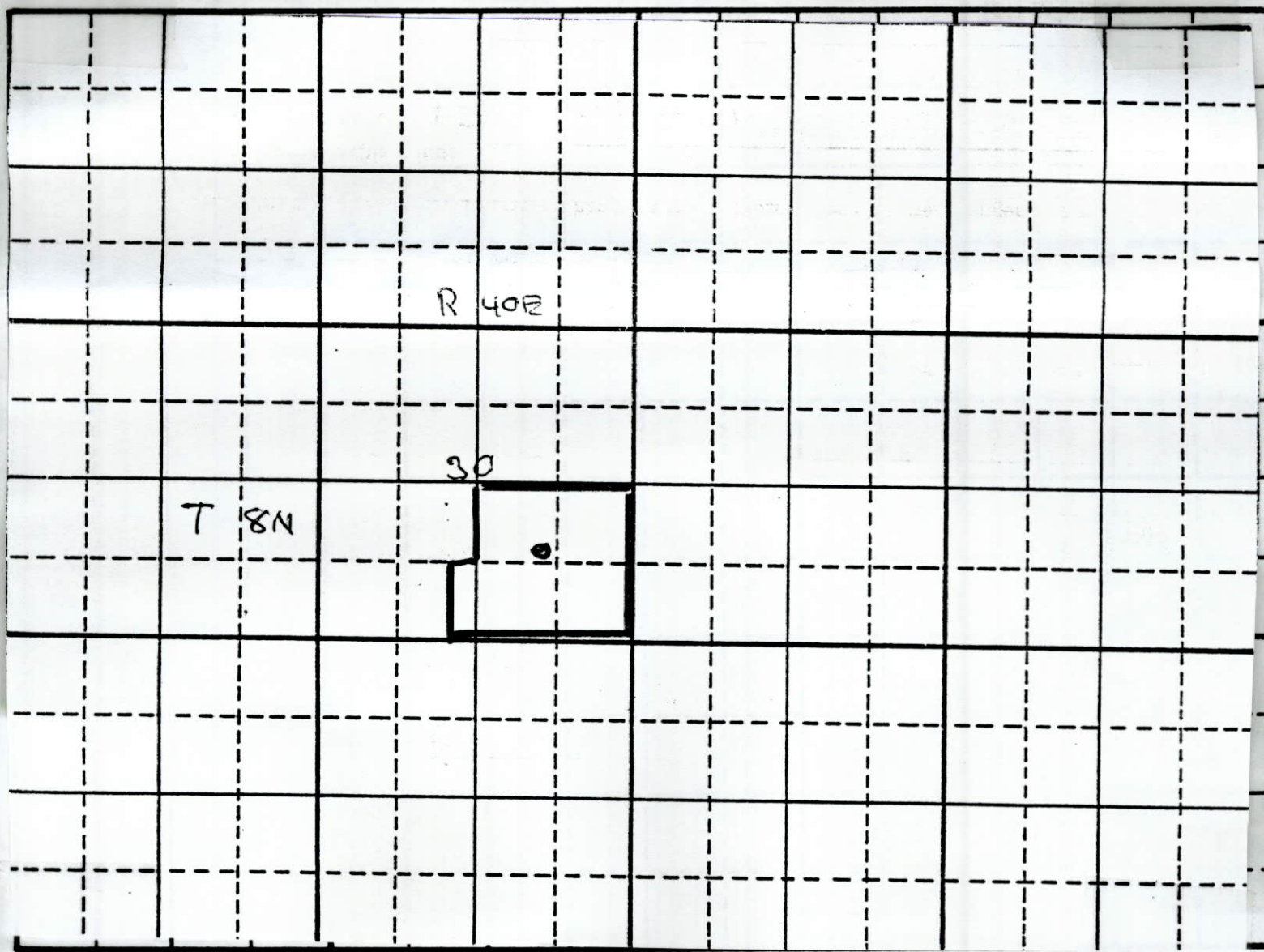


Complete the following map by showing land and point of diversion as proposed by this amendment.

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



Scale: 2 inches equal 1 mile.

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

Signed at Idaho Falls, this 21 day of Dec., 1990.

Melvin Harris
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWT Fee = \$20.00 #E015554 Received by HWT Date 12-21-90

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R KEITH HIGGINSON, Director of the Department of Water Resources hereby

APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT PROVIDED THE CONDITIONS SET FORTH IN PERMIT NO. 35-07775 ARE MET.

Witness my hand this 15TH day of DECEMBER, 19 92.

Norman C. [Signature]
ACTING FOR Director

JAN 21 1993

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the Notice Of Application
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for Two consecutive issues, the
first publication having been made on
October 4, 1990

and the last publication having been
made on October 11, 1990

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 12th day of October
in the year of 1990, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Joseph R. Judd
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

RECEIVED

NOV - 5 1990

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED
APPLICATION FOR
AMENDMENT OF A PERMIT

NOTICE IS HEREBY GIVEN that Per-
mit No. 35-7775A in the name of
DELWYN ELLIS was issued for the
diversion of 2.90 cfs of water from a
groundwater source with the points of
diversion being within the S $\frac{1}{2}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ NW $\frac{1}{4}$, SEC. 22; N $\frac{1}{2}$ NW $\frac{1}{4}$, SEC. 27,
T01S, R33E, B.M.

THE PERMIT HOLDER NOW PRO-
POSES to amend Permit No. 35-0775A,
assigning a portion of the permit to Melvin
Harris changing the point of diversion to
the NWSE, SEC. 30, T08N, R40E, B.M.
FREMONT COUNTY and the place of use
to the S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, SEC.
30, T08N, R40E, B.M. to irrigate 195
acres of land from April 1 to November 1.

ANY PROTEST to the proposed amen-
ding of the permit must be filed with the
Idaho Department of Water Resources,
150 Shoup Ave., Idaho Falls, ID 83401, on
or before October 22, 1990.

R. KEITH HIGGINSON
Director

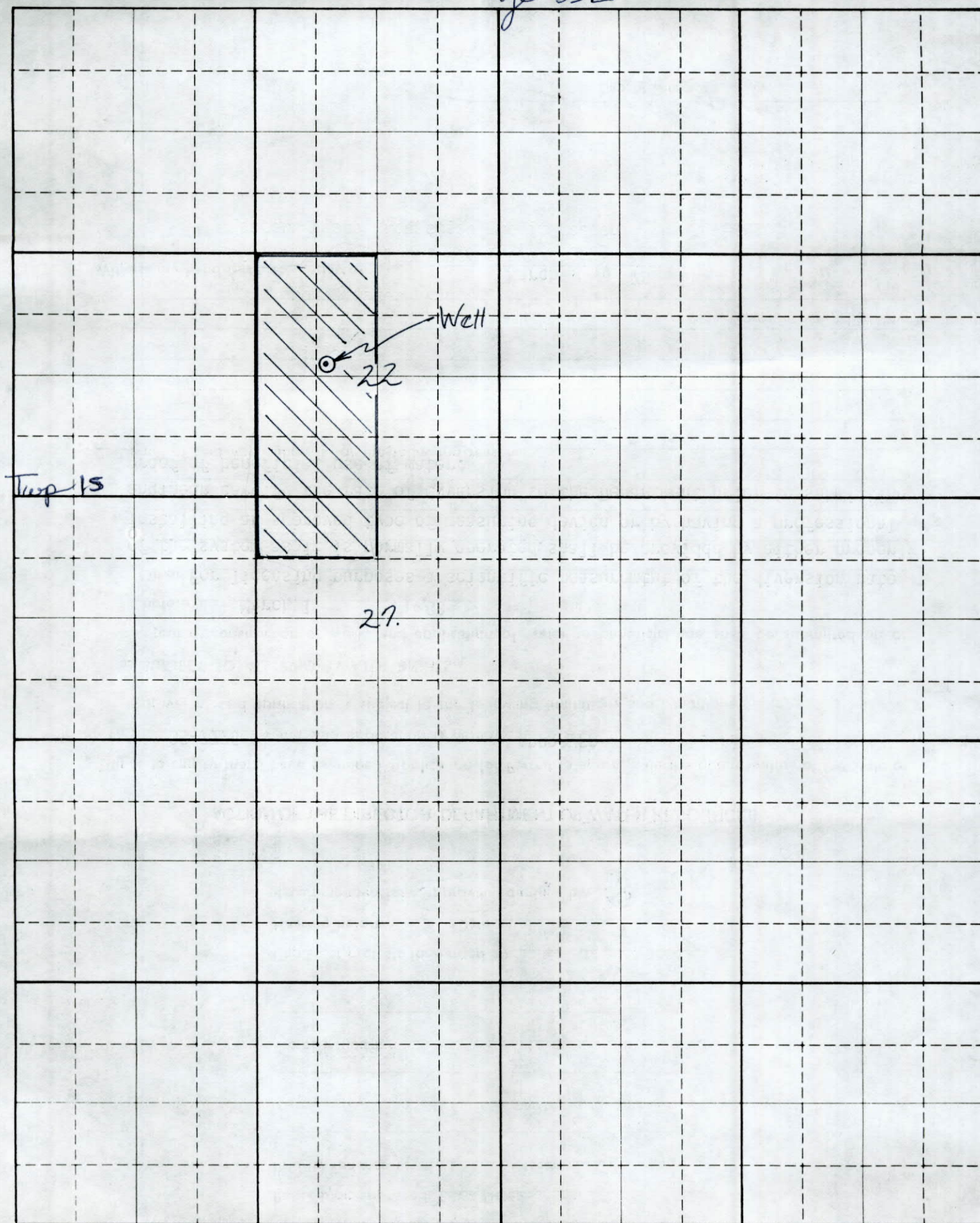
Publ. Oct. 4 and 11, 1990HC.

RECORDED

JAN 21 1993

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

Rge 33E



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.

Arnold Seely
(Applicant)
Asst Sec

RECEIVED

FEB 14 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
) ss.
State of Idaho)
I, David Mark Brown do
solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law, a
particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of Idaho shall
be published to-wit: Thurs of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was,
published in said

Thurs issue of said newspaper two consecutive
weeks

the first publication having been made on
the 2nd day of Feb., 19 78,

and the last publication having been made on the
9th day of Feb., 19 78; that said

notice was published in the regular and entire issue of
every number of the paper as aforesaid during the
period and time of publication, and that notice was
published in the newspaper and not in a supplement.

David Mark Brown

Subscribed and sworn to before me this 9th
day of Feb., 19 78

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1976

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Eastern Idaho Production
Credit Assoc., Blackfoot, Idaho,
has on 1-24-78, submitted
Application No. 35-7775, for a
permit to appropriate 3.80 cubic
feet per second of water from a
ground-water source by means
of well and pump within the
SE 1/4 NW 1/4, Sec. 22, T. 1S, R.
33E, B.M., Bingham County; to
be used from Apr. 1 to Nov. 1 for
the irrigation of 390 acres
within the W 1/2, Sec. 22,
N 1/2 NW 1/4, Sec. 27, T. 1S, R. 33E,
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, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or
before February 20, 1978.

