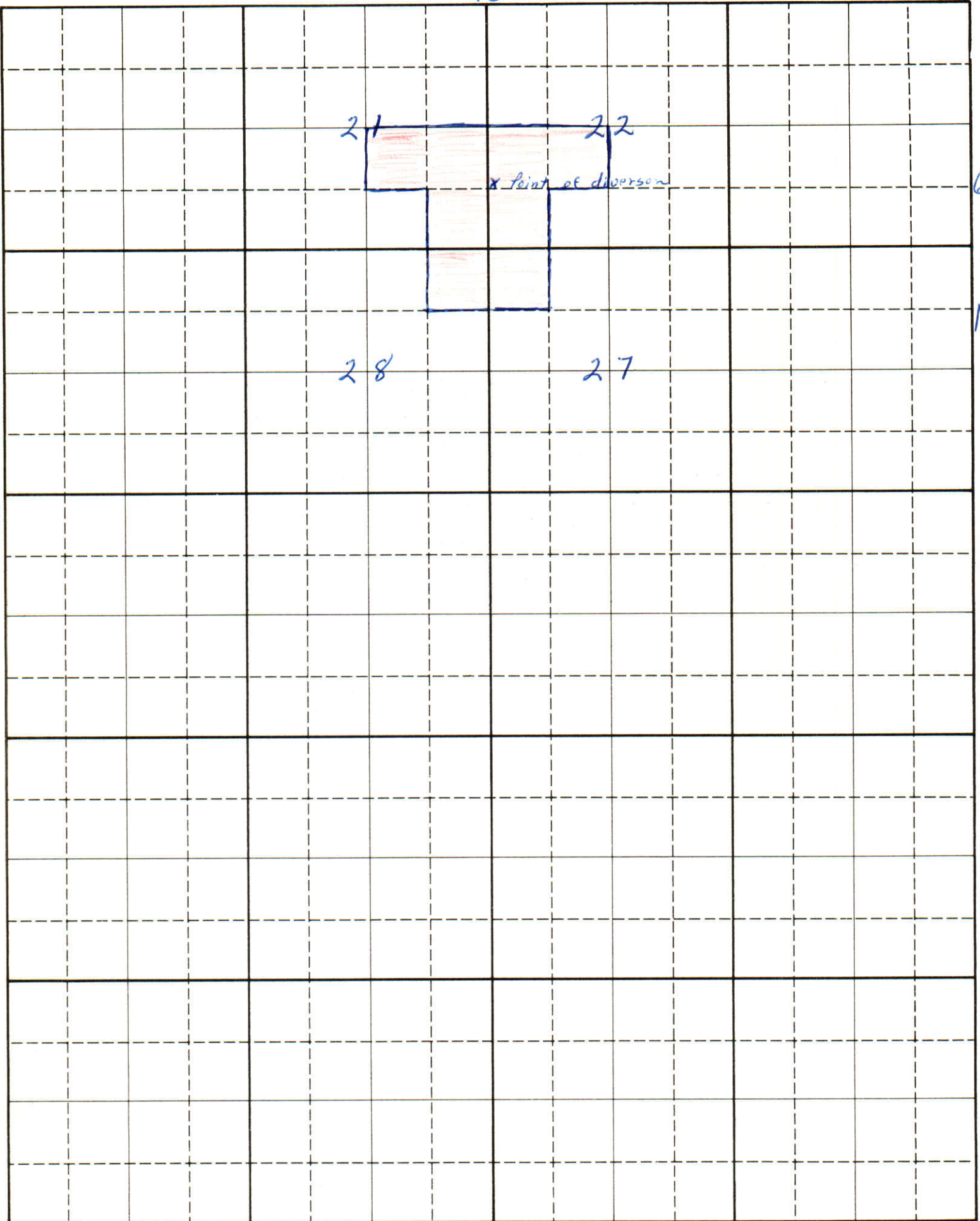


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

15 E B M



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.

Richard L. Graves
(Applicant)
Francis M. Graves

AFFIDAVIT of PUBLICATION

COPY OF NOTICE

(Paste Here)

State of Idaho, }
County of Gooding } SS.

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of August, 19 74, and the date of the last publication was on the 22 day of August, 19 74.

