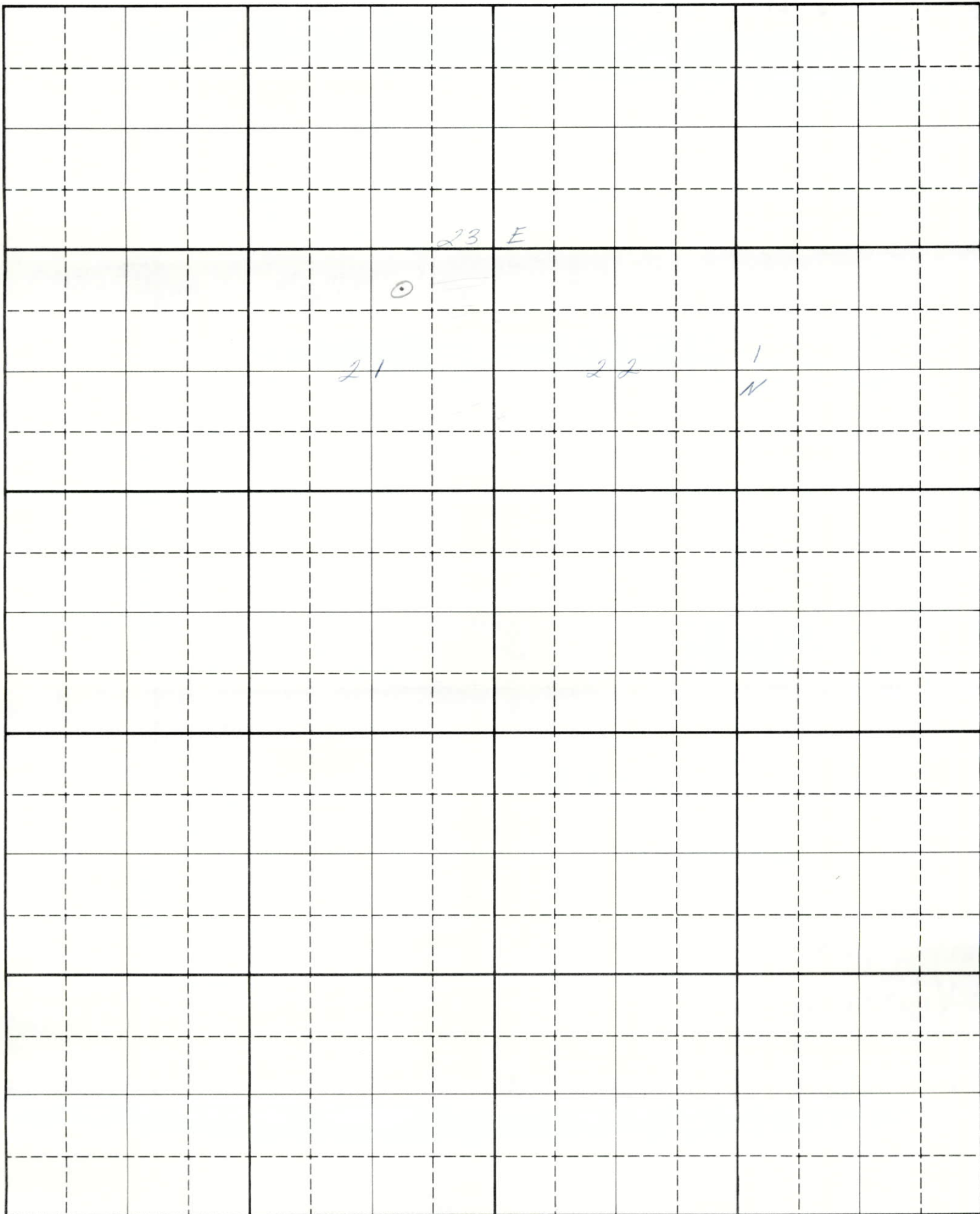


11. Map of proposed project:



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.

Reigba Trust Co.
Leonard W. Hardy President
 (Applicant)

37-7072

Affidavit of Publication

STATE OF IDAHO, }
County of Blaine, } ss.

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 9th day of July, 19 70 and ending with the last publication thereof on the 16th day of July, 19 70.

Cost of this publication is \$ 8.74

Neal R. Nyblad
NEAL R. NYBLAD

Subscribed and sworn to before me, this 17th day
of July, 19 70.

George S. [Signature]
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Picabo Livestock Co., Inc., Picabo, Idaho, has on June 23, 1970, submitted Application No. 37-7072 to appropriate the public waters of a ground water source.

The application proposes a maximum diversion and appropriation of 2.0 cubic feet per second of water to be diverted by well, pump, and motor within the NW 1/4 NE 1/4 Sec. 21, T. 1N., R. 23 E., B. M., Blaine County and is to be used within the E 1/2 NE 1/4, NE 1/4 SE 1/4 Sec. 21; SW 1/4 NW 1/4, NW 1/4 SW 1/4 Sec. 22, T. 1 N., R. 23 E., B. M., for the irrigation of 150 acres from April 1 to Nov. 30.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration or before July 27, 1970.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal, Hailey, Idaho on July 9th and July 16th, 1970.

