

Show 40-acre subdivisions, townships, ranges and ditches.

MICROFILMED

Hand-drawn map on a 10x10 grid. The grid is divided into four quadrants by a central vertical line. The top-left quadrant is labeled "T, 1s". The top-right quadrant is labeled "R, 20E". The bottom-left quadrant contains a "feed lot" label. The bottom-right quadrant contains a "34" label and a "40" label. The grid is filled with numbers: 5, 10, 20, 40, and 100. The numbers are arranged in a pattern that suggests a coordinate system or a map of a specific area.

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

Signed at Twin Falls, Idaho, this 28 day of Feb, 1985.
L. B. Beckenridge
by J. B. Beckenridge, Pres
 (Signature)

Preliminary check by ADH Fee = \$20.00
 Publication prepared by mayer Date 3/12/85
 Publication dates 3/1 & 3/28/85

Received by gs Date 2-28-85 # 35284
 Published in wood river journal

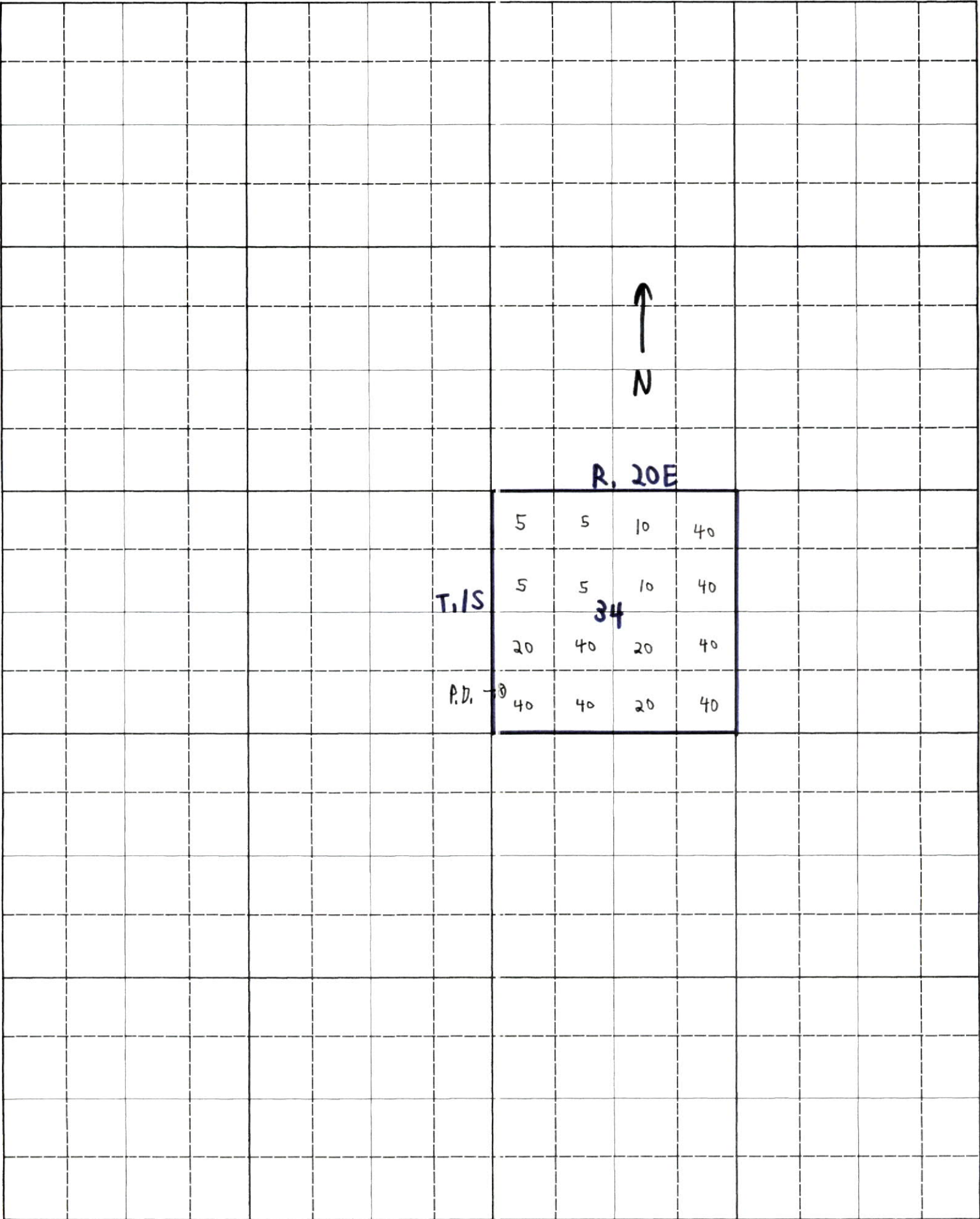
I, L. GLEN SAXTON, _____, of the Department of Water Resources hereby
 Approve the above referenced Amendment provided the conditions as set forth on

 Page 4 of Permit No. 37-7771 are met.

Witness my hand this 14th day of May 1985.

H. Glen Saxton
Chief, Operations Bureau

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.

L. L. Breckenridge Co. by
Jan L. Lenz Manager.
(Applicant)

7-2B-73
3:00 P.M.

MODE SELECT
INPUT

OUTER DIAMETER
8.972 IN

PIPE MATERIAL
? CS.33

WALL THICKNESS
0.1100 IN

INNER LINING
? NO LIN.

KIND OF FLUID
? WATER

SENSOR MOUNTING
?

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.368 IN U

ZERO MODE
? CLEAR

ZERO MODE
? CLEAR

ZERO MODE
? OUT ZERO

07-23 14:5100 *H
+000.00 *R12

MODE SELECT
? TO CHECK

0293.4 MMSEC
099.96 *R12

DAMPING SET
15 SEC

ZERO MODE
? ZERO OPR

07-23 14:5600 *R
+000.00 *R12

MODE SELECT
? TO CHECK

0293.8 MMSEC
099.96 *R12

07-23 14:5700 *R
+721.054E 00PM

07-23 14:5700 *R
+719.340E 00PM

07-23 14:5800 *R
+721.654E 00PM

07-23 14:5800 *R
+722.778E 00PM

07-23 14:5900 *R
+719.340E 00PM

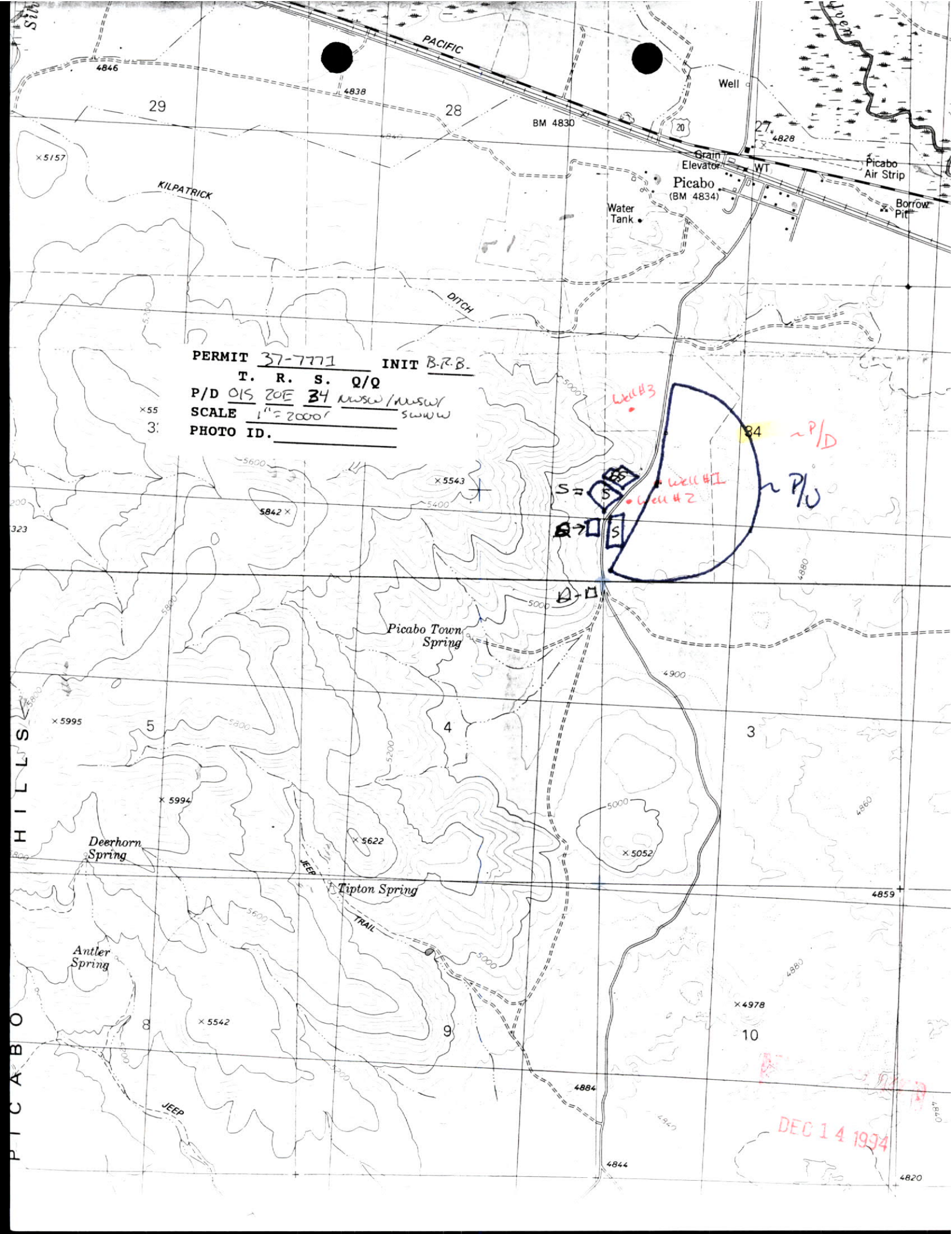
Well
#1

POOR QUALITY

POOR QUALITY

DEC 14 1994

Avg
720.9
58"
or
1.61cfs



PERMIT 37-7771 INIT B.R.B.

T. R. S. Q/Q

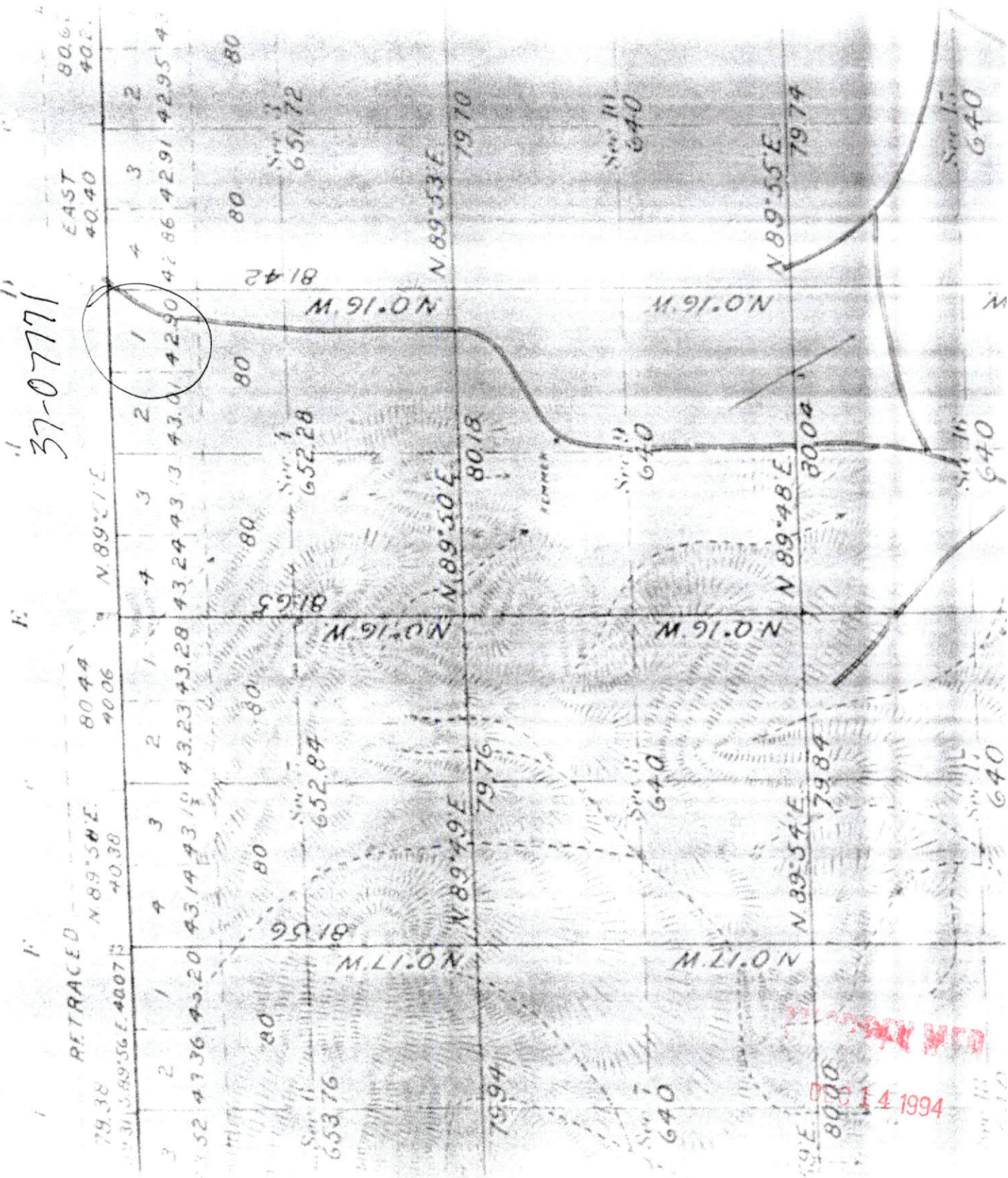
P/D 015 20E 34 NWSW / NWSW
SCALE 1" = 2000' SWWW

PHOTO ID. _____

~P/D
~P/D

DEC 14 1974

37-07771



FILE

Approximately 123 acres covered by pivot

Two (or
cabins
part of
domestic)

Feedlots

Max. 2500 cattle
→ 4 ranges
automated stock water

Double Wide
Trailer →
Part of Domestic
Component

Aerial Photo
Average of pixel determined
by planimeter. $\frac{P}{D} \approx P\%$

DEC 14 1994

System Diagram
P 37-7771

autographed
stockholder

Double Wide
Trailer
Part of
Domestic
Component 

Two big
cabins
part of
domestic
use

4" underground
massive
underground
inwards
attributed to
specific water

9 tower
low press
pilot

One medicine
23 pills

Well #2 & Well #3 are connected in case of emergency. Well #3 supplies water for irrigation, domestic, & stock water from P37-28578, usually.