C. STEPHEN ALLRED
Director

(5459)
Pub.: 2-2, 9

317

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

35-07310 A

35-07775 A

PERMIT NO.

Event History

- 1/ Melvin Harris Inc and Keith Wilcox + sons visited the IF office with a sales contract showing they had purchased parts of two permits. This date was approx April 4, 1990. The owner, Deluxa Ellis said his ground was in the CIP program and he no longer needed the permits. I tried to split the permits based on the sales agreement into 4 assignments.
- 2/ It came to light after the assignments were made that proof had been filed on both permits and an exam was pending. The exam card file indicated that no exam had yet been done. I then prepared an Amendment for Melvin Harris on 35-07775A only to see if approval was possible so Mr. Harris could start drilling a well at his new place of life.
- 3/ Senior Agent Paul Meyer informed me on the week of Dec. 17th, 1990 that he had discovered several field exams done by summer field agent Richard Lannan that had not yet been staffed. Two of those exams were for 35-07310 + 35-07775.
- 4/ I contacted Jim Johnson about this new development and called in Mr. Harris + Mr. Wilcox. We discussed what these applicants needs were and finally decided to split out the field exams according to the amendments (crews) + assignments on record to best fit the intent of each applicant if possible.
- 5/ Mr. Wilcox said he did not yet want to commit to an amended place of use for 35-07310B + 35-07775B. Mr. Harris is ready and I revised his amendment for 35-07775A and made one for 35-07310A. There will be adjacent acreage for a total of 195 acres. The amended plan is in Basin 31 and a number change will have to be made.

MICROFILMED

JAN 21 1993

David W. Jones
SIGNATURE

Page 1 of Page 1

Original Exam

RECEIVED

NOV 11 1991

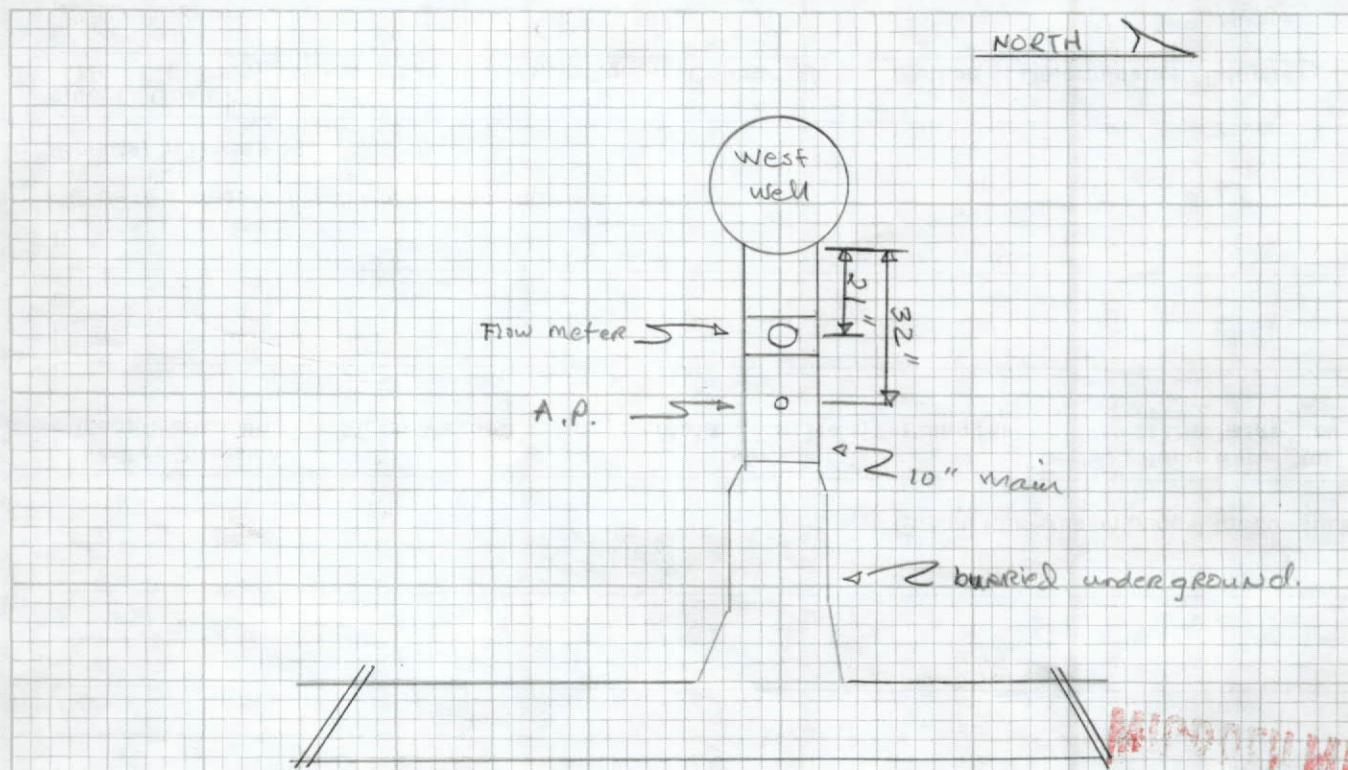
Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 35-77-751. Owner: EASTERN IDAHO PRODUCTION CREDIT ASSOC. Phone No. 785-1510Current Address: P.O. Box 992, Blackfoot, Idaho 832212. Accompanied by: JERRY BROOKER EXAM. DATE: 7-8-88Address: 1235 W. Hwy 26, Blackfoot Idaho 83221 Phone No. _____Relationship to Permit Holder: LEASER3. Source: Groundwater tributary to —**B. OVERLAP REVIEW**1. Other water rights with same place of use: 35-7310☐ Copies Attached2. Other water rights with same point of diversion: 35-7310☐ Copies Attached☐ Copies of Field Exam's Attached**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

- ☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

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

JAN 21 1993

JUL-16-'90 MON 14:22

TEL NO: (202) 525-7177

#105 P02

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86. Ace

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REPRODUCED

1993

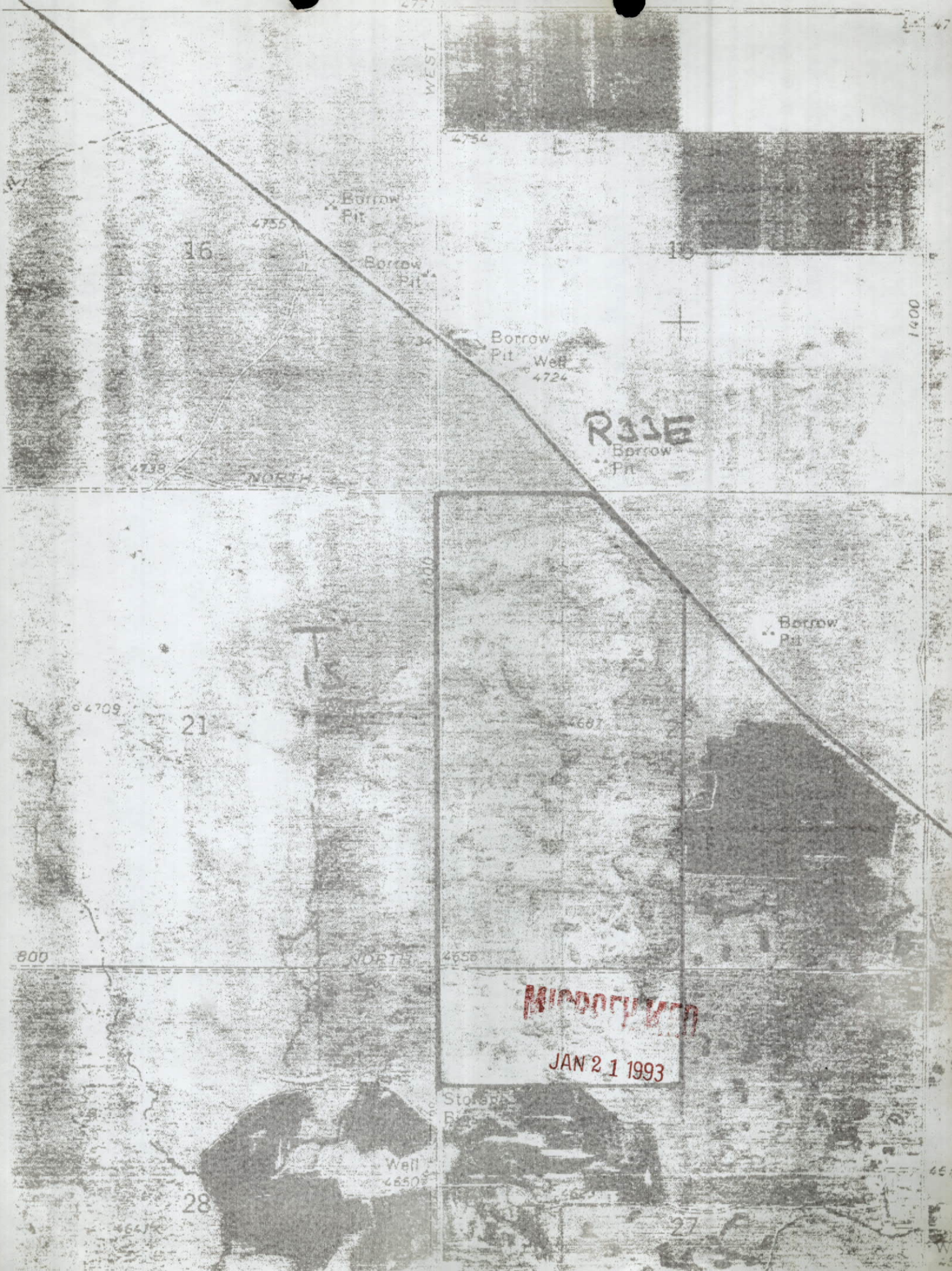
TO: BOISE

JUL-16-'90 MON 14:24

IIWR EASTERN REGION

TEL NO: (208) 525-7177

#105 P03



TO: BOISE

JUL-16-'90 MON 14:28

IDWR EASTERN REGION TEL NO: (208) 25-7177

#105 P04

IDAHO
BINGHAM
Report ID: ASCS-156EZ
No. of Tracts: 8

U.S. Dept. of Agriculture
Agri. Stab. & Conserv. Svc.
Abbreviated 156 Farm Record