37-7072

T.
1
N

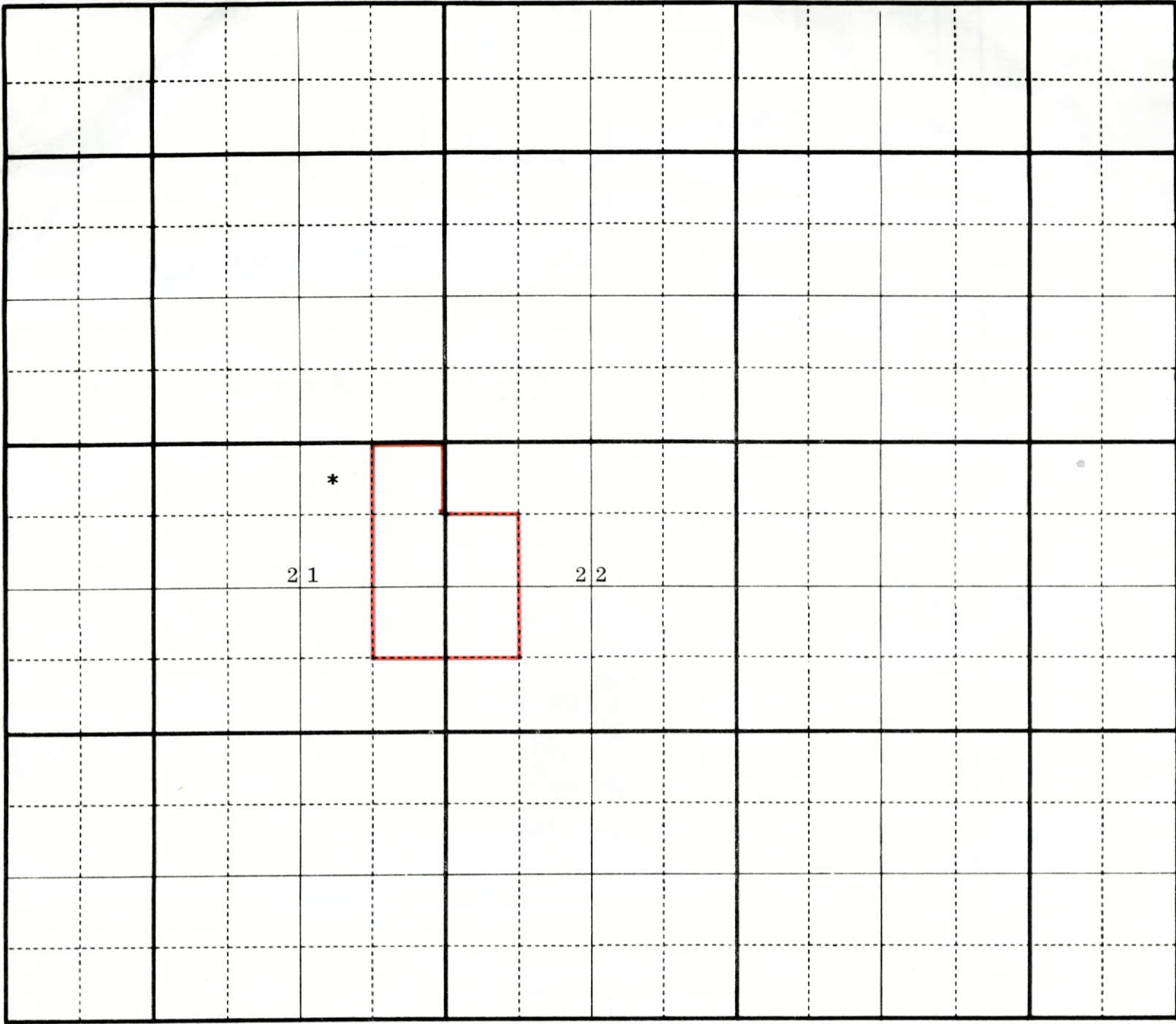


Diagram of System

TWP. 1 N RANGE 32 E COUNTY BLAINE SCALE: 1" = 1 MILE

36

31

32

33

34

35

36

31

○ APPLICANT'S WELL

● IRRIGATION WELLS

1

6

5

4

3

2

1

6

12

7

8

9

10

11

12

7

13

18

17

16

15

14

13

18

24

19

20

21

22

23

24

19

25

30

29

28

27

26

25

30

36

31

32

33

34

35

36

31

1

6

5

4

3

2

1

6

37-7072

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 37-7072 Priority June 23, 1970 Amount 1.34 cfs

THIS IS TO CERTIFY, that Picabo Livestock Co., Inc.
of Picabo, Idaho, has complied with the terms and conditions of Permit
No. 37-7072 issued pursuant to Application for Permit dated June 23, 1970,
and has submitted proof to the Department of Water Administration on September 23, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.34 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>April 1</u> to <u>Nov. 30</u> at <u>1.34</u> cfs and <u>450 acre feet or</u>			
_____ from _____ to _____ at _____ cfs and <u>3.0 af per acre</u>			
_____ from _____ to _____ at _____ cfs and _____			
(both dates inclusive)			

Subject, however, to the condition that no more than 1.34 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
450 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 21,
Twp. 1 N, Rge. 23 E, B. M. in the County of Blaine

Description and location of place of use:

Twp.	Range	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 $\frac{1}{4}$	
1 N	23 E	21	20			40									20				80
		22							30			40							70

Total number of acres irrigated 150

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17th day of
December, 19 73.

Deputy Director

37 7072

Identification No. 37-7072

Application No. _____

WATER RIGHT FOR 134000 FT.
LICENSE FEE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Picabo Livestock Co., Inc.
post office address Picabo, Idaho 83348
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21 Township 1N
Range 23E B.M. Blaine County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.0 for irrigation purpose from April 1 to Nov. 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. drilled well, cased and equipped
with electric pump and motor

- 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 10 inches; proposed depth of well is 400 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 \$ 8,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

37-7072

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1N	23E	21	20			40									20				80
		22							30			40							70

Total number of acres to be irrigated 150

c. Describe any other water rights used for the same purposes We use some flood water early in the spring out of Copper Creek on some of this ground.