All Places of Use p37-28578

$$\begin{array}{r} 35 \\ 34 \\ \hline 69 \end{array}$$

P37-7771



↙ P/U

↗ P/D #1

This photo was taken on July 18, 1993.
This photo is taken looking northwest from behind
the well. The low pressure pivot is in the
background.

UNRECORDED
JUL 14 1994



P37-777I

This photo was taken on July 18, 1993.
This well is Well #2 on aerial photo.
It usually supplies water for the feedlot, corrals,
& the domestic use (3 homes).

RECEIVED
DEC 14 1994

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

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

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

publication of said advertisement was on the 2nd day of Aug 19 89, and

the date of the last publication was on the 9th day of Aug, 19 89.

Daniel J. Gorham
Subscribed and sworn to before me this 31st day of Aug, 19 89.
(SEAL)

Roberta McKenney
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2
Lines tabular at _____ 5.5¢/Pica
34 Lines straight at 116.83 4.5¢/Pica
34 Subsequent lines at 13.09 3.5¢/Pica
TOTAL COST 29.92

COPY OF NOTICE
(Paste Here)

Existing Permit #37-7771
TITLE OF NOTICE Breckenridge

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO (Boise)

Breckenridge seeks water right permit

NOTICE OF EXISTING WATER RIGHT PERMIT

PERMIT NO. 37-7771

Presently Recorded as Follows:

Name: L.L. BRECKENRIDGE CO.

Address: RT. 6 BOX 9254

TWIN FALLS

ID 83301

Source: GROUNDWATER

Diversion Pt.: NWSW SEC. 34

T1S R20E, BLAINE CO.

Use: IRRIGATION (7.6 CFS)

DOMESTIC (0.06 CFS)

STOCKWATER (0.31 CFS)

Priority: APRIL 11, 1979

Place of Use: SEC. 34 T1S R20

Total Acres: 380

This permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720, on or before August 21, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal—Aug. 2 & 9, 1989.

MICROFILMED

DEC 15 1989

PUBLICATION RATES

As of Oct. 1, 1988

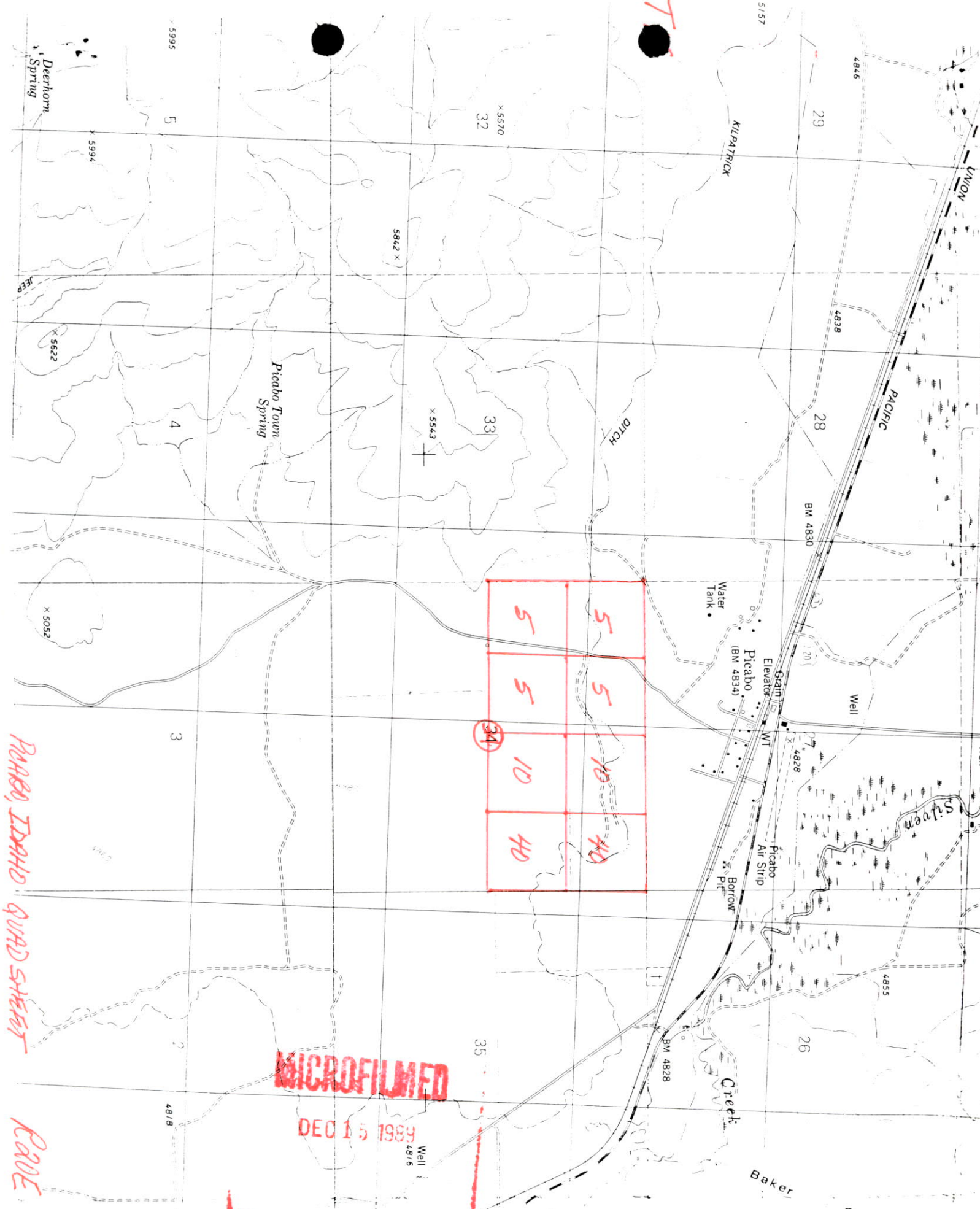
(Idaho Code, Reb. Statutes 1984)

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

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

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

66657

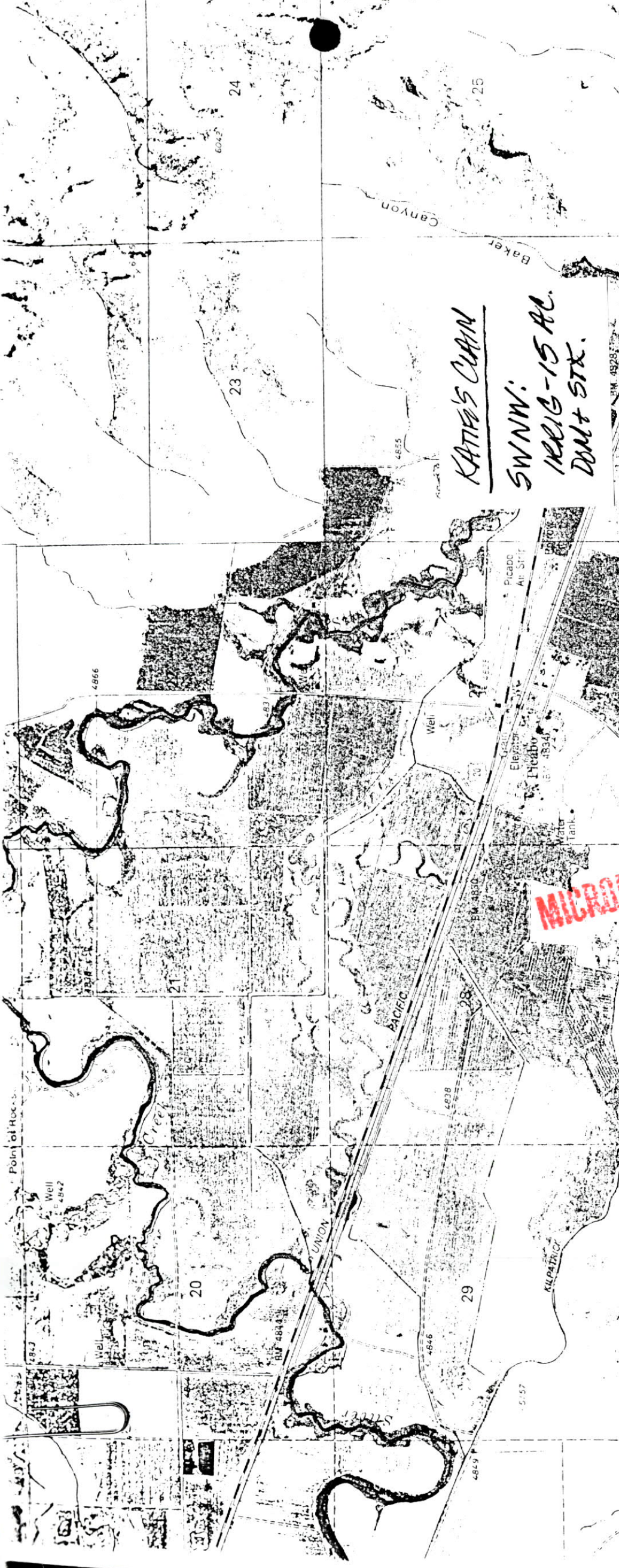


PICABO, IDAHO QUAD SHEET

PADE

MICROFILMED

DEC 15 1989



KATIE'S CUAAN

SWNW:
REG-15 AC.
DWT+STX.

5	5	10	40
N	W	NE	40
5	5	10	40
34			
DWR proof ACREAGE AS OF 9-06-88			

5	10	40
5	10	40
20	40	20
40	40	40

MICROFILMED

USAS T S, R. 20 E
POB

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 21st day of March

19 85, and the date of the last publication was on the 28th

day of March, 19 85.

Gordon O. Glasmann

Subscribed and sworn to before me this 28th

day of March, 19 85.

(SEAL)

Darlan Bratt

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 11

Number of Lines in Notice 41

Number of Insertions 2

Lines tabular at 5"/Pica

41 Lines straight at 1804 4"/Pica

41 Subsequent lines at 1353 3"/Pica

TOTAL COST 31.57

COPY OF NOTICE

(Paste Here)

377771 / Breckenridge
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

Breckenridge applies for permit change

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 37-7771

NOTICE IS HEREBY GIVEN, That L.L. Breckenridge Co., of Twin Falls, Idaho, is the holder of Approved Permit No. 37-7771, authorizing the diversion of 7.97 cubic feet per second (cfs) of water from a groundwater source in the SWSW, Sec. 34, T1S, R20E, B.M., Blaine County, Idaho, 7.60 cfs for irrigation of 380 acres and 0.37 cfs for livestock, both within Sec. 34, T1S, R20E, B.M.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to change the Point of Diversion, change the Place of Use of stockwater, and add domestic use, as follows:

Point of Diversion: NWSW, Sec. 34, T1S, R20E, B.M., Blaine Coun-

Use: Irrigation: No Change
Stockwater 0.37 cfs -
Domestic 0.06 cfs;
both within NWSW,
Sec. 34, 1S, R20E

Any protest against approval of the amending of Permit No. 37-7771, as set forth above, must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho 83301, on or before APRIL 8, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal-
March 21 & 28, 1985.

IN 3949 D

MAR 29 1985

Department of Water Resources
Southern District Office

MICROFILMED

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

RECEIVED

Permit 37-7771

TITLE OF NOTICE

State of Idaho,
County of Blaine

SS.

MAY 29 1979

PLAINTIFF ATTORNEY

GORDON O. GLASMANN

Department of Water Resources
District Office

DEFENDANT

PLAINTIFF

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 3 day of May

19 79, and the date of the last publication was on the 10

day of May, 1979

Subscribed and sworn to before me this 21st

day of May, 1979.

(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 36

Number of Insertions 2

Lines tabular at 39c

36 Lines straight at 26c 9.36

36 Subsequent lines at 15c 5.40

TOTAL COST 14.76

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:

37-7771

L.L. BRECKENRIDGE CO.
ROUTE 4, TWIN FALLS, ID. 83301
Source: GROUNDWATER

Date Filed: 04/11/1979

Amount: 7.97 CFS

Diversion Point: SWSW Sec. 34 T 01S R 20E, BLAINE Co.