2089

FARM 262

Prepared: 06/11/90

Crop Year: 90

Page: 1

Current Year

TRACT NO.	FARMLAND	CROPLAND	IDENTIFIER	HEL	027	A027	W	CW	FW
536	800.0	675.8	N9 22,26,27-13-33	Y	Y	Y	N	N	N
OWNER	1 - DELWYN ELLIS								
558	48.0	36.4	Q11 16-2-34	Y	Y	Y	N	N	N
OWNER	1 - DELWYN ELLIS								
1600	150.0	112.1	Q11 9,16-2-34	N	N	N	N	N	N
OWNER	1 - STEVEN WHEELER								
1650	72.0	72.0	Q11 16-2-34	N	N	N	N	N	N
OWNER	1 - MARION P SKINNER								
1651	420.0	252.7	Q11 16-2-34	N	N	N	N	N	N
OWNER	1 - DELWYN ELLIS								
1652	200.0	184.5	Q12 21-2-34	Y	Y	Y	N	N	N
OWNER	1 - DELWYN ELLIS								
24742	60.0	59.3	Q10 33-1-34	N	N	N	N	N	N
OWNER	1 - DELWYN ELLIS								
24743	320.0	272.1	Q10 33-1-34	N	N	N	N	N	N
OWNER	1 - DELWYN ELLIS								

MICROFILMED

JAN 21 1993

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	35-07775	Eastern Idaho Production Credit Assn.	3.80
~~Full Assignment~~	~~35-07775~~	~~Delwyn V Ellis~~ ~~Barbara Ellis~~	~~3.80~~

SPLIT INTO PARTS A & B BY ASSIGNMENT

~~Partial Assignment~~	~~35-07775A¹~~	~~Melvin Harris Inc~~	~~2.90~~
~~Partial Assignment~~	~~35-07775B²~~	~~Keith Wilcox & Sons~~	~~0.90~~

RENUMBERED BY AMENDMENT

Amended	21-07537	Melvin Harris Inc	1.24
---------	----------	-------------------	------

¹Amendment signed 12-15-92 resulted in renumbering to 21-07537.

²See 35-07310.

RECEIVED

JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07537

Priority: January 24, 1978

Maximum Diversion Rate: 1.24 CFS

Maximum Diversion Volume: 217.0 AF

This is to certify, that MELVIN HARRIS INC

PO BOX 158

TETON CITY ID 83451

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 24, 1978; and has submitted Proof of Beneficial Use on December 29, 1982. An examination indicates that the works have a diversion capacity of 5.860 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.24 CFS	217.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 30, Township 08N, Range 40E
FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	40E	30	SESW 10	NESE 13	NWSE 13	
			SWSE 13	SESE 13		62

Total number of acres irrigated: 62

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

RECORDED

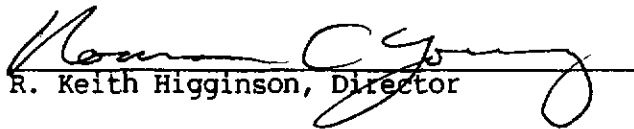
JAN 21 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 21-07537

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 15TH
day of DECEMBER, 1992.


R. Keith Higginson, Director

RECEIVED
JAN 21 1993

JAN 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Melvin Harris

of (address) Box 158 Teton City, ID 83451, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 35-7775
35-07310A, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SE 1/4, Section 30, Township 8N, Range 40E, B.M.,
County of Fremont. Other points of diversion: _____

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

* 1.24
Amount 1.00 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	40E	30												8 13	13	13	13	13	65 ⁶²
														10					

Total number of acres to be irrigated = 65-6062

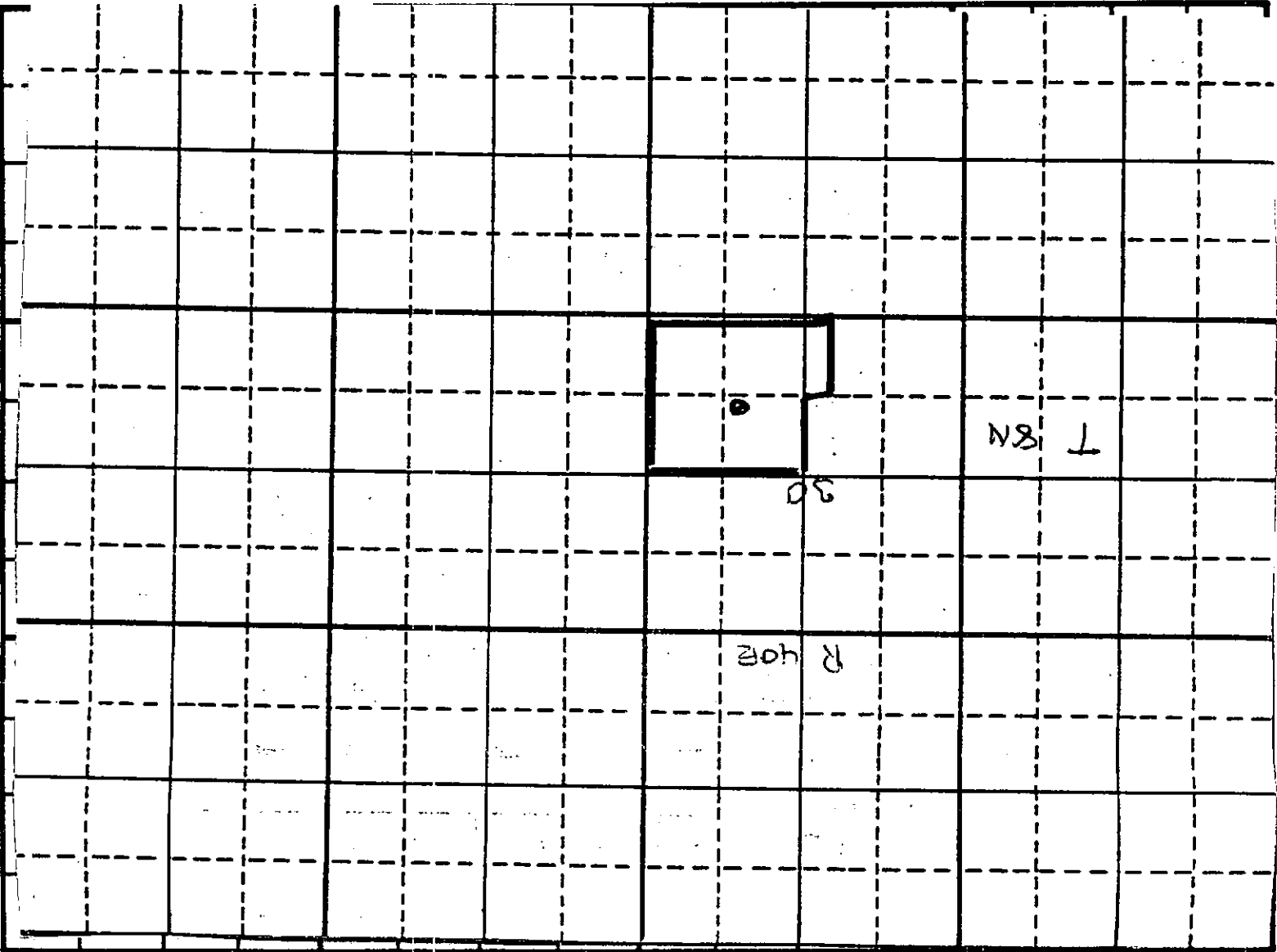
4. a. Who owns the property at the point of diversion? Applicant * 3.5
b. Who owns the land to be irrigated or the place of use? Applicant 12-4-9
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

* See amendment for 35-07775A - These are adjacent acres

JAN 21 1993

Complete the following map by showing land and point of diversion as proposed by this amendment.

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



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

Signed at Idaho Falls, this 21 day of Dec., 1990.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HLS Fee = \$20.00 # E015554 Received by HLS Date 12-21-90

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Department of Water Resources hereby

APPROVE THE ABOVE REFERENCED APPLICATION FOR AMENDMENT PROVIDED THE CONDITIONS SET FORTH IN PERMIT NO. 35-07775 ARE MET.

Witness my hand this 15th day of December, 1992

ACTING FOR

DIRECTOR

JAN 21 1993

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the Notice Of Application
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for Two consecutive issues, the
first publication having been made on
October 4, 1990

and the last publication having been
made on October 11, 1990

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 12th day of October
in the year of 1990, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Joseph R. Smith
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

RECEIVED

NOV - 5 1990

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED
APPLICATION FOR
AMENDMENT OF A PERMIT

NOTICE IS HEREBY GIVEN that Per-
mit No. 35-7775A in the name of
DELWYN ELLIS was issued for the
diversion of 2.90 cfs of water from a
groundwater source with the points of
diversion being within the S $\frac{1}{2}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ NW $\frac{1}{4}$, SEC. 22; N $\frac{1}{2}$ NW $\frac{1}{4}$, SEC. 27,
T01S, R33E, B.M.

THE PERMIT HOLDER NOW PRO-
POSES to amend Permit No. 35-0775A,
assigning a portion of the permit to Melvin
Harris changing the point of diversion to
the NWSE, SEC. 30, T08N, R40E, B.M.
FREMONT COUNTY and the place of use
to the S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, SEC.
30, T08N, R40E, B.M. to irrigate 195
acres of land from April 1 to November 1.

ANY PROTEST to the proposed amen-
ding of the permit must be filed with the
Idaho Department of Water Resources,
150 Shoup Ave., Idaho Falls, ID 83401, on
or before October 22, 1990.

R. KEITH HIGGINSON
Director

Publ. Oct. 4 and 11, 1990HC.

JAN 21 1993

RECEIVED

State of Idaho
Department of Water Resources

APR 10 1990

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Delwyn Ellis, hereby assign to Reith Wilcox + Sons
of 5499 W. 1000 S. Pocatello, ID 83440
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 35-07310
to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit
No. 35-07310 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

T1S R33E Sec. 22 S1/2 NW (80), SW1/4 (150) For 0.90
3.00 cfs

Made this _____ day of _____, 19 _____.

Delwyn Ellis
Permit Holder

Barbara Ellis
Spouse of Permit Holder

State of Idaho)
County of Bingham) ss.

On this 2nd day of April, 19 90, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



MAY 23 1990

Kay Marie Monroe
Notary Public residing at
Pocatello, ID

My commission expires:
12-9-91

State of Idaho
Department of Water Resources

RECEIVED
APR 10 1990

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Delwyn Ellis, hereby assign to Melvin Harris Inc.
of Box 158 Teton City, ID 83451
Address

All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 35-07775 to appropriate the public waters of the
State of Idaho. (A)

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

T1S R33E Sect. 22 SE56(40) SW56(10) Sect. 27 NENW(40) NWNW(40)
for 2.60 cfs and T1S R33E Sect. 22 NENW(25) NWNW(40) for 0.30 cfs

Made this _____ day of _____, 19____.

Delwyn Ellis
Permit Holder

Barbara Ellis
Spouse of Permit Holder

State of Idaho)
County of Bingham) ss

On this 4th day of April, 1990, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.