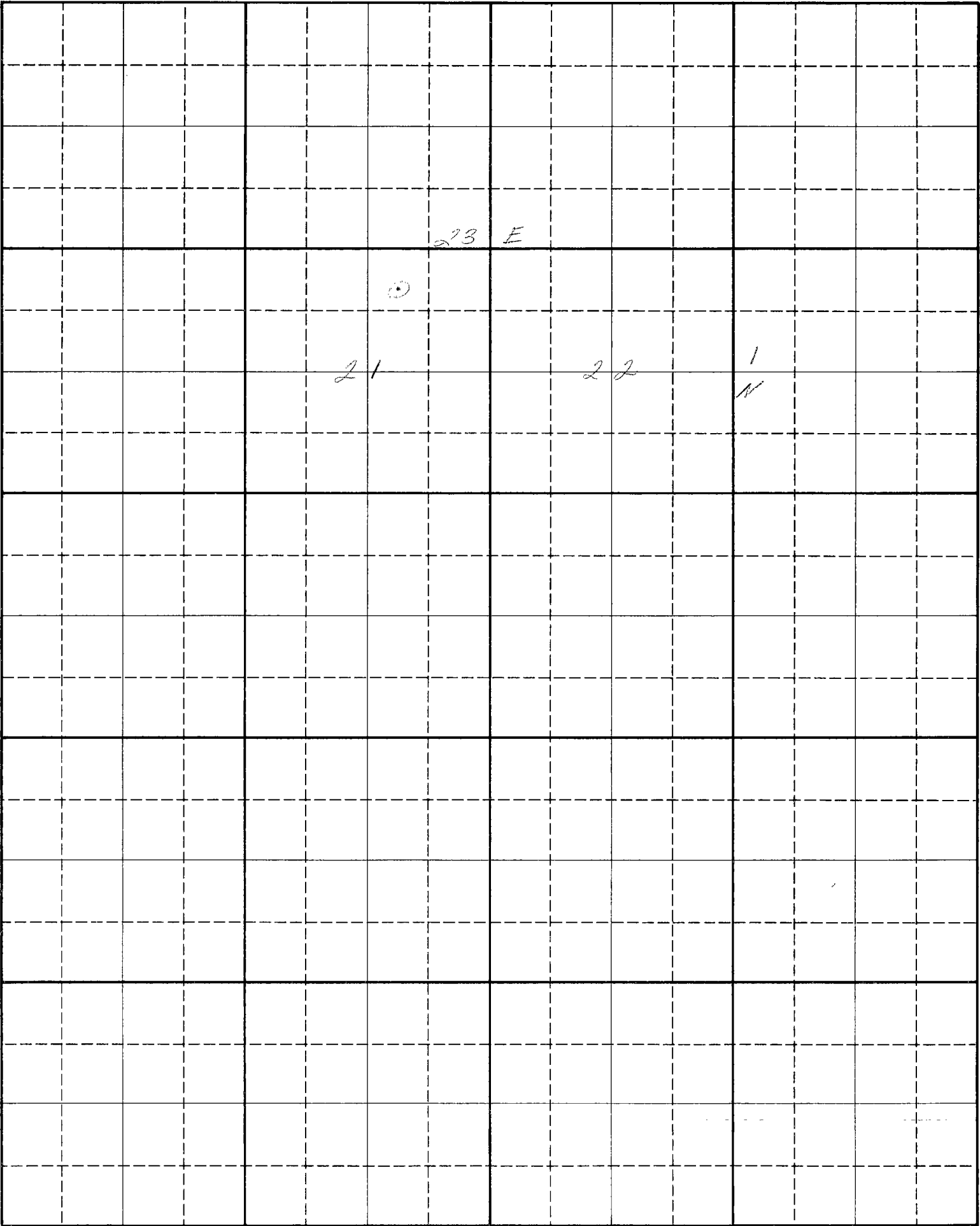
9. a. Who owns the property at the point of diversion Picabo Livestock Co.

b. Who owns the land to be irrigated or place of use Picabo Livestock Co.

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 This is an old well that we intend to drill deeper, old well was never developed.

11. Map of proposed project:



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.

Kingston Trust Co.
Edward W. Hardy
(Applicant)

37-1072

Received by _____ Date 6-23-70 Time 9:00 am
Preliminary check by Dee Fee \$ 25.00
Receipted by _____ Date 6-23-70
Publication prepared by de Date 7-2-70
Published in Wood River Journal
Publication dates 7-9+16-70
Publication approved de Date 7-22-70
Priority reduced to _____ Reason _____

Protests filed by: _____

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

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7072, 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 September 1, 19 75.
- c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 2nd day of September 19 70.

R. Kirk Hiji
State Reclamation Engineer

Affidavit of Publication

STATE OF IDAHO, } ss.
County of Blaine,

NEAL R. NYBLAD, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Managing Editor of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 9th day of July, 19 70 and ending with the last publication thereof on the 16th day of July, 19 70.

Cost of this publication is \$ 8.74

Neal R Nyblad
NEAL R. NYBLAD

Subscribed and sworn to before me, this 17th day of July, 19 70.

George S. S. S.
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Picabo Livestock Co., Inc., Picabo, Idaho, has on June 23, 1970, submitted Application No. 37-7072 to appropriate the public waters of a ground water source.