Use: IRRIGATION (7.60 CFS) from 04/01 to 11/01,
STOCKWATER (0.37 CFS) from 01/01 to 12/31

Place of Use: NENE NWNE SWNE SENE
NENW NWNW SWNW SENW NESW
NWSW SWSW SESW NESE NWSE SESE
SWSE Sec. 34 T 01S R 20E FOR 380 ACRES

Diversion Means: WELL AND PUMP

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 on or before MAY 21, 1979.

C. STEPHEN ALLRED
Director

Publish: Wood River Journal May 3, 10, 1979.

Nº 0746

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07771

Priority: April 11, 1979

Maximum Diversion Rate: 1.98 CFS

Maximum Diversion Volume: 440.5 AF

This is to certify, that B BAR B INC
PO BOX 685

PICABO ID 83348 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 11, 1979; and has submitted Proof of Beneficial Use on September 29, 1992. An examination indicates that the works have a diversion capacity of 2.430 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.61 CFS	420.0 AF
STOCKWATER	01/01 to 12/31	0.31 CFS	18.7 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.8 AF
Totals		1.98 CFS	440.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 34, Township 01S, Range 20E
NWSW , Sec. 34, Township 01S, Range 20E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	20E	34	SWNW 4	SENW 15	NESW 38	
			NWSW 13	SWSW 25	SESW 25	120
Total number of acres irrigated:						120

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
01S	20E	33	NESE
		34	NWSW

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
01S	20E	34	NWSW
02S	20E	4	Lot 1(NENE)

DEC 14 1994

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.

SCANNED

NOV 11 2003

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

WATER RIGHT NO. 37-07771

CONDITIONS/REMARKS:

3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
9. Two points of diversion are located within NWSW, S34, T01S, R20E.
10. Right 37-08578 is also diverted through the points of diversion described above.
11. Stockwater use is for 2500 head of mixed stock.
12. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
13. Domestic use is for 3 homes.

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 9TH
day of DECEMBER, 1994.

Acting for R. Keith Higginson, Director

DEC 14 1994

RECEIVED

NOV 15 1994

Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07771

APPROVED

RECEIVED

NOV 08 1994

Department of Water Resources

Date of Priority: April 11, 1979

Maximum Diversion Rate:

1.98 CFS

Maximum Diversion Volume:

440.5 AF

Comes now

B BAR B INC

PO BOX 685

PICABO ID 83348

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-07771, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.61 CFS	420.0 AF
STOCKWATER	01/01 to 12/31	0.31 CFS	18.7 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.8 AF
Totals		1.98 CFS	440.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 34, Township 01S, Range 20E
NWSW , Sec. 34, Township 01S, Range 20E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S 20E 34	SWNW 4	SENW 15	NESW 38	
	NWSW 13	SWSW 25	SESW 25	120

Total number of acres irrigated: 120

PLACE OF USE: STOCKWATER

<u>TWN RGE SEC</u>		
01S 20E 33	NESE	SESE
34	NWSW	

PLACE OF USE: DOMESTIC

<u>TWN RGE SEC</u>	
01S 20E 34	NWSW
02S 20E 4	Lot 1 (NENE)

DEC 14 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07771

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 Bonne County, this 4 day of November, 1994.

Kathleen Bruchman
(Signature)

DEC 14 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07771

FOR DEPARTMENT USE ONLY

Preliminary check by RC Fee = \$50 Received by RT # 603166 Date 11-15-94 ✓

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-07771 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
9. Two points of diversion are located within NWSW, S34, T01S, R20E.
10. Right 37-08578 is also diverted through the points of diversion described above.
11. Stockwater use is for 2500 head of mixed stock.
12. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
13. Domestic use is for 3 homes.

DEC 14 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-07771

Witness my hand this 9TH day of DECEMBER, 1994.

Acting for


R. Keith Higginson, Director

DEC 14 1994

Form 217
11/91

RECEIVED

SEP 29 1992

OFFICE USE ONLY

Amt. of Fee \$ 275.00

Date 9-30-92

Receipt No. C025622

Receipt by g

RECEIVED

SEP 18 1992

Department of Water Resources

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 37-07771 Telephone No. 208-788-2329

2. Name(s) of Permit Holder(s): B BAR B INC.

3. Mailing Address: PO Box 685 PICABO IDAHO 83348

4. Source of Water: WELL

If GROUNDWATER, Well Driller's Name: MARLIN'S WELL DRILLING CO. Date Drilled: WINTER 1991-1992

OPTIONAL:

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

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 120 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 7.97 cfs OR NA Reg 901/92 acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 275 (See License Fee Schedule on back of Instruction Sheet)

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

KARIE BRECKENRIDGE 208-788-2329
Name Telephone No.

Box 685 PICABO ID. 83348
Address

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

9/15/92 Karie Breckenridge
Date Signature (and title, if on behalf of a company or organization)

MICROFILMED

OCT 26 1992

RECEIVED

SEP 30 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 FEE Received by CJ
Date 9-30-91
Receipt # 0021896

REQUEST FOR EXTENSION OF TIME

Department of Water Resources

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 in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 37-07771Name(s) of Permit Holder: B BAR B INC.Post Office Address: Box 685, PICABO, IDAHO 83348Telephone No. 208-788-2329Date Proof is Due: OCT. 1, 1991

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 DRILLER IS ON SIGHT DRILLING A NEW
IRRIGATION WELL. DUE TO THE LOCATION OF POWER
LINES AND THE PUMP HOUSE FOR THE PRESENT WELL
THAT IS USED FOR DOMESTIC AND, Costing \$ APP. \$40,000⁰⁰

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

STOCK, THE DRILLER WAS UNABLE TO ENLARGE THE
PRESENT HOLE AND WE ARE DRILLING A NEW WELL.

Permit holder(s) request an extension to OCT. 1, 1992 [Signature]
(1 yr. minimum) (Signature)*

FEE: \$15.00

*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
October 1, 1992.

Signed this 7th day of November, 19 91

[Signature]
Chief, Water Allocation Bureau

MICROFILMED

DEC 10 1991

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	37-7771	L.L. Brockenridge Co.	7.97
Full Assignment	37-7771	B Bar B Inc.	7.97

Should have ↑
been for
2.77 CFS

MICROFILMED

DEC 10 1991

RECEIVED

AUG 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

ASSIGNMENT OF ~~APPLICATION FOR~~ PERMIT

I, L.L. Brockenridge Co, hereby assign to B Bar B Inc.
of, P.O. Box 685, Piquette, ID 83348 788-2329
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 37-7771 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 28th day of Aug, 1990. 1991

L.L. Brockenridge Co, President
Applicant

State of Idaho)
County of Twin Falls)^{ss}

On this 28th day of Aug, 1991, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Kimberly
Notary Public

Kimberly

Notary Public

ID

My commission expires:

6/30/94

DEC 10 1991

Application for Amendment to reduce acres can be found on opposite side of file. Approval of amendment is not required by department. Signed amendment however confirms intent of permit holder.

120 ACRE AMEND
ORDER

SEE
MEMO

✓ SEE
ORDER

MICROFILMED

DEC 15 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 37-7771 IN THE NAME) CONTINUATION ORDER
OF L.L. BRECKENRIDGE)
_____)

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.

2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.

3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.

4. Permit No. 37-7771 (permit) was issued to L.L. Breckenridge (permit holder) authorizing the diversion of 7.97 cfs of groundwater for stockwater and domestic purposes and irrigation of 380 acres.

5. Information submitted by the permit holder shows that the irrigation of the 380 acres authorized under this permit did not occur prior to

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DEC 15 1989

July 1, 1985. The permit holder has further submitted that he intends to irrigate only 120 acres out of the 380 acres originally authorized by the Department.

6. The development and use of water authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 37-7771 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 37-7771 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. The number and location of acres to be irrigated under this permit is limited to the 120 acres described on Attachment A of this order.

2. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before October 1, 1991.

3. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.

4. The construction of diversion works must be commenced within one (1) year of the date of this order and shall proceed diligently and uninterruptedly to completion unless temporarily interrupted by circumstances over which the permit holder has no control.

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DEC 15 1989

5. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

3. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

4. All conditions of approval contained on the permit are incorporated into and made part of this order.

Dated this 27th day of November, 1989.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

DEC 15 1989

RECEIVED

MAY 23 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 FEE Received by K. Young
Date 5/23/89
Receipt # COO 6996

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

Department of Water Resources

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 in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.Permit No. 37-7771Name(s) of Permit Holder: L.L. BRECKENRIDGE CO.Post Office Address: RT. #6 Box 9254 TWIN FALLS, IDAHO 83301Telephone No. 208-733-7830Date Proof is Due: 06-01-1989Describe what work has been completed toward the development of this water right: NONE

(This must be filled out! If no work has been completed, show "none".)

Costing \$

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

SWAN FALLS LITIGATION -- REVIEW BY DEPARTMENT (SEE ATTACHMENT FROM
DEPARTMENT)Permit holder(s) request an extension to 06-01, 19 92
(1 yr. minimum)L.L. Breckenridge Co.
by J.H. Breckenridge President
(Signature)

FEE: \$15.00

*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 October 1, 1991.

Signed this 27th day of November, 19 89.J. Shaw Saxton
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT_{28 1985}To change the point of diversion and/or the place of use. Department of Water Resources
Southern District Office

APPROVED

Comes now L. L. Breckenridge Co.of (address) Route #6 Box 9254, Twin Falls, ID 83301, 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. 37-7771, and requests that the permit and permit map be changed as follows:

1. Point of diversion: ^{NW} ~~NW~~ $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 1S, Range 20E, B.M.,
County of Blaine. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 7.64 cfs for Irrig. purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre feet per annum)Amount 0.06 cfs for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre feet per annum)Amount ^{* 0.31} 0.37 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)

Total: 7.97 cfs

3. Place of use or land to be irrigated: ~~No Change~~ (Change in P/U for domestic & stock; no change
in irrigated land)

* Per telecon w/permit holder J.S. 5-10-85

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	20E	34	40	10	10	40	5	5	5	5	40	X 20	40	40	40	20	20	40	380

Total number of acres to be irrigated = 380

4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or the 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: _____

MICROFILMED

Show 40-acre subdivisions, townships, ranges and ditches.

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[illegible]

Signed at Twins Falls, Idaho, this 28 day of Feb, 1985.

of Lt 1983.
I.L. Greshenridge
by J.H. Kunkin, Jr. Pres.
(Signature)

Received by GA Date 2-28-85 \$ 35284

Published in Ward River Journal

Publication dates 3/21 & 3/28/85

I, L. GLEN SAXTON, _____, of the Department of Water Resources hereby

Page 4 of Permit No. 37-7771 are met.

Witness my hand this 14th day of May

19 85
H. Glen Saylor
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

AUG 6 1984

To provide additional time in which to submit
proof of beneficial use on a water right permit Department of Water ResourcesL.L. Breckenridge Co.

(Name)

of Rt. 6 Box 9254, Twin Falls ID 83301

(Address)

State of Idaho, deposes and says:That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public
Waters of the State of Idaho No. 37-7771.That under the terms and conditions of said permit, work thereunder was required to be completed on or
before June 1, 1984.That he has heretofore performed the following work described under said permit: has drilled
8" x 500' well piped to feed yard and 2 homes. has also installed
Submersible pump & motor

continued work

Costing \$ 25 000That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: Idaho Power would not hook up a large enough
pump to irrigate with. Alternate power sources were not
economically feasible. Would like to finish development
as soon as moratorium is lifted.Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to June 1, 1989.L.L. Breckenridge Co.
by J.L. Breckenridge President
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time
within which to submit the statement of beneficial use is extended to June 1, 1989.

