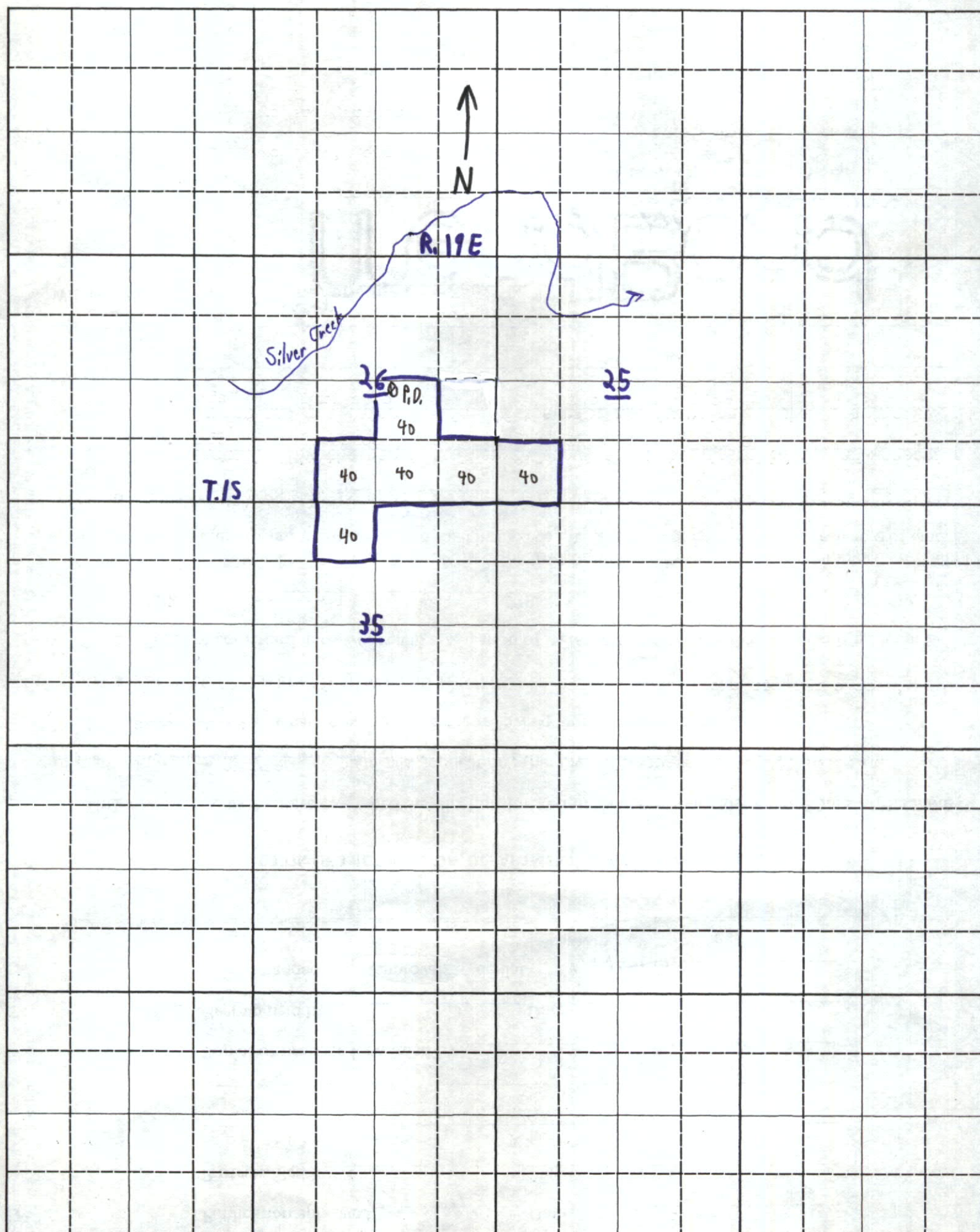


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Robert Gardner
(Applicant)

AFFIDAVIT PUBLICATION

State of Idaho, }
 County of Blaine } SS.

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1 day of November, 1979, and the date of the last publication was on the 8 day of November, 1979.

Subscribed and sworn to before me this 12th day of November, 1979.
 (SEAL)
Robert McFarber
 NOTARY PUBLIC

WOOD RIVER JOURNAL
 Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>39</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	39c	
<u>39</u> Lines straight at	26c	<u>10.14</u>
<u>39</u> Subsequent lines at	15c	<u>5.85</u>
TOTAL COST		<u>15.99</u>

MICROFILMED

COPY OF NOTICE

(Paste Here)

Permit 37-7800-Gardner
 TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 BLUE LAKES BLVD N. TF

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

37-7800

GARDNER, ROBERT
 ROUTE NO. 1, BELLEVUE, IDAHO 83313

Source: GROUNDWATER

Date Filed: 10-09-1979

Amount: 4.92 CFS

Diversion Point: NWSE Sec 26 T 01S R 19E, BLAINE CO.

Use: IRRIGATION (4.80 CFS) from 04-01 to 11-01

STOCKWATER (0.12 CFS) from 01-01 to 12-31.

Place of Use: SWSW Sec. 25 T 01S R 19E SESW NWSE SWSE SESE Sec. 26 T 01S R 19E NENW Sec. 35 T 01S R 19E NWSE Sec. 26 T 01S R 19E for 240 acres.

Diversion Means: WELL AND PUMP TO SPRINKLER SYSTEM AND STOCK TANKS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North., Twin Falls, Idaho 83301 and received on or before NOVEMBER 19, 1979.