Gordon O. Glasmann
Subscribed and sworn to before me this 28 day of August, 19 74.
(SEAL)

Camer Hild
NOTARY PUBLIC

GOODING COUNTY LEADER Gooding, Idaho COST OF PUBLICATION

Number of Lines in Notice	<u>36</u>	<u>36</u>
Number of Insertions	<u>2</u>	<u>2</u>
Lines tabular at	315c	
<u>36</u> Lines straight at	21c	<u>7.56</u>
<u>36</u> Subsequent lines at	15c	<u>5.40</u>
TOTAL COST		<u>12.96</u>

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT
Notice is hereby given that Richard L. Graves & Frances M. Graves, Rt. #2, Gooding, Id. has on 7-31-74 submitted Application No. 37-7371 for a permit to appropriate 6.13 cubic feet per second of water from groundwater by means of well and pump within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T 6S, R 15E, B.M., Gooding Co. to be used from Jan. 1 to Dec. 31 for domestic and stockwater use and Mar. 15 to Nov. 15 for irrigation of 320 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T 6S, R 15E, B.M. If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before 9-2-74.
R. KEITH HIGGINSON
Director
Pub. 8-15,22

PUBLICATION RATES	
(Idaho Code, Rev. Statutes 1971)	
7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

Whiz
1990
No. 144

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received 44
Date 11-20-86
Receipt # 40836
RECEIVED
NOV 20 1986

REQUEST FOR EXTENSION OF TIME

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

Richard L & Frances M. Graves of Rt 2 Box 73 Booth Department of Water Resources
(Name) (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 Water of the
State of Idaho No. 37-7371.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
December 1, 1986.

That he has heretofore performed the following work described under said permit: none
(This must be filled out! If no work has been completed put none.)

_____ Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
the permit was filed in conjunction with a Casey land act application and due to the lack of action by Govt agencies the work will not be completed in the required time.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to 12/01/1991, 1991 Richard L Graves
(1 yr. minimum, 5 yrs. maximum) (Signature)*

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

FEE: \$15.00

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be

Signed this _____ day of _____, 19 _____

{ 37-07371
Faulkner }

925-5617

431-5617

DLE
is it
to
avoid
to
diff. lands?

For Office Use Only
Fee Received <u>15.00</u>
Date <u>10-14-81</u>
Receipt # <u>20491</u>

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

OCT 9 1981

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

Department of Water Resources

Richard L. Graves & Francis M. Graves of Route # 2 Gooding, Idaho
(Name) (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 Water of the State of Idaho No. 37-7371.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before December 1, 1981.

That he has heretofore performed the following work described under said permit: none
(This must be filled out! If no work has been completed put none.)

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

This application is in conjunction with a Cury land act application and we have been prevented from completing by the Bureau of Land Management - U.S. Government

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to December 1, 1986.
(1 yr. minimum, 5 yrs. maximum)

NOTE AS OF JULY 1, 1980, THERE IS A \$15.00 CHARGE FOR REQUESTS FOR EXTENSION OF TIME.
--

Richard L. Graves
Francis M. Graves
(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 December 1, 1986.

Signed this 15th day of October, 1981.

J. Glen Sayton
Chief, Operations Bureau

Richard T. Graves
Route # 2
Wooding, Idaho
83330



Department of Water Resources
Statehouse
Boise, Idaho
83720

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 37-7371

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "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"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

RECEIVED

AUG 1 1974

Identification No. 37-7371

Application No. _____

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Richard L. Graves & Frances M. Graves (husband + wife)
post office address Route #2 Gooding, Idaho

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

3. a. Location of point of diversion is NW 1/4 of SW 1/4 of Section 22 Township 6S
Range 15E B.M. Gooding County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 6.4 CFS for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 CFS for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .05 CFS for Stockwater purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated: ALLOW 6.49 cfs

a. 6.43 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well & 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 during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 300 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 103,750.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW 1/4 of SW 1/4 of Section 22 Township 6S
Range 15E B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered 150 head of beef cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.

(5) If water is to be used for other purposes describe: _____

RECEIVED

Carey Act # 15911

Proposed priority: 7/31/1974

Received by [Signature] Date 7-31-74 Time 10:30
Preliminary check by [Signature] Fee \$ 25.00 Rec # 15911

Received by [Signature] Date 7-31-74

Publication prepared by LT Date 8-6-74

Published in Gooding Co. Leader

Publication dates 8-15 & 8-22-74

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7371, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 81.
- c. Other: 1) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
2) Approval of this permit is for the specific benefit of the Carey Act Project known and designated as Richard L. & Frances M. Graves (37-CA-02). In the event that the request to the U. S. Bureau of Land Management for segregation of lands for such project is denied or if, for any reason, the applicant does not proceed with the project under provisions of the Carey Act, this approval shall be null and void.

Witness my hand this 13 day of December 19 76.

[Signature]
Director

AFFIDAVIT of PUBLICATION

State of Idaho, }
 County of Gooding } SS.

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 15 day of August, 19 74, and the date of the last publication was on the 22 day of August, 19 74.