MICROFILMED

Signed this 30th day of August, 1984.A. Glen Saxton
Chief, Operations Bureau\$15.00 fee received by if

Date

8-8-84

Receipt #

34984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED
APR 21 1979
Department of Water Resources
Southeast District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant L. L. Breckenridge Co. Phone 733-1830

Post office address Route 4, Twin Falls, Idaho

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 1S

Range 20E B.M. Blaine County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 7.6 cfs for irrigation purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.37 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. 7.97 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

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 20 inches; proposed depth of well is 550 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: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 1S

Range 20E 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 3000 sheep, 1200 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	SE¼	SW¼	
1S	20E	34	40	10	10	40	5	5	5	5	40	20	40	40	40	20	40	20	380

Total number of acres to be irrigated 380

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

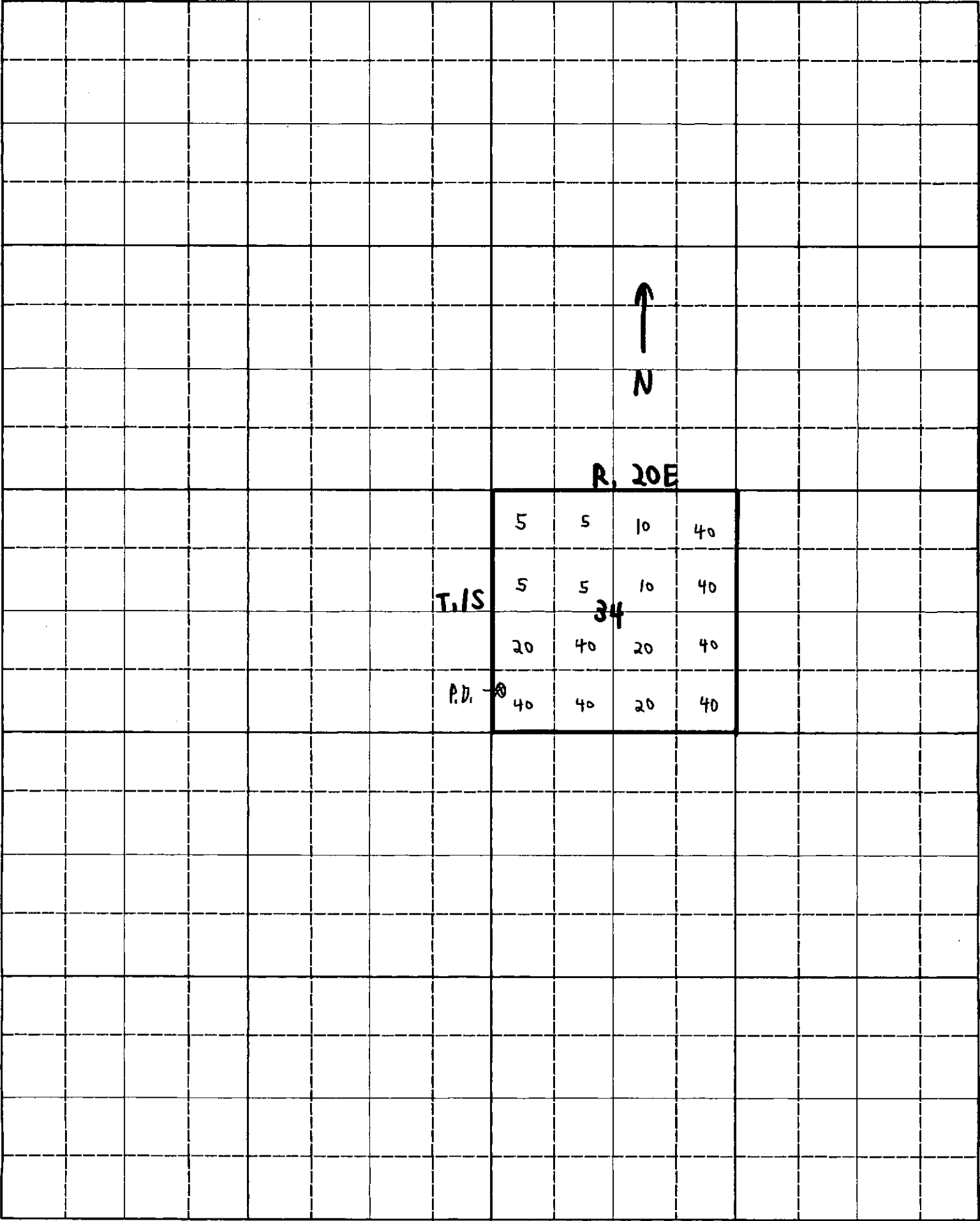
9. a. Who owns the property at the point of diversion Applicant

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.

L. L. Breckenridge Co., by
Jan L. Lenz Manager.
(Applicant)

Proposed Priority 4-11-79

Received by JF Date 4-11-79 Time 2:25 pm
Preliminary check by JF Fee \$ 105⁰⁰
Receipted by JF Date 4-11-79 # 12755
Publication prepared by manga Date 4/18/79
Published in Lucas river journal
Publication dates 5/3 + 5/10/79
Publication approved manga Date 4/25/79
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JF S.S.

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. 37-7771, 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 June 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: 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 20th day of June, 19 79.

A. Glen Saxton
Chief, Operations Bureau



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 9, 1994

B BAR B INC
PO BOX 685
PICABO ID 83348

RE: WATER RIGHT NO. 37-07771

Dear Water Right Holder(s):

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

SCANNED
NOV 11 2003

RECEIVED

DEC 14 1994

M E M O R A N D U M

DATE: December 1, 1994

TO: Files 37-08578 and 37-07771

FROM: Shelley W. Keen *SWK*

RE: Amendment Fees

=====

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

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

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

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

RECEIVED
DEC 14 1994

MEMORANDUM

TO: Fiscal

FROM: Brenda Chapman

DATE: November 16, 1994

RE: Amendment Refund / 37-07771
In the name of: B BAR B, INC.

=====

Fiscal Department:

Please prepare a \$50.00 refund for the following corporation. The right holder overpaid for their licensing amendment. The amount paid was \$100.00 and the receipt number is C031660 dated 11/15/1994.

B BAR B INC
PO BOX 685
PICABO ID 83348

Thank you!

DEC 14 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

November 9, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

B BAR B INC
PO BOX 685
PICABO ID 83348-0685

RE: PERMIT NO. 37-07771

Dear Water Right Holder(s):

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

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

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

Sincerely,

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

BRENDA CHAPMAN
Water Resource Agent

BC:dc

Enclosure

DEC 14 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 28, 1994

B BAR B INC
PO BOX 685
PICABO ID 83348

RE: WATER RIGHT NO. 37-07771

Dear Water Right Holder(s):

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

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

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

DEC 14 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 3, 1994

B BAR B INC
PO BOX 685
PICABO ID 83348

RE: WATER RIGHT NO. 37-07771

Dear Water Right Holder(s):

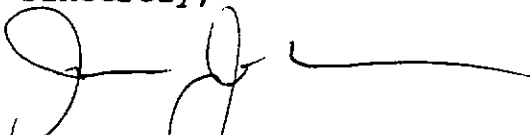
The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

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

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

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

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

DEC 14 1994

LICENSE REVIEW CHECKLIST



PERMIT NO. 37-7771 DATE 9-30-94

NAME Yes No ☒ Or Address Change?

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

SOURCE Yes No ☒ Changes or just clarification of originally intended source?
Notice of Intent to Void necessary? NO

POINT OF DIV Yes No ☒ Amendment needed? Add SWNW (well #3)
Yes No ☒ Overlaps? 37-8578 @ .28CFS

PLACE OF USE Yes No ☒ Amendment needed? Add sections 4 & 33
Yes No ☒ Overlaps? NO

amended
DIV RATE = 2.4 for irr
.06 domestic
.31 livestock
TOTAL CAPACITY IS 2.43CFS
Permit/fee limits: 2.77CFS (FROM 1989 Amendment)
(IRRIGATION well) (Dom/livestock) Recommend: 1.98CFS
(well #1 Q = 1.61) (well #2 Q = .42) well #3 Q = .40
120X .02 = 2.4 - allow 1.61 2500 STOCK @ .31
Combined rates exceed capacity NO

ANNUAL VOLUME Yes No ☒ Season of use: B/3.5 (4-15 to 10-15) ^{new}
Calculations: 120 X 3.5 = 420 ok 3 houses @ 1.8
2 hrs stock UOL per day = 18.7 ok
Flow limit: cfs x x 1.9835 =
Combined volumes exceed capacity/allowable NO

USES Yes No ☒ Change in Nature of Use or additional uses?
Amendment necessary? NO

REMARKS W32 (2) Multiple p/d(s) in 1/4 1/4? NWSW-SEC34-01S-20E
Add WB5 W36 Other (37-8578/.02/3.5)

CONDITIONS W32 W36 domestic condition
Measuring/Locking Devices
Watermaster control - District
IR30 Irrigation Overlap
Water Quality 55
Other TRUST R 56 Heat/Cool/ Fish verified 57

COMMENTS: Reduce rates

RECOMMENDED	CFS	VOL	SRBA Claim Filed	NO-N/A
<u>Irrigation</u>	<u>1.61</u>	<u>420</u>	Adjustment Memo Needed	<u>NO</u>
<u>Stockwater</u>	<u>.31</u>	<u>18.7</u>		
<u>Domestic</u>	<u>.06</u>	<u>1.8</u>	LICENSE	
<u>Totals</u>	<u>1.98</u>	<u>440.5</u>	1ST AMENDMENT LETTER	<u>P37+P38</u>
			FINAL AMENDMENT LETTER	<u>P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-07771

1. Owner: B Bar B Inc

Phone No. 788-2329

Current Address: P.O. Box 685

2. Accompanied by: Katie Breckenridge

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

Address: the same

Phone No. _____

Relationship to Permit Holder: Partner in B Bar B Inc

3. Source: Groundwater

tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

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

2. Place(s) of Use:

Indicate Method of Determination Aerial Photo, Planimeter

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	34							4	15	38	13	25	25					120
01S	20E	34										D.S							D.S
02S	20E	4																	D
1S	20E	33													S			S	S

DEC 14 1994

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

Scale: 1" = see attached sheet

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	General Electric	150	No. 66044033	Well Line	Pump # LF 92142
#2	STA-RITE _{submersible}	20	Model #40P		
#3	STA-RITE _{submersible}	5	Not Available		

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Ultrasound Flowmeter						
Pitot tube + Pressure gauge						

2. **Measurements:** With the ultrasound flowmeter, I measured a d.r. of 1.61 cfs from well #1. In the wheel lines with 22 heads running, I measured a pressure of 65 psi from the RB 30 head. Well #3 was supplying the water to the wheel lines.

E. NARRATIVE/REMARKS/COMMENTS

see attached sheet

Note: The Picabo Town Spring is located about $\frac{3}{4}$ of a mile south of Katie's house & well. The 4" mainline is connected to the water system (underground mainline from spring to Picabo Water Tower) for backup. It has been used once in the last 8 years.

Well #3 is a backup only to this system but is the primary source for P37-08578

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

DEC 14 1994

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Theoretical diversion rate of 0.42 cfs can supply
0.31 cfs livestock

3 houses are developed internally ≈ 0.08 cfs
but the permit asks for only 0.06 cfs, so therefore

2500 Range Cattle
 $\times 0.00022 = 0.55$ cfs but
limited to permit of
0.31 cfs

G. VOLUME CALCULATIONS

2 out of the 3 houses will be licensed

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (120)(3.5) = 420 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (1.61 \text{ cfs})(184 \text{ days})(1.9835) = 588 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 420 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$\begin{aligned} \text{Volume for livestock} &= \text{Head} \times 0.0134 \\ &= (2500)(0.0134) = 33.5 \text{ afa} \end{aligned}$$

(Based on 2 hr/day
diversion rate)

but limited to 0.31 cfs

$$(0.31 \text{ cfs})(2 \text{ hr/day})(365 \text{ days}) \left(\frac{3600 \text{ s}}{1 \text{ hr}} \right) = 814,680 \text{ ft}^3 \text{ or } 18.7 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/15	10/15	1.61 cfs	420.0 afa
Domestic	1/1	12/31	0.06 cfs	1.8 afa
Livestock	1/1	12/31	0.31 cfs	18.7 afa
Totals:			1.98 cfs	440.5 afa

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

I. AUTHENTICATION

Field Examiner's Name Bred Barry Date 7-29-93

Reviewer _____ Date _____

SEAL

DATE: July 29, 1993

FROM: Brett Barry

SUBJECT: P37-7771 Field Examination: Narrative/Comments

On June 18, 1993, the first visit for this field examination was conducted. Katie Breckenridge of B Bar B Inc accompanied myself during this examination.

P37-7771 and P37-8578 are very closely related in proximity and use. Well #3(see system diagram) was originally designed for P37-8578 and Well #2 was designed for P37-7771. But due to recent emergencies and lightning strikes, the two wells were tied together for backup. The two wells cannot be used together because the pressure head created would be to extreme. Most of the time the two wells serve their original intention. Well #1 was drilled to expand on the irrigation component of P37-7771 and is not connected to the other two wells. This well was finished in February of 1992. A 4 in underground mainline connects Well #2 and Well #3.

A nine tower low pressure pivot that is 1782 ft long waters approximately 120 acres of potatoes from Well #1. This pivot was designed to produce less than 800 gpm to allow for an additional handline in the future. With the Polysonic ultrasound flowmeter on July 23, 1993, I measured a diversion rate of 721 gpm or 1.61 cfs.

P37-7771 also has domestic and livestock use. Well #2 usually diverts water to a feed lot that can carry a maximum of 2500 cattle & horses. One lateral diverts northwest from the mainline to the main feedlot. Two laterals divert south and southwest to the corrals. All stock is watered from automatic stockwater troughs. The pump is set at approximately 360 ft and the casing is 8 in while the total depth of the well is unknown. The static water level reported in the well log for the nearby irrigation well (Well #1) was 110 ft. A theoretical diversion rate of 0.42 cfs was calculated for Well #2. The 4 in mainline continues south until it reaches a double wide trailer that is part of the domestic use. Two log cabins near the feedlots are also connected to the system and are part of the domestic use.

Since the aerial map wasn't recent enough to have the added acreage from the pivot, the length of the pivot and radius of the end gun were drawn to scale on the aerial photo. The total acreage covered by the pivot was then determined by the planimeter.

RECEIVED
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Low Pressure Pivot For P37-777I

VALMONT INDUSTRIES INC

ORDER NO: 2115192

-14-
04/08/92

SPRINKLER SETUP CHART

CUSTOMER		MODEL NUMBER	4000
NAME	B BAR B	LENGTH	1782.0
ADDRESS	64 PICABO DESERT RD	GALLONAGE	800
CT/ST/ZP	PICABO ID 83348	PIVOT PRESSURE	27
COUNTRY	D I	END GUN RADIUS	40
DEALER		APPL RATE (IN/DAY)	1.19
NUMBER:	006243	TOTAL ACRES COVERED	239.46
NAME	SILVER CREEK IRRIGATION	GPM PER ACRE	3.00

P E R C E N T A G E T I M E R D A T A		
INCHES PER REVOLUTION	PERCENT TIMER SETTING	HOURS PER REVOLUTION
.21	100	29
.30	71	41
.40	53	54
.50	42	68
.60	35	81
.70	30	95
.80	27	108
.90	24	122
1.00	21	135
1.25	17	169
1.50	14	203
1.75	12	237
2.00	11	271
2.50	8	339
3.00	7	406
3.50	6	474
4.00	5	542
5.00	4	677

ABOVE DATA FOR 30.0 RPM (480 V., 60 HZ.) CENTERDRIVE GEARBOX WITH RETREAD 11X 24.5 TIRES AT OUTER TOWER. BECAUSE THE ABOVE INFORMATION IS BASED ON VARIABLES WHICH CANNOT BE TOTALLY CONTROLLED (PIVOT PRESSURE, ENDGUN RANGE, TIRE SLIP, TERRAIN VARIATIONS), VALMONT CANNOT GUARANTEE THE ACCURACY OF THE APPLICATION DEPTH AND PERCENTAGE TIMER CALCULATIONS. FURTHERMORE, VALMONT MAKES NO REPRESENTATIONS OR RECOMMENDATIONS AS TO PERCENTAGE TIMER SETTINGS, WATER APPLICATION RATES, AND OTHER SIMILAR FARM MANAGEMENT DECISIONS.