The application proposes a maximum diversion and appropriation of 2.0 cubic feet per second of water to be diverted by well, pump, and motor within the NW 1/4 NE 1/4 Sec. 21, T. 1N., R. 23 E., B. M., Blaine County and is to be used within the E 1/2 NE 1/4, NE 1/4 SE 1/4 Sec. 21; SW 1/4 NW 1/4, NW 1/4 SW 1/4 Sec. 22, T. 1 N., R. 23 E., B. M., for the irrigation of 150 acres from April 1 to Nov. 30.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration or before July 27, 1970.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal, Hailey, Idaho, on July 27, 1970.

(251.6-21241)

37-7072

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 18, 1973

Re: Permit No. 37-7072

Picabo Livestock Co., Inc.
Picabo,
Idaho 83348

Gentlemen:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

37 7072

December 7, 1973

Re: Permit No. 37-7072

Picabo Livestock Co., Inc.
Picabo,
Idaho 83348

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 37-7072 and has found the following:

Quantity of water diverted: 1.34 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.34 cfs

The maximum quantity diverted shall not exceed 450 acre feet per year.

Beneficial use: Irrigation of 150 acres within the E. 1/4, NE 1/4, Sec. 21; SW 1/4, NE 1/4, Sec. 22, Twp. 1 N, Rge. 23 E

Point of diversion: NE 1/4, Sec. 21, Twp. 1 N, Rge. 23 E, B.M.

Priority date established: June 23, 1970

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

37 7072

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Picabo Livestock Co., Inc.
Post office address Picabo, Idaho Phone 788-2521
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 2.0 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 30
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 37-7072
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 2.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 1 N N/S, Range 23 E E/W, B.M., Section 21, Subdivision NW 1/4 NE 1/4, Blaine
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Other Points of Diversions: _____

Description of diverting works: well, pump, sprinkling system

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1N	23E	21	20			40									20				80
		22							30			40							70

TOTAL ACREAGE

150

T.
1
N

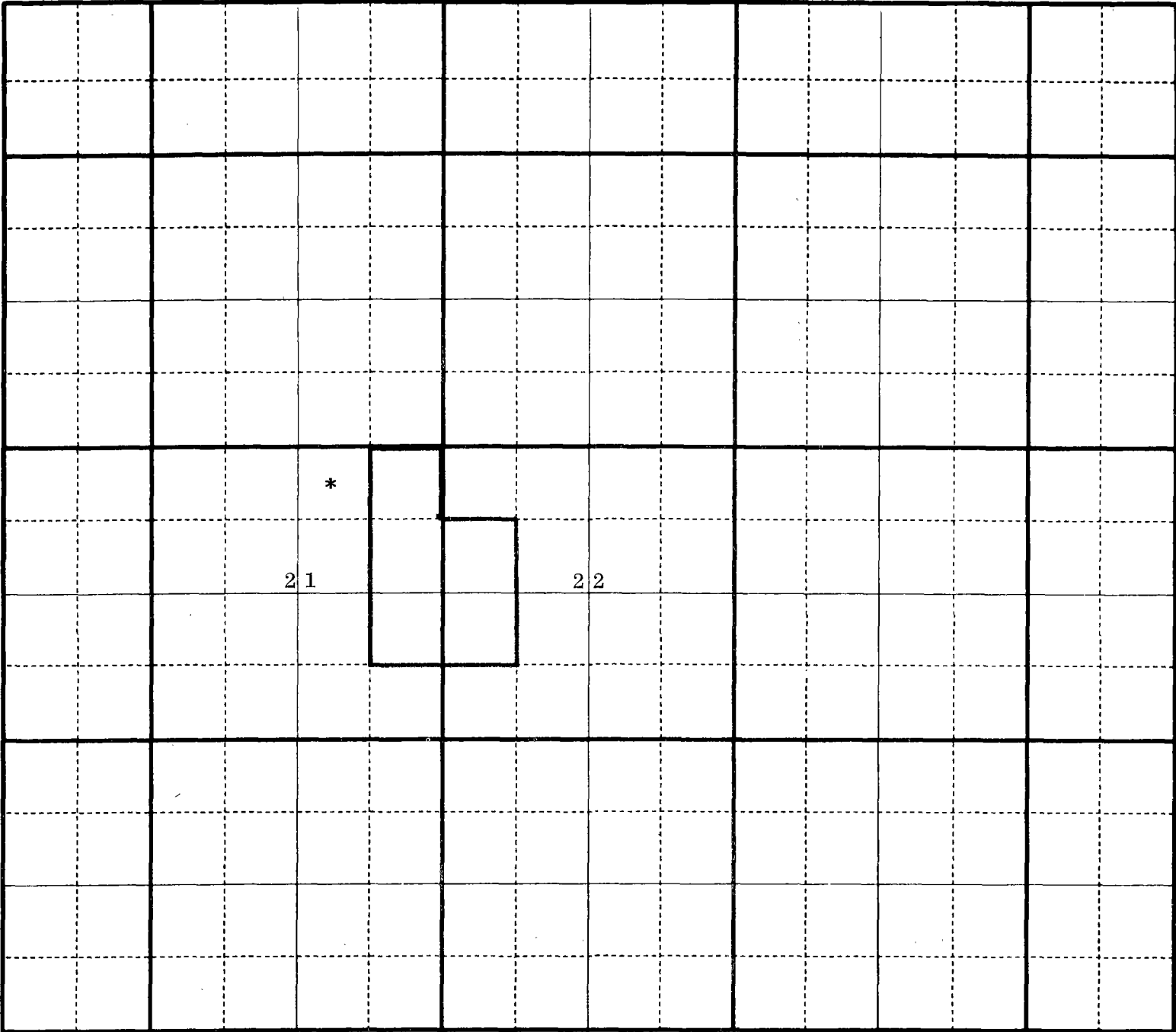


Diagram of System

DATE OF EXAM October 20, 1972

ACREAGE
Found 150
Recommended 150

Irrigation Requirement 3.0 Ac Ft/Ac

USE 1.34
Irrigation Q = 134 c.f.s. V = ~~134~~ 65 G.L.F. AF/Ann. from April - 1 to Nov. 30
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes X no _____

Name source: GRUVE CREEK + Copper Creek
twp. 1N N/S, Rge 23E E/W, B.M., Sec. 21, Sub. 1/4 NW 1/4 NE
County

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. 1/4 1/4
County

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. 1/4 1/4
County

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. 1/4 1/4
County

Total Q measured 1.34 134 c.f.s. Method of measurement Badger

Total Q recommended 1.34 13 c.f.s. Meter No. M0461348 Type Badger Condition good

Total V recommended 65 65 G.S. AF/ANN.