Gordon O. Glasmann
 Subscribed and sworn to before me this 28 day of August, 19 74.
 (SEAL)

Carmen Heid
 NOTARY PUBLIC

GOODING COUNTY LEADER
 Gooding, Idaho
COST OF PUBLICATION

Number of Lines in Notice	<u>36</u>	<u>36</u>
Number of Insertions	<u>2</u>	<u>2</u>
Lines tabular at	315c	
<u>36</u> Lines straight at	<u>36</u> 21c	<u>7.56</u>
<u>36</u> Subsequent lines at	<u>36</u> 15c	<u>5.40</u>
TOTAL COST		<u>12.96</u>

Rec: 9-5-74 LT
COPY OF NOTICE
 (Paste Here)


[Blacked out area]
 NW 1/4, Sec. 27;
 NW 1/4, Sec. 27;
 NW 1/4, Sec. 27; NE 1/4
 NW 1/4, Sec. 27, T. 21 N.,
 R. 10 E., S. 10 E. B.M.
 The above land parcel will be
 subject to prior water rights.
 Payment against the granting of
 the permit must be filed with
 the Idaho Department of Water
 Resources, 101 Blue Lakes
 Blvd., North Twin Falls, Idaho,
 83401 or by letter 9-274.
H. KEITH HIGGINSON
 Director
 Pub. 6-5-74

PUBLICATION RATES	
(Idaho Code, Rev. Statutes 1971)	
7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

Whiz
 # 1990
 No. 144

MEMORANDUM

To: File 37-07371

From: L. Glen Saxton 

RE: OFFICE VISIT BY DICK GRAVES

Date: December 30, 1999


On this date, Dick Graves and Lorie Graves visited this office in connection with water right Permit No. 37-07371 which was issued in connection with a proposed Carey Act project.. Graves wanted to know if the department would give him written assurance that the department would not proceed to cancel the permit. He also wanted to know if the department would issue a drilling permit if BLM released the land under the Carey Act or under the Desert Land Act ("DLA").

I advised Graves, that I did not think the department would provide written assurance that the department would not cancel the permit in the future. Reasons for my opinion were that there is an existing moratorium on new development in the Eastern Snake Plain area, including development under permits, and that my guess was that development of new agricultural land under either the Carey Act or DLA likely would be difficult to show as being economically feasible. I did advise Graves, however, that he could submit a written request to the department if he wanted a written response. I also assured him that at this point, the permit was valid.

c: Norman C. Young
37-CA-02

MEMORANDUM

To: File 37-07371
37-CA-02

From: L. Glen Saxton, P.E. 

RE: OFFICE VISIT BY DICK GRAVES

Date: October 1, 1998


On September 18, 1998, Dick Graves visited this office and inquired whether Permit No. 37-07371 could be amended for use on land not developed under the Carey Act or Desert Land Act. During the discussion, I learned that Faulkner Land and Livestock would like to find a water source for certain state land which Faulkner controls under a long term lease.

I explained in general terms to Graves, the intent of the limiting conditions of approval on permits issued by the department in connection with land to be developed under the Carey Act. I also advised Graves that I would specifically review the file, since I recollected that a similar question had been asked of the department recently. I reviewed the file and determined that Gary Slette had inquired about the same matter in June 1998, but Graves did not get back with me for the information as he indicated he would do.

Today, Jo Beeman called me and advised that she was trying to set up a meeting with Norm Young concerning this matter.

MEMORANDUM

To: File 37-07371
37-CA-02

From: L. Glen Saxton 

RE: TELEPHONE INQUIRY

Date: June 29, 1998

On this date, I discussed with Gary Slette his question of whether Permit No. 37-07371 could be used on state land which is under a long term lease.

I advised Slette that the permit was conditioned with the specific language requiring it to be used in connection with the associated Carey Act project in order to prevent speculation in use of water under terms of the permit. I also advised Slette that I was not optimistic that the department would approve an amendment changing the place of use under the permit to the state land, but that an amendment was the proper document to file if he wants a more formal answer from the department. Slette said he would review the matter further and might file an application for amendment.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

July 11, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Gary D. Slette
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
142 3rd Ave N.
Twin Falls, ID 83303-1906

RE: INQUIRY - PERMIT NO. 37-07371 IN THE NAME OF RICHARD L. GRAVES

Dear Mr. Slette:


On July 9, 1997, you contacted Shelley Keen of this office and requested an update relative to my letter dated February 16, 1994, written in connection with the above referenced permit. Mr. Keen has referred your inquiry to me for response.

As you know, the department did adopt Conjunctive Management Rules (rules) on October 7, 1994. As it turns out, the rules do not appear to have a specific bearing on whether the department should or should not change the conditions of approval of Permit No. 37-07371 to provide for development of new land under the Desert Land Act (DLA). In previous correspondence to Mr. Graves, I have indicated that the department has changed the conditions of approval on other permits associated with Carey Act projects to allow development under the DLA.

The department does not intend to treat Mr. Graves any differently than any other Carey Act applicant in this regard. Until the Director's Order for Temporary Stay of Development and Notice of Formal Proceedings issued on November 9, 1994, is rescinded or modified in some manner to allow new development, however, development can not occur under Permit No. 37-07371. The permit is in good standing with the file including a pending request for extension of time submitted in November 1986. The department is willing to grant an indefinite extension of time approval if desired by Mr. Graves.