DEC 14 1994

MODE SELECT
INF JT

7-23-93

3:00 P.M.

OUTER DIAMETER
8.072 IN

PIPE MATERIAL
CS-53

WALL THICKNESS
0.1108 IN

INNER LINING
NO LING.

KIND OF FLUID
WATER

SENSOR MOUNTING
?

TYPE OF SENSOR
?

DATE CHANGE
?

SPACING
5.969 IN

ZERO MODE
CLEAR

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

07-23 14:52:03 WH
+003.00 % 012

MODE SELECT
TS CHECK

0293.4 MMSEC
029.94 % 12

DAMPING SET
15 1000

ZERO MODE
ZERO OPR

07-23 14:56:00 WR
+003.00 % 012

MODE SELECT
TS CHECK

0293.2 MMSEC
029.87 % 12

07-23 14:57:00 WR
+721.0545 007M

07-23 14:57:00 WR
+719.3405 007M

07-23 14:57:00 WR
+721.0545 007M

07-23 14:57:00 WR
+721.0545 007M

07-23 14:57:00 WR
+719.3405 007M

Well
#1

POOR QUALITY

POOR QUALITY

DEC 14 1994

Avg
720.9
37m
or
1.61cts
5

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-7773
 DATE: 7-27-93
 BY: Brett Bassy

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

For Well #2
 Q = CFS
 H.P. = Total Brake Horsepower of pumping plant (including booster)
 EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
 TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
 LIFT = depth to water in FEET from land surface to pumping water level
 PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \dots (20 H.P.) \dots (0.70)}{[(\dots 150' \dots) + (\dots 60 PSI \dots \times 2.31)]} = 0.42 cfs$$

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	<u>STA-RITE 20 H.P.</u>
area estimate (✓)	estimate (✓)	Pump Make, Serial or ID, rating
well logs ()	owner gage ()	
REMARKS <u>Booster (Y) (N) 360'</u> <u>Pump is set at 231' while the well log for a nearby well has the static water level at 110'.</u>		

ANNUAL VOLUME ANALYSIS

$$POTENTIAL \text{ Acre Feet/Acre/Annum} = \frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$$

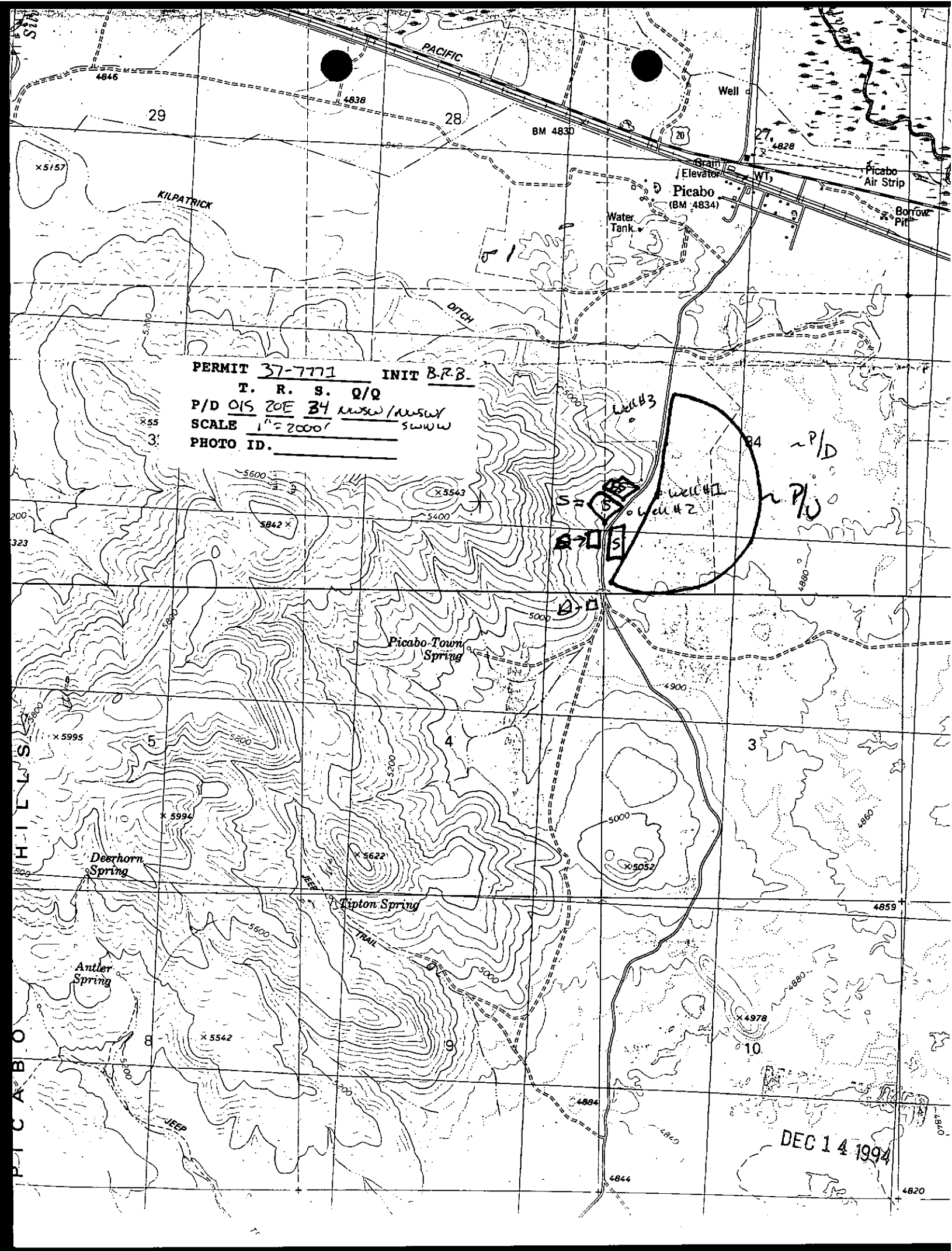
(season)	(days)	
3/15 - 11/15	246	POTENTIAL = $(\dots) \times (1.98) \times (\dots)$
4/1 - 11/1	215	
4/15 - 10/15	184	
3/1 - 12/1	276	

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
 (AF/Ann/Ac irrigation requirement from chart for area)
 NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
 IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

DEC 14 1994



PERMIT 37-7771 INIT B.R.B.
T. R. S. Q/Q
P/D O/S 20E 34 NW/4 NW/4
SCALE 1" = 2000' SW/4
PHOTO ID. _____

DEC 14 1994

Ship No 2 South Range No 20 East of the

37-0777

RETRACED

79.38

431.589.56.E 40073

N 89° 58' E 40.80

80.44

90.06

N 89° 51' E

EAST

40.40

80.61

90.21

3

2

3

2

1

4

3

2

1

4

3

2

1

43.52

47.36

43.14

43.10

43.23

43.28

43.24

43.13

43.01

42.90

42.86

42.91

42.95

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Well # Z^c Well # 3 are
connected in case of emergency
Well # 3 supplies water for
irrigation domestic & stock water for
P37-8578 usually
All places of use p37-8578

Approximately 123 acres
covered by pivot

Overhead line
22 miles

Two eq
cabins
part of
domestic
use

9 foot
low pressure
pivot

underground
water line
underground
water line
stock water

Aerial Photo P37-7777
Average of pivot determined
by planimeter 0.718 ~ 0.70

Feed lots
Max.
2500 cattle
range
stock water

Double Wide
Trailer
Part of
Domestic
Camp

DEC 14 1994

System Diagram

PP37-7771

adorned 35
structure

Double Wide
Trailer
Part of
Domestic
Campwest

Tub (eg
Cubys
part of
domestic)
use

#2
4" underground
waterline
underground
waterline
adorned 35
structure

Stower
water pressure
pilot

One
22nd

89.3

14 1994

Well #2 & Well #3 are
connected in case of emergency
Well #3 supplies water for
irrigation, domestic, stock water for
PS7-88578, usually
All places of use PS7-88578

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

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.Well #1
Irrigation Well

1. WELL OWNER

Name B. B. & B. INC.
Address PO Box 685 Pocatello Idaho 83304
Drilling Permit No. 37-91-S-144
Water Right Permit No. 37-7771 OK

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

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	24 inches	1 feet	20 feet
250 inches	20 inches	151 feet	517 feet
230 inches	16 inches	1 feet	560 feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☒ Yes ☐ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
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 _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 20' Material used in seal: ☐ Cement grout☒ Bentonite ☒ Puddling clay ☐ _____Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent☐ Cemented between strataDescribe access port pump base

7. WATER LEVEL

Static water level 110 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 62 °F. Quality Excellent
Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
900 G.P.M.	430 ft	49

9. LITHOLOGIC LOG

Bore Diam.	Depth From	To	Material	Water Yes	No
28"	0'	2'	Top soil		
26"	2'	30'	Gray Lava		
24"	30'	60'	Brown Lava		
	60'	90'	Red Lava		
	90'	118'	Brown Lava		
	118'	120'	Red & Black Lava - Brown Clay		
	120'	135'	Red Ryolite		
	135'	190'	Brown Ryolite		
	190'	270'	Soft Red Ryolite - Brown Clay	X	
	270'	300'	Brown Firm Ryolite		X
	300'	335'	Gray Sandstone	X	
	335'	380'	Brown Ryolite		X
	380'	470'	Red Ryolite		
20"	470'	517'	White Gumbo Clay		
20"	517'	560'	Brown Clay - Broken Black Lava		X
16"	560'	600'	Red Cinders and Broken Red lava	X	
16"	600'	608'	Black Lava	X	

NOTE ↓

227' HIT WATER AT 227'
A CRACK IN THE RED RYOLITE
VERY VERY SMALL STREAM
HAVE TO LET HOLE SIT
OVER NIGHT TO GET
ENOUGH WATER TO DRILL

RECEIVED
MAY 13 1992

Department of Water Resources

10.

Work started 9-20-91 finished 2-7-92

11. DRILLERS CERTIFICATION

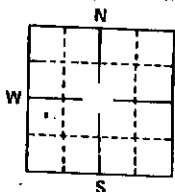
I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Martin's Well Service Firm No. 478Address PO Box 923 Rexburg Date 2-10-92Signed by (Firm Official) Martin's

and

(Operator) Martin's

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County BlaineNW ¼ SW ¼ Sec. 34, T. 12N, S. 12E, R. 20E

DEC 14 1994

P37-7771

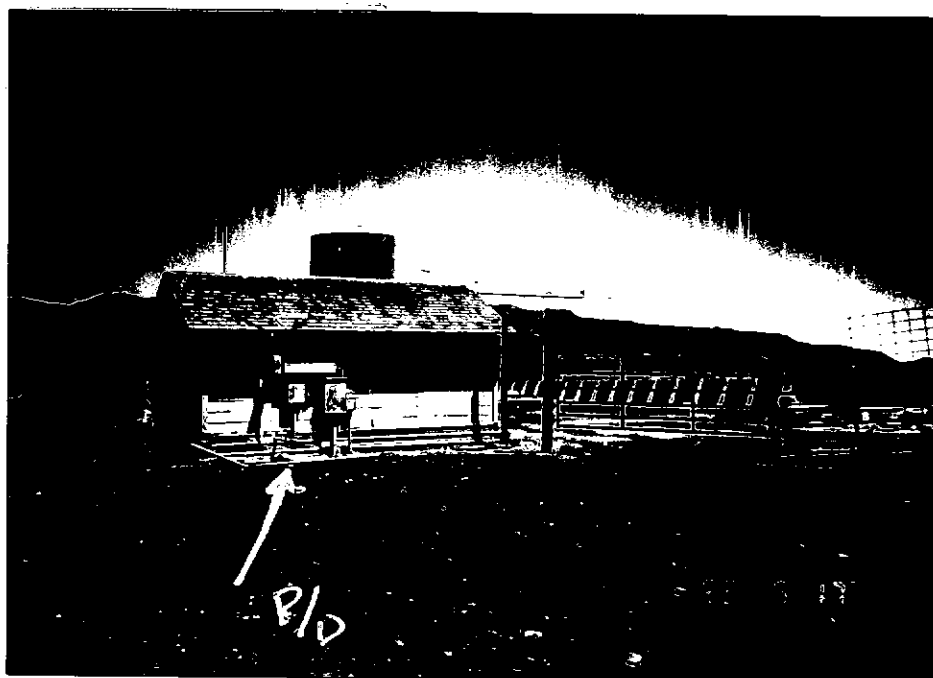


SP/U

↑ P/D #1

This photo was taken on July 18, 1993.
This photo is taken looking northwest from behind
the well. The low pressure pivot is in the
background.