C. Stephen Allred
 Director

Published: Wood River Journal,
 November 1 and 8, 1979.

RECEIVED
Nº 1073

NOV 19 1979

Department of Water Resources
 Southern District Office

RECEIVED

MAY 01 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: Robert Gardner

Permit No. 37-7800

Phone No. 788-2568

Current Address: Rt #1, Bellevue, ID 83313

2. Accompanied by: Carl Porter

EXAM. DATE: 7/10/86

Address: Box 622 Picabo, ID 83348

Phone No. 788-9540

Relationship to Permit Holder: Farm Manager

3. Source Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 37-2223, ~~37-2618~~ 37-2618

☒ Copies Attached

2. Other water rights with same point of diversion: NONE

☐ 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).

- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

- ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

AUG 18 1987





TIS. R 19E.

MICROFILMED

AUG 18 1981

27/26
27/26

R 19E

26
37-7800

20
PD

7/12.8

33
37-105

40

33
MICROFILMED
AUG 18 1981

23

30

X 18

26/35

26/25
35/36

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-7800

Priority: October 9, 1979 Amount: 3.75 CFS 636.0 AFA

This is to certify, that ROBERT GARDNER

P.O. BOX 470

BELLEVUE, ID 83313

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 9, 1979, and has submitted proof to the Department of Water Resources on January 16, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 3.75 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	3.75 cfs	636.0 afa

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 26, Township 1S, Range 19E
NWSE , Sec. 26
Blaine County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
1S	19E	25	SWSW 30				30
		26	SWNE 20	NESW 33	SESW 33	NWSE 40	
			SWSE 33	SESE 23			.182

Total number of acres irrigated: 212

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
5. 1 point of diversion on center line of NWSE & SWNE, S26, T1S, R19E.

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 20th day of July, 1987.

ENCROFILMED

Acting for the Director

Norman C. Young

AUG 18 1987

State of Idaho
Department of Water Resources

RECEIVED

JUL 01 1987

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-7800

Department of Water Resources

Date of Priority: October 9, 1979

Comes now ROBERT GARDNER
P.O. BOX 470
BELLEVUE, ID 83313

APPROVED

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-7800, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	3.75 cfs	636.0 afa

LOCATION OF POINT OF DIVERSION(S): SWNE, Sec. 26, Township 1S, Range 19E
NWSE, Sec. 26
Blaine County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
1S	19E	25	SWSW 30	NESW 33	SESW 33	NWSE 40	30
		26	SWNE 20	SESE 23			182
			SWSE 33				

Total number of acres irrigated: 212

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

Signed at 9:00 AM, this 30 day of June, 19 87.

MICROFILMED

AUG 18 1987

Robert Gardner
(Signature)

State of Idaho
Department of Water ResourcesAPPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-7800

FOR DEPARTMENT USE ONLY

Preliminary check by fw Fee = \$20.00✓ Received by CCW Date 1289 #42095

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. Kenneth Dunn, of the Department of Water Resources hereby approve the above
Application for Amendment for Permit No. 37-7800 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
5. 1 point of diversion on center line of NWSE & SWNE, S26, T1S, R19E.

Witness my hand this 20TH day of July, 1987

Norman C Young
Acting for the (Director)

MICROFILMED

AUG 18 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 37-7800
RECEIVED
APPROVED
Department of Water
Southern District Office

1. Name of applicant Robert Gardner Phone 788-2568

Post office address Route 1, Bellevue, Idaho 83313

2. Source of water supply Ground Water which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26 Township 1S

Range 19E B.M. Blaine County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 4.8 cfs for irrigation purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.12 cfs for livestock 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)

5. Total quantity to be appropriated:

a. 4.92 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump to sprinkler system,
stock tanks

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 16 inches; proposed depth of well is 300 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: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26 Township 1S
Range 19E 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 500 range cattle

(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: _____

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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	
1S	19E	25											40						40
		26												40		40	40	40	160
		35					40												40