Recommended Amendments:

P.D. ✓
Place of Use ✓
Other ✓
None ✓

MEASUREMENT CALCULATION:

$Q = 600 \text{ gal/min} = 448.8 \text{ gal/CFS} = 1.34$
 $V = (1.98 \text{ AC.FT}) (244 \text{ days}) (1.34 \text{ CFS}) = 63 \text{ AF/ANN}$
65 G.S.
BDF

SYSTEM DESCRIPTION:

Deep well, Vertical Line pump, US Motors Hollowshaft 40 H.P. 460 V, Type RL, Ser. # CR1004863, 8" Badger meter Ser. # M0461348. Pump discharges into a ditch flowing with spring water. At this point of discharge, another pump takes a suction and supplies a hand line sprinkler system for irrigation.

REMARKS:

Examiner's Signature Sam Thompson Date 9-11-73
Checked by Michael L. Smith Date 9-11-73
Approved by _____ Date _____

March 21, 1973

Mr. James L. Kennedy, Jr.
Walker & Deper
Bank of Idaho Building
P. O. Box 23
Twin Falls, Idaho 83301

Dear Jim:

I'm enclosing a copy of Permit No. 37-7072, which is now held by Aquaculture, Inc. I believe this is the permit that covers the project in which your client has an interest. If I have the wrong filing, please let me know and I will look further.

With regard to the stipulation for Transfer Nos. 45-2578 and 45-2597, our only concern is with Item 1B, which, in effect, makes the transfer temporary. We question whether the statutes under which transfers are handled contemplate a temporary transfer. However, since the parties are agreeable to a revocation of the transfer or withdrawal of the transfer, provided such is made necessary as a result of the case currently pending in the District Court, we would agree to that condition being made a part of our conditions of approval. We will proceed with the processing of the transfer and you should receive the approval very shortly.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

Enclosure

FROM Darlene

DATE June 29, 1972

TO Mike

SUBJECT Permit # 37-7072 - Picabo Livestock Co., Inc.

Proof of beneficial use was made on this permit in September of 1971. However, the Department would not accept the proof as a measuring device had not been installed. By a letter dated Nov. 29, 1971, C. Stephen Allred allowed the permit holder until June 1, 1972, or until the time the well was put into use, which ever came first, to install the required measuring device. Anyway, I received a ~~mem~~ note from Steve saying that this should be checked to see if the device is installed. Seeing as how you are going to be out there anyway, I went ~~ahead~~ ahead and typed the field exam report (to kill two birds with one stone). So...if the measuring device is not installed, notified *notify* me immediately and I will pre-can this file.

If you have any questions or need further info, please let me know.

37 7072

SIGNATURE

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215

November 29, 1971

Re: Permit No. 37-7072



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Picabo Livestock Co., Inc.
Picabo,
Idaho 83348

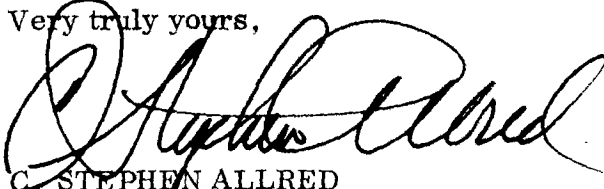
Gentlemen:

This office has reviewed your letter of November 22nd regarding an extension of time to install a measuring device pursuant to your Permit No. 37-7072. We do not feel that the law would allow us to grant an extension for a full year since both the permit and cover letter transmitting the permit to you specifically pointed out the requirement of a measuring device.

However, the Department will extend the time to show cause as to why your permit should not be cancelled for failure to install a measuring device in connection with the above referenced permit until June 1, 1972, or until you begin use of the well in 1972, whichever occurs first. It will be necessary for you to submit a statement to this office prior to that date that the measuring device has been installed and a description of the device installed.

If you have any questions, please feel free to contact this office.

Very truly yours,


C. STEPHEN ALLRED
Deputy Director

CSA:dr

cc: Federal Land Bank Assn.
of Gooding

37-7072

PICABO LIVESTOCK CO.

PICABO, IDAHO 83348

RECEIVED

NOV 24 1971

Department of Water Administration

November 22, 1971

Re: Permit No 37-7072

C. Stephen Allred
Deputy Director
Department of Water Administration
Boise, Idaho 83707

Dear Sir:

I am replying to your letter of November 1, 1971 in regard to the fact that our proof of beneficial use was unacceptable. You indicated that we had failed to install a permanent water measurement device.

I hereby request an expansion of our proof of beneficial use for 1 year. At the time we submitted our proof of beneficial use, I did not realize that a permanent water measurement device was required. Due to the lateness of the season, it would not be practical to install a measurement device now.

If you are unable to grant this extension, please let me know by return mail.