RECEIVED
JUL 14 1994



P37-777I

This photo was taken on July 18, 1993.
This well is Well #2 on aerial photo.
It usually supplies water for the feedlot, corrals,
& the domestic use (3 homes).

DEC 14 1994

B BAR B INC
PO BOX 685
PICABO ID 83348

October 2, 1992

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-07771

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.

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

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

OCT 26 1992

B^{BAR}B

Picabo, Idaho 83348
(208) 788-4424 • (208) 788-2329

RECEIVED

SEP 29 1992

Department of Water Resources

9/28/92

Dear Krew,

I HOPE I HAVE DONE EVERYTHING LEFT
TO DO!

THANKS FOR ALL YOUR HELP!

Kari Buckenridge

MICROFILMED

OCT 26 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 17, 1992

B Bar B Inc.
PO Box 685
Picabo, ID 83348

Re: Permit No. 37-07771

Dear Permit Holder:

Returned is the proof of beneficial use you submitted to this office. In order for the Department to complete processing, further information is required. You failed to complete #6 (total rate and/or volume). Your permit was issued for 7.97 cfs. You do indicate 120 acre/feet. However an acre/foot measurement is used only in coordination with the storing of water such as a pond or reservoir.

When the total rate or volume is 0.04 or greater, a license examination fee applies. A license examination fee based on a rate of 7.97 cfs is \$275. I have enclosed an instruction sheet and fee schedule for your convenience.

In order to meet all of the required dates, you will need to return the properly completed form and fee no later than October 1, 1992.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

MICROFILMED

OCT 26 1992

7/90

Drilling Permit No. 37-91-5-144Water Right Permit No. 37-7771

Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) B Bar B Inc.2. Mailing Address P.O. Box 685, Picabo, ID 83348Telephone 788-2329☒ Well Owner ☐ Well Operator ☐ Other, specify _____3. Proposed well location NW 1/4 SW 1/4, or Gov't Lot No. _____Sec. 34, Twp. 15, Rge. 20E, County Blaine

Street Address of Well Site _____

Lot, block and subdivision _____

4. Proposed use of well:

- ☐
- Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

- ☒
- Non-Domestic: Any beneficial use not included within the definition of domestic.

- ☐
- Injection

- ☐
- Monitoring - A well bore schematic and map is required for each well.
-
- No. of proposed wells: _____

5. Well construction information:

- A.
- ☐
- New well
- ☐
- Deepen
- ☐
- Replace - See Condition 9

Modify - enlarge hole

- B. Proposed Surface Diameter
- 10"
- Proposed Maximum Depth
- 460'

- C. Anticipated bottom hole temperature:

- ☒
- 85°F or less (Cold water well)
-
- ☐
- 85°F to 212°F (Low temp. geothermal well)
-
- ☐
- 212° or more (Geothermal well)

6. Construction Start Date
- 8-29-91

7. Anticipated Well Driller
- High Plains Drilling, Rexburg, ID

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature
- [Signature]
- Date
- 8/28/91

Title President

(Owner, Firm Representative, Other)

MICROFILMED
OCT 26 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 8/28/91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Larry O. Hansen
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION
Title

Receipt No. 5013662 Received by JP Fee \$200.00 Date 8-28-91

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

July 31, 1992

B BAR B INC
PO BOX 685
PICABO ID 83348

PROOF DUE NOTICE

RE: PERMIT NO. 37-07771

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 October 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

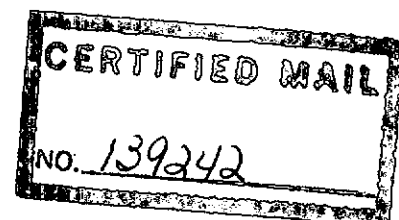
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
OCT 26 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

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.Karn
DZ
WELL #1
IRR Well

1. WELL OWNER

Name B Bar B Inc.
Address PO Box 685 Pocatello Idaho 83348
Drilling Permit No. 37-91-S-144
Water Right Permit No. 37-7771 OK

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

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	24" inches	+ 1 feet	20 feet
.250 inches	20" inches	151 feet	517 feet
.250 inches	16" inches	+ 1 feet	560 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 ☐ Gun
Size of perforation _____ inches by _____ inches

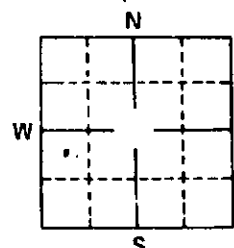
Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 20' Material used in seal: ☐ Cement grout
☒ Bentonite ☒ Puddling clay ☐ _____
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 pump base

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

OCT 26 1992

Lot No. _____ Block No. _____

County BlaineN ☐ E ☒
S ☒ R. 20 W ☐

7. WATER LEVEL

Static water level 110 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 62 °F. Quality Excellent
Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
900 GPM	470 ft	4 9

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
28"	0'	2'	Top soil		X
28"	2'	20'	Gray Lava		
28"	20'	60'	Brown Lava		
	60'	90'	Red Lava		
	90'	118'	Brown Lava		
	118'	120'	Red & Black Lava - Brown Clay		
	120'	135'	Red Ryolite		
	135'	190'	Brown Ryolite		
	190'	270'	Soft Red Ryolite - Brown Clay	X	
	270'	300'	Brown Firm Ryolite		X
	300'	335'	Gray Sandstone	X	
	335'	380'	Brown Ryolite		X
24"	380'	470'	Red Ryolite		
20"	470'	517'	White Gumbo Clay		
20"	517'	560'	Brown Clay - Broken Black Lava		X
16"	560'	600'	Red Cinders and Broken Red Lava	X	
16"	600'	608'	Black Lava	X	

NOTE ✓

227 Hit WATER AT 227'
A CRACK IN THE RED RYOLITE
VERY, VERY SMALL STREAM
HAVE TO LET HOLE SIT
OVER NIGHT TO GET
ENOUGH WATER TO DRILL

RECEIVED
MAY 13 1992

Department of Water Resources

10.

Work started 9-20-91 finished 2-7-92

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name Martin's Well Service Firm No. 478Address PO Box 923 Rexburg Date 2-10-92Signed by (Firm Official) Martin's Well Serviceand
(Operator) Martin's Well Service

NW 1/4 SW 1/4 Sec. 34, T. 1N, R. 20W



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

November 8, 1991

B Bar B Inc.
P.O. Box 685
Picaro, ID 83348

Re: Permit No. 37-07771

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 October 1, 1992.

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. The department may not be able to grant additional
requests.

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

Sincerely,

Karen Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED

DEC 10 1991

B BAR B

Picabo, Idaho 83348
(208) 788-4424 • (208) 788-2329

Sept. 24, 1991

Attention: Tim

I Am sending you this request for
extension of time just in case
our mail service is "LATE".

Thank you for all your help!

Katie Breckenridge

RECORDED
DEC 10 1991

Form 204
4/86

For Office Use Only

\$15 FEE Receipted by _____

Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

RECEIVED
SEP 26 1991To provide additional time in which to submit proof
of beneficial use for a water right permit

Department of Water Resources

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 in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 37-07771Name(s) of Permit Holder: B BAR B INC.Post Office Address: Box 685, PICABO IDAHO 83348Telephone No. 208-788-2329Date Proof is Due: OCT. 1, 1991

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 DRILLER IS ON SIGHT DRILLING A NEW
IRRIGATION WELL. DUE TO THE LOCATION OF POWER
LINES AND THE PUMP HOUSE FOR THE PRESENT WELL
THAT IS USED FOR DOMESTIC AND Costing \$ APP. \$40,000

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

S/OCK, THE DRILLER WAS UNABLE TO ENLARGE THE
PRESENT HOLE AND WE ARE DRILLING A NEW WELL

Permit holder(s) request an extension to OCT. 1, 19 92 Katie Breckenridge
(1 yr. minimum) (Signature)*

FEE: \$15.00

*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

NOTED
DEC 10 1991

Signed this _____ day of _____, 19____.

September 10, 1991

Re: Permit No. 37-7771

B Bar B Inc
PO Box 685
Picabo, ID 83348

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

Enclosed is a copy of a PROOF DUE NOTICE sent to the previous owner, L.L. Breckenridge. You will notice that proof of beneficial use is due October 1, 1991; therefore, it is important that you act quickly. I am enclosing a PROOF OF BENEFICIAL USE form and a set of instructions. An Extension of Time Request form is also enclosed for your convenience.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

RECORDED

DEC 10 1991

L L BRECKENRIDGE CO
RT 6 BOX 4254
TWIN FALLS ID 83301

138909
July 31, 1991

PROOF DUE NOTICE
RE: PERMIT NO. 37-07771

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 October 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

DEC 10 1991



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

November 28, 1989

RE: Permit No. 37-7771

L.L. Breckenridge Co.
Rt. 6, Box 4254
Twin Falls, ID 83301

Gentlemen:

Enclosed is an order that authorizes you to continue development under Permit to Appropriate Water No. 37-7771. Please note in condition #2., page two of the order that you must develop your system and beneficially use the water prior to October 1, 1991. Failure to beneficially use the water before October 1, 1991 could result in a loss of your water right permit.

Also enclosed is a copy of the approved extension of time request.

Please note the conditions of approval contained in your permit and the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

MICROFILMED

DEC 15 1989

RECEIVED

NOV 21 1989

STATE OF IDAHO

Ident. No. _____

no fee incl.
Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now L.L. BRECKENRIDGE CO.Phone 208-733-7830

of (address) BOX 9254, RT. #6, TWIN FALLS, IDAHO 83301, 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. 37-7771, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ SW ¼, Section 34, Township 1S, Range 20 E, B.M.,
County of BLAINE. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 2.4 for IRRIGATION purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.06 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.31 for LIVESTOCK purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum)

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

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	20E	34	40	10	10	40	5	5	5	5		X							120

Total number of acres to be irrigated = 120

4. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or the 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: _____

MICROFILMED

Approved in
1989

Rate: 2.77 CFS

Acres: 120

The 120
acre
AmendmentWAS NEVER
ENTERED
INTO THE
DATA BASE

Show 40-acre subdivisions, townships, ranges and ditches.

[illegible]

Signed at Wichita Falls, TX, this 16 day of November, 19 89.
J. H. D. K. K. K. K. K.
 (Signature)

Witness my hand this day of , 1989

WIKIPEDIA

[Handwritten signature]

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

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

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

publication of said advertisement was on the 2nd day of Aug 19 89, and

the date of the last publication was on the 9th day of Aug 19 89.

Daniel J. Gorham
Subscribed and sworn to before me this 31st day of Aug 19 89.
(SEAL)

Roberta McKenney
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

DEC 15 1989

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2
Lines tabular at _____ 5.5¢/Pica
34 Lines straight at 116.83 4.5¢/Pica
34 Subsequent lines at 13.09 3.5¢/Pica
TOTAL COST 299.2

COPY OF NOTICE
(Paste Here)

Existing Permit # 37-7771
TITLE OF NOTICE Breckenridge

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO (Boise)

Breckenridge seeks water right permit

NOTICE OF EXISTING WATER RIGHT PERMIT

PERMIT NO. 37-7771

Presently Recorded as Follows:

Name: L.L. BRECKENRIDGE CO.

Address: RT. 6 BOX 9254

TWIN FALLS

ID 83301

Source: GROUNDWATER

Diversion Pt.: NWSW SEC. 34

T1S R20E, BLAINE CO.

Use: IRRIGATION (7.6 CFS)

DOMESTIC (0.06 CFS)

STOCKWATER (0.31 CFS)

Priority: APRIL 11, 1979

Place of Use: SEC. 34-T1S R20

Total Acres: 380

This permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720, on or before August 21, 1989.

R. Keith Higginson, Director

Publish: Wood River Journal-Aug. 2 & 9, 1989.