Total number of acres to be irrigated 240

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

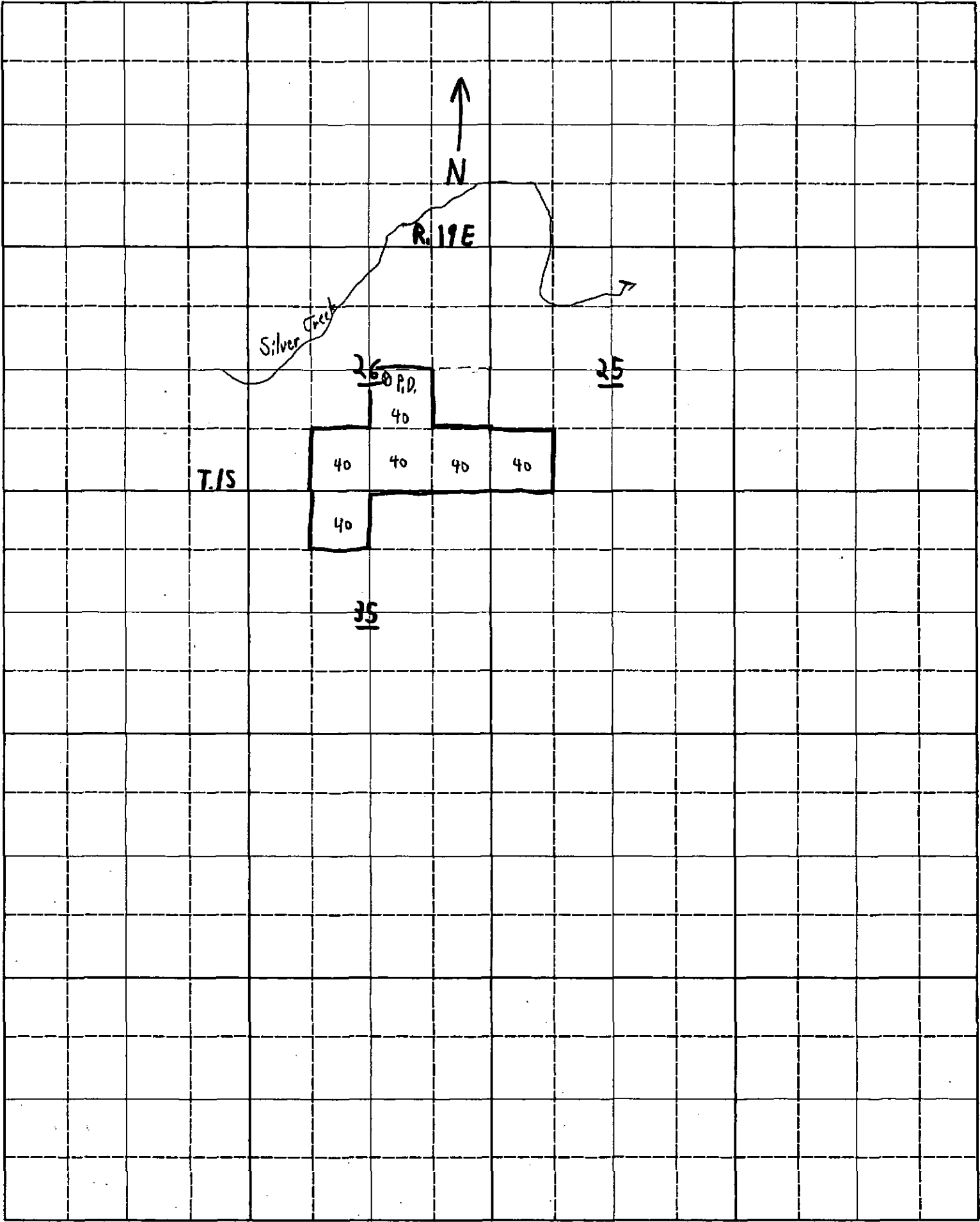
9. a. Who owns the property at the point of diversion Applicant

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

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



Scale: 2 inches equal 1 mile.

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

Robert Gardner
(Applicant)

Prepared by 10/9/79
Received by JS Date 10-9-79 Time 11:25 am
Preliminary check by J. Funderburg Fee \$ 75.00
Receipted by JS Date 10-9-79 # 13353
Publication prepared by ADM Date 10/19/79
Published in Wood River Journal
Publication dates 11/1 + 11/8/79
Publication approved marya Date 10/23/79
Protests filed by: _____

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

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. 37-7800, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 84.
- 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: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 18th day of December, 19 79.

J. Glen Saxton
Director

AFFIDAVIT PUBLICATION

State of Idaho, }
 Connty of Blaine } SS.

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1 day of November 19 79, and the date of the last publication was on the 8 day of November, 1979.

Subscribed and sworn to before me this 12th day of November, 1979.
 (SEAL)
Robert McFarlane
 NOTARY PUBLIC

WOOD RIVER JOURNAL Hailey, Idaho COST OF PUBLICATION

Number of Lines in Notice 39
 Number of Insertions 2
 Lines tabular at 39c
39 Lines straight at 26c 10.14
39 Subsequent lines at 15c 5.85
 TOTAL COST 15.99

MICROFILMED

COPY OF NOTICE (Paste Here)

Permit 37-7800-Gardner
 TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 BLUE LAKES BLVD N. TF

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:
37-7800

GARDNER, ROBERT
 ROUTE NO. 1, BELLEVUE, IDAHO
 83313

Source: GROUNDWATER

Date Filed: 10-09-1979

Amount: 4.92 CFS

Diversion Point: NWSE Sec 26 T 01S R 19E, BLAINE CO.

Use: IRRIGATION (4.80 CFS) from 04-01 to 11-01

STOCKWATER (0.12 CFS) from 01-01 to 12-31.

Place of Use: SWSW Sec. 25 T 01S R 19E
 SESW NWSE SWSE SESE Sec. 26 T 01S R 19E NENW Sec. 35 T 01S R 19E NWSE Sec. 26 T 01S R 19E for 240 acres.

Diversion Means: WELL AND PUMP TO SPRINKLER SYSTEM AND STOCK TANKS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North., Twin Falls, Idaho 83301 and received on or before NOVEMBER 19, 1979.

C. Stephen Allred
 Director

Published: Wood River Journal,
 November 1 and 8, 1979.