NOTARIAL PUBLIC

MAY 23 1990 Notary Public residing at

Kay Peterson, Notary
Bjork, ID.

My commission expires:

12-9-91

RECEIVED

APR 10 1990

State of Idaho

Department of Water Resources

Department of Water Resources

ASSIGNMENT OF PERMIT

EASTERN IDAHO PRODUCTION CREDIT ASSOCIATION, a federally chartered corporation, hereby assigns to Delwyn V. Ellis and Barbara Ellis of 904 West 200 North, Blackfoot, Idaho 83221

All of its right, title, and interest in and to Permit No.'s A35-07775 and A35-07310 to appropriate the public waters of the State of Idaho.

THIS ASSIGNMENT IS MADE BY ASSIGNOR AND ACCEPTED BY ASSIGNEE "AS IS", WITHOUT WARRANTY AND WITHOUT RECOURSE.

Made this 30th day of March, 19 90.

EASTERN IDAHO PRODUCTION CREDIT ASSN.

Permit Holder

BY:

Arnold Seeley
President

ATTEST:

Stanley A McDaniel
Secretary

STATE OF IDAHO)

COUNTY OF BANNOCK)

On this 30th day of March, 19 90, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Arnold Seeley and Stanley A. McDaniel known to me to be the President and Secretary of the corporation that executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and notarial seal the day and year first above written.

MAY 23 1990

Frances Ashcroft
Notary public for the State of Idaho
Residing at Pocatello, Idaho
My Commission Expires 9-4-93

All
original
in 35-7310
kw

fa/35

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 35-7775)

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 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

RECEIVED
JUN 10 1981

Identification No. _____
Application No. 35 7775

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant Eastern Idaho Production Credit Assoc Phone: 785-1510
post office address P.O. Box 992, Blackfoot, Idaho 83221
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 Township 1S
Range 33E B.M. Bingham 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 3.80 for Irrigation purpose from Apr. 1 to Nov. 1 (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. 3.80 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, sprinkler system
- 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 \$ existing
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: _____

RECORDED

10. Remarks	

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

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

Applicant

Applicant

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

See 1/50 Annual report - 10 p. 35-7/62

Permit No. 35-7310 for 4.00 on 260 acres described above

Total number of acres to be irrigated _____

06E

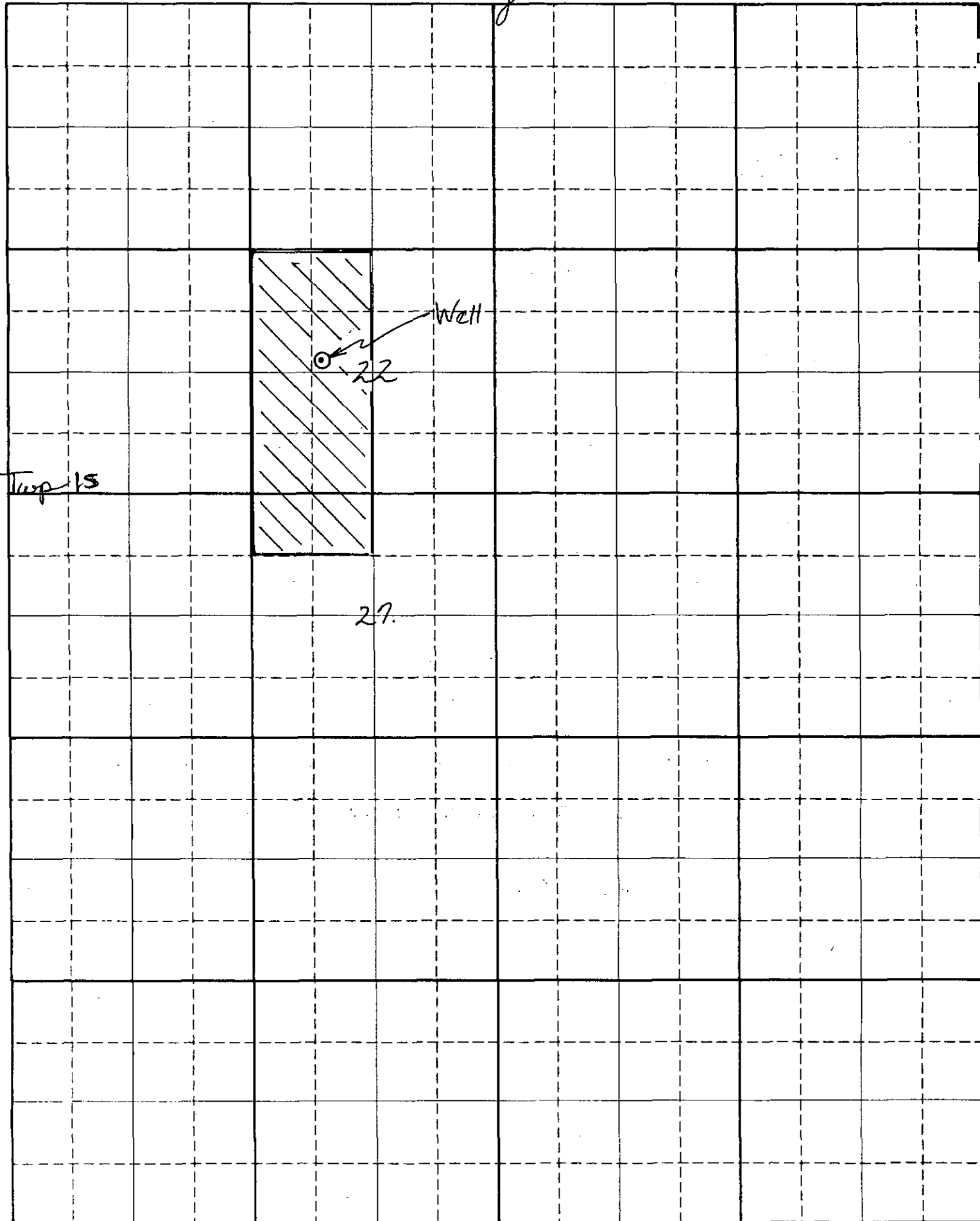
See amount

[illegible]

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

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

Rge 33E



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.

Arnold Seely
(Applicant)
Asst Sec.

Proposed Priority 1/24/78

Received by Mr. Date 1-24-78 Time 3:45 P.
Preliminary check by ENC Fee \$ 55.00

Received by Mr. Date 1-26-78 #9200

Publication prepared by Mr. Date 1-26-78

Published in Mr. Blackfoot News

Publication dates Feb 2 + Feb 9, 1978

Publication approved Mr. Date Feb. 14, 1978

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7775, 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 March 1, 1983.

c. Other: For licensing purposes a scientific measurement of the diversion rate

of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting

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

Witness my hand this 21 day of March 19 78.

Deputy Director

RECEIVED

FEB 14 1976

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho) ss.

I, David Mark Brown do
solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law, a
particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of Idaho shall
be published to-wit: THURSDAY of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was,
published in said

Thursday of said newspaper two consecutive
weeks

the first publication having been made on
the 2nd day of Feb., 19 78

and the last publication having been made on the
9th day of Feb., 19 78; that said

notice was published in the regular and entire issue of
every number of the paper as aforesaid during the
period and time of publication, and that notice was
published in the newspaper and not in a supplement.

David Mark Brown

Subscribed and sworn to before me this 9th

day of Feb., 19 78

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1976

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Eastern Idaho Production
Credit Assoc., Blackfoot, Idaho,
has on 1-24-78, submitted
Application No. 35-7775, for a
permit to appropriate 3.80 cubic
feet per second of water from a
ground-water source by means
of well and pump within the
SE 1/4 NW 1/4, Sec. 22, T. 1S, R.
33E, B.M., Bingham County, to
be used from Apr. 1 to Nov. 1 for
the irrigation of 390 acres
within the W 1/2, Sec. 22,
N 1/2 NW 1/4, Sec. 27, T. 1S, R. 33E,
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, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or
before February 20, 1978.

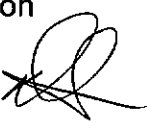
C. STEPHEN ALLRED
Director

(5459)
Pub.: 2-2, 9-

317

UNRECORDED

Memorandum

To: J. Johnson
From: D. Shaff 
Date: May 5, 1999
Subject: 35-07775
Associated with 35-07310, 21-07536, 21-07537

The path for these water rights is twisted and, at times, vague as we discussed yesterday. The sum of my review is a part of 35-07775 should survive and have a license issued. A table diagramming the two rights is attached.

The picture is complicated nearly from the outset by two permits (35-07310 and 35-07775) ultimately overlapping the point of diversion and most of the place of use. Proof of beneficial use was submitted and a field examination in 1988 showed a diversion capacity of 5.86 cfs from the point of diversion used under both permits. Part of the confusion begins from the number of irrigated acres found by the examiner that was supposedly 377 acres. Before the right(s) were licensed, the permits were first assigned in their entirety and a second assignment swipec in 1990 split the rights between two parties. Following this last event the waters become extremely muddy.

Melvin Harris Inc. (Harris) decided to take his permit pieces (2.90 cfs and 195 acres under 35-07775A leading to 21-07537 and 1.0 cfs and 65 acres under 35-07310A leading to 21-07536) and moving the developed Basin 35 rights to Basin 21. Keith Wilcox & Sons (Wilcox) had the balance of the rights (3.0 cfs and 150 acres under 35-07310A and 0.90 cfs and 230 acres under 35-07775B).

Licenses have been issued to the parties for all the parts or sufficiently documented as undeveloped permits except Wilcox's 35-07775B. Harris received License 21-07536 for 1.97 cfs and 128 acres and License 21-07537 for 1.24 cfs and 62 acres. Wilcox received License 35-07310A for 2.03 cfs and 132 acres.

(Although I will let sleeping dogs lie, I do find the events peculiar for Harris to have an assignment for 1.0 cfs and 65 acres leading to 21-07536 issued for 1.97 cfs and 128 acres and for 2.90 cfs and 195 acres leading to 21-07537 issued for 1.24 cfs and 62 acres. I think the amounts of water and acres were switched inadvertently but resulting in more water gaining five years in priority.)

One of flaws appears to come from the accounting for the amounts of water. If the diversion capacity was identified as 5.86 cfs and Harris took a total of 3.21 cfs to Basin 21, Wilcox was left with 2.65 cfs for his uses. Without disturbing 35-07310A at 2.03 cfs for now, Wilcox would have 0.62 cfs left in capacity to link with 35-07775B. (I find a defect in the calculation to arrive at 0.01538 on the bottom of the License Review Checklist in 35-07310A. The total 260 acres that was used later was found to be less (Harris's 62 in 21-07537 and Wilcox's 132 in 35-07310A).