Sincerely yours,


L. N. Purdy

37 7072

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S). REQUIRED FEE(S) PAID.	
☐ Show to whom, date and address where delivered	☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.	1 2 3	SIGNATURE OR NAME OF ADDRESSEE (<i>Must always be filled in</i>)
CERTIFIED NO. 23181		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
INSURED NO.		
DATE DELIVERED 11-6-71		SHOW WHERE DELIVERED (<i>only if requested</i>) 37 7072

POD Form 3811 Apr. 1969 c55-16-71548-11

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

NOV
6
P.M.
1971
85348
POSTMARK OF DELIVERING OFFICE



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

37 7072

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 1, 1971

CERTIFIED MAIL #23181

Re: Permit No. 37-7072

Picabo Livestock Co., Inc.
Picabo,
Idaho 83348

Gentlemen:

Our letter to you dated September 28, 1971, indicated that the proof of beneficial use which you submitted in connection with your Permit No. 37-7072 was unacceptable due to the fact that you had failed to indicate that you had installed a permanent water measurement device. Such device was required to be installed as a condition of the issuance of the permit pursuant to Sections 42-203, 42-701 and 42-237a of the Idaho Code.

You are, **therefore**, hereby ordered to show cause on or before December 1, 1971, why Permit No. 37-7072 should not be cancelled and held null and void for failure to comply with the terms and conditions of its issuance. This order is sent under the provisions of Section 42-311, Idaho Code.

You should be advised that in the event the permit is cancelled, due to your failure to show reasonable cause on or before the above date, continued diversion of water would be without permit and subject to legal action.

C. STEPHEN ALLRED
Deputy Director

Bad

789 2516

CSA:DR
cc: Federal Land Bank Assn.
of Gooding

37 7072



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215

October 4, 1971

Re: Permits No. 37-7072, 37-2688 & 37-2545

Mr. Alan D. McCombs, Mgr.
Federal Land Bank Assn. of Gooding
121 Fourth Ave. West
Gooding, Idaho 83330

Dear Mr. McCombs:

Pursuant to your letter of September 21, 1971, we wish to advise you of the status of the above referenced permits.

Permit 37-7072 - Please refer to the enclosed copy of our letter of Sept. 28th.

Permit 31134/37-2688 - Proof of beneficial use was previously made on April 4, 1968. The department made a field examination of this project in October of 1969, but Mr. Purdy of Picabo Livestock Co. did not agree with the reported number of acres. Therefore, another field examination has been made to determine the number of irrigated acres. A license should be issued shortly.

Permit 24428/37-2545 - License 37-2545 was issued on August 28, 1954. A copy of the license is enclosed for your records.

As requested in your letter of September 21st, we are forwarding several proof of beneficial use affidavits under separate cover. If we may be of further assistance, please contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures
cc: Picabo Livestock Co., Inc.

37 7072

September 28, 1971

Re: Permit No. 37-7072

Picabo Livestock Co., Inc.
Picabo,
Idaho 83348

Gentlemen:

We are in receipt of your affidavit submitted as proof of beneficial use for Permit No. 37-7072. However, in reviewing that affidavit, it appears that you have failed to install the measuring device as required by the conditions of approval of your permit and by Section 42-701 of the Idaho Code.

We cannot accept your proof and issue a license unless you have installed a measuring device of a type approved by the Department. We will hold your affidavit until you can supply us with information as to the type of measuring device installed. You should be aware that failure to install the device and supply information as to the type of device installed may result in the loss of your permit. We will withhold action regarding your permit until October 28, 1971.

We are enclosing a list of types of measuring devices approved by this Department. If you have any questions, please contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure
cc: Alan D. McCombs
Federal Land Bank Assn.
of Gooding

37 7072

FEDERAL LAND BANK ASSOCIATION OF GOODING

141 FOURTH AVENUE WEST GOODING, IDAHO 83320

TELEPHONE: 934-4921

September 21, 1971



ALAN D. MCCOMBS, MANAGER

RECEIVED

Department of Water Administration

144281 - Picabo Livestock

Mr. Donald W. McEldowney, Appropriation Sup.
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. McEldowney

We are enclosing herewith Proof of Application of Water to Beneficial Use on Permit No. 37-2688 and No. 37-7072 for the Picabo Livestock. If these applications are properly completed, please issue your letter to us or to our applicant acknowledging (Request for License) on the two permits.

We have another filing on a permit for Picabo Livestock from Copper & Grove Creeks for 9.3 Cfs dated May 29, 1963, Permit No. 24428. If this is the correct number, please forward us a copy of the permit so that we can proceed to acquire for the Picabo Livestock final proof of application for the issuance of a license.

Also, please forward us a supply of your Proof of Application of Water to Beneficial Use forms.

Your attention on these matters will be appreciated.

Yours very truly,

Alan D. McCombs

Alan D. McCombs
Manager

ADM:hs
Encls.

37 7072



SERVING GOODING, JEROME, LINCOLN, CAMAS, AND BLAINE COUNTIES

Identification No. _____

Permit No. 37-7072

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

SEP 10 1971

Department of Water Administration

1. a) Name of Permit Holder Picabo Livestock Company, Inc.

b) Post Office Address Picabo, Idaho 83348

2. Permit Number 37-7072

3. Date of Priority that you are prepared to establish 6-23-70

4. a) Source from which water was appropriated drilled well

b) Location of the point of diversion: NW 1/4 NE 1/4, Section 21

Township 1N, Range 23E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount 2.0 for Irrigation purposes from April 1 to November 30 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 2.0 cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 40 hp. - 16" well casing - 460' depth. Water is pumped into a catch basin and then pumped through a sprinkler system by a 75 hp. pump.