RECEIVED
 No. 1073

NOV 19 1979

Department of Water Resources
 Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 37-7800
Name(s) of Permit Holder(s): ROBERT GAQUER
Post Office Address: RT 1 - BELLEVILLE IDAHO 83313
Tel. No. 208-788-2568

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on 5/10/83 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

6/22/83
Date

Robert E. Gaquer
Signature of Permit Holder

Gardner

RT1

Bellvue, Ida, 83313

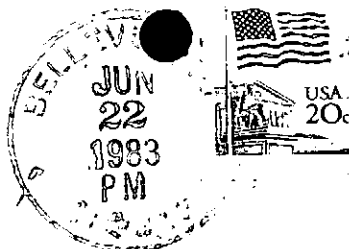
RECEIVED

JUL 26 1988



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720



RECEIVED
JUN 22 1983
IDAHO DEPARTMENT OF WATER RESOURCES

ROBERT GARDNER
P.O. BOX 470
BELLEVUE, ID 83313

July 20, 1987

RE: Permit No. 37-7800

Dear Permit Holder(s):

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

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

AUG 18 1987

June 12, 1987

ROBERT GARDNER
P.O. BOX 470
BELLEVUE, ID 83313

RE: Permit No. 37-7800

Dear Permit Holder(s):

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

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

AUG 18 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. **Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{3.0} = \underline{636.0} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{1591.8} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

2. **Overlap Review**

- a) Other water rights with same place of use: 37-2618, 37-2223

- b) Other water rights with same point of diversion: none

- c) Analysis: Recommend R29 for P/U overlap

MICROFILMED

AUG 18 1987

30 day
P/U

- Date 6-8-81

RECEIVED

MAY 01 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-7800

1. Owner: Robert Gardner

Phone No. 788-2568

Current Address: Rt #1, Bellevue, ID 83313

2. Accompanied by: Carl Porter

EXAM. DATE: 7/10/86

Address: Box 622, Pocatello, ID 83348

Phone No. 788-9540

Relationship to Permit Holder: Father

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 37-2223, ~~37-2248~~ 37-2618

☒ Copies Attached

2. Other water rights with same point of diversion: NONE

☐ 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



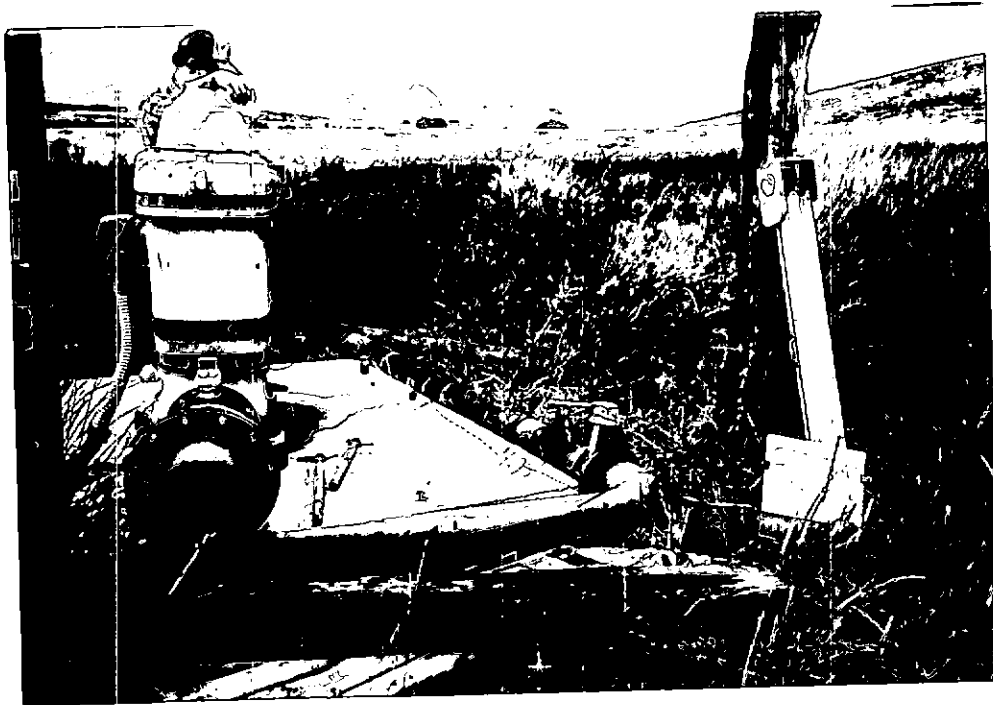
Scale: 1" = _____

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).

AUG 18 1987



Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar / manometer						
Pressure gage / nozzle size						

2. Measurements:

Manometer Readings

	High	Low	diff	I D of Pipe	
Well pump MP	37.6	37.2	.4	7 13/16	(This meas. is below Annubar vge. of Accuracy ∴ USED NOZZLE PRESSURE METHOD)
Pivot M.P.	39	31.5	7.5	11 13/16	

Sprinklers below pump @ Pump MP = 50 Nozzles ave pressure 25 lbs 11/16 Nozzle = 4.24 gpm/Nozzle

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

Below Pump

Measured Method:

$$50 \text{ Nozzles} \times 4.24 \text{ gpm/Nozzle} = 212 \text{ gpm} = 0.47 \text{ cfs} \quad \text{Above Pump} \quad 3.85 \times \sqrt{7.5} \times 11 \frac{13}{16} \div 449.8 = 3.28$$

2. Alternate Method for Checking Purposes:

$$\frac{8.8 \times 100}{152 + 2.31 \times 30} \times .8 = 3.18 \text{ cfs}$$

$$M.P.A. 0.47 \text{ cfs} + m.p. 2.38 \text{ cfs} = 3.75$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 30 ^{Approx} psi x 2.31 = 69.3 ft (1); Dynamic pumping level: 152 ^{from well log too much oil to measure} ft (2)