PUBLICATION RATES

As of Oct. 1, 1988

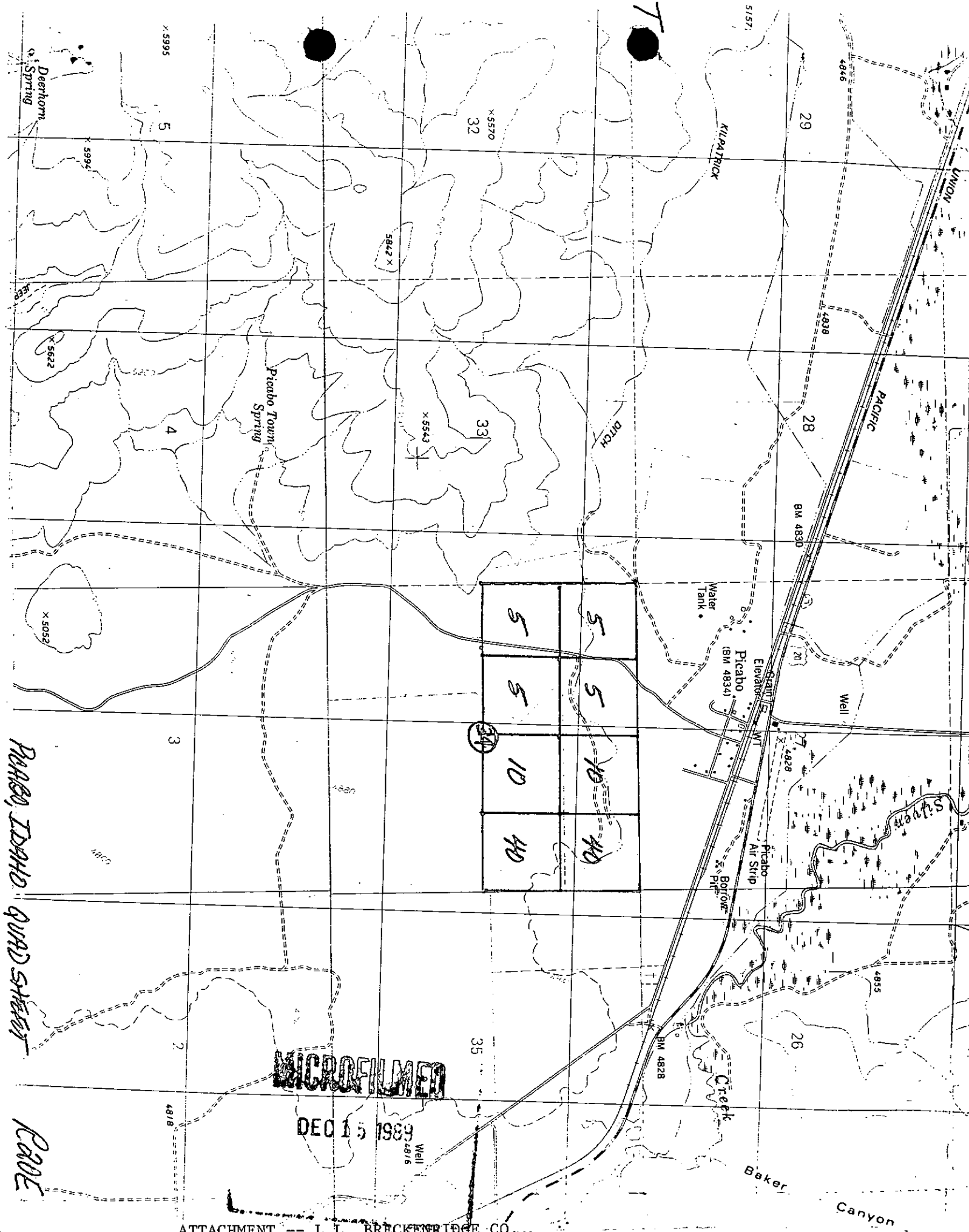
(Idaho Code, Reb. Statutes 1984)

7.8 pt. per line straight...4.5/pica

7.8 pt. per line tabular...5.5/pica

7.8 pt. per line successive
insertion...3.5/pica

6657



PICABO, IDAHO QUAD SHEET
RADE

MICROFILMED

DEC 15 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

October 27, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: Permit No. 37-7771

L.L. Breckenridge Co.
c/o John A. Rosholt
Nelson, Rosholt, Robertson,
Tolman & Tucker
Box 1906
Twin Falls, ID 83303-1906

Dear Mr. Rosholt:

The above referenced permit has been re-advertised. The protest period has passed and no protests were received by the department. The department is now in a position to issue an order which re-authorizes completion of the proposed project.

This project was originally approved for the irrigation of 380 acres. Through your completion of the trust water information questionnaire earlier this year and through some additional correspondence to me (i.e., your letter dated 6/27/89), you informed the department that your client wished to develop the proposed groundwater source for 120 acres only.

Before the department can proceed with issuing a continuation order, I must ask that your client complete and endorse the enclosed amendment form. In particular, please complete those portions of the form which are check marked and be as specific as possible about the location of the 120 acres. I did not request that you complete an amendment earlier because I felt it would be more appropriate to reduce the number of acres with the continuation order. Upon further review of department rules, however, I would prefer that you complete and return the amendment form. Your client's endorsement of the amendment will allow the department to update the permit in accordance with his present intentions. It should also help expedite future licensing of the permit.

Since you have already paid the trust water re-advertisement fee, you need not pay an amendment fee when returning this form. The purpose of the amendment is mainly to update our records and reduce the original permitted acreage as you have requested. I apologize for any delay in completing the processing of this permit. Please contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE

Sr. Water Resource Agent

MICROFILMED

DEC 15 1989

TL:sc
Enclosure



KATIE'S CANYON

SWNW:

1800-15 AC.

DW + STX.

5	5	10	40
5	NW	NE	40
5	5	10	40
5	34		
SW			DWR proof ACREAGE AS OF 9-06-88

5	10	40	40
5	10	40	40
20	40	20	40
40	40	20	40

MICROFILMED

POB
S, R. 20E



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 26, 1989

Wood River Journal
Box 988
Hailey, ID 83333

Dear Legal Department:

Enclosed you will find a legal notice which we wish to have published on August 3 and August 10 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notice must appear in the issue that is distributed during the weeks of July 31 and August 7. 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 billing to the office below before August 25, 1989.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Sincerely,

HEIDI M. MIKEL
Secretary

RECEIVED

DEC 15 1989

NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT NO. 37-7771 ✓
Presently Recorded as Follows:

Name: L. L. BRECKENRIDGE CO. ✓
Address: RT. 6 BOX 9254, TWIN FALLS, ID 83301 ✓
Source: GROUNDWATER ✓
Diversion Pt.: NWSW SEC. 34 T1S R20E, BLAINE CO. ✓
Use: IRRIGATION (7.6 CFS) DOMESTIC (0.06 CFS) STOCKWATER (0.31 CFS) ✓
Priority: APRIL 11, 1979 ✓
Place of Use: SEC. 34 T1S R20E ✓
Total Acres: 380 ✓

This permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before August 21, 1989.

R. Keith Higginson, Director

MICROFILMED

DEC 15 1989

MEMORANDUM

TO: FILE/PERMIT 37-7771

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 6-28-89

John Rosholt, acting on behalf of the permit holder, has submitted a written request that the number of acres under this permit be reduced from 380 to 120 acres (see letter of 6/27/89 from Rosholt).

I recommend advertising the permit showing that the permit as presently recorded is for 380 acres, but that the permit holder intends to complete only 120 of the 380 permitted acres. The continuation order which we eventually draft should also reduce the number of acres to 120.

MICROFILMED

DEC 15 1989

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY T. UHLING
TERRY R. McDANIEL
F. BRUCE COVINGTON
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
BRUCE M. SMITH
G. RICHARD BEVAN
BRAD M. PURDY
GARY L. QUIGLEY
TIM J. WILLIAMS

Boise Office
1020 MAIN ST., SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED
JUN 28 1989

June 27, 1989

Department of Water Resources

Idaho Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise ID 83720

ATTENTION: Tim Luke

RE: L.L. Breckenridge Co.
37-7771

Dear Tim:

In response to your letter of June 7, 1989, referencing the above permit, and our subsequent telephone calls, the Breckenridge Company is agreed that the maximum future development under the permit will be 120" (2.4 cfs) for 120 acres rather than the 7.6 cfs for 380 acres as shown on the permit.

Based on Mr. Breckenridge's past conferences with Department personnel, we show the 120 acres to be as shown on the enclosed printout. We acknowledge that the reduction for irrigation may be reflected as shown on the computer sheet printout as enclosed.

The well is located in the NW1/4 SW1/4 of Section 34, T. 1 S., R. 20 E.B.M. To date the water has only been used for stock and domestic purposes.

We understand by agreeing in this letter to a reduction in acres for irrigation that the information previously requested in your letters of May 8, 1989, and June 7, 1989, will not be required because the acreage total is below the 200 acre threshold set out in your Rule 4,5,3,6. We

MICROFILMED

DEC 15 1989

Idaho Department of Water Resources

ATTENTION: Tim Luke

June 27, 1989

Page - 2

also understand that our agreement herein will facilitate an extension until October of 1990.

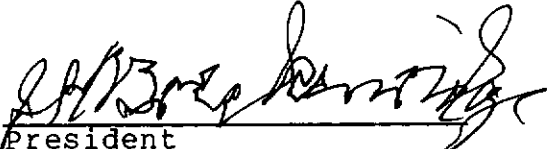
Respectfully submitted,


JOHN A. ROSHOLT

JAR:dcb
25241

APPROVED:

L.L. BRECKENRIDGE CO.

By: 
President

MICROFILMED

DEC 15 1989

Water Right Number - 37-07771

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

L. L. BRECKENRIDGE CO.

1 - RT. 6 BOX 9254

2 -

3 -

City- TWIN FALLS

Phone -

State- ID Zip- 83301

+ - - Priority Date - - +
04/11/1979+ - - - Region - - - +
17+ - - - Stage - - - +
P - PERMIT

+ - - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
01S	20E	34	NW SW			(13) BLAINE		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		
04 - STOCKWATER		01/01	12/31	7.600	0.310
43 - DOMESTIC		01/01	12/31	0.060	

Total Div. Rate - +	Total Div. Volume - +	Total Div. Capacity - +	Total Consumptive Use - +	Usage - +
7.970				

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
01S	20E	34	NE NE		40.0	01	IRRIGATION	(13) BLAINE
01S	20E	34	NW NE		10.0	01	IRRIGATION	(13) BLAINE
01S	20E	34	SW NE		10.0	01	IRRIGATION	(13) BLAINE
01S	20E	34	SE NE		40.0	01	IRRIGATION	(13) BLAINE
01S	20E	34	NE NW		5.0	01	IRRIGATION	(13) BLAINE
01S	20E	34	NW NW		5.0	01	IRRIGATION	(13) BLAINE
01S	20E	34	SW NW		5.0	01	IRRIGATION	(13) BLAINE
01S	20E	34	SE NW		5.0	01	IRRIGATION	(13) BLAINE
01S	20E	34	NW SW			04	STOCKWATER	(13) BLAINE

Total Acres: 120.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - S/3000 SHEEP & 1200 RANGE.

+ - - Other Rights for Same Use -

Note: Review of file shows that the permit holder
mis-takenly filed proof on the wrong permit.

Upon receipt of the proof the database was changed from 300
acres to 120 acres. After discovering the mistake, the file
was noted but the database never changed. Staples Curtis changed the
Database to 300 acres in 1989. T. L. 6/28/89

RECEIVED
JUN 28 1989

Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 7, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Permit No. 37-7771 (L.L. Breckenridge Co.)

John A. Rosholt
Nelson, Rosholt, Robertson,
Tolman & Tucker
Box 1906
Twin Falls, ID 83303-1906

Dear Mr. Rosholt:

I have reviewed your letter and the extension of time request submitted in connection with the above referenced permit.

As you know, this permit is subject to review requirements of Section 42-203D, Idaho Code. The Department generally considers extension requests for trust water permits at the time the permit is reviewed under Section 42-203D and the applicable water appropriation rules and regulations.

On May 9, 1989, the Department sent to the permit holder a notice which requested additional information required by water appropriation rule 4,5, and more specifically, rules 4,5,3,6. The Department cannot enter an order continuing a permit until the above information has been provided by the permit holder.

Rule 4,5,1. stipulates that the information be submitted to the Department within 30 days. The Department may provide an extension of time in which to submit the information upon request of the permittee and upon a showing of good cause. Failure to provide the information within the specified period may result in a loss of priority for each day the submittal is late.

Your letter of May 17, 1989 appears to represent a three year extension of time request for both submittal of proof of beneficial use and information required by appropriation rule 4,5. The Department will not grant a prolonged period of time in which to comply with the additional information requirements of rule 4,5. However, the Department will allow an additional 60 days in which to submit the necessary information.

Upon receipt of the information, the Department will re-advertise the permit. If the permit is not protested, the department will consider the issuance of a continuation order pursuant to Section 42-203D, Idaho Code. Continuation orders granted by the Department will provide a relatively short period for continued development.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

MICROFILMED

DEC 15 1989

TL:sc

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

Boise Office

1020 MAIN ST., SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

FAX (208) 344-6034

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY T. UHLING
TERRY R. McDANIEL
F. BRUCE COVINGTON
JERRY JENSEN
GARY D. SLETTE
CAROLYN M. MINDER
VICKI L. YRAZABAL
BRUCE M. SMITH
G. RICHARD BEVAN
BRAD M. PURDY
GARY L. QUIGLEY

May 17, 1989

RECEIVED
MAY 23 1989

Department of Water Resources

Idaho Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise ID 83720

ATTENTION: Tim Luke

RE: L.L. Breckenridge Co.
Permit No. 37-7771

Dear Mr. Luke:

This firm represents the above referenced Company in their legal work. We have received a copy of your May 8, 1989, letter.

The Company's purpose in responding to the questionnaire in April of 1989 was to try to keep options open. They are not interested in immediate development and consequently the requirements of the May 8, 1989, letter would at this time be expensive and burdensome.

We enclose a Request for Extension of time, our \$15.00 filing fee, and ask that the Company be given an extension of up to three years in which to submit the information. This would give time for proper evaluation.

Respectfully,

John A. Rosholt
JOHN A. ROSHOLT

JAR:dcB
22101

cc: John Breckenridge

MICROFILMED

DEC 15 1989

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

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BRUCE M. SMITH
G. RICHARD BEVAN
BRAD M. PURDY
GARY L. QUIGLEY

RECEIVED

APR 28 1989

April 25, 1989

Department of Water Resources

Mr. Tim Luke
Sr. Water Resource Agent
Idaho Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise ID 83720

Dear Tim:

Please find enclosed your questionnaire regarding our client, John Breckenridge, president of the L.L. Breckenridge Company, and his undeveloped permit 37-07771. I am enclosing the \$20.00 readvertisement fee and a completed form per your request.

As we discussed in our recent phone conversation regarding the undeveloped acreage assigned to this permit, there is a conflict between the amount noted in the original, approved permit for 380 acres, and the current figure shown on the Department's host computer as evidenced by proof run 09-06-1988 of 120 acres. Our client wishes to develop the 120 acre figure and if we need to fill out an amendment form to document that change, please advise.