Appropriately a new acreage figure should have been used to find the cfs per acre for calculating the diversion rate for the license.) Taking the same 260 total acres a bit farther reveals what could be mere coincidence. Subtracting Wilcox's 132 acres from the 260 leaves a balance of 128 acres. This is the same number of acres described for Harris under 21-07536, but the split from 35-07775 went to 21-07357 that was for only 62 acres.

Dealing with the amount of water from the two Basin 35 permits, I have two tracks: 1) calculations dealing with 35-07310, and 2) the amount of water from the Basin 35 point of diversion measured and the total acres presumably properly described under all the rights.

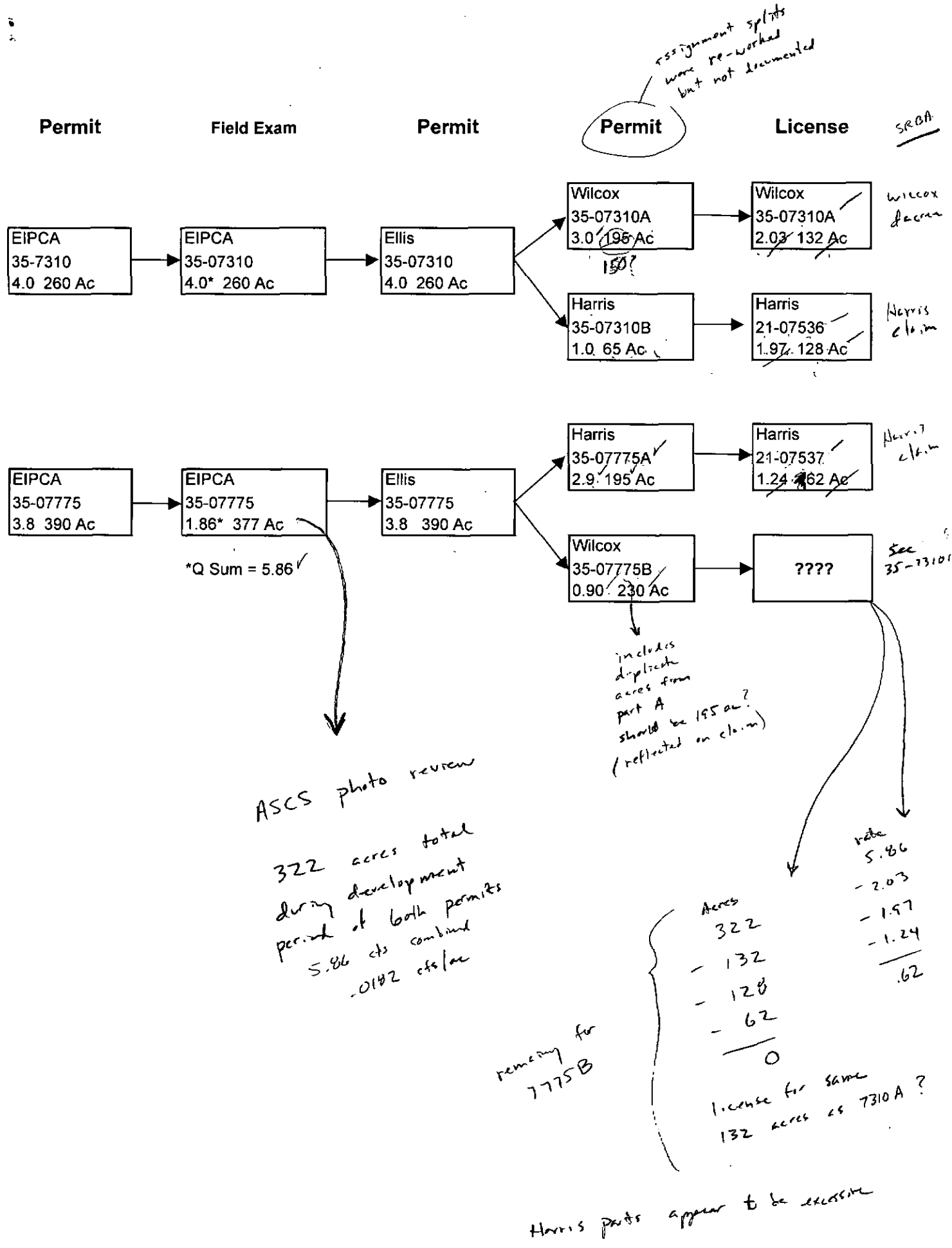
Accepting a total of 4.0 cfs was developed under 35-07310, 1.24 cfs went to Basin 21 with Harris leaving Wilcox with potentially 2.76 for 35-07310A. Wilcox received only 2.03 cfs leaving the opening for up to 0.73 cfs to attach to 35-07775B. At .02 cfs per acre and the 2.03 cfs already under 35-07310A, Wilcox with 132 acres would need only 0.61 cfs on 35-07775B.

In the second instance accepting a total of 322 acres was developed under all the rights and 5.86 cfs was diverted for use on those lands, the rate per acre would be .0182 cfs acre. With Wilcox's 132 acres, he would get a total of 2.40 cfs for the Basin 35 rights or 0.37 under 35-07775B for use on the same lands as 35-07310A.

Concluding, I see three possibilities with the last one not legitimately practical. Wilcox would get a license for 35-07775B for 1) 0.61 cfs to make .02 cfs per acre for 132 acres; 2) 0.37 cfs to get to 2.40 cfs for the acreage, or 3) changing nothing and leaving the records as they exist now with 35-07775 finished and ended as a permit.

or: License for amount originally developed under
portion originally assigned to Wilcox -
would need to address whether to correct
the Harris portion

P. 1





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 17, 1992

MELVIN HARRIS INC
PO BOX 158
TETON CITY ID 83451-0158

RE: WATER RIGHT NO. 21-07537

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with water right No. 35-07775. The amended point of diversion resulted in renumbering the water right.

Also enclosed is a copy of the Water Right License issued on the above referenced permit.

If you have any questions, please feel free to contact our offices.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Skaggs".

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

JAN 21 1993

MEMORANDUM

TO: FILES 35-07310 & 35-07775

FROM: PAM SKAGGS *CS*

RE: LICENSE RECOMMENDATIONS

DATE: 7-DEC-1992

=====

These rights have been prepared according to discussions between the right holders, regional staff and Jim Johnson. In order to more accurately reflect the intent of the split rights, the original assignments have been disregarded. The licenses have been prepared with the Harris portion as 35-07310B and 35-07775 renumbered as 21-07536 and 21-07537 respectively, and the Wilcox portion as 35-07310A.

RECEIVED

JAN 21 1993

LICENSE REVIEW CHECKLIST

Permit # 21-07537
35-07775 (HARRIS)

Date 12-03-92
28

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance?
	☐	☒	Memo to Advance
	☐	☒	Order to Reinstate Needed?
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended?
	☐	☒	Disagree with Actual Measurement?
	☐	☒	<u>62 x .02 = 1.24 cfs (IRR)</u>
	☐	☒	Disagree with Theoretical?
	☐	☒	Limited by Capacity? <u>5.86 cfs (measured)</u>
TOTAL VOLUME			Rate/ac <u>3.5</u> AFA Irr. Season <u>B</u>
			<u>4-15 to 10-15</u> Standard Irr. Season
			<u>Same/Reduced F./Permit</u> Season Recommended
	☐	☒	Disagree with Examiner's Calculations?
	☐	☒	<u>62 x 3.5 = 217 cfs (IRR)</u>
	☐	☒	Limited by Flow? <u>1.24 x 183 x 1.9835 = 450.1 > 217</u>
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source
	☐	☒	Notice of Intent to Void.
P/D	☒	☐	Verify with Map
	☒	☐	Amendment Needed? <u>Per Amendment</u>
	☒	☐	Is Overlap Analysis a Consideration?
P/U	☒	☐	Verify with Map
	☒	☐	Amendment Needed? <u>Per Amendment</u>
	☒	☐	Is Overlap Analysis a Consideration?
USES	☐	☒	Change(s) in Nature of Use?
	☐	☒	Amendment Needed?
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4?
	☐	☒	Non-Irr. Uses
	☐	☒	Special Overlap Condition
	☐	☒	Other
CONDITIONS	<u>R01</u>	☐	Measuring Device
	☐	☒	W/Master Control
	<u>R30</u>	☐	Overlap
	☐	☒	Water Quality
		☒	DATES/MISC
		☒	Water Dist.
		☒	App Rec'd
		☒	Exam Made

COMMENTS/MEMOS NEEDED: Reduced Acres, rate, season
This right & 35-7310 A & B as recommended by J.J.

License ☐ 10-Day ☐ 15-Day ☒ Special Correspondence
Amendment Attached
P/D + P/U
Change Basin #

DATE: 12/07/92
PAGE: 1

Stage: LICENSE

Water Source: GROUNDWATER

5.86 CFS

NW SE

IRRIGATION

SUM	62.0	62.0
-----	------	------

Pop County: FREMONT

Other Rights: ~~PER. 35-7310 & 35-7162.~~

Other Water Rights with Same Point(s) of Diversion and Source:
21-07450

Other Water Rights Listing Overlapping Place(s) of use:
21-07450 21-07452

Conditions of Approval:

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

R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dates:	App. Received:	01/24/1978	Priority Date:	01/24/1978
	Proof Due Date:	03/01/1983	Proof Made Date:	12/29/1982
	Exam Made Date:	07/08/1988	Exam Sent to S.O.:	11/11/1991
	Licensed Date:			

Misc: _____

Water District Number: _____

Field Exam Fee: R (Received) _____

Audit: 00/00/00 SKAGGS

MEMORANDUM

TO: JIM

FROM: TIM LUKE

DATE: November 27, 1992

RE: MELVIN HARRIS PERMITS/FIELD EXAMS
Permit NO.s 35-7310A & 35-7775A

=====

Mr. Harris called today inquiring as to the status of the field exams for the above permits. I was somewhat confused by his inquiry but it sounds like he or Skip Jones has talked with you before about this matter. Through discussion with Skip Jones, Harris told me that the exams were completed a number of years ago and that the permits were to be licensed two years ago but have not yet been licensed. He mentioned that you had agreed to license the permits about two years ago. He also said that the permits need to be licensed because he has a pending transfer application on file or he intends to file a transfer which somehow involves these permits and/or the ground to which they are appurtenant.

Call Skip or Mr. Harris at 624-3949 if you have questions.

JAN 21 1993

TO: BOISE

DEC-21-'90 FRI 14:15

YOUR EASTERN REGION

35-217

#243 P02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

35-07310 A

35-07775 A

PERMIT NO.