Total Head: (1) + (2) = 221.3 (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:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 212 \text{ acres} \times 3.0 \frac{\text{AF}}{\text{andac}} = 636 \frac{\text{AF}}{\text{ANN}}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.75 \text{ cfs} \times 214 \frac{\text{days}}{\text{ANN}} \times 1.9835 = 1591.76$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 636 \frac{\text{AF}}{\text{ANN}}$$

2. Volume Calculations for Other Uses:

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AUG 18 1981

System Description (continued)

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

A 24" x 270' well with 151' ft of 16" casing, 100 hp turbine pump delivers water to a Valley 8 tower low pressure pivot and to mainlines via booster pumps at pivot center

☐ See Remarks on page 4 for continua

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well Pump	US High Thrust	100	C9783-00-2-21-75 85-01762	Aurora Vertiline	
Pivot Booster Pump	Baldor	40	6/82	Berkley	Rating 600 gpm @ 200' hd. 8302164 imp 8 1/4
main line Booster Pump	Baldor	60	326 J P	Berkley	HFPBL " 8 5/8" rating 650 gpm @ 290' hd

*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
			NW	SE	26	1S.	19E	Blaine	ASCS Photo

6. Place(s) of Use:

Indicate Method of Determination *ASCS Photo Out Gr*

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	
1S.	19E.	25											30						30
		26			20					33			33		40	33	23		182

MICROFILMED

212

AUG 18 1987

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Well in NESW Sec 26, covered under Lis # 37-2618, Was not, but can be connected to this system in case of pump failure.

The 33 acres in the NE 1/4 SW 1/4 of section 26 is covered under Lis. 37-2618. @ 0.51 in/acre. This license should be conditioned not to exceed .02 cfs / acre when both are combined.

Lis 37-2223 covers 20 acres in SWSW Sec 25 Source: unnamed springs. At time of exam this water was being used for stockwater.

There was no stockwater use being made of the well in this filing at the time of exam.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (af/a)
Irrigation	Apr. 1	Nov. 1	3.75 cfs	636 AF/ANN
			Totals: 3.75 cfs	636 AF/ANN

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 TERRY G. Blau

Signature Terry G. Blau

Certification Date _____

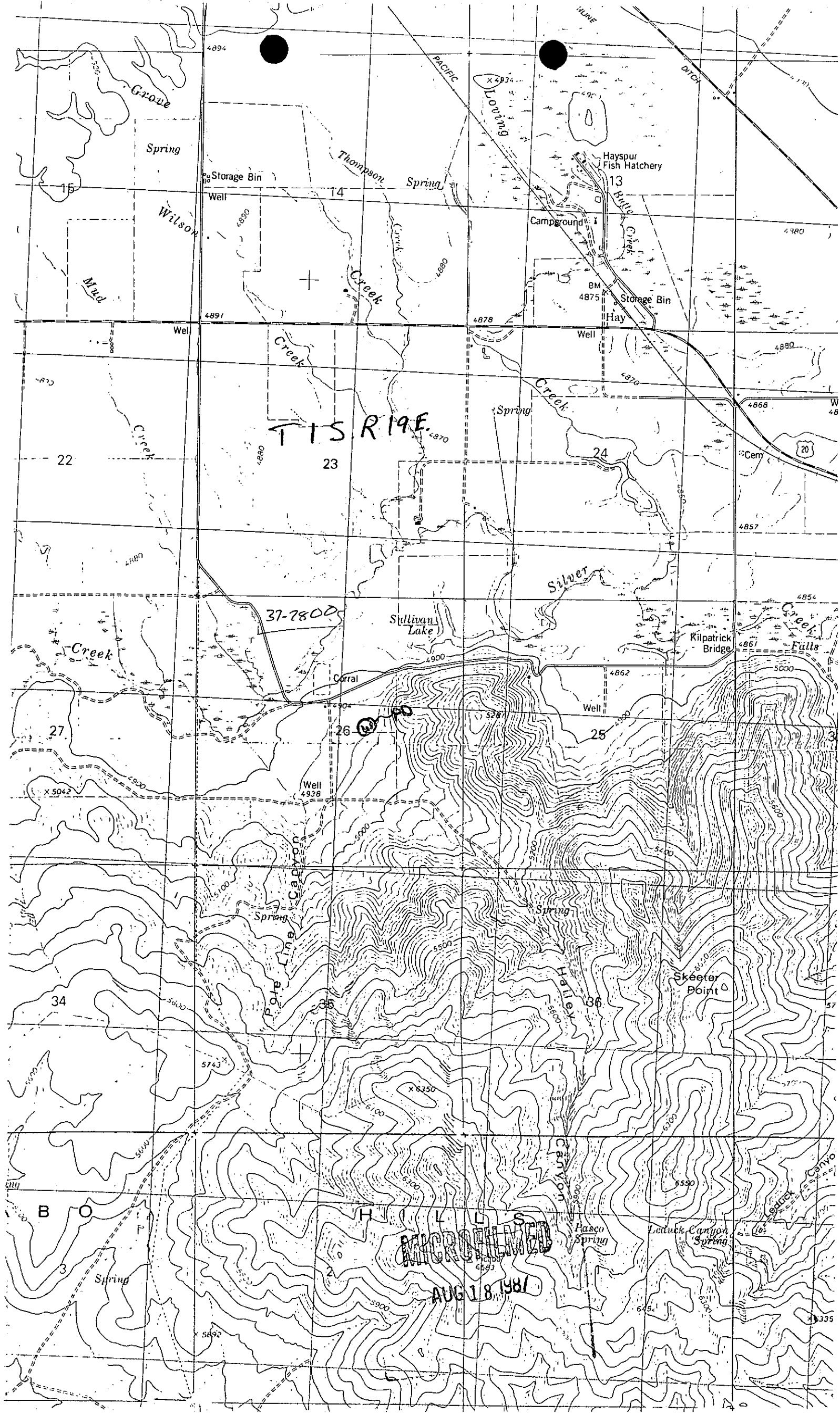
Field Report Preparation Date 11/19/86

CONSULTANT SEAL

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

MICROFILMED

AUG 18 1987



27/26

R.M.