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well drillers name and address and date the well was completed _____

37 7072

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____ for irrigation _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	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 $\frac{1}{4}$	
1N	23E	21	20			40									20				80
		22						30				40							70

Total number of acres irrigated 150

10. Remarks: _____

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

September 21, 1971
(Date)

Donald & Rudy
(Signature)

State of Idaho)
ss.
County of Gooding)

On this 21st day of September, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Alan D. McComb
Notary Public residing at Gooding, Idaho

My commission expires August 5, 1973

September 14, 1970

Re: Permit No. 37-7072

Picabo Livestock Co., Inc.
Picabo,
Idaho 83348

Dear Sirs:

Enclosed is a copy of your approved Application for Permit No. 37-7072. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

C. Stephen Allred
Deputy Director

CSA:kh
Enclosures: Copy of permit
Receipt No. 4801 for \$25
2 letters

37-7072

PICABO LIVESTOCK CO.

PICABO, IDAHO

OK
RECEIVED

AUG 14 1970

August 13, 1970

Department of Water Administration

Mr. Donald W. McEldowney
State of Idaho
Department of Water Administration
Boise, Idaho

Dear Sir:

In answer to your letter of August 4, 1970 in regard to our water permit No. 37-7-72, Copper Creek does rise on T. 2N, R. 23E, but it also flows through T. 1N., R. 23E.

The point of diversion under this application is T. 1N.

Sincerely yours,

L. N. Purdy
L. N. Purdy

37-7072

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No.	37-7072	Name	Picabo Livestock Co.
Source	ground water		
Point of Diversion	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T. 1N, R. 23E, B.M., Blaine		
Quantity	2.0	Use	irrigation
		Period	April 1 - Nov. 30
Quantity		Use	
		Period	
Quantity		Use	
		Period	
Well Size		Diameter	10
		Proposed Depth	400
		Feet	
Use	150 acres		
Date Forwarded	7-6-70	Date Returned	8-7-70
		Received by	<i>[Signature]</i>

COMMENTS: Primary aquifers appear to be gravel layers in a valley fill situation, therefore water is taken from a series of layers at various elevations. Appears to be artesian in nature; does not flow, however. Water levels have shown some fluctuation, but no long-term declines (W.I.B.'s 4 & 11). Well development very light.

RECOMMENDED:

Applied: Qty.	2.0	Use	IRR.	Period	4/1 - 11/30	AF/A	3.0	AF	450
Qty.		Use		Period		AF/A		AF	
Qty.		Use		Period		AF/A		AF	
Maximum: Qty.	3.0	Use	IRR.	Period	4/1 - 11/1	AF/A	3.0	AF	450
Qty.		Use		Period		AF/A		AF	
Qty.		Use		Period		AF/A		AF	