Event History

- 1/ Melvin Harris Inc and Keith Wilcox + sons visited the IF Office with a sales contract showing they had purchased parts of two permits. This date was approx April 4, 1990. The owner, Melvin Harris said his ground was in the CIP program and he no longer needed the permits. I tried to split the permits based on the sales agreement into 4 assignments.
- 2/ It came to light after the assignments were made that proof had been filed on both permits and an exam was pending. The exam card file indicated that no exam had yet been done. I then prepared an Amendment for Melvin Harris on 35-07775A only to see if approval was possible so Mr. Harris could start drilling a well at his new place of life.
- 3/ Senior Agent Paul Meyer in Formid on the week of Dec. 17th, 1990 that he had discovered several field exams done by summer field agent Richard Lawrence that had not yet been started. Two of these exams were for 35-07310 + 35-07775.
- 4/ I contacted Jim Johnson about this development and called in Mr. Harris + Mr. Wilcox. We discussed all three applicants needs were and finally decided to split out the 4 exams according to the amendments (CIP) + assignments in accord to best fit the intent of each applicant if possible.
- 5/ Mr. Wilcox said he did not yet want to commit to an amended place of life for 35-07310 B + 35-07775 B. Mr. Harris is ready and I revised his amendment for 35-07775A and made one for 35-07310A. There will be adjacent acreage for a total of 195 acres. The amended plan is in Basin 31 and a number change will have to be made.

MICROFILMED

JAN 21 1993

Harold W. Jones
SIGNATURE

Page 1 of Page 1

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 35-077754 Applicant Melvin Horner

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☒ Other reduce acres + cfs

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) _____
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

NA

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	Gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	Gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	Gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	Gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	Gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

Jim's Desk

INTER-DEPARTMENT MEMO — 1

DATE 1-11-91

FROM

H.W. Jones - Eastroy

TO

Jim Johnson - Boise

SUBJECT

Original documents for Melvin Harris Licensing

RECEIVED
JAN 21 1993

[Signature]

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT35-7775
Permit No.

Measurement Calculations

Field Measurement Calculations (Include theoretical capacities and system capacity)

Halls Meter: $Q = (A)(V_h)$ $A = \text{Area} = \frac{\pi d^2}{4}$ $V_h = \text{Halls Manometer Reading}$

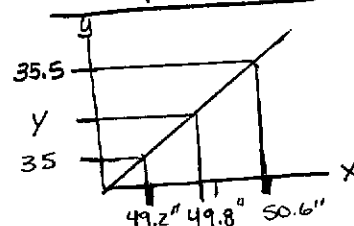
$$Q_{\text{gpm}} = (A)(V_h) = \left[\frac{\pi d^2}{4} \right] (V_h) = \text{GPM} \div 448.8 \text{ gpm/cfs} = \text{CFS}$$

$$Q_{\text{cfs}} = \left[\frac{(3.1416)(9.75")^2}{4} \right] \times (.3521") \div 448.8 = 5.86 \text{ cfs}$$

TABLE 1

CHART TO CONVERT LINEAR INCHES DIFFERENTIAL
IN THE MANOMETER TO MANOMETER READING

$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water	$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water	$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water
1	.140	17	12.435	33	43.950
1.5	.240	17.5	13.132	33.5	45.200
2	.350	18	13.848	34	46.500
2.5	.470	18.5	14.582	34.5	47.850
3	.600	19	15.336	35	49.200
3.5	.750	19.5	16.108	35.5	50.550
4	.903	20	16.898	36	51.900
4.5	1.080	20.5	17.707	36.5	53.250
5	1.283	21	18.534	37	54.600
5.5	1.540	21.5	19.380	37.5	56.000
6	1.803	22	20.246	38	57.35
6.5	2.094	22.5	21.129	38.5	58.7
7	2.397	23	22.031	39	60.05
7.5	2.722	23.5	22.951	39.5	61.4
8	3.066	24	23.891	40	62.75
8.5	3.423	24.5	24.849	40.5	64.1
9	3.810	25	25.825	41	65.45
9.5	4.210	25.5	26.820	41.5	66.8
10	4.627	26	27.834	42	68.15
10.5	5.063	26.5	28.866	42.5	69.5
11	5.520	27	29.917	43	70.85
11.5	5.994	27.5	30.987	43.5	72.2
12	6.486	28	32.075	44	73.55
12.5	6.997	28.5	33.181	44.5	74.9
13	7.526	29	34.307	45	76.25
13.5	8.074	29.5	35.451	45.5	77.6
14	8.642	30	36.520	46	78.95
14.5	9.228	30.5	37.750	46.5	80.3
15	9.832	31	38.960	47	81.65
15.5	10.454	31.5	40.200	47.5	83.00
16	11.096	32	41.450	48	84.35
16.5	11.756	32.5	42.800		

Interpolation. To Get V_h .

$$V_h = Y = 35.21"$$

Annubar:

B = Difference in inches of water

C = Annubar Factor: Model 75 = -3.85
Model 73 = 4.14K = Flow Correction Factor
= 1 for Manometer
= # From Calibration Chart

C=Correction Factor

$$Q_{\text{cfs}} = \left[\frac{(C)(id)^2 \sqrt{B}}{448.8} \right] K = \text{CFS}$$

$$Q_{\text{cfs}} = \left[\frac{(\quad)(\quad)^2 \sqrt{\quad}}{448.8} \right] K = \text{CFS}$$

$$Q_{\text{cfs}} = \quad \text{cfs}$$

JAN 21 1993

6"	3.75
7.98"	3.87
10"	3.94
12"	3.99
14"/16"	4.01
18"/24"	4.02
30"	4.03

Original Exam

RECEIVED
NOV 11 1991

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 785-35-7775

1. Owner: EASTERN Idaho Production Credit Assoc. Phone No. 785-1510

Current Address: P.O. Box 992, Blackfoot, Idaho 83221

2. Accompanied by: JERRY Brouwer EXAM. DATE: 7-8-88

Address: 1235 W. Hwy 26, Blackfoot Idaho 83221 Phone No. _____

Relationship to Permit Holder: LEASEE

3. Source: GROUNDWATER tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: 35-7310

☐ Copies Attached

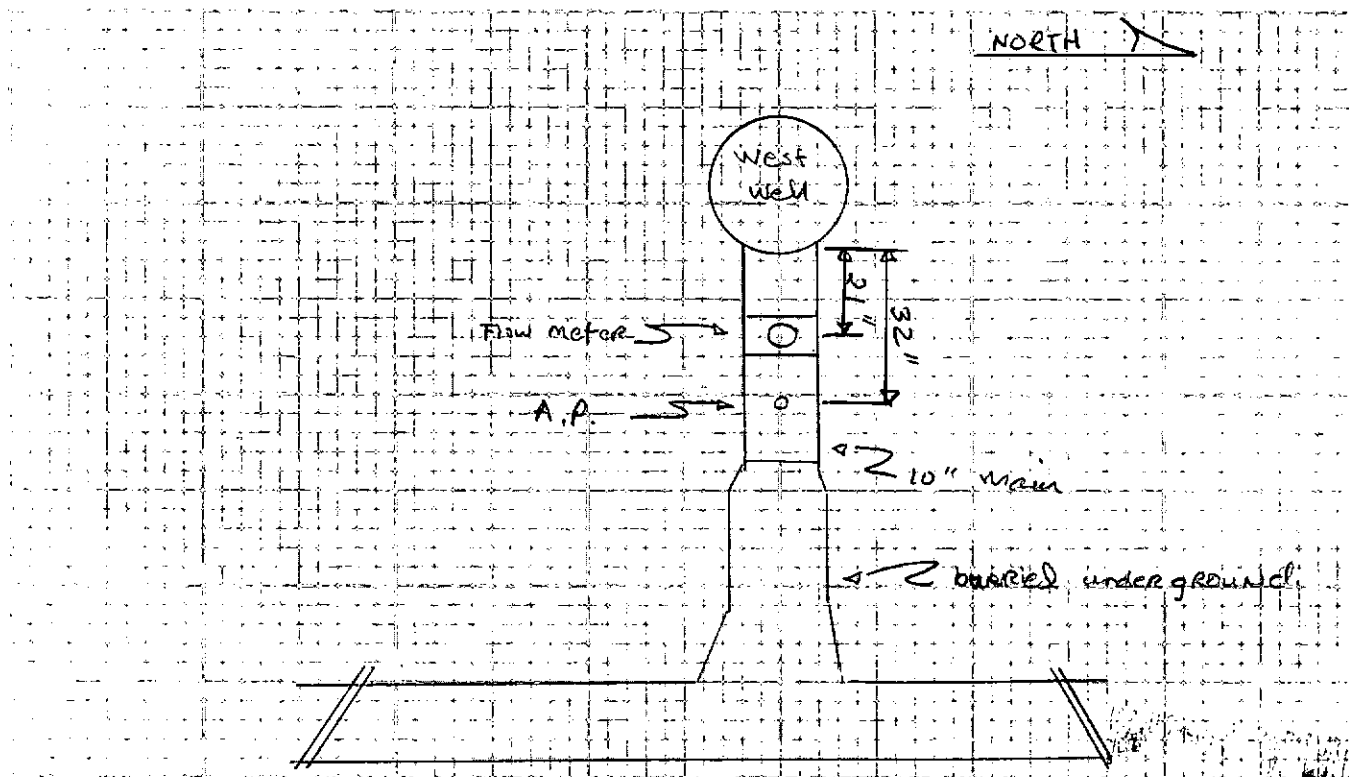
2. Other water rights with same point of diversion: 35-7310

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

JAN 21 1993

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

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

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

Well; pump/water to 10" min then to 17-1/4 mile hard drive
with 5/8" nylon. (Weather Tec speaker Heads #7, 10-30)

Null hypothesis $\approx 180^\circ$
 Static water level =

Hydraulic water level =

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	G. E.	350	SK6317XC207A	Ver4-Line	D24551
Motor Make					
Hp					
Motor Serial No.					
Pump Make					
Pump Serial No. or Discharge Size					

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

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination.

[illegible]

Do not use this space

RECEIVED

JAN 21 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow meter		Rockwell		11889	1000 gph.	
Flow meter		HALLS		120385	10"	
Manometer					57"	

2. Measurements:

main line $\Rightarrow$ O.d. = 16" I.d. = 9.75" main line pressure = 47 psi
 manometer Reading = 51.5" - 1.7" = 49.8"
 note: there WAS A little fluctuation in manometer reading $\approx 4/10$ "
 Rockwell Flow meter: 100 gph = 13 sec, 160 gph = 13 sec,
 100 gph = 13 sec.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

Theoretical

$$Q_c = \frac{(350)(8.914)(0.8)}{180' + 2.308(47\text{psi})} = 8.55 \text{ c.f.s.}$$

2. Alternate Method for Checking Purposes:

PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
 Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) $\div$ 8.8 = _____ (5)
 Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
 Meter Input HP: (6) x 1.34 = _____ (7)
 Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (377)(3.5) = 1,319.50$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (1.82)(214)(1.9835) = 772.53$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 772.53$

Volume Calculations for Other Uses:

* Total flow from P/D = 5.86 cfs
 Total Div. Rate 35-7310 (-) 4.00 cfs
 Diversion Rate 35-7728 1.86 cfs

JAN 21 1993

$R < 1.7$ The maximum combined rate of diversion under this right and right No. 35-7310 shall not exceed 5.86 c.f.s.