37-7800

20

PD

1/12/8

40

33

REPRODUCED

AUG 18 1981

23

30

36/25

35/30

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN
RECEIVED

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

MAY 27 1983

1. WELL OWNER

Name Robert Gardner
Address Rt. Bellevue, Idaho 83313
Owner's Permit No. 37-7800

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☒ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____
Thickness Diameter From To
.250 inches 16 inches + 2 feet 139 feet
.250 inches 16 inches 259 feet 270 feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number From To
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☒ Yes ☐ No
Manufacturer's name Roscoe Moss
Type Standard Model No. _____
Diameter 16" Slot size .80 Set from 139 feet to 259 feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8 Minus
Placed from 60 feet to 270 feet
Surface seal depth 60 Material used in seal: ☐ Cement grout
☒ Puddling clay ☐ Well cuttings
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent
Weld
☐ Cemented between strata
Describe access port 2"

7. WATER LEVEL

Department of Water Resources
Southern District Office

Static water level 52 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>1300</u>	<u>152'</u>	<u>6</u>

9. LITHOLOGIC LOG

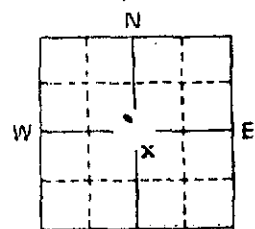
Hole Diam.	Depth		Material	Water Yes/No
	From	To		
24"	0	5	Top Soil	
	5	16	Large Gravel	
	16	19	Brn. Clay	
	19	22	Sma. Gravel & Coarse Sand	
	22	24	Brn. Clay	
	24	39	Gravel	
	39	44	Gravel + Brn. Clay Mixed	
	44	54	Conglomerate	
	54	60	Gravel + Coarse Sand	
	60	80	Lt. Brn. Clay	
	80	84	Lt. Brn. Clay w/ Sma. Amt. Gravel	
	84	104	Brn. Clay	
	104	128	Lt. Brn. Clay	
	128	152	Broken Shale Rock	
	152	184	Broken Shale Rock	xx
	184	194	Broken Shale Rock w/ Clay	
	194	204	Broken Rock + Crse. Sand w/ Little	
	204	214	" w/ Strks. of Clay	
	214	244	Broken Rock	
	244	264	Broken Rock w/ Sma. Strks. Black C	
	264	270	Broken Rock	

10.

Work started May 10, 1983 finished May 18, 1983

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____
Lot No. _____ Block No. _____

County Blaine

NW 1/4 SE 1/4 Sec. 26 T 1S R 19E E.W.

USE ADDITIONAL SHEETS

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.
PETE COPE DRILLING CO., INC.

Firm Name _____ Firm No. 213
6505 W. Chinden Blvd.
Address Meridian, ID 83642 Date May 19, 1983
Signed by (Firm Official) Frank Chastain
and Frank Chastain, President
(Operator) Kevin Chastain
Kevin Chastain

FORWARD THE WHITE COPY TO THE DEPARTMENT



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

June 26, 1986

Robert Gardner
Box 470
Bellevue, ID 83313

Re: Permit No. 37-7800

Dear Mr. Gardner:

Please find enclosed receipt No. 40192 in the amount of \$200.00 for examination fee received in this office 6/26/86 for the above referenced permit.

Very truly yours,

Mary A. Baldwin
Sec/Office Coord

Encl:

MACROFILMED

AUG 18 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

37-7800
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED
MAY 01 1987

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☐ Copy of Permit
- ☐ Copies of any Amendments/Orders with conditions of approval
- ☐ Computer Data Proof Report
- ☐ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index JB (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☒ Other: System Coverage has changed

Check of P/U index JB (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

MICROFILMED

AUG 18 1987

C. Review and Processing:

Exam Completed Jeram B. Blum 11/9/86 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent JP 11-21-86 (Initial and date)

Exam Reviewed by Manager of Regional Office RH 4/14/87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

Exam done before form

4/86

RECEIVED

JUN 27 1986

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received 200Date 6/26/86Receipt # 40192Receipt by M. BaldwinSent to S.O. 6/26/86**RECEIVED**

JUN 24 1986

1. Permit No. 37-7800ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE ~~Department of Water Resources~~

- ☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: ROBERT GARDNER3. Post Office Address: Box 470, BELLEVUE, ID. 83313Telephone No. 788-25684. Source of Water: WELL

5. Extent of Use:

Domestic _____ (No. of households) Stockwater 600 (No. and type of stock)Irrigation 240 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted 4.92 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

5-18-83

8. Person to contact to accompany the department representative during the field examination:

ROBERT GARDNER(Name) AUG 18 1981Box 470, BELLEVUE ID.

(Address)

788-2568

(Telephone Number)

- ☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

6-23, 86
DateRobert Gardner owner
Signature of Permit Holder (and title, if appropriate)



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

37-7800
GARDNER, ROBERT
ROUTE #1
BELLEVUE, ID 83313

138731

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

AUG 18 1987

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

240 acres, 1 well, 1 pivot, 6 land lines
1-100 hp well pump 1-40 hp booster-pivot
1-60 hp. booster-land lines. 1340 ft 12" mainline
1320 ft 8" mainline 2260 ft 6" mainline 580 ft
5" mainline

4. Describe how much of the project was completed on or before November 19, 1982.

Valley pivot was ordered and delivered and paid for plus insurance on pivot. Amount spent was \$ 41870.00

5. What is the total estimated cost of the irrigation project necessary to use water under the above permit or application? (In figuring project cost, do not include cost of land or engineering and feasibility studies).

\$ 120,000.00

6. Did the total of the actual expenditures and written commitments exceed 25% of the total projected cost as of November 19, 1982?

YES X NO _____

I swear (or affirm) that the information stated above is true and correct, to the best of my knowledge.

Robert Gardner

SUBSCRIBED and SWORN to before me this 29th day of MAY, 1985.

MICROFILMED

AUG 18 1981

NOTARY PUBLIC FOR

Residing at:

Richard S. 83348

RECEIVED
JUL 3 1985

FORM B

Department of Water Resources

Please answer all questions fully if you believe that actual use or a substantial investment existed as of November 19, 1982, (\$15,000 or 25% of the estimated cost of the project):

SEE ACCOMPANYING LETTER!

Permit or Application Number: 37-7800

Name(s) of Permit Holder: ROBERT GARDNER

Post Office Address: BOX 470

BELLEUE, IDAHO, 83313

Telephone No. 788-2568

Indicate the date water was first diverted and beneficially used under this permit: 5-18-83

1. As of November 19, 1982, had the sum of at least \$15,000 been spent on the purchase or construction of wells or on equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES X NO _____

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure.

2. As of November 19, 1982, did there exist actual expenditures or written commitments for expenditures totaling at least \$15,000 for the purchase or construction of wells or of equipment primarily used for irrigation purposes to be used to develop the above listed application or permit?

YES X NO _____

If the answer is "yes", attach copies of cancelled checks or receipts showing the expenditure, or of written commitments for such purchase or construction.

3. Describe the irrigation project contemplated. For example, number of acres, number of wells or headgates, type of application system (gravity, handlines, center pivots, length and size of canals, laterals, mainlines, etc.), number and size of pumps.

MICROFILMED

AUG 18 1987

240 acres, 1 well, 1 pivot, 6 land lines
1-100 hp well pump 1-40 hp booster-pivot
1-60 hp. booster - land lines. 1340 ft 12" mainline
1320 ft 8" mainline 2260 ft 6" mainline 580 ft
5" mainline.

4. Describe how much of the project was completed on or before November 19, 1982.

Valley pivot was ordered and delivered and
paid for plus insurance on pivot. Amount spent
was \$ 41870.00

5. What is the total estimated cost of the irrigation project necessary to use water under the above permit or application? (In figuring project cost, do not include cost of land or engineering and feasibility studies).

\$ 129,000.00

6. Did the total of the actual expenditures and written commitments exceed 25% of the total projected cost as of November 19, 1982?

YES X NO _____

I swear (or affirm) that the information stated above is true and correct, to the best of my knowledge.

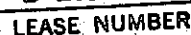
Robert Gardner

SUBSCRIBED and SWORN to before me this 29th day
of MAY, 1985.

MICROFILMED

AUG 18 1987

NOTARY PUBLIC FOR Idaho
Residing at: Prichard, ID 83348



Page 2: Lessee's Confirmation

THE CENTRAL NATIONAL INSURANCE
COMPANY OF OMAHA
(A Stock Company)
Omaha, Nebraska

(Hereinafter called the Company)

CERTIFICATE OF INSURANCE

CA 155 50 35

Certificate No. CA 155 50 35 Replacing Certificate No. _____

Lease or Installment Sales Agreement covered hereunder dated March 17, 1982

Term: 120 months Original Sales Price: \$ 39,500.00 Premium: \$ 2,370.00

Name & Mailing Address of Lessee or Purchaser: SYSTEMS LEASING TRUST NO. VII, Box 632, Valley, NE 68064
AND Gardner Ranches (Robert and Kathryn Gardner), Rt. #1, Bellevue, ID 83313

Location of Premises of Original Installation: SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 26, Township 1 South, Range 19 East,
W $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 26, Township 1 South, Range 19 East, Blaine County, Idaho

Lease or Agreement No. S-1696 * Installment Sales Contract No: _____

Other Interest including Mortgagee Name and Address: FIRST NATIONAL BANK OF OMAHA, Harold Kosowsky,
Co-Trustee, One First National Center, Omaha, NE 68103

Description of Property Covered:

1-Valley Center Pivot Model 4865, 1294' long

S/N 38625

NOTICE: In the event of a loss, please report your claim to:

VALMONT FINANCIAL, Claim Division, Box 632, Valley, Nebraska 68064, Tele. No. 402-359-2201

This certificate of insurance is issued pursuant to the terms of Policy No. CA 1599301 issued to Valmont et. al., which policy insures the above described covered property against all risk of physical damage on loss subject to all terms, conditions and agreements of the forementioned policy. Terms of said policy are available for inspection upon request to Valmont's offices. Each claim submitted under this policy is subject to a deductible of \$200.00.

*If coverage is provided pursuant to a lease agreement, than this certificate is issued as a matter of information only and confers no right on the Lessee.

**If coverage is provided under an installment sales agreement, this certificate certifies that the Company does insure Valmont et. al. and the additional interest shown above subject to all terms, conditions and agreements of the policy number shown above.

Date Issued: 3/17/82

E. Benjamin Ream

Authorized Representative of the Company

AUG 18 1981

Systems Leasing



P.O. BOX 632 • VALLEY, NEBRASKA 68064 • (402) 359-2274

March 16, 1982

Mr. and Mrs. Robert Gardner
Rt. #1
Bellevue, Idaho 83313

Re: Lease S-1696

Enclosed,

. . . are your copies of the documentation for your Systems Leasing Trust No. VII lease including:

1. Executed copy of Systems Leasing Trust No. VII lease
2. Executed and filed copies of the Uniform Commercial Code Financing Statements (2)
3. Certificate of Insurance covering the leased equipment
4. Notice of Assignment of Rents

The purpose of the Notice of Assignment of Rents is to advise you, as one of our lease customers, where your future rental payments are to be made. Naturally, all warranties and termination options relating to your equipment and lease remain unchanged. Therefore, we will be most appreciative if you will . . . as verification of receipt of this notice . . . execute and return it in the self-addressed envelope provided.

We are pleased that you have chosen to lease your system from Systems Leasing Trust No. VII and we want to take this opportunity to wish you the very best in the coming years. If we may be of any service to you, please do not hesitate to contact us.

Sincerely,

SYSTEMS LEASING TRUST NO. VII

Jody
Jody Fagerquist

MICROFILMED

AUG 18 1981

Enclosures

A 11404

PHONE 788-3539

PICABO, IDAHO 83348

NAME:

GARONDA Ranches

ACCOUNT

ACCOUNT NO. 177

DATE _____

DATE 3-22-82

ADDRESS

~~SQLP-DY~~

OLP-DY

CASH

CHARGE

MOOSE RET.

R.O.A.

QUANTITY

DESCRIPTION

PRICE

AMOUNT

Received on Account
Valley

39500.00

REC'D BY *

MICROFILMED

AUG 18 1987

TOTAL →

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

MARCH 22, 1981

ROBERT GARDNER
RT. 1
BELLEVUE

ID 83313

RE: Permit No. 37-7800

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

MICROFILMED

AUG 18 1981

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7800.

Name(s) of Permit Holder: ROBERT GARDNER

Post Office Address: RT 1, BELLEVUE, IDAHO, 83313

Tel. No. 788-2568

Source of Water: GROUND WATER

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 500 BEEF CATTLE (number and type of stock)
☒ Irrigation 200 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

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

1-12-84

Date

Robert Gardner
Signature of Permit Holder

GARDNER
RT 1 BELLEVILLE
IDAHO, 83313

RECEIVED

JAN 16 1984



JAN
16
1984



Department of Water Resources
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

December 18, 1979

Robert Gardner
Route 1
Bellevue, Idaho 83313

Dear Mr. Gardner,

RE: Permit No. 37-7800

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tutthill Jr.

DAVID R. TUTTHILL, JR.

Supervisor, Water Allocations Section

DRT:lr

Enclosures

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

37
INITIAL REVIEW BY:

[Signature]

APPLICATION NUMBER:

37-7800

GARDNER, Robert

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ 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
☐ Yes ☐ No

Platted by: _____

Map No. 475

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: 11/17/79

- ☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/19/79
☒ 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? _____

10/9/79

Date of priority recommended.

Special conditions of approval or cover letter. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 19, 1979

Wood River Journal
P.O.Box 988
Hailey ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 19, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

3Z-2800-

GARDNER, ROBERT

ROUTE #1, BELLEVUE, ID 83313

Source: GROUNDWATER

Date Filed: 10/09/1979

Amount: 4.92 CFS

Diversion Point: NWSE Sec 26 T 015 R 19E, BLAINE Co.

Use: IRRIGATION (4.80 CFS) from 04/01 to 11/01
STOCKWATER (0.12 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 25 T 015 R 19E SESW NWSE SWSE SESE Sec 26 T 015 R 19E
NENW Sec 35 T 015 R 19E NWSE Sec 26 T 015 R 19E
FOR 240 ACRES

Diversion Means: WELL AND PUMP TO SPRINKLER SYSTEM AND STOCK TANKS

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 19, 1979.

C. STEPHEN ALLRED

Director

Published 11/1 & 11/8/79.

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

37-7800

GARDNER, ROBERT

ROUTE NO. 1, BELLEVUE, IDAHO
83313

Source: GROUNDWATER

Date Filed: 10-09-1979

Amount: 4.92 CFS

Diversion Point: NWSE Sec 26 T 01S R
19E, BLAINE CO.

Use: IRRIGATION (4.80 CFS) from 04-
01 to 11-01

STOCKWATER (0.12 CFS) from 01-01 to
12-31.

Place of Use: SWSW Sec. 25 T 01S R 19E

SESW NWSE SWSE SESE Sec. 26 T 01S

R 19E NENW Sec. 35 T 01S R 19E NWSE

Sec. 26 T 01S R 19E for 240 acres.

Diversion Means: WELL AND PUMP TO
SPRINKLER SYSTEM AND STOCK
TANKS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North., Twin Falls, Idaho 83301 and received on or before NOVEMBER 19, 1979.

C. Stephen Allred

Director

Published: Wood River Journal,
November 1 and 8, 1979.

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10/23/79*

WATER RIGHT
DATA ENTRY LOG

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