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial: _____

INVESTIGATION

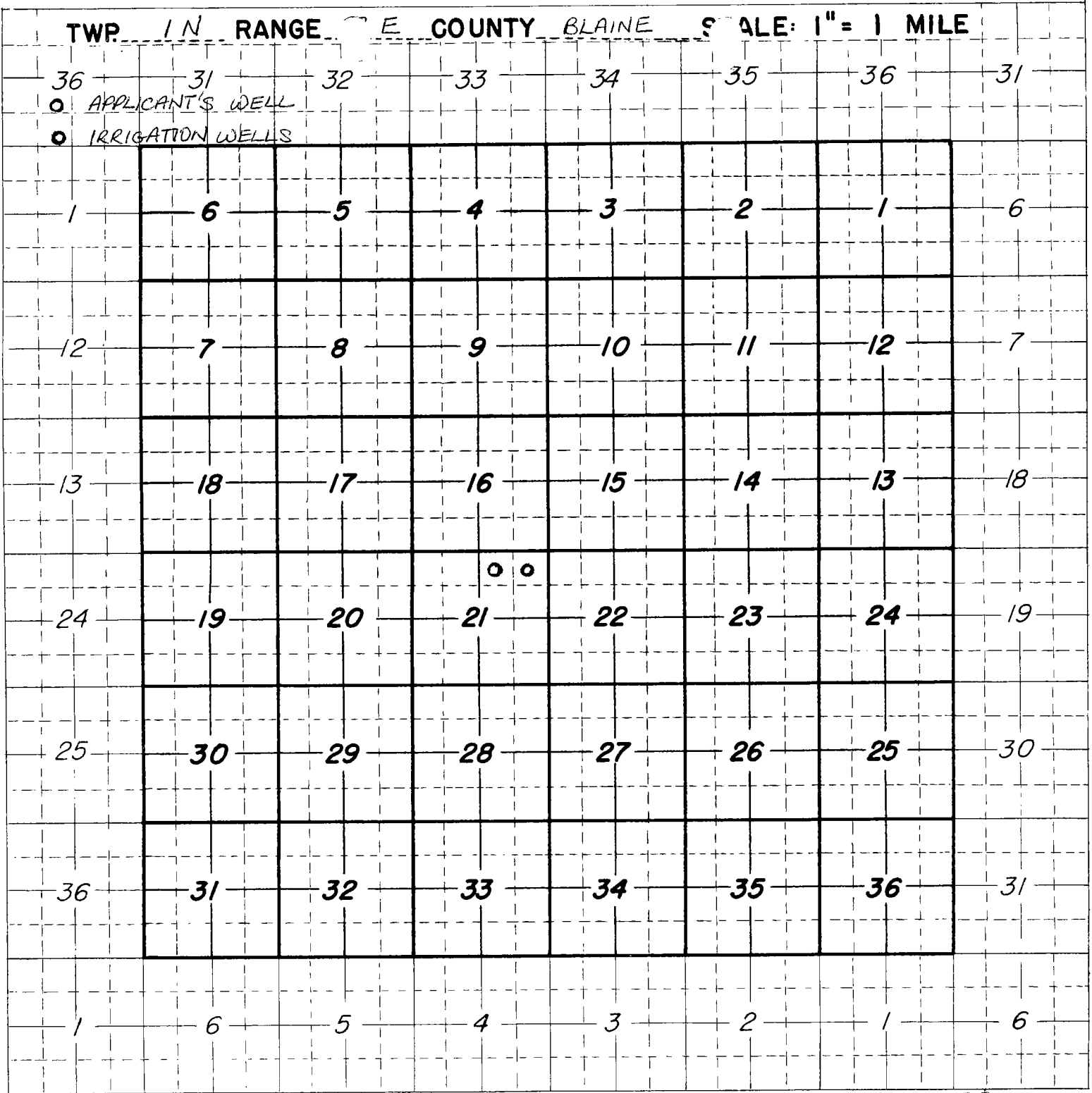
By

Paul M. Castelin

Title W.R.I. - I

Date

*August 7, 1970**37-7072*



37-7072

August 4, 1970

Application for Permit No. 37-7072

Mr. Leonard Purdy
Pícabo,
Idaho 83348

Dear Mr. Purdy:

In final review of your application, it is noted that under item 3c you have listed water rights that you already have for your land in Sections 21 and 22. You state "We use some flood water early in the spring out of Copper Creek on some of this ground". In looking at the county maps, it is noted that Copper Creek is located in T. 2N, R. 23E, and all of your permit is listed as being in T. 1N, R. 23E.

Would you please verify whether or not the land and point of diversion under this application is in T. 1N or 2N?

Your assistance in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

37-7072

**NOTICE OF APPLICATION
FOR PERMIT TO APPROPRI-
ATE THE PUBLIC WATERS
OF THE STATE OF IDAHO**

Notice is hereby given that **Picabo Livestock Co., Inc., Picabo, Idaho**, has on June 23, 1970, submitted Application No. 37-7072 to appropriate the public waters of a ground water source.

The application proposes a maximum diversion and appropriation of 2.0 cubic feet per second of water to be diverted by well, pump, and motor within the NW 1/4 NE 1/4 Sec. 21, T. 1N., R. 23 E., B. M., Blaine County and is to be used within the E 1/2 NE 1/4, NE 1/4 SE 1/4 Sec. 21; SW 1/4 NW 1/4, NW 1/4 SW 1/4 Sec. 22, T. 1 N., R. 23 E., B. M., for the irrigation of 150 acres from April 1 to Nov. 30.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATER-MASTER. Any protest against this application must be filed with the Idaho Department of Water Administration or before July 27, 1970.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal, Halley, Idaho on July 9th and July 16th, 1970.

37-7072

July 1, 1970

Re: Application for Permit No. 37-7073 - Jack D. & Lorraine R. Nopp
37-7072 - Picabo Livestock Co., Inc.

Wood River Journal
112 S. Main
Hailey, Idaho 83303

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 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 of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh
Enclosures

*Bill submitted
7-22-70
DWM*

37-7072

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Picabo Livestock Co., Inc., Picabo, Idaho,

has on June 23, 1970,

submitted Application No. 37-7072 to appropriate the public waters of

a ground water source.

~~The proposed uses are~~

The application proposes a maximum diversion and appropriation of 2.0

cubic feet per second ~~acre feet~~ of water to be diverted by

~~well, pump, and motor~~ within the NW 1/4 NE 1/4 Sec. 21,

T. 1 N., R. 23 E., B.M., Blaine County

and is to be used within the E 1/4 NE 1/4, NE 1/4 SE 1/4 Sec. 21; SW 1/4 NW 1/4, NW 1/4 SW 1/4 Sec. 22,

T. 1 N., R. 23 E., B.M., for the irrigation of 150 acres from April 1 to Nov. 30

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of **Water Administration**
or before July 27, 1970.

R. KEITH HIGGINSON
Director
~~State Reclamation Engineer~~
~~XXXXXXXXXXXXXXXXXXXX~~

Published in the The Hailey Times, Hailey, Idaho

on July 9th and July 16th, 1970.

37-7072-

June 16, 1970

Re: Application for Permit

Picabo Livestock Co., Inc.
Picabo
Idaho 83348

Gentlemen:

We have taken the liberty of re-typing your application for permit on one of our printed application forms. Please review the typed application and complete the map under item 11.

If the application meets with your approval, please have the president of the company sign it and return it to the Department with a \$25.00 filing fee.

If you have any questions regarding this matter, please do not hesitate to contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Original app.
Typed app.

37-7072

DATE	INVOICE NO.	DESCRIPTION	AMOUNT	DISCOUNT OR DEDUCTION	NET AMOUNT
		47 filing fee on well			

EMPLOYEE'S NAME										
PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS	DEDUCTIONS						NET EARNINGS PAID
				F.I.C.A	FEDERAL INC. TAX	STATE INC. TAX				
	REG. TIME OVERTIME									

EMPLOYEE: THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR THE PERIOD INDICATED. KEEP THIS FOR YOUR PERMANENT RECORD.

PICABO LIVESTOCK CO., PICABO, IDAHO

June 11, 1970

C
O
P
Y

Mr. Bud Purdy
Picabo Livestock Co.
Picabo, Idaho 83348

Dear Mr. Purdy:

Please find enclosed an application for permit, along with instructions for filling out the application.

If we may be of any further assistance in this matter, please notify us.

Yours very truly

Donald W. McEldowney
Appropriations Supervisor

DWM/CM

37-7072