1. Recommended Amounts

Benötigtes

IRrigation

Period of Use
From
To

Rate of Diversion
Q (cts)

Annual Volume V (a7a)

Totals:

98.1 ~~284~~

772.53

2. Recommended Amendments

☐ Change P.D. as reflected above☐ Add P.D. as reflected above☒ None☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

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

CONSULTANT SEAL

RECEIVED
JAN 21 1993

MEMORANDUM

TO: FILE

FROM: JIM JOHNSON

RE: MELVIN HARRIS AMENDMENT OF PERMIT APPLICATION

DATE: January 8, 1991

=====

No further action should be taken on this application at this time.

Harold Jones is in the process of replacing this amendment with another one. See Fax report in file for details. (Copies)

Original papers in this file + 35-7310.

RECEIVED

JAN 21 1993

29-Oct-1990

Herald Chronicle
P.O. Box 10
Rexburg, ID 83440

RE: NOTICE OF PROPOSED APPLICATION FOR AMENDMENT OF PERMIT
NO. 35-7775A in the name of DELWYN ELLIS

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on OCTOBER 4 & 11, 1990.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RITA BODELL
Secretary/Office Coordinator

RECEIVED
JAN 21 1993

NOTICE OF PROPOSED APPLICATION FOR AMENDMENT OF A PERMIT

NOTICE IS HEREBY GIVEN that Permit No. 35-7775A in the name of DELWYN ELLIS was issued for the diversion of 2.90 cfs of water from a groundwater source with the points of diversion being within the S1/2SW1/4, N1/2NW1/4, SEC. 22; N1/2NW1/4, SEC. 27, T01S, R33E, B.M.

THE PERMIT HOLDER NOW PROPOSES to amend Permit No. 35-07775A, assigning a portion of the permit to Melvin Harris changing the point of diversion to the NWSE, SEC. 30, T08N, R40E, B.M. FREMONT COUNTY and the place of use to the S1/2NE1/4, E1/2SW1/4, SE1/4, SEC. 30, T08N, R40E, B.M. to irrigate 195 acres of land from April 1 to November 1.

ANY PROTEST to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83401, on or before October 22, 1990.

R. Keith Higginson

Director

Published in the Herald Chronicle on OCTOBER 4 & 11, 1990.

RECEIVED

JUN 21 1993

25-Sep-1990

Herald Chronicle
P.O. Box 10
Rexburg, ID 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 22, 1990.

Yours truly,

Rita Bodell
Secretary/Office Coordinator

Encl.

RECEIVED
JAN 21 1993

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 35-07775A Applicant Harris

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions <OIG>

By HWT Date 11-14-90

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____
- ☐ Approved copy sent to applicant and to Region. By _____

Date
RECEIVED
NOV 19 1990

Department of Water Resources

19-Sep-1990

HARRIS MELVIN
BOX 158
TETON CITY, ID 83451

RE: Application for Permit No. 35-7775A

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Herald Chronicle on OCTOBER 4 & 11, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

JAN 21 1993

MEMORANDUM

TO: Harold Jones, Eastern Region
FROM: Gary Spackman *Gary*
DATE: August 17, 1990

RE: Number of Acres Irrigated for Water Rights Nos. 35-07310 and 35-07775

I have reviewed the information which you sent me about the number of acres irrigated during the authorized periods of development for water rights nos. 35-07310 and 35-07775. I also reviewed some U-2 photographs of the area taken in 1975.

The U-2 photos appeared to show natural vegetation rather than farm ground. I question whether any of the land was developed in 1975 when development pursuant to permit no. 35-07130 was supposed to be complete.

In light of the fact that we are not greatly concerned about flow rates, and that all of the acres are overlapped by water right no. 35-07775, I do not want to raise unnecessary issues.

I believe that the two permits together, however, should not authorize irrigation of more than 323 acres as found from the 1982-83 ASCS records. These are the lands that were irrigated during the permit development.

UNCLASSIFIED

JAN 21 1993

MEMORANDUM

TO: Skip Jones
FROM: Gary Spackman *Gary*
DATE: July 17, 1990

RE: Applications for Amendment to Permits Nos. 35-7310 and
35-7775

Enclosed are copies of the front page of the amendments which were filed with the Department by Melvin Harris Inc. for the above water rights. As the note from Kay Walker states, these should be advertised prior to processing.

We should also verify the number of acres that were irrigated by these rights prior to approving the amendment. The development prior to August 21, 1975 for permit no. 35-7310 and development prior to December 23, 1982, for right no. 35-7775 should be evaluated.

RECEIVED

JAN 21 1993

TO: BOISE

JUL-16-'93 MON 14:23

525-7177

#105, P01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION
IDAHO FALLS, IDAHO
Ph. (208) 525-7161

TRANSMITTAL COVER SHEET

OMNIFAX

FAX NO. (208) 525-7177

TO: Gary Spackman

FROM: H.C. Jones

DOCUMENT DESCRIPTION: acres invs. for 35-07775

TOTAL NUMBER OF PAGES (Inc. this page: 4)

BILLING ADDRESS: _____

No. of pages _____ Cost/Page _____ Total Charge _____

MICROFILMED

JAN 21 1993

TO:BOISE

JUL-16-90 MON 14:22

1096

335-7177

H105 P02

141.7

T536
2146

85- ACR
86- ACR

ACR
#10
may do both
9 & 10

3
259.2

#10

6
63.0

may do
9 & 10

ACR
85- ACR
86- ACR

2
68.2

490

fall
wht

fall
wht

57.8

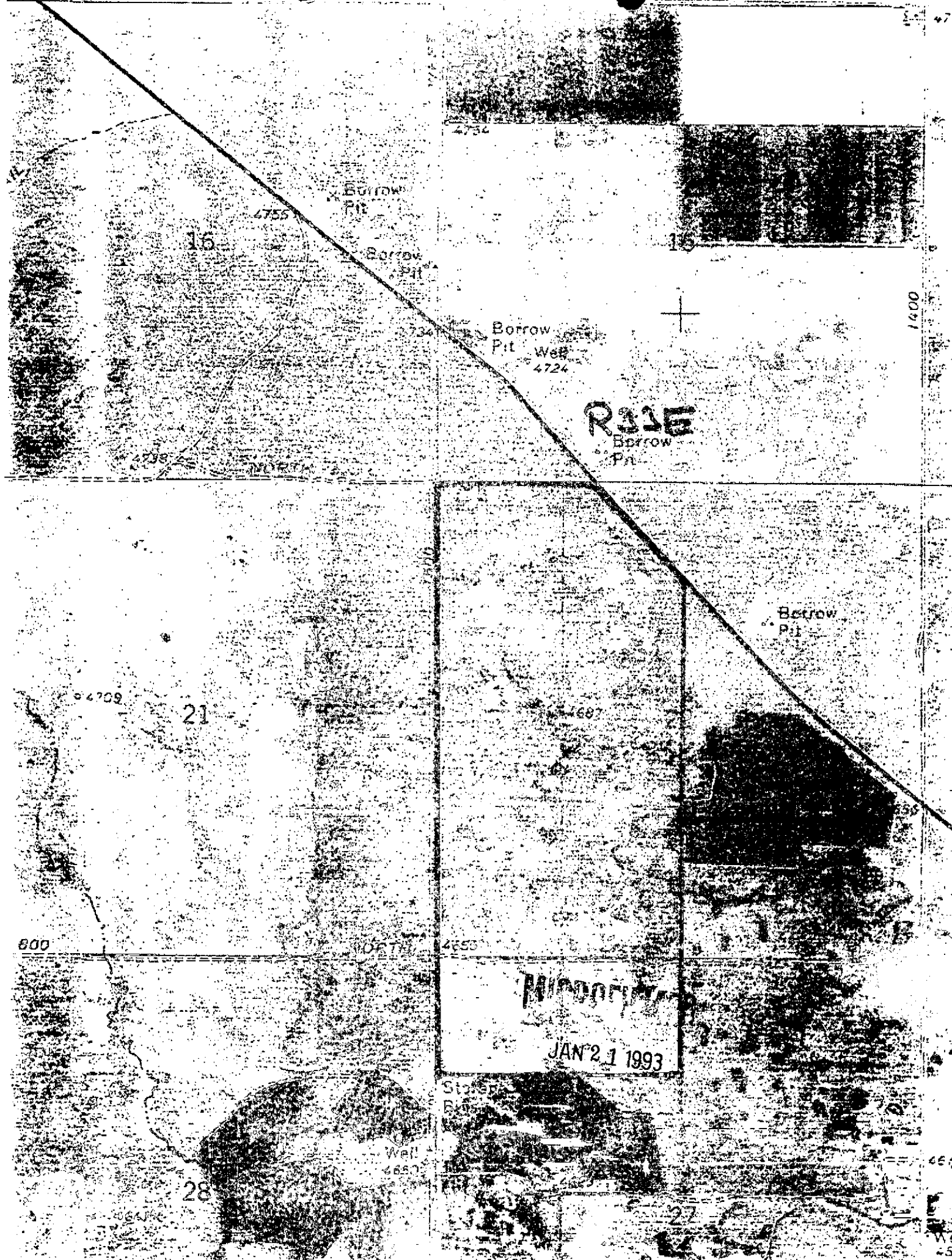
1 1993

TO:BOISE

JUL-16-'90 MON 14:24

EEF-7177

#105 P03



TO: BOISE

JUL-16-1980 MON 14:03

15-7177

#105 P04

COPY

FARM 266

Prepared: 06/11/90

Crop Year: 90

Page: 2

IDAHO
BINGHAM
Report ID: ASCS-156EZ
No. of Tracts: 8

Idaho Dept. of Agriculture
Agril. Stat. & Conserv. Svc.
Microfiche 156 Farm Record

Current Year

TRACT NO. FARMLAND CROPLAND IDENTIFIER

536	800.0	675.8	N9	22,26,27-15-33
OWNER	1	DELWYN ELLIS		
558	48.0	36.4	Q11	16-2-34
OWNER	1	DELWYN ELLIS		
1600	150.0	112.1	Q11	9,16-2-34
OWNER	1	STEVEN WHEELER		
1650	72.0	72.0	Q11	16-2-34
OWNER	1	MARION P SKINNER		
1651	420.0	252.7	Q11	16-2-34
OWNER	1	DELWYN ELLIS		
1652	200.0	184.5	Q12	21-2-34
OWNER	1	DELWYN ELLIS		
24742	60.0	59.3	Q10	33-1-34
OWNER	1	DELWYN ELLIS		
24743	320.0	272.1	Q10	33-1-34
OWNER	1	DELWYN ELLIS		

HEL	027	A027	W	CW	FW
Y	Y	Y	N	N	N
Y	Y	Y	N	N	N
N	N	N	N	N	N
N	N	N	N	N	N
N	N	N	N	N	N
Y	Y	Y	N	N	N
N	N	N	N	N	N
N	N	N	N	N	N

MICROFILMED

JAN 21 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 16, 1990

Re: Water Right No. 35-7775A

Melvin Harris Inc.
Box 158
Teton City, ID 83451

Dear Water Right Holder(s):

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

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

Sincerely,

Sharla Curtis

SHARLA CURTIS
Clerical Specialist

SC:js

MICROFILMED

MAY 23 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 16, 1990

Re: Water Right No. 35-7775B

Keith Wilcox and Sons
5499 W. 1000 S.
Rexburg, ID 83440

Dear Water Right Holder(s):

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

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

Sincerely,

A handwritten signature in cursive script that reads 'Sharla Curtis'.