Please feel free to contact me if you have questions.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - S. Region
Richard L. Graves
Shelley Keen

MEMORANDUM

DATE: July 9, 1997

TO: Glen Saxton *File*

FROM: Shelley W. Keen *(SUK)*

RE: Status of Permit 37-07371

This morning Allen Merritt and Gary Slette called to inquire about the status of Permit 37-07371. I read them the text of your 2/16/94 letter to the permit holder. Mr. Slette would like an update on the status now that three additional years have passed.



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

February 16, 1994

Richard L. Graves
2082 S. 2000 E.
Gooding, Idaho 83330

RE: PERMIT NO. 37-07371 - CAREY ACT PROJECT NO. 37-CA-02 IN THE
NAME OF RICHARD L. GRAVES & FRANCES M. GRAVES

Dear Mr. Graves:

I have reviewed your letter dated February 7, 1994 in which you ask the department to change the conditions of approval for the above referenced permit to make it applicable to the Desert Land Entry which you have over-filed on Carey Act project no. 37-CA-02.

In my letter dated November 16, 1993, I indicated that a number of ongoing water right considerations including the inter-relationship of ground water and surface water use (conjunctive management) likely would bear on future actions of the department relative to permit no. 37-07371. That is presently the case with the department currently involved in the rule promulgation process for conjunctive management of water. Hearings relative to the proposed rules have been scheduled in March 1994. Until the department has a better idea of how this rule promulgation process will evolve, the department will withhold action on your request to change your permit to include the Desert Land Application.

If you have additional question, please feel free to contact the department.

Sincerely,

A handwritten signature in cursive script that reads "L. Glen Saxton". The signature is written in dark ink and is positioned above the typed name and title.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
IDWR - Norman C. Young

Mr. L. Glen Saxton
Dept. of Water Resources - State of Idaho
1301 N. Orchard St
Boise, Idaho 83720-9000

RECEIVED
FEB 07 1984
Department of Water Resources

2/07/84

re: Permit # 37-07371 - Carey Act Project # 37-CA-02

Dear Mr. Saxton:

I am submitting to you a copy of correspondence from the BLM office in Shoshone indicating receipt of the DLE application. I have also enclosed the first page of the application which has the legal description detailed. In addition I have enclosed a copy of the receipt I received for the filing fee. I hope this is enough evidence to have you change the conditions on the water permit to include the DLE.

You indicated that the department has designated several moratorium areas including the one that encompasses said land. It was my impression that the permit was an approved permit which should be outside of the moratorium effect.

It was our hope that, being the BLM is working on a new management plan for the Bennett Hills Resource Area and the fact that your office was charged with requesting the original segregation

of the lands of the proposed Carey act Project,
that you would reassert the segregation request
so that BLM realizes that there are active
Carey act proposals within that resource area.

Sincerely,

Wick Graves

cc: Norm Young

attachments (4)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RECEIPT AND ACCOUNTING ADVICE

NO. **1933571**
03/03/93

Subject: **DLE Application IDI-29777**

Filing Fee (FUND 670 ST 16)

\$15.00

Applicant:

Advance Paymt. (320 Acres) SU 75

80.00

**Richard L. Graves
2082 S 2000 E
Gooding, ID 83330**

kh

Remitter:

Assignor:

SERIAL NO.

REFER TO THE ABOVE CASE SERIAL NUMBER IN ALL CORRESPONDENCE. PLEASE INFORM THIS OFFICE OF ANY CHANGE IN ADDRESS.

NOTE: This notice is a receipt for monies paid the United States. If these monies are for required fees in connection with your application to lease, purchase, enter, or otherwise acquire an interest in public lands or resources, this receipt is not an authorization to utilize the land applied for and it does not convey any right, title, or interest in the land for which application is made.

PAID
MAR 03 1993

USDI BUREAU OF LAND MGMT.
SHOSHONE, IDAHO 83352



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
SHOSHONE DISTRICT OFFICE
400 WEST "F" STREET
P.O. BOX 28
SHOSHONE, IDAHO 83352



IN REPLY REFER TO:

IDI-29777

November 8, 1993

Mr. Richard L. Graves
2082 S. 2000 E.
Gooding, ID 83330

Dear Mr. Graves:

We have received your Desert Land Entry Application for 320 acres located southeast of Gooding.

This entry is located within the Bennett Hills Resource Area which is currently developing a new management plan that will address and recommend varying alternative uses for all public lands within this area. We anticipate the draft plan will be available to the public sometime early in '94. We have included your name on the mailing list to receive a copy and encourage you to submit any comments you may have regarding our recommendations at that time so they may be considered for the final plan. Consequently, we are deferring any action on your application pending final decision on this management plan.

Please contact Kay Billington at the above address or by phone at 886-2206 if you have any questions.

Sincerely,

ROBERT D. CORDELL
Area Manager
Bennett Hills Resource Area

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0004
Expires: June 30, 1984

DESERT LAND ENTRY APPLICATION

Serial Number

1. Name (first, middle initial, last) <i>Richard L. Gervase</i>	Address (include zip code) <i>2082 S. 2000 E Gooding, Idaho 83330</i>
--	--

hereby applies to enter, under the Desert Land Act for the purpose of reclaiming the lands by permanent irrigation and cultivation within four (4) years from allowance of this application, the public lands described as follows:

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION
<i>6 South</i>	<i>15 East</i>	<i>Boise</i>	<i>21</i>	<i>N 1/2 SE 1/4, SE 1/4 SE 1/4</i>
<i>6 South</i>	<i>15 East</i>	<i>Boise</i>	<i>22</i>	<i>N 1/2 SW 1/4, SW 1/4 SW 1/4</i>
<i>6 South</i>	<i>15 East</i>	<i>Boise</i>	<i>27</i>	<i>NW 1/4 NE 1/4</i>
<i>6 South</i>	<i>15 East</i>	<i>Boise</i>	<i>28</i>	<i>NE 1/4 NE 1/4</i>

State of *Idaho* containing a total of *320* acres

2. Enclose filing fee of \$15 plus advance payment of 25¢ per acre, or fraction thereof \$
Total \$ *95.00*
- 3a. Are you of the age of majority? Yes No
- b. Of what State are you a bona fide resident? *Idaho*
- c. Are you a citizen? Yes No
- d. If naturalized give: Date _____ in the Court of _____
in (city and state)
- e. If not a citizen, have you filed a Declaration of Intention to become a citizen of the United States?
 Yes No (If "yes," attach full details)
- f. Are you an employee, the spouse, or an agent of an employee of the Department of the Interior? Yes No
- 4a. Have you made any other application under the Desert Land Act? Yes No (If "yes," give office and serial number)
- b. Have you ever received by assignment any lands under the Desert Land Act? Yes No (If "yes," give office and serial number)
- c. Have you entered, acquired title, or are you now claiming an entry under any of the nonmineral public land laws since August 30, 1890? Yes No (If "yes," state total number of acres)
5. Have you made a personal on-the-ground examination of every legal subdivision of the above described land?
 Yes No



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 16, 1993

Richard L. Graves
2082 S. 2000 E.
Gooding, ID 83330

RE: PERMIT NO. 37-07371 - CAREY ACT PROJECT NO. 37-CA-02 IN THE
NAME OF RICHARD L. & FRANCES M. GRAVES

Dear Mr. Graves:

I have reviewed your letter dated November 11, 1993 in which you request the department to (1) change the conditions of approval for the above referenced water right permit so it can be used in connection with a desert land entry on the same land covered by Carey Act application 37-CA-02 and (2) to request the Bureau of Land Management to maintain a "suitable for disposal" classification for the land under your Carey Act filing.

The permit is now conditioned with the following language:

"Approval of this permit is for the specific benefit of the Carey Act Project known and designated as Richard L. & Frances M. Graves (37-CA-02). In the event that the request to the U.S. Bureau of Land Management for segregation of lands for such project is denied or if, for any reason, the applicant does not proceed with the project under provisions of the Carey Act, this approval shall be null and void".

As I described to you, the department in the past has changed this type of condition to also include development of the land under provisions of the Desert Land Act (DLA). In such a case, the department has changed the condition to typically read as follows:

"Approval of this permit is for the specific benefit of the Project for development of land under the provisions of the Carey Act or Desert Land Act. If the applicants do not proceed under the provisions of either act, this approval shall be null and void". (Emphasis added).

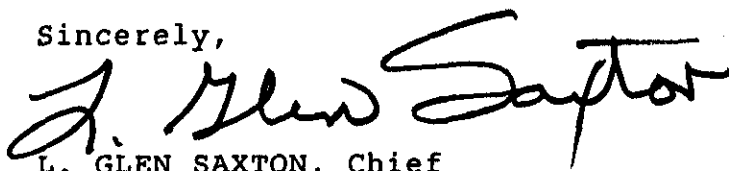
Upon your submittal of evidence to show that you have filed on the same land under the Desert Land Act, the department will further consider changing the conditions of permit approval to include DLA development.

The department can not be more definite in considering your request, since a number of new water right developments have recently occurred in Idaho which affect the use and distribution of water. As you likely know, the department has designated several moratorium areas including one which encompasses the land you propose to develop. In addition, questions and legal challenges to the distribution of surface water as related to ground water pumping has raised the complex issue of conjunctive management and the development of associated rules.

Due to these and other uncertainties, the department does not plan to contact the BLM relative to land classification.

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

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is written in a cursive style with a large, sweeping initial "L".

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region

RECEIVED

NOV 12 1993

Department of Water Resources

L Glen Saxton
Idaho Dept. of Water Resources
1310 N. Orchard St.
Boise, Idaho 83720

November 11, 1993

re: Permits # 37-7371 / Carey Act Application 37-CA-02

Dear Mr. Saxton:

Please let this letter serve as a request to expand the above permits to cover the same water and the same land under a possible Desert Land Entry filing.

