILMED

JUL 30 1990

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	16E	33		10	10														20

Total number of acres to be irrigated 20

c. Describe any other water rights used for the same purposes as described above.
Shares from American Falls Reservoir Dist. #2

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

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

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

10. Remarks

Use was established in around 1979 when pump was installed in waste water stream. Since 1979 the 10 acres in the NWNE of Sec. 33, T4S, R16E, B.M. has been irrigated from this source however this use was never covered under a permit.

The waste water source gets its water from waste from the applicant's land as well as from lands above.

RECORDED

JUL 30 1980

212 A
B315 42B 24.5

3.9 B
197 C
B327
C 6.2
N 0
5.7 2.7
P 8.2
HN
19 121
48
H 6.8
I 4.7 J 10.0
K 4.1
L 15.4
M 20.6
N 29.3
O 10.2
P 11.1
Q 10.2
R 11.1
S 11.1
T 11.1
U 11.1
V 11.1
W 11.1
X 11.1
Y 11.1
Z 11.1

Tw 45 Rge 16E B.M

10 Existing USE
proposed 10 use
m 20.6
N 29.3
O 10.2
P 11.1
Q 10.2
R 11.1
S 11.1
T 11.1
U 11.1
V 11.1
W 11.1
X 11.1
Y 11.1
Z 11.1

Lands since 1954 have been claimed

R. ADAMS
61.6
B315 42B 15.4
DD 13.6
EE 2.8
FF 3.2
G 14.1
H 6.8
I 4.7
J 10.0
K 4.1
L 15.4
M 20.6
N 29.3
O 10.2
P 11.1
Q 10.2
R 11.1
S 11.1
T 11.1
U 11.1
V 11.1
W 11.1
X 11.1
Y 11.1
Z 11.1

33 34

DECLASSIFIED

JUL 30 1990

Tony Palario
(Applicant)

Received by ADM Date 4/21/83 Time Noon
Preliminary check by LH Fee \$ 45.00
Receipted by ADM Date 4/21/83 # 27242
Publication prepared by MB Date 4/25/90
Published in Lincoln Co. Journal
Publication dates 5/2 & 5/9/90
Publication approved M. Baldwin Date 5/17/90
Protests filed by: none

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

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:

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,)
)SS.

MAY 10 1990

County of Lincoln) Department of Water Resources
Southern Region Office

Patty Vance, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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, know as House Bill 145; that the annexed advertisement was published once

each week for 2X consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 2nd day of May, 1990, and the date of the last publication was on the 9th day of May, 1990.

Subscribed and sworn to before me this 9 day of May, 1990.
(SEAL)

LINCOLN COUNTY JOURNAL
Shoshone, Idaho
COST OF PUBLICATION

NOTARY PUBLIC

Number of Lines in Notice _____
Number of Insertions 2X

Lines tabular at _____ 6¢/Pica
409.5 Lines straight at 20.48 5¢/Pica
Subsequent lines at 16.38 4¢/Pica
TOTAL COST 36.86

COPY OF NOTICE (Paste Here)

Appl. for Water Rt
TITLE OF NOTICE
Palacio

37-08089
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) has been filed to appropriate the pub waters of the State of Idaho: 37-08089

PALACIO, TONY
PALACIO, JEAN
799 WEST 720 NORTH
SHOSHONE, ID 83352
Source: WASTE WATER
Diversion Pt: NWNE Sec 33 T 04 S 16E

Use: IRRIGATION (.400 CFS)
Total Diversion: (.400 CFS)
Date Filed: 4/21 1983
In: T04S R 16E S33 - NWNE SWNE
20.0 ACRES TOTAL

The permit(s) will be subject to all pri water rights. Protests may be submit based on the criteria of Sec. 42-203 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, 2 Shoshone Street East, Twin Falls, Idai 83301 on or before MAY 21, 1990.

R. Keith Higgins
Direct
L124

Pub: 5-2, 9

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

JUL 30 1990

3432

12470

January 25, 1991

TONY PALACIO
JEAN PALACIO
799 WEST 720 NORTH
SHOSHONE, ID 83352

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08089

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

RECEIVED

FEB 06 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 37-8089

Date 12-21-90

GENERAL CONSIDERATIONS

☒ Name same as permit?
☒ Address same as permit? If no, prepare data entry form.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
☐ Drill permit req'd?
☐ Copy in file? Drill permit no.
☐ Well log in file?
☐ Amt paid for drilling permit? Correct? ☒

LICENSE EXAMINATION FEE

☒ Required?
100 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

☒ Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

*- Compliance w/ cond 3.
Send Spl. ltr. - Received*
Proof acceptable

PRIORITY CALCULATION

Date proof received LB
Date proof due -
No. of days late =
Priority date +
NEW PRIORITY DATE =

RECEIVED

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 100.00
Date 10-4-90
Receipt No. 5012726
Received by GF Stanton

OCT - 4 1990

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

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. P37-08089 Telephone No. 208-886-7552

Name(s) of Permit Holder(s): Tony Palacio & Jean Palacio

Post Office Address: 799 W-720 N Shoshone, Idaho 83352

Source of Water: waste water

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:

Domestic _____ (No. of households)

Irrigation 20 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted 0.40 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1979

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

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

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

Fee Enclosed: \$ 100.- (See License Examination Fee Schedule)

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

Tony Palacio 886-7552
Name Telephone No.

799 W-720 N Shoshone, Idaho
Address

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

NOT RECORDED

9/27/90
Date

Tony Palacio
Signature (and title if on behalf of a company or organization)

FEB 16 1991

Jan. 11, 1991

*Card =
Rita*

Dept. of Water Resources
Rita I. Fleck

RE: PERMIT # 37-08089

Attached is a letter of consent from the canel company.

RECEIVED

FEB 06 1991

*Tony Release
LP*

**Big Wood Canal Company
American Falls Reservoir District No. 2**

112 S. Apple P.O. Box C
Shoshone, Idaho 83352
886-2331

RECEIVED
JAN 15 1991

Department of Water Resources

Jan 11, 1991

Director
Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

RE: Application #37-08089
Palacio, Tony & Jean

Dear Sir:

In 1979 Tony and Jean Palacio installed this irrigation system with no objection from the Canal Company at that time. Since then his use of this water has not been detrimental to the operation of the canal system. In view of that fact and that he has invested many dollars to improve this system, I feel that this permit should be allowed.

Sincerely,

Richard M. Oneida
Richard M. Oneida
Manager

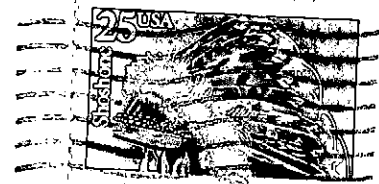
cc: Tony & Jean Palacio

RMO/lma

RECEIVED

FEB 06 1991

*Tony & Jean Palacio
799 West 720 North
Shoshone, Idaho 83352*



PAID
TWIN FALLS, ID

FEB 06 1991

State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street

Statehouse Mail

Boise, Idaho 83720-9000



Big Wood Canal Company
American Falls Reservoir District No. 2

112 S. Apple P.O. Box C
Shoshone, Idaho 83352
886-2331

RECEIVED
JAN 14 1991

Department of Water Resources

Jan 11, 1991

Director
Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

RE: Application #37-08089
Palacio, Tony & Jean

Dear Sir:

In 1979 Tony and Jean Palacio installed this irrigation system with no objection from the Canal Company at that time. Since then his use of this water has not been detrimental to the operation of the canal system. In view of that fact and that he has invested many dollars to improve this system, I feel that this permit should be allowed.

Sincerely,

Richard M. Oneida
Richard M. Oneida
Manager

cc: Tony & Jean Palacio

RMO/lma

MICROFILMED

FEB 06 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

December 21, 1990

Tony Palacio
799 West 720 North
Shoshone, ID 83352

RE: PERMIT 37-08089

Dear Mr. Palacio:

The department has reviewed the proof of beneficial use which you submitted on October 4, 1990 in connection with the above referenced permit.

Our review of the file does not show that you have complied with condition 3. of the permit which reads as follows:

"Water shall not be diverted under this permit until a written agreement with the irrigation district or canal company serving the area containing the point of diversion is filed with the Department of Water Resources providing for the coordination of permit use with the irrigation district or canal company"

This condition was placed on the permit since the wastewater diverted under the permit is shown on the application which you submitted to be tributary to the Milner-Gooding canal.

Please provide the needed agreement or consent of the owners of the Milner-Gooding canal to your use of water or show why the condition does not apply to your permit within 30 days in order to keep the permit in good standing.

If you have questions, feel free to contact the department.

Sincerely,

RITA I. FLECK
Sec/Records Mgr

c: IDWR - S. Region

MICROFILMED

FEB 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
July 27, 1990

TONY PALACIO
JEAN PALACIO
799 WEST 720 NORTH
SHOSHONE, ID 83352

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P37-08089

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. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

INDEXED

JUL 30 1990

*Snow Falls
hold*

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: LA

PALACIO, Tony &/or Jean

APPLICATION NUMBER: 37-8089

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.

Field check by: _____

Date: _____

Comments: _____

- ☒ 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.

*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.

Copies sent by: _____

Date: _____

☒ Other Big Wood Canal Co/AFRD#2

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No

Platted by: _____ Map No. Z-21

Other rights on same place of use. _____

- ☒ 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: 5/10/90
☒ 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.

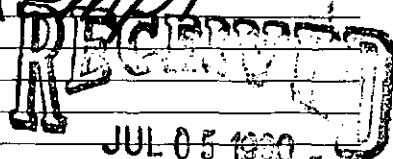
- ☐ Yes ☒ No Access port required.

- ☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 37-N/A canal company

4/21/83 Date of priority recommended.

Special conditions of approval or cover letter. Proof done on issuance of Permit.

App. in Trust Area- EXEMPT
Allow 1 yr. to develop



By: Larrod Kuhn

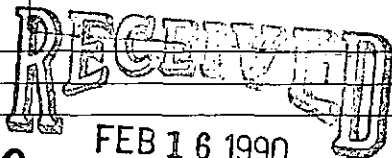
Date: 7/2/90

Department of Water Resources

STATE OFFICE REVIEW:

P16

23



- ☐ See attached sheet for more information.

By: KW

Date: 7/20/90

Department of Water Resources

25-Apr-1990

TONY &/OR JEAN PALACIO
799 WEST 720 NORTH
SHOSHONE ID 83352

Re: Application for Permit No. 37-08089

Dear Applicant(s):

On March 25, 1988 the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application.

This office will be advertising the application in the Lincoln County Journal on 5/2 & 5/9/90. 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.

RECEIVED

JUL 30 1990

Very truly yours,

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)734-3578

APRIL 24, 1990

LINCOLN COUNTY JOURNAL
P.O. BOX 468
JEROME, ID 83338

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 MAY 21, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JUL 30 1990

37-08089

PALACIO, TONY
PALACIO, JEAN
799 WEST 720 NORTH
SHOSHONE, ID 83352

Source: WASTE WATER

Diversion Pt: NWNE Sec 33 T 04S R 16E

Use: IRRIGATION (.400 CFS)
Total Diversion: (.400 CFS)

Date Filed: 4/21/ 1983

In: T04S R16E S33 NWNE SWNE

20.0 ACRES TOTAL

MICROFILMED

JUL 30 1990

SHONI LEGAL (MAIL PROOF)

NOTICE OF APPLICATION
FOR WATER RIGHT

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

37-08089

PALACIO, TONY

PALACIO, JEAN

799 WEST 720 NORTH

SHOSHONE, ID 83352

Source: WASTE WATER

Diversion Pt: NWNE Sec 33 T 04 S R

16E

Use: IRRIGATION (.400 CFS)

Total Diversion: (.400 CFS)

Date Filed: 4/21 1983

In: T04S R 16E S33 - NWNE SWNE

20.0 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 in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 222
Shoshone Street East, Twin Falls, Idaho
83301 on or before MAY 21, 1980.

R. Keith Higginson

Director

L12470

Pub: 5-2, 9

OIC
MB
4/30/90

APR 29 1983

JUL 10 1983

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, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before MAY 21, 1990.

R. Keith Higginson, Director

Published 5/ 2/1990 & 5/ 9/1990

RECEIVED

JUL 19 1990

FROM

Tim

DATE

3-5-90

TO

Mary/Southern

SUBJECT

App 37-8089

*App exempt from 203C/swan Falls processing. Plg Administrative/Process
as routine app.*

MICROFILMED**JUL 30 1990****RECEIVED****MAR 7 1990**

Department of Water Resources
Southern Region Office

Tim

SIGNATURE

Tony Palacio
799 West - 720 North
Shoshone, ID 83352

JUL 3 0 1990

RECEIVED

ADDRESS
UPDATE



Idaho Dept. of Water Resources
Statehouse Mail
Boise, Idaho 83720

Jim Luke

MEMORANDUM

TO: FILE/APPLICATION NO. 37-8089

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 3-5-90

=====

The permittee has returned the department's trust water questionnaire. Review of the application and attached place of use overlap report indicates that this is a supplemental filing. Review of the department's 1974 7.5 minute orthophoto confirms that the land was irrigated at that time and that the groundwater source under this application represents a supplemental source. The questionnaire indicates that the supplemental groundwater source under the application was developed prior to October of 1984.

Based on review of the file, questionnaire and supporting information, I recommend that this application be exempt from the review requirements of section 42-203A. The application is being returned to the region for routine advertising. Trust conditions are not applicable.

MICROFILMED

JUL 30 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
MAR 5 1990

Application No. 37-8089

Department of Water Resources

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 propoerty 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. Please state the number of acres you have irrigated under this application since October 1, 1984. 20 acres

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

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

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 Tony Palacio

Date 3/2/90

MICROFILMED

JUL 30 1990

JUL 30 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

February 20, 1990

RE: APPLICATION FOR PERMIT NO. 37-8089

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.

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.

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.

MICROFILMED

JUL 30 1990

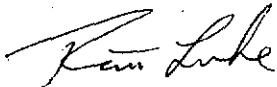
Page 2

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 334-7864. 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 shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

cc: Region

MICROFILMED

JUL 30 1990