SHARLA CURTIS
Clerical Specialist

SC:js

REGISTERED
MAY 23 1990

MEMORANDUM

TO: EASTERN REGION

FROM: KAY WALKER

RE: AMENDMENTS OF PERMIT NOS. 35-7775 AND 35-7310

DATE: 8-MAY-1990

=====

In a initial review of these amendments, we determined that they should be advertised since they are moving a portion of the permits to Basin 21. Please advertise and then send up for processing. Thanks!! Kay

MICROFILMED

MAY 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
APR 10 1990

Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Melvin Harris
of (address) Box 158 Teton City, ID 83451, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 35-07775 A, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SE 1/4, Section 30, Township 8N, Range 40E, B.M.,
County of Fremont. Other points of diversion: _____

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

Amount 2.90 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from . to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	40E	30			8	7					6			21	39	39	37	39	195

Total number of acres to be irrigated = 195

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

MAY 23 1990

4/86
RECEIVED
JUL 1 1986
Department of Water Resources
Eastern District Office

DUE 6/29

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$175
Date June 30, 1986
Receipt # 39746
Receipt by MD
Sent to S.O. 7-16-86

RECEIVED
JUL 22 1986

1. Permit No. 35--7775

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE Department of Water Resources

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

2. Permit Holder: Eastern Idaho Production Credit Association

3. Post Office Address: P. O. Box 1667, Pocatello, Idaho 83201

Telephone No. (208) 232-2700

4. Source of Water: ground water

5. Extent of Use:
Domestic (No. of households) Stockwater (No. and type of stock)
Irrigation 390 (acres) Other/Remark in set aside

6. Total rate &/or volume for which proof is submitted 3.8 cfs acre-feet

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

May 1, 1978

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

E.I. P.C.A. - ARNOLD SEELEY - P.O. Box 1667
(Name)

Pocatello, IDAHO 83201
(Address)

FILED

232-2700
(Telephone Number)

MAY 23 1990

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

June 30, 1986
Date

EASTERN IDAHO PCA By: Arnold Seeley
Signature of Permit Holder (and title, if appropriate) President

copy retained for file



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

35-7775
EASTERN IDAHO PRODUCTION CREDIT AS
P.O. BOX 1667
POCATELLO, ID 83201

138591

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

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

MAY 23 1990

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED

MAY 23 1980



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

January 19, 1983

Eastern Idaho Production Credit Association
P. O. Box 1667
Pocatello, ID 83201

Gentlemen:

Re: Permit Nos. 36-7768, 35-7771, 35-7772, 35-7773, 35-7774, 35-7775
35-7776, 35-7777, 35-7778

This office acknowledges receipt of the statement of beneficial use postcards for the above referenced permits.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you or a representative may show him the system.

Re: Permit No. 35-7767

I'm returning the statement of beneficial use for this permit since it is the property of Laron Hansen. Also, the statement of beneficial use has already been submitted by Mr. Hansen and the permit is in good standing.

If I can be of further assistance, please feel free to contact me.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosure

RECEIVED
JAN 21 1983
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 35-7775.

Name(s) of Permit Holder: EASTERN IDAHO PRODUCTION CREDIT ASSOCIATION

Post Office Address: P.O. Box 1667

Pocatello, Idaho 83201 Tel. No. 232-2700

Source of Water: Underground

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

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

The above information is a true statement of the extent to which the above numbered permit has been developed.
Eastern Idaho Production Credit Ass'n.

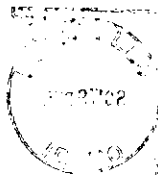
December 23, 1982
Date

by: Arnold Seeley V. Pres
Signature of Permit Holder

EASTERN IDAHO

P. O. Box 1667

Pocatello, Idaho 83204



RECEIVED
DEC 29 1982

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

EASTERN IDAHO PRODUCTION CREDIT ASSOCIATION

P. O. BOX 1667, POCA TELLO, IDAHO 83201

203 S. GARFIELD . TELEPHONE: 232-2700



January 7, 1983

State of Idaho
Department of Water Resources
State Office, 450 W. State Street
Boise, Idaho 83720

ATTN: Rita Fleck

Dear Rita:

Enclosed please find one postcard referencing Water Permit Number 35-7768, which evidences completion of the irrigation project described under that permit number. This card may be a duplicate, and if so, please disregard.

On December 27, 1982, this Association mailed to you Water Permit Completion postcards referencing the following permit numbers:

35-7778
35-7776
35-7777
35-7773
35-7775
35-7772
35-7771
35-7774

Your correspondence dated December 30, 1982, says in part we have 60 days to make a statement to you as to the status of the above permit numbers. Since I cannot determine if you have ever received our Water Permit Completion postcards, which were mailed on the 27th., kindly acknowledge receipt of the cards, if, in fact, they have been received and if they have not been received, please advise, also.

Thank you.

encl.

Sincerely yours,

Arnold Seeley
Arnold Seeley
Vice President



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JAN 10 1983
IDAHO DEPT. OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138025

EASTERN IDAHO PRODUCTION CREDIT ASSN.
P.O. BOX 992
BLACKFOOT, ID 83221

DECEMBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 35-7775 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1983. (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.

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

ENC: 1





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

November 17, 1982

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

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Dear Wateruser:

Forwarded for your information in regard to your water permit is a self-explanatory letter which this office is now forwarding to holders of recently issued water right permits.

This is being mailed retroactively for informational purposes to persons who submitted applications on approximately December 30, 1977 and later.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

April 14, 1978

Re: Permit No.'s 35-7767, 35-7768, 35-7769, 35-7770, 35-7771, 35-7772,
35-7773, 35-7774, 35-7775, 35-7776, 35-7777 and 35-7778

Eastern Idaho Production Credit Assoc.
P.O. Box 992
Blackfoot, ID 83221

Gentlemen:

listed

Your approved copy of Application for Permit No. above is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please 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. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

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

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

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

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

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WATER RESOURCES

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

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MAY 11 1961



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

March 27, 1978

Re: Permit No.'s 35-7767, 35-7768, 35-7769,
35-7770, 35-7771, 35-7772, 35-7773, 35-7774,
35-7775, 35-7776, 35-7777 and 35-7778

Eastern ID Production Credit Assoc.

P. O. Box 992

Blackfoot, ID 83221

Gentlemen:

Enclosed are copies of your approved Applications for Permit as referenced above. 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 either install and maintain measuring devices at your points of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

L. GLEN SAXTON

Chief, Operations Bureau

LGS:kw

Enclosures

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MAR 29 1978
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Eastern Idaho Production Credit Association #10

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) ARIC Jan 26, 1978

In form to receipt yes

(2) 1

Send Copies to:

☒ Idaho State Health Department
☒ Idaho Fish and Game Department
☒ Bureau of Land Management

(3)

☒ Request Special Use Permit from U.S.F.S.
☒ Request Easement from B.L.M.
☒ Request Information from Applicant

(4)

In form for advertising yes

(5)

Platted on Map No. K33E

(6)

Located within Water District No. Basin 35

(7)

Critical groundwater area: yes no X

(8)

Groundwater levels:

Declining, X Stable, Increasing

(comment) No Obs wells in area

(9)

Other rights on the same place of use Refer to amendment to permit no. 35-7340

(10)

Comments: amendment to permit no. 35-7102

(11) CW 2-14-78

Affidavit of Publication received (date) Feb 14, 1978

(12) CW 2-14-78

Final date for protests February 20, 1978

Protests received: yes no X

(13) LH 2-21-78

All requested information received from agencies or applicant: yes no

(14) LH 2-21-78

Action recommended:

X Approve Deny

1-24-78 Proposed Priority

Reason for Reduction

X Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E By Loren O. Holmes Date 2-21-78

Copy sent

January 27, 1978

RE: Applications for Transfer Nos. 35-2241 EASTERN ID. PRODUCTION CREDIT ASSOC.
35-2420 " "
35-2493 " "
Applications for Permit Nos. 35-7767 THRU 35-7778
EASTERN ID. PRODUCTION CREDIT ASSOC.

The Blackfoot News
P.O. Box 70
Blackfoot, ID 83221

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 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.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 2-14-78 by lw

RDC:ME

Enclosures: 15 legals

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**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Eastern Idaho Production Credit Assoc., Blackfoot, Idaho, has on 1-24-78, submitted Application No. 35-7775, for a permit to appropriate 3.80 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 1S, R. 33E, B.M., Bingham County; to be used from Apr. 1 to Nov. 1 for the irrigation of 390 acres within the W $\frac{1}{2}$, Sec. 22, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, T. 1S, R. 33E, 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, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before February 20, 1978.

C. STEPHEN ALLRED
Director

(5459)
Pub.: 2-2, 9

January 31, 1978

C

Mr. Arnold Seeley
Eastern Idaho Credit Production Assoc.
P.O. Box 1667
Pocatello, Idaho 83201

Dear Mr. Seeley:

Attached herewith are departmental receipts Nos. 9186, 9187, 9188, 9190, 9191, 9192, 9194, 9195, 9198, 9199, 9200 and 9804 for applications for permits; and receipt Nos. 9196 and 9197 for two amendments.

Very truly yours,

COLLEEN WRAY
Secretary

Attachments (14)

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NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eastern Idaho Production Credit Assoc.,
Blackfoot, Idaho

has on 1-24-78 submitted Application No. 35-7775
for a permit to appropriate 3.80 cubic feet per second XXXXXXXXXXXXXXXXXXXXXX
of water from a ground-water source acre feet per annum
by means of well and pump
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 1S, R. 33E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 390 acres

within the W $\frac{1}{2}$, Sec. 22, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 27, T. 1S, R. 33E, 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, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
February 20, 1978

C. STEPHEN ALLRED

Director
Blackfoot News, Blackfoot, Idaho

Published in the _____
February 2 _____ February 9, 1978.
on _____ and _____

MICROFILMED

the
D. C. J.