In a letter to us dated February 12, 1990 you suggested that we look into filing under the Desert Land Entry program. We are investigating that type of filing.

Also please contact the Shoshone District - Bureau of Land Management office and request that the above lands remain in the classification of "suitable for disposal."

Please let us know as soon as possible if there is any problem in using the approved permit for the DLE filing.

Yours Truly

2082 S. 2000 E
Gooding, Idaho 83330

Richard L. Erwin



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

April 15, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Pam Brown
Bureau of Land Management
Shoshone District
P.O. Box 28
Shoshone, ID 83352

Re: IDWR Water right permit no.s 37-7371, 37-7372 & 37-7442
BLM serial no.s I-9438 & I-9487 (no serial no. connected with
permit 37-7442)

Dear Pam:

I received the computer printout copies which you sent for the above referenced permits. These water right permits were originally approved in connection with Carey Act applications. The remarks which note that the permits would be null and void if the request for segregation is denied by BLM or if the applicants do not proceed under the provisions of the Carey Act were original conditions of approval for the permits.

The Department of Water Resources (IDWR) will not void these water right permits if the permit holders instead wish to use them in connection with Desert Land Entry (DLE) applications. If the BLM accepts the DLE applications, then IDWR will ask the applicants to withdraw their Carey Act filings which are on file with IDWR. If the applicants do not withdraw the Carey Act filings, then IDWR will cancel them. Whether the Carey Act filings with IDWR are withdrawn or canceled, IDWR will withdraw its segregation request with the BLM.

Please forward any BLM acceptance of the DLE applications in connection with these water right permits to this office. Upon receiving evidence that a DLE application has been accepted, we will then proceed to withdraw the applicable Carey Act segregation requests which may be on file with the BLM.

Sincerely,

A handwritten signature in black ink that reads 'Tim Luke'. The signature is written in a cursive style with a large, sweeping 'T' and 'L'.

Tim Luke
Hydrologist
Water Allocations

Gooding, Idaho
February 7, 1992

Mr. Tim Luke
Idaho Dept. of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, Idaho 83720-9000

Re: Carey Act File #37-CA-02 and Water Right Application #37-7371

Dear Mr. Luke:

We are still very interested in the development of our Carey Land Act Project.

Recent activity on the project lands includes:

- (1) irrigation proposal on the project from Farmore Irrigation dated 3/28/90.
- (2) update on soil classifications done in 1990 and 1991 by USDA SCS.
- (3) numerous on sight examinations of project lands.
- (4) obtained water rights claims proof report on 3/26/90.
- (5) obtained availability status of project lands from BLM.

Accompanying this letter is the current availability status by 40 acre tract as per the Monument Resource Management Plan.

The current authorized agent for the project is Richard L. Graves, 2082 S 2000 E, Gooding, Idaho.

Yours truly,

Richard L. Graves

attachments: Irrigation Proposal
Soil Classifications
Water Rights Claims Proof
Land Status Documentation



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

January 10, 1992

Richard L. & Frances M. Graves
Rt. 2 Box 73
Gooding, ID 83330

CERTIFIED MAIL #33787

RE: CAREY ACT FILE NO. 37-CA-02 & WATER RIGHT APPLICATION NO.
37-7371

Dear Applicants:

The Department is reviewing Carey Act applications and related water right applications many of which have been pending in Department files since the mid-1970's. The above referenced applications are among those which were reviewed.

The files show that the last correspondence in connection with this project was in February of 1990. One of several actions described below needs to occur in connection with the applications:

1) Relinquishment of the applications by the authorized agent for the project. The Department will then refund the guarantee deposit. Enclosed is a relinquishment form for your use.

2) Submittal of the following information to maintain the applications in an active status with the Department:

a) A statement of your continued interest in the proposed project and a description of any recent activity in connection with the project. The activity must be supported by appropriate documentation,

and

b) The current status by 40-acre tract of the land sought for agricultural development under your Carey Act application. The status must show the availability of the land as adopted by BLM's Resource Management Plans. You need to obtain and provide the Department with proper land status documentation,

and

c) The current name and address of the authorized agent for the project. If the agent is different than the agent currently of record you need to provide appropriate documentation for Department files.

This letter is not intended to imply that the proposed Carey Act project is currently being reviewed for approval or will be considered for approval in the near future. The purpose of this letter is to provide you the opportunity to update and maintain the filing with the Department.

Please take the requested action or submit the requested information within thirty (30) days of the date of this letter. If you do not timely respond, the Department will consider that the Carey Act application is CANCELED and that the water right application for permit is REJECTED pursuant to Section 42-204, Idaho Code.

The Department will appreciate your review of this matter and your timely response. Please feel free to contact the State Office of the Department in Boise, if you have questions.

Sincerely,



TIM LUKE
Water Resource Spec.

TL:js

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 12, 1990

Richard L. & Frances M. Graves
Rt. 2, Box 73
Gooding, ID 83330

RE: PERMIT NO. 37-7371 / CAREY ACT APPLICATION 37-CA-02

Dear Mr. Graves:

Our regional office in Twin Falls has advised this office that you recently inquired about the status of the above referenced filings.

The water right permit on which a pending request for an extension of time has been submitted is in good standing with the department. It is also the department's understanding that the land associated with your Carey Act project has been identified in the Bureau of Land Management's (BLM) Monument Resource Manage plan as suitable for disposal. This classification does not assure the availability of the land but allows further review of the proposed project with respect to soil suitability, economic feasibility and related considerations.

Enclosed is a guide entitled, "Procedural Steps for Processing Carey Act Applications" which shows 31 steps involved in the development of a Carey Act project. The guide was jointly developed by the department and the BLM in the mid-1970's.

Your application is near the beginning steps. The BLM has advised me that land filings under the Desert Land Act (DLA) are less complex than Carey Act filings since there is no occupancy requirement under the DLA and generally fewer right-of-way requirements. A number of applicants have filed both DLA and Carey Act filings on their land. In every instance so far, development which has actually occurred has been under the provisions of the DLA. You may wish to investigate this type of filing.

Please contact the department, if you have additional questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - S. Region

MEMORANDUM

TO: GLEN SAXTON

FROM: TIM LUKE

RE: PERMIT NO. 37-7371/ CAREY ACT NO. 37-CA-02

DATE: 2-7-90

Mr. Richard Graves, who holds the above permit called the Southern Region office on 2-6-90 and inquired as to the status of this permit. Doug Jones handled the inquiry and has since forwarded this inquiry to our office. Doug says that the file in their office shows that the department petitioned the BLM to withdraw the lands under the Carey Act. There has been some correspondence with the permit holder in the past few years. Doug mentioned that we are waiting for the permit holder to submit some type of development plan. We also informed the permit holder that the permit must be reprocessed under Section 42-203D, I.C. ✓ Based on the priority of this filing, we could process it now under Section 42-203D. ?

Mr. Graves wishes to obtain a response to his inquiry.
His new address is:

2082 South 200 East
Gooding, ID 83330



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
~~JOHN F. EVANS~~

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 22, 1987

Richard L. & Frances M. Graves
Route 2
Gooding, ID 83330

RE: Permit No. 37-7371

Dear Mr. & Mrs. Graves:

The Department has reviewed the request for extension of time submitted in connection with the above referenced permit. The Department will hold the request without action until the permit is reprocessed in compliance with the provisions of Sec. 42-230D, Idaho Code. Upon completion of reprocessing, an appropriate development period will be granted if the permit is to be continued.

Please feel free to contact this office if you have any questions.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Operations Bureau

LGS:ldt(GP4-1.46)

CC: Region

MEMORANDUM

TO: Files 37-7371 & 37-CA-02 (R&F Graves)
FROM: John Carlson
DATE: December 16, 1986

This Carey Act application is presently active. It lies in the Shoshone District and Wendell Planning Unit. It may be delayed in processing due to Washington's delay in revoking withdrawal areas and the law suit.



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

November 20, 1986

Richard L. & Frances M. Graves
Rt. 2, Box 73
Gooding, ID 83330

PERMIT NO. 37-7371

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. 40826.

Roberta Garrett
Records Supervisor

Enclosure

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
SEPTEMBER 30, 1986

138330

GRAVES, RICHARD L. & FRANCES M.
RT. 2
GOODING, ID 83330

PROOF DUE NOTICE

RE: PERMIT NO. 37-7371

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 DECEMBER 1, 1986. (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 COMPLETED 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



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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

October 22, 1981

Richard and Frances M. Graves
Route 2
Gooding, ID 83330

Dear Mr. and Mrs. Graves:

Re: Permit No. 37-7371

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 December 1, 1986.

Also enclosed is receipt No. 20491 in the amount of \$15.00.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138791

GRAVES, RICHARD & FRANCES
RT. 2
GOODING, ID 83330

SEPTEMBER 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7371 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

138791



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 22, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tutthill Jr.

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

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

ALLRED

December 14, 1976

Re: Permit No. 37-7371

Richard L. & Frances M. Graves
Route # 2
Gooding, ID 83330

Dear Mr. & Mrs. Graves:

Enclosed herewith is a copy of your approved Application for Permit No. 37-7371. We direct your attention to the conditions of approval as listed on the fourth page; especially condition No. 2.

Also enclosed is a letter describing different types of measuring devices accepted by the Director. Should you have any questions regarding the permit, please feel free to contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enclosures

bc: IDWR - Southern Regional Office

Richard L. and Frances M. Graves
Route #2
Gooding, Idaho 83330

Carey Act Application
Legal Description

Township	6 South	Range	15 East	Boise Meridian
Section 21	NW	SE		40 Acres
	NE	SE		40 Acres
	SE	SE		40 Acres
Section 22	NW	SW		40 Acres
	NE	SW		40 Acres
	SW	SW		40 Acres
Section 27	NW	NW		40 Acres
Section 28	NE	NE		<u>40 Acres</u>
				320 Total Acres

XXXXXXXXXXXXXXXXXXXXXX

September 4, 1974

RE: Application No. 37-7372 - J. D. & Mary Baldwin
Application No. 37-7371 - Richard L. & Frances M. Graves

Gooding County Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

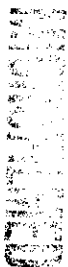
Would you please submit an affidavit of publication in connection with the above referenced items. The legal notices were to have been published in your paper on 8-15 and 8-22-74.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Bbb Haynes
Southern District Engineer

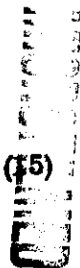
BH:lt



DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Richard L. Graves and
Frances M. Graves

Item	Initial	Date	
(1)	_____	_____	Application No. <u>37-7371</u>
(2)	<u>KDF</u>	<u>8-2-74</u>	<input checked="" type="checkbox"/> Source <input checked="" type="checkbox"/> Point of Diversion <input checked="" type="checkbox"/> County <input checked="" type="checkbox"/> Quantity of Water and Period of Use <input checked="" type="checkbox"/> Description of Diverting Works <input checked="" type="checkbox"/> Time required for B/U of water <input checked="" type="checkbox"/> Place of Use or Acres Irrigated <input checked="" type="checkbox"/> Map <input checked="" type="checkbox"/> Signature <input checked="" type="checkbox"/> Fee
(3)	<u>REM</u>	_____	In form to receipt
	_____	_____	Send Copies to: <input type="checkbox"/> Idaho State Health Department <input type="checkbox"/> Idaho Fish and Game Department <input type="checkbox"/> Bureau of Land Management
(4)	_____	_____	<input type="checkbox"/> Request Special Use Permit from U.S. F.S. <input type="checkbox"/> Request Easement from B. L. M. <input type="checkbox"/> Request Information from Applicant
(5)	<u>RA</u>	_____	In form for advertising
(6)	_____	_____	Located within Water District No. _____
(7)	_____	_____	Critical groundwater area: yes _____ no <input checked="" type="checkbox"/>
(8)	_____	_____	Groundwater levels: <input type="checkbox"/> Decline (comment) _____ <input checked="" type="checkbox"/> Stable (comment) _____ <input type="checkbox"/> Increasing (comment) _____
(9)	_____	_____	Comments: _____
(10)	<u>LT</u>	<u>9-5-74</u>	Affidavit of Publication received (date) <u>9-5-74</u>
(11)	_____	_____	Final date for protests <u>9-2-74</u> Protests received: yes _____ no <input checked="" type="checkbox"/>
(12)	_____	_____	Date and Place of hearing _____ Decision reached at hearing _____
(13)	_____	_____	All requested information received from agencies or applicant yes <input checked="" type="checkbox"/> no _____
(14)	_____	_____	Action recommended: <input checked="" type="checkbox"/> Approve <u>Pending Grey Act</u> Priority <u>7-31-74</u> <input type="checkbox"/> Deny Reason for Reduction _____ <input checked="" type="checkbox"/> Measuring device required <input type="checkbox"/> See attached sheet for additional conditions of approval <input type="checkbox"/> No additional conditions for approval
(15)	District <u>Southern</u>	By <u>Bob Hayes</u>	Date <u>12-13-74</u>



NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Richard L. Graves & Frances M. Graves
Rt. #2, Gooding, Id.

has on 7-31-74 submitted Application No. 37-7371
for a permit to appropriate 6.13 cubic feet per second ~~XXXXXX~~
of water from groundwater
by means of well and pump
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T 6S, R 15E, B.M., Gooding Co.

to be used from Jan. 1 to Dec. 31 for domestic and stockwater use and Mar. 15 to Nov. 15
for irrigation of 320 acres

within the N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T 6S, R 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or be-
fore 9-2-74.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader

on 8-15 and 8-22-74

Legal—Water Permit—Galley
Proof

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Richard L. Graves & Frances M. Graves, Rt. #2, Gooding, Id. has on 7-31-74 submitted Application No. 37-7371 for a permit to appropriate 6.13 cubic feet per second of water from groundwater by means of well and pump within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T 6S, R 15E, B.M., Gooding Co. to be used from Jan. 1 to Dec. 31 for domestic and stockwater use and Mar. 15 to Nov. 15 for irrigation of 320 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T 6S, R 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before 9-2-74.

R. KEITH HIGGINSON
Director
Pub. 8-15, 22.

*ok LT
8-14-74*

XXXXXXXXXXXXXXXXXXXXXXXXX RESOURCES

August 6, 1974

RE: Application No. 37-7371 - Richard L. Graves & Frances M. Graves

Gooding County Leader
Box 56
Gooding, Idaho 83330

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 notice is 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.

Sincerely,

Bob Haynes
Southern District Engineer