I am enclosing a copy of the USGS map display as submitted originally with the permit and have attached a small exhibit next to the acreage in question to show how the 120 acres claimed and showing in the Department's current proof looks in forty acre parcels.

Thanks for your past help and your continuing interest.

Respectfully submitted,

Francis G. Hitchcock

FRANCIS G. HITCHCOCK
LEGAL ASSISTANT

RECEIVED

DEC 10 1989

*As per phone con. w/ Hitchcock
on 5/24, it is the client's intention
to have the permit represent
380 acres, not 120 acres. The
120 acres was related to a different filing.*

FGH/dcb
19711

Enclosures

T. Luke
5/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
APR 28 1989

Department of Water Resources

PERMIT NO. 37-7771

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes _____ No XX

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. NONE

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete. NO

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. 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.

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.

Permit Holder L. Breckenridge Co.

Date 4/10/89

by J. A. Breckenridge

PRAS MICROFILMED

DEC 15 1989

page 2

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

5. REMARKS/COMMENTS:

[illegible]

REFILED

DEC 10 1989

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 21st day of March

1985, and the date of the last publication was on the 28th

day of March, 1985.

Subscribed and sworn to before me this 28th

day of March, 1985.
(SEAL)

Darlas Bratt
NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 11

Number of Lines in Notice 41

Number of Insertions 2

Lines tabular at 5¢/Pica

41 Lines straight at 1804 4¢/Pica

41 Subsequent lines at 1353 3¢/Pica

TOTAL COST 31.57

COPY OF NOTICE

(Paste Here)

377771 / Breckenridge
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

Breckenridge applies for permit change

NOTICE OF AMENDMENT TO A WATER PERMIT NO. 37-7771

NOTICE IS HEREBY GIVEN, That L.L. Breckenridge Co., of Twin Falls, Idaho, is the holder of Approved Permit No. 37-7771, authorizing the diversion of 7.97 cubic feet per second (cfs) of water from a groundwater source in the SWSW, Sec. 34, T1S, R20E, B.M., Blaine County, Idaho, 7.60 cfs for irrigation of 380 acres and 0.37 cfs for livestock, both within Sec. 34, T1S, R20E, B.M.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to change the Point of Diversion, change the Place of Use of stockwater, and add domestic use, as follows:

Point of Diversion: NWSW, Sec. 34, T1S, R20E, B.M., Blaine County

Use: Irrigation: No Change
Stockwater 0.37 cfs -
Domestic 0.06 cfs;
both within NWSW,
Sec. 34, 1S, R20E

Any protest against approval of the amending of Permit No. 37-7771, as set forth above, must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho 83301, on or before APRIL 8, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal -
March 21 & 28, 1985.

41-23945

MAR 29 1985

Department of Water Resources
Sawtooth District Office

MICROFILMED



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 8, 1989

RE: Permit No. 37-7771

L. L. Breckenridge Co.
Route 6 Box 9254
Twin Falls, ID 83301

NOTICE OF INFORMATION REQUIRED BY WATER APPROPRIATION RULE 4,5.

Dear Permit Holder:

The Department acknowledges receipt of the Trust Water Information Questionnaire and appropriate re-advertising fee for the above referenced permit. On behalf of the Department, I wish to thank you for your cooperation in providing the requested fee and information.

In the letter that accompanied the questionnaire, I informed you that you would need to submit additional information required by Water Appropriation Rule 4,5. if the undeveloped portion of the permit exceeds 200 acres.

The returned questionnaire indicates that you wish to pursue completion of the irrigation project as proposed under your permit. The project includes more than 200 acres and is therefore subject to the additional information requirements of Rule 4,5.

I wish to call your attention to the specific requirements under Rule 4,5. (copy enclosed). In particular, you must submit the information outlined in Rules 4,5,3,6,1. through 4,5,3,6,7. Note that Rule 4,5,3,6,4. is not applicable to your permit.

The information must be submitted within 30 days of the date of this notice. Failure to submit the required information within the time period allowed will be cause for the Department to advance the priority of the permit by the number of days that the information submittal is late. The

MICROFILMED

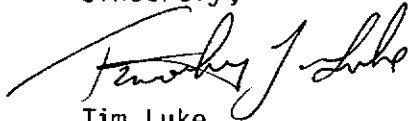
DEC 15 1989

Page 2

Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing.

Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

Tim Luke
Sr. Water Resource Agent

MICROFILMED

DEC 15 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 6, 1989

RE: PERMIT NO. 37-7771

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

MICROFILMED

DEC 15 1989

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 - Water Allocation/Trust Water

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

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

DEC 15 1989

3/11/85

Memo

From LM

TO FILE 37-7771 - Breckenridge

Re - Amendment to add Domestic use.

The Amendment would Add domestic use for two homes without changing the total diversion rate.

The amendment is similar to a licensing amendment where additional use are added on a license.

The file should be documented to insure that, when licensed, the volume required for domestic is subtracted from the annual volume for other uses.

TO FILE

5-10-85

FROM JIM J.

RE: AMENDMENT OF PERMIT

Per telecon with Mr. Breckenridge the stockwater amount was reduced by 0.06 cfs to allow for the addition of domestic use of 0.06 cfs.

MICROFILMED

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

RECEIVED

Permit 37-7771
TITLE OF NOTICE

State of Idaho, }
County of Blaine } SS.

MAY 29 1979

PLAINTIFF ATTORNEY

GORDON O. GLASMANN

Department of Water Resources
Seventh District Office

being first duly sworn

DEFENDANT

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 3 day of May

1979, and the date of the last publication was on the 10

day of May, 1979

Gordon O. Glasmann

Subscribed and sworn to before me this 21st

day of May, 1979

(SEAL) *Robert M. Snyder*

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 36

Number of Insertions 2

Lines tabular at 39c

36 Lines straight at 26c 9.36

36 Subsequent lines at 15c 5.40

TOTAL COST 14.76

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N
Twin Falls, Idaho

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:

37-7771

L.L. BRECKENRIDGE CO.
ROUTE 4, TWIN FALLS, ID. 83301

Source: GROUNDWATER

Date Filed: 04/11/1979

Amount: 7.97 CFS

Diversion Point: SWSW Sec. 34 T 01S R 20E, BLAINE Co.

Use: IRRIGATION (7.60 CFS) from 04/01 to 11/01,

STOCKWATER (0.37 CFS) from 01/01 to 12/31

Place of Use: NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SESE SWSE Sec. 34 T 01S R 20E FOR 380 ACRES

Diversion Means: WELL AND PUMP

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 on or before MAY 21, 1979.

C. STEPHEN ALLRED

Director

Publish: Wood River Journal May 3, 10, 1979.

Nº 0746

MICROFILM



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

March 12, 1985

Wood River Journal
P. O. Box 988
Hailey, Idaho 83333

Re: Notice of Amendment to a Water Permit No. 37-7771

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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

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

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED

NOTICE OF AMENDMENT TO A WATER PERMIT

NO. 37-7771

Notice is hereby given that L. L. Breckenridge Co., of Twin Falls, Idaho is the holder of approved permit No. 37-7771 authorizing the diversion of 7.97 cubic feet per second of water from a groundwater source in the SWSW, Sec. 34, T1S, R20E, B.M., Blaine County, 7.60 cfs for irrigation of 380 acres and 0.37 cfs for livestock both within Sec. 34, T1S, R20E, B.M.

The permit holder has applied to the Department of Water Resources for an Amendment to the permit, to change the point of diversion, change the place of use of stockwater and add domestic use as follows:

Point of Diversion: NWSW, Sec. 34, T1S, R20E, B.M., Blaine County

Use: Irrigation: No Change
Stockwater 0.37 cfs - Domestic 0.06 cfs: both within NWSW, Sec. 34, 1S, R20E

Any protest against approval of the amending of permit No. 37-7771 as set forth above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before April 8, 1985.

A. KENNETH DUNN
Director

Published in Wood River Journal on March 21 and March 28, 1985.

MICROFILMED

**Breckenridge applies
for permit change**

**NOTICE OF AMENDMENT
TO A WATER PERMIT
NO. 37-7771**

NOTICE IS HEREBY GIVEN,
That L.L. Breckenridge Co., of
Twin Falls, Idaho, is the holder of
Approved Permit No. 37-7771,
authorizing the diversion of 7.97
cubic feet per second (cfs) of
water from a groundwater source
in the SWSW, Sec. 34, T1S, R20E,
B.M., Blaine County, Idaho, 7.60
cfs for irrigation of 380 acres and
0.37 cfs for livestock, both within
Sec. 34, T1S, R20E, B.M.

The permit holder has applied
to the Department of Water
Resources for an Amendment to
the permit, to change the Point of
Diversion, change the Place of
Use of stockwater, and add
domestic use, as follows:

Point of Diversion: NWSW, Sec.
34, T1S, R20E, B.M., Blaine Coun-

ty
Use: Irrigation: No Change
Stockwater 0.37 cfs -
Domestic 0.06 cfs;
both within NWSW,
Sec. 34, 1S, R20E.

Any protest against approval of
the amending of Permit No.
37-7771, as set forth above, must
be filed with the Director of the
Idaho Department of Water
Resources, 1041 Blue Lakes
Boulevard North, Twin Falls,
Idaho 83301, on or before APRIL
8, 1985.

A. KENNETH DUNN
Director

Publish: Wood River Journal-
March 21 & 28, 1985.

ok
margu
3/25/85

September 4, 1984

L. L. Breckenridge Co.
Rt. 6, Box 9254
Twin Falls, ID 83301

Gentlemen:

Re: Permit Nos. 37-7771

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to June 1, 1989. The department accepts the extension request in lieu of the statement of beneficial use postcard submitted on April 3, 1984. You will again be notified that proof is due prior to June 1, 1989.

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which likely could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MEMORANDUM

August 30, 1984

TO: File 37-7771

FROM: Rita Fleck

RE: Acceptable Request for Extension of Time in lieu of Statement of
Beneficial Use

The request for extension of time submitted on July 31, 1984, has been accepted in lieu of the statement of beneficial use postcard submitted on April 3, 1984. The statement has been voided.

The permit holder has two similar permits, 37-7771 and 37-7558. Both are for irrigation and stockwater. The permit holder thought he was filing proof for the project proposed under 37-7558 when actually he should have filed a request for extension of time on 37-7771.

MICROFILMED



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

(208) 334-4440

EXTENSION OF TIME

August 16, 1984

L. L. Breckenridge Co.

Rt. 6, Box 9254

Twin Falls, ID 83301

PERMIT NO. 37-7771

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 34984.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

FROM TERRY Blau

DATE 7-31-84

TO Rita

SUBJECT Extension Request 37-7771

Mr. Breckenridge sent in a proof card on this permit thinking it was for (37-7558). Has not been able to develop irrigation on this one because of the Idaho Power Moratorium. Therefore would like an extension of time.

RECORDED

L. Blau
SIGNATURE

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1841 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

MAY 15, 1984

L.L. BRECKENRIDGE CO.
RT. 6 BOX 9254
TWIN FALLS ID 83301

RE: Permit No. 37-7771

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 1841 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

Mary A. Newby

RECEIVED
MAY 15 1984

POOR QUALITY ORIGINAL

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. 37-7771.

Name(s) of Permit Holder: L.L. Breckenridge Co.

Post Office Address: P.O. Box 9254

Twin Falls, Idaho 83301

Tel. No. 208 733 7830

Source of Water: Well

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 390 (acres)
☐ Other

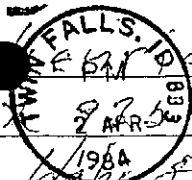
Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

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

3/31/84
Date

L.L. Breckenridge
Signature of Permit Holder

L.H. BREWER
RT 6 Box 8334
Twin Falls, ID 83301



RECEIVED
APR 8 1984



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
Department of Water Resources
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

June 22, 1979

Re: Permit No. 37-7771

L. L. Breckenridge Co.
Route 4
Twin Falls, Idaho 83301

Gentlemen:

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. Tuthill, Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

Enclosures

MICROFILMED
DRT:IT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138570

L. L. BRECKENRIDGE CO.
ROUTE 4
TWIN FALLS, ID 83301

PROOF DUE NOTICE

MARCH 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7771 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED
MAY 1 1984

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:

32-2221-

L. L. BRECKENRIDGE CO.

ROUTE 4, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 04/11/1979

Amount: 7.97 CFS

Diversion Point: SWSW Sec 34 T 01S R 20E, BLAINE Co.

Use: IRRIGATION (7.60 CFS) from 04/01 to 11/01
STOCKWATER (0.37 CFS) from 01/01 to 12/31

Place of Use: NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NNSW SWSW SESW NESE
NWSE SESE SWSE Sec 34 T 01S R 20E FOR 380 ACRES

Diversion Means: WELL AND PUMP

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 on or before,

C. STEPHEN ALLRED MAY 21, 1979.

Director

Published 5/3/ & 5/10/79.

MICROFILMED

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ROUTE 4, TWIN FALLS, ID. 83301
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STOCKWATER (0.37 CFS) from 01/01 to 12/31
Place of Use: NENE NWNE SWNE SENE
NENW NWNW SWNW SENW NESW
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C. STEPHEN ALLRED

Director

Publish: Wood River Journal May 3, 10, 1979.

REGISTERED

APR 11 1979

Deputy Director
Southern District Office

ok
may 4/5/79

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

APRIL 18, 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 MAY 21, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED