

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

RECEIVED

APR 29 1996

Department of Water Resources
Southern Region

96-222

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following applications have been
filed to appropriate the public waters of
the State of Idaho:

J. VAUGHN HOBSON

19 S 700 W

BURLEY ID 83318

01-07127

Source: Snake River

Diversion Pt: Lot 3

(SW1/4SE1/4SW1/40, S19, T10S, R22E;

Cassia County.

Use:irrigation from storage (100.0 afa)

4/1-10/31

Date Filed: 2/2/96

In: 33.3 acres within SE1/4NE1/4,

NE1/4SE1/4, S25, T10S, R21E.

ROBERT MANNING

RT 1 BOX 125-A

OAKLEY ID 83346

45-07732

Source:Summit Creek tributary to Sinks

Diversion Pt: NW1/4NW1/4, S22,

T14S, R23E; Cassia County.

Use:

Stockwater(0.04 cfs) 04/1-06/30

Stockwater(0.04 cfs) 10/1-12/01

Total Diversion: 0.04 cfs

Date Filed: 12/27/95

In: SE1/4NW1/4, S21, T14S, R23E.

The permit will be subject to all prior
water rights. Any protest must be filed
with the Director, Dept. of Water
Resources, Southern Region, 222
Shoshone Street East, Twin Falls, ID
83301 together with a protest fee of
\$25.00 on or before May 2, 1996. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on April
15 and 22, 1996.

I, first duly sworn, deposes and says that she is the General
Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in
and that the paper is of general circulation therein. Deponent
printed notice attached hereto was duly published according to
provisions of the South Idaho Press for two consecutive week(s),
issue dated April 15 1996, and ending with the issue
9 96.

Kary D Miller

I, Kary D Miller in the year of 1996 before me, a Notary
Public, appeared Kary D. Miller, known or identified to me to be the person
named in the within instrument, and being by me first duly sworn,
the statements therein are true, and acknowledged to me that she

Lana K Burns

Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Notary Fee

Total Cost

45.30

.50

45.80

OK
MB
4/29/96

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Department of Water Resources

MEMORANDUM

TO: J. Vaughn Hobson Application for Permit File
FROM: Corey Skinner CS
DATE: March 28, 1996
SUBJECT: Staff Review

The enclosed application for permit, filed by J. Vaughn Hobson, proposes to divert 100 acre-feet of Palisades water from an existing pump in the Snake River for the use of irrigation. The pump in the Snake River, SWSESE $\frac{1}{4}$ of Section 19 (T10S, R22E), is currently licensed under right 01-02073 (SRBA claim A01-02073) and currently supplies irrigation water for land in Section 19 and Section 30 (T10S, R22E). The place of use proposed in the enclosed application for permit has been previously irrigated with Burley Irrigation District water. However, this land is outside the Burley Irrigation District boundaries. This application for permit will allow Mr. Hobson to use his Palisades water on this land.



PHOTO SHOWING POINT OF DIVERSION (INDICATED BY ARROW)
OUT OF SNAKE RIVER. EXISTING POINT OF DIVERSION LICENSED
UNDER RIGHT 01-02073. FIELD BEYOND RAILROAD TRACKS (LEFT SIDE
OF PHOTO) IS PLACE OF USE FOR 01-02073. AREA TO THE RIGHT OF FENCE
LINE JUST BEYOND RAILROAD IS THE BEET DUMP. PHOTO WAS
TAKEN FROM THE MILNER ROAD LOOKING NORTH TOWARDS RIVER.

01-07127

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE FLOW)
MEASUREMENT DEVICE AND LOCKABLE)
CONTROLLING WORKS CONDITIONS OF)
OF APPROVAL FOR PERMIT NO. 01-07127)
IN THE NAME OF J. VAUGHN HOBSON)
_____)

ORDER

WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a measuring device and lockable controlling works to facilitate the measurement and determination of the rate of diversion by the department; and

WHEREAS, the department has determined that the rate of diversion for certain surface water uses can be estimated by the department without the use of a measuring device; and,

WHEREAS, the department has determined a lockable controlling works is not necessary at this time;

IT IS THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation of a measuring device and lockable controlling works for the above captioned permit be **WAIVED**. The department retains jurisdiction to require the condition be reinstated in the future upon a finding of need by the department.

Dated this 14th day of August, 1996.


L. GLEN SAXTON
Chief, Water Allocation Bureau

SEP 11 1996

SEP 11 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 01-07127

Proposed Priority: February 2, 1996 Maximum Diversion Rate: 0.67 CFS

This is to certify, that J VAUGHN HOBSON

19 S 700 W

BURLEY ID 83318

has applied for a permit to appropriate water from:

SNAKE RIVER

tributary of COLUMBIA RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 10/31	0.67 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SESW), Sec. 19, Township 10S, Range 22E
CASSIA 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>
10S	21E	25	SENE 3.0	NESE 30.3		33.3

Total number of acres irrigated: 33.3

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1997.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 01.
4. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
9. The right holder is authorized to divert water under this right only after having annually rented or obtained adequate stored water from the Water District 01 Rental Pool for the irrigation season when water is not available for this right.

MAY 21 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 01-07127

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

13 th day of May, 19 96


for Karl J. Dreher, Director

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MAY 03 1996

Form 20
10/92
FEB 05 1996

Ident. No. 01-07127

Department of Water Resources
Southern Region

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant J. Vaughn Hobson Phone 678-2871
Post office address 195 700 W, Burley, ID 83318
2. Source of water supply Snake River which is a tributary of Columbia River
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot 3
Sec. 19 Township 10S Range 22E B.M. Cassia County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
 * Amount 0.67 for Irrigation purposes from 4-1 to 10-31 (both dates inclusive)
 (cfs or acre-feet per annum) From Storage
 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)
5. Total quantity to be appropriated is (a) _____ and/or (b) _____
 cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Pump in Snake River, pipeline to sprinklers
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
 MAY 21 1996
 Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
One years (minimum 1 year).

* Corrected 5/6/96 by ADM

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
105	21E	25				3									30.3				33.3

Total number of acres to be irrigated 33.3

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

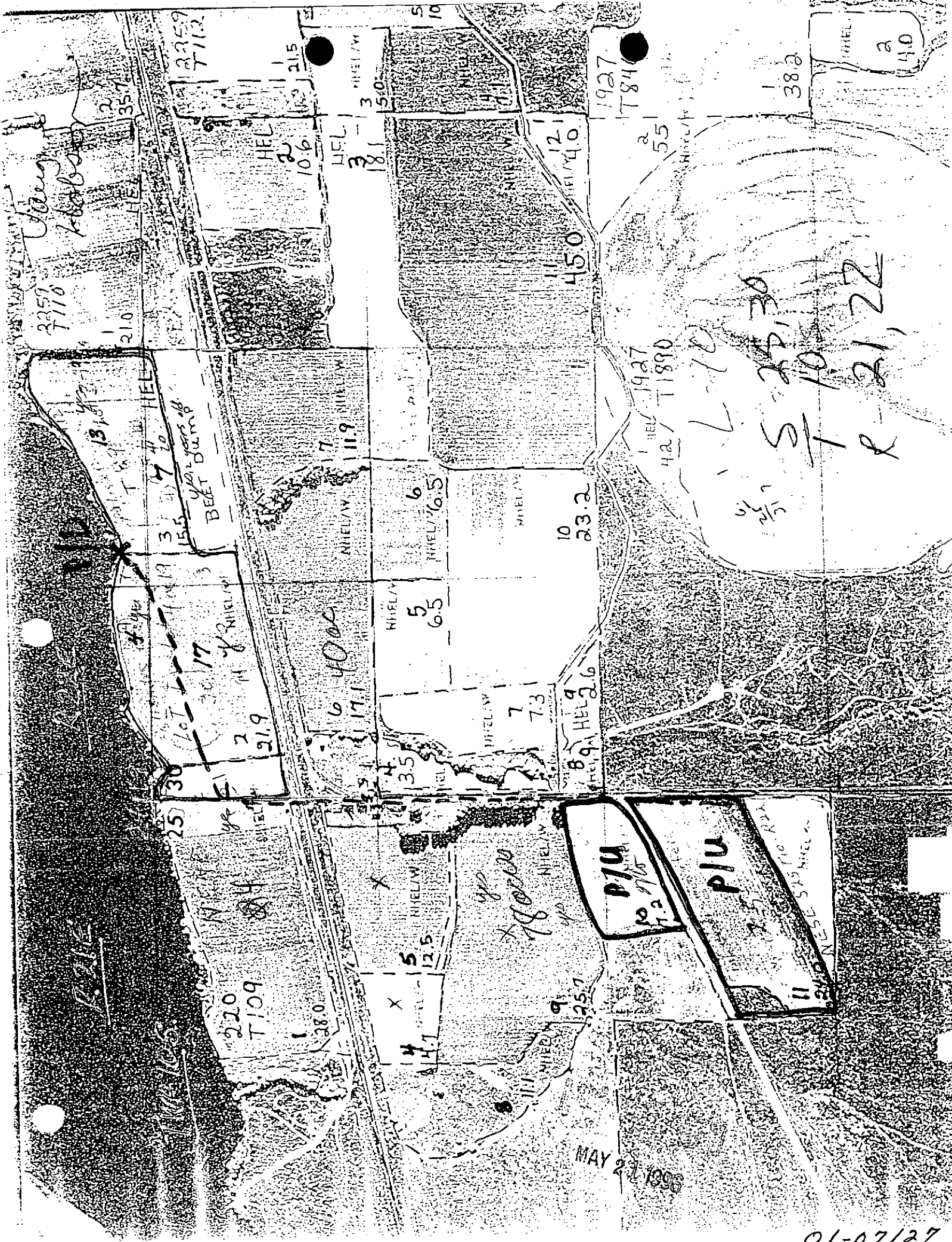
300 shares Palisades Reservoir water.

11. a. Who owns the property at the point of diversion? Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: I own 300 acre feet of Palisades Reservoir water, which was used on about 40 acres north of the above land. Last year I bought B.I.D water for that land. In order to use Palisades water in Sec. 25, I need to obtain a water right. The land in Sec. 25 has been watered for many years with BID water, although it is outside the BID boundaries.



L-10
S-25,30
T-10,22
R-21,22

PLU
10 975
11 2 975
PLU
11 2 975
12 2 975

MAY 27 1936

01-07/27

A grid of 10 columns and 20 rows. A date stamp "MAY 21 1996" is located in the bottom right corner.

J. Vaughn Hobson
(Applicant)

Received by J. E. Stanton Date 2-2-96 Time 2:25 pm Preliminary check by CS
Fee \$ 100.00 Received by gs # 5018827 Date 2-2-96
Publication prepared by MB Date 4/9/96 Published in Id. Co. Press
Publication approved MB Date 4/29/96

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

RECORDED
MAY 21 1996

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 01-07127 Reviewed by [Signature] Date 8-6-96

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

irr.

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☒ Drilling permit required?

☒ Copy in the file? Drilling Permit No. _____

☒ Amount paid for permit _____ Correct?

☒ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 - Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
yes Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	/
Date proof due	_____	
No. of days late	_____	
Priority Date	_____	
New Priority Date	_____	

DEFICIENCIES OR ACTION ITEMS

Recommend waive MD requirement, per Jim Stanton's memo of 7-12-96
Proof acceptable

DATA ENTRY

New Address _____ Proof Made 7-12-96



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR
August 14, 1996

J VAUGHN HOBSON
19 S 700 W
BURLEY ID 83318

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 01-07127

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Enclosed is an Order which waives the measuring device condition from your permit. Please be advised that the department retains the jurisdiction to require the condition be reinstated if needed.

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, please contact the SOUTHERN Regional Office in Twin Falls, at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

Enclosure

RECEIVED
SEP 11 1996

TO: Shelley Keen

DATE: July 12, 1996

FROM: Jim Stanton

SUBJECT: Permit 01-07127, Request for Waiver of Measuring Device

Today I assisted the permit holder in filing proof of beneficial use. A measuring device is required, but he has not installed one and does not want to. So I talked to Lyle in Water District 01, who said that they do not usually require flow meters for irrigation of less than 40 acres. This permit is for 33.3 acres. Lyle said that a waiver of the measuring-device requirement for this permit is acceptable to the water district. I did not guarantee Mr. Hobson that he could get by without a flow meter, as I was not sure how the formation of water-measurement districts would affect his permit.

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JUL 15 1996

Department of Water Resources

01-07127

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SEP 11 1996

To Whom It May Concern;

July 12, 1996

RE: Water Permit 01-07127

Dear Sirs;

The above-referenced water permit requires that a measuring device be installed on my pump in the Snake River west of Burley. This pump has been in place for over 10 years to pump various stored water rights from the Snake River. I have always used paper cards to report my water usage to the District 01 watermaster. It would be expensive for me to install a measuring device, and one has not been needed in the past. So request that this requirement be dropped. Please find attached my proof of beneficial use on this permit.

Sincerely,

J. Vaughn Hobson



SEP 11 1996



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 13, 1996

J VAUGHN HOBSON
19 S 700 W
BURLEY ID 83318

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 01-07127

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Please be advised that there is insufficient natural flow available from the source identified on your permit to provide water throughout the entire season. Condition No. 9 of your permit requires you to obtain adequate storage water to see you through the entire irrigation season.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely

Shelley W. Keen
Shelley W. Keen
Water Rights Supervisor

SK:rl
Enclosures

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MAY 21 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 01-7127 Name: Hobson Date: 5/10/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: 5018827 Priority: 2/2/96 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes ESRP Mor GWMA Trust/~~Non-trust~~
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. , P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

Water District(~~dem~~) - 005 (req) WD # 01 <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev) P08
=/- 0.2 cfs - 01H(lock dev) P01 or No MD
In WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

SNAKE R (01) - 11A P04 ~~NA~~
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ) P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19) P10; 09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
~~In-stream dev. existing~~ - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - 7 <SEE CODE CHART>
Trust - 051-052-053 P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU)

~~OTHER CONDITIONS:~~ - 035 059 (duplicates 035)

~~STANDARD REMARKS:~~ - not used payette R.

BENEFICIAL USE DUE:
COMMENTS:

5-1-1997

MEMORANDUM

DATE: May 10, 1996
TO: File No. 01-07127
FROM: Cindy Zimmerman *g*
SUBJECT: Trustwater Review

=====

This application proposes to divert 0.67 cfs of trustwater from the Snake River to irrigate 3 acres located within SENE and 30.3 acres located within NESE, S25, T10S, R21E. This application satisfies 42-203A & C requirements.

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MAY 21 1996

FROM: Allen Merritt

DATE: May 6, 1996

TO: File: Application for Permit #01-07127

SUBJECT: Review and Approval

This application was advertised without protest but there was concern expressed from Jim Johnson (IDWR-SO) and from the Bureau of Reclamation about how the use was being recorded. Jim's concern was regarding how the application was advertised. In our phone conversation around 4/15 we discussed that the application did not list the other traditional storage elements. We further discussed that the application in fact was just a recording of a right that would allow use of rented water on the land from District 01. We decided that if the application was approved it should be approved as a standard irrigation right with 0.67 cfs diversion rate for irrigation of the 33 1/3 acres. We also decided that the application did not need to be re-advertised since the original gave sufficient notice of the intent to irrigate land from diversion from the Snake River. After Jim and I discussed this matter Mike Beus & Dala Walton from the B of R called and expressed their concern that the application was giving a storage right in Palasades Reservoir. I informed them of my conversation with Jim Johnson and my intentions to approve it only as a standard irrigation diversion with a cfs rate. They said that addressed their concerns and they would write a letter to that affect. (Please find enclosed letter dated 4/23/96)

RECOMMENDATION

I recommend the application be approved except that the use be described as:

0.67 cfs for irrigation from 4/1 to 10/31

Additionally conditions should apply:

001, 01D, 005 with District 01, 011A, 035, 059

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Department of Water Resources

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY C SKINNER DATE MARCH 28, 1996
APPLICATION NO. 01-07127

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt
- *****PROPOSED PRIORITY DATE
FEBRUARY 6, 1996
- RECEIVED**
MAY 09 1996
Department of Water Resources

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back. NO IRRIGATION RIGHTS OR CLAIMS)
☒ Overlapping point of diversion. 01-02073 (A01-02073)
☒ Yes ☐ No Field check required
Field check by C SKINNER
☒ Yes ☐ No Field report attached SEE ATTACHED MEMO AND PHOTO.
☒ Yes ☒ No Critical Ground water area
☒ Yes ☒ No Groundwater management area
☒ Yes ☒ No Send Dam safety information
☒ Yes ☒ No Send power requirement letter
☒ Yes ☒ No Send fish farm requirement letter
☒ Yes ☒ No Power residency affidavit.
☒ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

_____ Date Requested _____, 19____

PROCESSING ☒ Yes ☐ No In form for Advertising
☐ Yes ☒ No ~~No~~ Statewide Advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on app.

SEND COPIES TO: ☐ Idaho Dept of Health & Welfare ☐ USDI BLM
☐ Idaho Dept of Fish & Game ☐ USFS
☐ Idaho Dept of Lands ☐ Water Dist.
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received.
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest _____

☒ Yes ☐ No Protests, dates, resolution of protest, recorded on app.

☒ Yes ☐ No Recommendations attached

☒ Yes ☐ No Measuring device required

☒ Yes ☒ No Access port required

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what dist. 01

☐ Yes ☒ No Special conditions of approval or cover letter below. _____

See memo 5/6/96

See below for additional information

Date of priority recommended 2/2/96, 1996

By AP Date 5/6, 1996

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 _____

ADDITIONAL INFORMATION:

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Department of Water Resources

LOCAL PUBLIC INTEREST

Comments recieved from:

☐ City	☐ Idaho Fish & Game	☐ Irrigation Dist.
☐ County	☐ Idaho Health & welfare	☐ Canal Company
☐ Reservations	☐ Div. of Enviromental Quality	☐ Other _____

PROJECT IMPACTS/IMPLICATIONS REPORT

COMMENTS:

DATE _____, 19____

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MAY 09 1996

Department of Water Resources

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

RECEIVED

APR 29 1996

Department of Water Resources
Southern Region

96-222

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following applications have been
filed to appropriate the public waters of
the State of Idaho:

J. VAUGHN HOBSON

19 S 700 W

BURLEY ID 83318

01-07127

Source: Snake River

Diversion Pt: Lot 3

(SW1/4SE1/4SW1/40, S19, T10S, R22E;
Cassia County.

Use: Irrigation from storage (100.0 afa)
4/1-10/31

Date Filed: 2/2/96

In: 33.3 acres within SE1/4NE1/4,
NE1/4SE1/4, S25, T10S, R21E.

ROBERT MANNING

RT 1 BOX 125-A

OAKLEY ID 83346

45-07732

Source: Summit Creek tributary to Sinks

Diversion Pt: NW1/4NW1/4, S22,
T14S, R23E; Cassia County.

Use:

Stockwater (0.04 cfs) 04/1-06/30

Stockwater (0.04 cfs) 10/1-12/01

Total Diversion: 0.04 cfs

Date Filed: 12/27/95

In: SE1/4NW1/4, S21, T14S, R23E.

The permit will be subject to all prior
water rights. Any protest must be filed
with the Director, Dept. of Water
Resources, Southern Region, 222
Shoshone Street East, Twin Falls, ID
83301 together with a protest fee of
\$25.00 on or before May 2, 1996. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on April
15 and 22, 1996.

I, first duly sworn, deposes and says that she is the General
Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in
and that the paper is of general circulation therein. Deponent
printed notice attached hereto was duly published according to
the provisions of the South Idaho Press for TWO consecutive week(s),
beginning with the issue dated April 15 1996, and ending with the issue
dated April 22 1996.

Kary D. Miller

I, first duly sworn, depose and say that on the day of April in the year of 1996 before me, a Notary
Public for Idaho, appeared Kary D. Miller, known or identified to me to be the person
executed to the within instrument, and being by me first duly sworn,
she deposes and says that the contents therein are true, and acknowledged to me that she

Laura K. Burns
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Notary Fee

Total Cost

45.30

50

45.80

OK
NB
4/29/96



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MAY 21 1996

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MAY 09 1996

Department of Water Resources



United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office - East Unit
1359 Hansen Avenue
Burley, Idaho 83318-1821

IN REPLY REFER TO:

SRA-6434
WTR-4.10

APR 23 1996

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APR 24 1996
Department of Water Resources
Southern Region

Alan Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls ID 83301

Subject: New Water Right Filing 01-07127 for J. Vaughn Hobson

Dear Alan:

We are writing to document a telephone conversation on April 23, 1996. Your draft recommendation for the subject water right is for a new appropriation for irrigation from storage using shares in Palisades Water Users Inc. The United States holds all storage rights for Palisades Reservoir. Palisades Water Users Inc. has contracted to use a portion of the Palisades Project for supplemental irrigation use. Mr. Hobson is a shareholder in Palisades Water Users, Inc. We understand that you have modified your recommendation to allow a new irrigation right with a February 1996 priority, and limits on diversion rate and diversion volume consistent with beneficial use for irrigation of 33.3 acres. Supplemental storage will be needed in most years to create a substantial water right.

We believe this is consistent with Mr. Hobson's intent. The Bureau of Reclamation holds the water right for all Palisades storage under license 01-02068. It has not been the practice in the past for the Department of Water Resources to issue water rights to private individuals for storage in Palisades Reservoir.

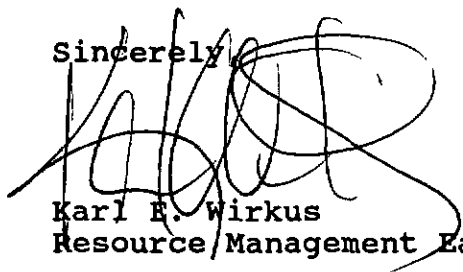
There was some confusion on our part, and we appreciate the clarification we received from your office on this water right application.

RECORDED

MAY 21 1996

If you have questions or if our statement here is inconsistent with your information, please respond to Dala Walton at our office in Burley.

Sincerely,



Karl E. Wirkus
Resource Management East Manager

cc: Regional Director, Pacific Northwest Region, Boise, ID
Att: PN-3902

MAILED 11 1996

MAY 21 1996

**NOTICE OF APPLICATION FOR
WATER PERMIT**

The following applications have been
filed to appropriate the public waters of
the State of Idaho:

J. VAUGHN HOBSON

19 S 700 W

BURLEY ID 83318

01-07127

Source: Snake River

Diversion Pt: Lot 3
(SW1/4SE1/4SW1/40, S19, T10S, R22E;
Cassia County.

Use: irrigation from storage (100.0 afa)
4/1-10/31

Date Filed: 2/2/96

In: 33.3 acres within SE1/4NE1/4,
NE1/4SE1/4, S25, T10S, R21E.

ROBERT MANNING

RT 1 BOX 125-A

OAKLEY ID 83346

45-07732

Source: Summit Creek tributary to Sinks

Diversion Pt: NW1/4NW1/4, S22,
T14S, R23E; Cassia County.

Use:

Stockwater(0.04 cfs) 04/1-06/30

Stockwater(0.04 cfs) 10/1-12/01

Total Diversion: 0.04 cfs

Date Filed: 12/27/95

In: SE1/4NW1/4, S21, T14S, R23E.

The permit will be subject to all prior
water rights. Any protest must be filed
with the Director, Dept. of Water
Resources, Southern Region, 222
Shoshone Street East, Twin Falls, ID
83301 together with a protest fee of
\$25.00 on or before May 2, 1996. The
protestant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on
4/15 & 4/22/96.

RECORDED
MAY 21 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

April 10, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

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MAY 21 1996

NOTICE OF APPLICATION FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

J. VAUGHN HOBSON
19 S 700 W
BURLEY ID 83318

01-07127

Source: Snake River

Diversion Pt: Lot 3 (SW1/4SE1/4SW1/40, S19, T10S, R22E; Cassia County.

Use: irrigation from storage (100.0 afa) 4/1-10/31

Date Filed: 2/2/96

In: 33.3 acres within SE1/4NE1/4, NE1/4SE1/4, S25, T10S, R21E.

ROBERT MANNING
RT 1 BOX 125-A
OAKLEY ID 83346

45-07732

Source: Summit Creek tributary to Sinks

Diversion Pt: NW1/4NW1/4, S22, T14S, R23E; Cassia County.

Use:
Stockwater (0.04 cfs) 04/1-06/30
Stockwater (0.04 cfs) 10/1-12/01

Total Diversion: 0.04 cfs

Date Filed: 12/27/95

In: SE1/4NW1/4, S21, T14S, R23E.

The permit will be subject to all prior water rights. Any protest must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before May 2, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 4/15 & 4/22/96.

MAILED
MAY 21 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

April 9, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

J VAUGHN HOBSON
19 S 700 W
BURLEY ID 83318

Re: Application for Permit No. 01-07127

Dear Mr. Hobson:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the South Idaho Press for 4/15 & 4/22/96. A period of ten days following the second publication will be allowed for the submittal of protests.

If an 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 an 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 yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

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MAY 21 1996

MEMORANDUM

TO: J. Vaughn Hobson Application for Permit File

FROM: Corey Skinner *CS*

DATE: March 28, 1996

SUBJECT: Staff Review

The enclosed application for permit, filed by J. Vaughn Hobson, proposes to divert 100 acre-feet of Palisades water from an existing pump in the Snake River for the use of irrigation. The pump in the Snake River, SWSESE $\frac{1}{4}$ of Section 19 (T10S, R22E), is currently licensed under right 01-02073 (SRBA claim A01-02073) and currently supplies irrigation water for land in Section 19 and Section 30 (T10S, R22E). The place of use proposed in the enclosed application for permit has been previously irrigated with Burley Irrigation District water. However, this land is outside the Burley Irrigation District boundaries. This application for permit will allow Mr. Hobson to use his Palisades water on this land.



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PHOTO SHOWING POINT OF DIVERSION (INDICATED BY ARROW)
OUT OF SNAKE RIVER. EXISTING POINT OF DIVERSION LICENSED
UNDER RIGHT 01-02073. FIELD BEYOND RAILROAD TRACKS (LEFT SIDE
OF PHOTO) IS PLACE OF USE FOR 01-02073. AREA TO THE RIGHT OF FENCE
LINE JUST BEYOND RAILROAD IS THE BEET DUMP. PHOTO WAS
TAKEN FROM THE MILNER ROAD LOOKING NORTH TOWARDS RIVER.

01-07127



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

J. Vaughn Hobson
Rt 4 Box 4225
Burley, ID
83318

July 3, 1995

Dear Mr. Hobson;

Mel Schulte has recently moved to our Western Region office in Boise, so I will be handling your water problem in the future. We show no recorded water rights from any source on your fields #10 and 11 in the SE/NE & NE/SE Sec. 25 T. 10S R. 21E. Since this land is outside the natural boundaries of the Burley Irrigation District, it appears that they cannot legally furnish water to these fields at this time. However, I just talked to Randy Bingham of the BID, who said that their board of directors could vote to include your upper fields within the boundaries of their district. He did not think the board would be too favorable to that idea due to the precedent it would set for other non-district people who also want into the district.

If you cannot get these fields included under the BID, you could file an application for a water permit. The application would show the Snake River as the water source. Watermaster Ron Carlson has already suggested this option to you. Even though there would never be any water available under the permit, ownership of the permit would probably allow you to use your Palisades water on these fields. Although there is presently a moratorium on new irrigation permits, we have recently been able to approve a permit of this type. If you decide to apply for a permit, I can assist you.

Sincerely,

James E. Stanton
Sr. Water Resource Agent

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MAY 21 1996

BURLEY IRRIGATION DISTRICT
RT. 1 BOX 1416
BURLEY, IDAHO 83318

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MAY 08 1995

Department of Water Resources
Southern Region

May 4, 1995

Idaho Dept. Of Water Resources
Mel Schulte
222 Shoshone St East
Twin Falls, Idaho 83301

Dear Sir,

Burley Irrigation District has water appropriated for all of the land Vaughn Hobson owns in Section 19 & 30 R22E T10s and 79.60 acres worth in the North East quarter of Sec 25 T21E T10s. In 1993 water was transferred from Sec 25 and 26 R22E T10s to Sec 19 T22E T10s for 39 acres with the understanding Vaughn would move his Palisades water and Snake River water to the South East quarter of Sec 25 R21E T10s. The land the water was transferred from is now non-irrigated commercial buildings and gravel pits. There has not been an expansion of his or our water rights. Please see attached inclusion and exclusion petitions.

Sincerely,


Randy Bingham, Manager
Burley Irrigation District

MICROFILMED

MAY 21 1996

01-07127

5. Petitioners hereby affirm that they are the true owners of the real property described in attached Exhibit A.

WHEREFORE, Petitioners pray for relief as follows:

1. The Board of Directors of the Burley Irrigation District accept the facts as alleged without hearing.

2. In the alternative, the Board of Directors set the matter for hearing within ninety (90) days of the filing of this Petition.

3. The Board of Directors make an Order changing the boundaries of the District to include the lands described on Exhibit A.

DATED This 19 day of May, 1993.

Vaughn Hobson
VAUGHN HOBSON

Opal Hobson
OPAL HOBSON

STATE OF IDAHO)
 ss.
County of Cassia)

I, Douglas R Whipple a Notary Public, do hereby certify that on this 19 day of April, 1993 personally appeared before me Vaughn Hobson and Opal Hobson, who being by me first duly sworn, declared that they signed the foregoing document, and that the statements therein contained are true.

Douglas R Whipple
Notary Public for Idaho
Residing at: Burley, Idaho
My Commission Expires: Aug. 1998

PETITION FOR INCLUSION - 2

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MAY 21 1996

EXHIBIT A

The following parcels of real property are located in Cassia County, Idaho:

Part of Lot 1, South $\frac{1}{2}$ North East, North East South East Section 25 of Township 10 South, Range 21 East, Boise Meridian.

Lots 3 and 4 of Section 19, Township 10 South, Range 22 East of the Boise Meridian, and all improvements thereon.

Beginning at the Northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 10 South, Range 22 East, Boise Meridian; thence South 540 feet, more or less, to the North line of the Railroad right-of-way; thence North 79°03' East along right-of-way 190 feet, more or less, to the Southwest corner of T 2824; thence North 10°53' West 250 feet; thence North 79°03' East 1192.9 feet to the $\frac{1}{4}$ section line; thence North to the section line; thence West 1320 feet to the Point of Beginning. A total of 39.00 acres.

MAY 21 1996

RECEIVED

MAY 08 1995

Department of Water Resources
Southern Region

In the Matter of the parcel
described on Exhibit A
attached hereto.

GORDON PAVING,

Petitioner.

)
)
) AMENDED PETITION FOR
) EXCLUSION
)

) FILING FEE: \$5.00
) EXCLUSION FEE: \$50.00
)
)

Gordon Paving, petitions the Burley Irrigation District
as follows:

1. Petitioner is the owner of the real property described on
Exhibit A attached hereto.

2. The real property described on Exhibit A attached hereto
should be excluded from the Burley Irrigation District on the
Following grounds, as are set forth in Idaho Code Section 43-1102"

2.1. The lands in their present condition are not
agricultural lands.

2.2. Simultaneously with the filing of this Petition for
exclusion, a Petition for Inclusion into the Burley
Irrigation District has been filed by Vaughn Hobson and
Opal Hobson.

3. Petitioner hereby affirms that it is the owner of the
real property that is described in attached Exhibit A.

AMENDED PETITION FOR EXCLUSION - 1

MAY 21 1996

4. There are no persons or entities with a lien against the real property.

WHEREFORE, Petitioner prays for relief as follows:

1. The Board of Directors of the Burley Irrigation District accept the facts as alleged without hearing.

2. In the alternative, the Board of Directors set the matter for hearing within ninety (90) days of the filing of this Petition.

3. The Board of Directors make an order changing the boundaries of the District to exclude the lands described on Exhibit A.

DATED This 17 day of May, 1993.

ATTESTED:

GORDON PAVING COMPANY

Kenneth D. Dawson
V- PRESIDENT

STATE OF IDAHO)
 ss.
County of Cassia)



I, Betty S. Lyons a Notary Public, do hereby certify that on this 17th day of May, 1993 personally appeared before me Kenneth D. Dawson, known to me to be the President of GORDON PAVING COMPANY, the Corporation that executed the foregoing instrument, and acknowledged to me that such Corporation executed the same.

Betty S. Lyons
Notary Public for Idaho
Residing at:
My Commission Expires:

AMENDED PETITION FOR EXCLUSION - 2

MY COMMISSION EXPIRES
MARCH 21, 1994
MAY 21 1993

EXHIBIT A

The following parcels of real property are located in
Cassia County, Idaho:

TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,

Section 26: a Parcel of land lying in the $N\frac{1}{2}NE\frac{1}{4}$ of said Section 26,
described as follows:

Beginning at a point South $0^{\circ}25'30''$ West 447.10 feet and
1110.87 feet North $86^{\circ}53'$ West of the Northeast corner of
said Section 26, which point lies on the South right of
way line of U.S. Highway North 30, the True Point of
Beginning:

Thence South $3^{\circ}07'$ West 200 feet;

Thence North $86^{\circ}53'$ West parallel to the South
boundary line of U.S. Highway North 30 for 685
feet, more or less, to a point 892.29 feet ~~East~~ of
the West boundary line of said $N\frac{1}{2}NE\frac{1}{4}$;

Thence North $3^{\circ}07'$ East 200 feet, more or less, to a
point on the South boundary line of U.S. Highway
North 30;

Thence South $86^{\circ}53'$ East along said South boundary
line 685.21 feet to the True Point of Beginning.

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, CASSIA
COUNTY, IDAHO

Section 26: Part of the $S\frac{1}{2}NE\frac{1}{4}$ of said Section 26, more
particularly described as follows:

Beginning at a steel pin at the Southwest corner of the
 $SW\frac{1}{4}NE\frac{1}{4}$ of said Section 26, which point shall be known as
the True Point of Beginning:

Thence North $0^{\circ}15'$ East along the quarter section line
for 1326.33 feet to a $\frac{1}{2}$ " steel pin at the Southwest
corner of Lot 3 of Block 2 of the M a c a d a m
Industrial Park;

Thence South $89^{\circ}33'57''$ East (South $89^{\circ}34'48''$ East
Rec.) along the South line of said Macadam
Industrial Park for 1462.70 feet to a point marked
by a $\frac{1}{2}$ " steel pin;

Thence South $0^{\circ}47'26''$ West for 580.30 feet to a point
marked by a $\frac{1}{2}$ " steel pin;

Thence South $89^{\circ}05'38''$ West for 797.56 feet to a point

MAY 21 1996

marked by a $\frac{1}{2}$ " steel pin;
Thence South $0^{\circ}35'44''$ West for 726.22 feet to a point
marked by a steel pin and lying on the quarter
section line;
Thence North $89^{\circ}40'00''$ West along said quarter section
line for 655.44 feet to the True Point of
Beginning.

Less: TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,

Section 26: Part of the $SW\frac{1}{4}NE\frac{1}{4}$, described as follows:

Beginning at the Southwest corner of the said $SW\frac{1}{4}NE\frac{1}{4}$ of
Section 26; Thence North $0^{\circ}12'5''$ East (N $0^{\circ}15'$ E., Rec.)
along the quarter section line for 905.88 feet to the
True Point of Beginning;
Thence continuing North $0^{\circ}12'50''$ East (N $0^{\circ}15'$ E.
Rec.) along the quarter section line for 320
feet;
Thence South $89^{\circ}33'57''$ East 551.44 feet;
Thence North $0^{\circ}34'17''$ West 100 feet;
Thence South $89^{\circ}33'57''$ West 50 feet;
Thence South $0^{\circ}34'17''$ East 420 Feet;
Thence North $89^{\circ}33'57''$ West 603.63 feet, more or less,
to the quarter section line of said Section 26,
and the True Point of Beginning.
For a total of 24.52 acres.

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MAY 21 1996

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MAY 08 1995

Department of Water Resources
Southern Region

In the Matter of the parcel)
described on Exhibit A)
attached hereto.)
CHARLES DAVIS dba EAGLE SALVAGE,)
Petitioner.)

AMENDED PETITION FOR
EXCLUSION

FILING FEE: \$5.00
EXCLUSION FEE: \$50.00

Charles Davis dba Eagle Salvage, petitions the Burley Irrigation District as follows:

1. Petitioner is the owner of the real property described on Exhibit A attached hereto.

2. The real property described on Exhibit A attached hereto should be excluded from the Burley Irrigation District on the following grounds, as are set forth in Idaho Code Section 43-1102"

2.1. The lands in their present condition are not agricultural lands.

2.2. Simultaneously with the filing of this Petition for exclusion, a Petition for Inclusion into the Burley Irrigation District has been filed by Vaughn Hobson and Opal Hobson.

3. Petitioner hereby affirms that he is the owner of the real property that is described in attached Exhibit A.

AMENDED PETITION FOR EXCLUSION - 1

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MAY 21 1996

4. There are no persons or entities with a lien against the real property.

WHEREFORE, Petitioner prays for relief as follows:

1. The Board of Directors of the Burley Irrigation District accept the facts as alleged without hearing.

2. In the alternative, the Board of Directors set the matter for hearing within ninety (90) days of the filing of this Petition.

3. The Board of Directors make an order changing the boundaries of the District to exclude the lands described on Exhibit A.

DATED This 12th day of May, 1993.

ATTESTED:


CHARLES DAVIS dba EAGLE SALVAGE

STATE OF IDAHO)
 ss.
County of Cassia)

I, Bertha M. Villarreal a Notary Public, do hereby certify that on this 12th day of May, 1993 personally appeared before me CHARLES DAVIS dba EAGLE SALVAGE, who being by me first duly sworn, declared that he signed the foregoing document, and that the statements therein contained are true.

Bertha M. Villarreal
Notary Public for Idaho
Residing at: Hayburn
My Commission Expires: 2/16/98

AMENDED PETITION FOR EXCLUSION - 2

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MAY 21 1993

EXHIBIT A

The following parcels of real property are located in
Cassia County, Idaho:

Beginning at the SW Corner of the $W\frac{1}{2}$ $E\frac{1}{2}$ $NW\frac{1}{4}$ of Section 25
of the T. 10 S., R. 22 E., B.M., Thence N $0^{\circ}20'18''$ E.
for 296.47 feet to a point which shall be the True Point
of Beginning.

Thence N $0^{\circ}20'18''$ E. 659.53 feet along the West line of
the $W\frac{1}{2}$ $E\frac{1}{2}$ $NW\frac{1}{4}$ of Section 25 to a point;
Thence N $89^{\circ}26'59''$ E for 660.57 feet to a point of the
East line of the $W\frac{1}{2}$ $E\frac{1}{2}$ $NE\frac{1}{4}$;
Thence S $0^{\circ}17'42''$ W for 659.53 feet to a point;
Thence S $89^{\circ}27'02''$ W for 661.07 feet to the True Point of
Beginning.

Beginning at the SW corner of the $W\frac{1}{2}$ $E\frac{1}{2}$ $NW\frac{1}{4}$ of Section 25 of
T.10 S., R. 22 E., B.M. which shall be the True Point of
Beginning.

Thence N $0^{\circ}20'18''$ E along the West line of the $W\frac{1}{2}$ $E\frac{1}{2}$ $NW\frac{1}{4}$
for 296.47 feet to a point;
Thence N $89^{\circ}27'02''$ E for 661.07 feet to a point on the
East Line of the $W\frac{1}{2}$ $E\frac{1}{2}$ $NW\frac{1}{4}$;
Thence S $0^{\circ}17'42''$ W for 296.47 feet to the SE corner of
the $W\frac{1}{2}$ $E\frac{1}{2}$ $NW\frac{1}{4}$ of Section 25;
Thence S $89^{\circ}27'02''$ W along the $\frac{1}{4}$ section line for 661.30
feet to the True Point of Beginning.
A total of 14.48 acres.

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MAY 21 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 24, 1995

J Vaughn Hobson
Rt 4 Box 4225
Burley ID 83313

Dear Mr. Hobson:

I want to summarize our recent telephone conversations concerning the use of your Palisades water. It is my understanding, and I believe you agree, that your Palisades water is supplemental and can be used only on land that has a primary source of water. Whether the fact you didn't know it was supplemental when you bought it and the fact you have used it as primary water for many years helps your cause, I don't know. You need to address this issue with Palisades Water Users, Inc.

It appears the resolution to your problem is to find water for those fields that are void of primary water. My inquiry to B.I.D. resulted in the same response as your previous requests. That is, since the fields you need to cover are outside of their district they can not legally allow you to use B.I.D. water on those fields.

If B.I.D. water is not attainable, another possible solution to your problem is to transfer other decreed or licensed water to your fields. Since you do not see it feasible to dry up any of your fields next to the reservoir, transferring some of your own live water under right 01-02073 is not possible. I was hoping maybe the water licensed for the beet dump ground could be transferred. However, you indicated that ground has not been irrigated for 15 or so years so the water has probably been forfeited due to non-use.

Another possibility is to purchase water from another owner. If they are willing to dry up a comparable number of acres, we could probably move that water to your fields. In our last conversation you didn't think this was a likely solution but I think you should pursue this alternative.

Right now I don't know how to help you. If there are more facts

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MAY 21 1996

01-07127

and information I should have please let me know. Call me at 736-3033 if you want to discuss this matter in more detail. I wish you well and offer my assistance in any way I can help.

Cordially,

Mel Schulte

Mel Schulte

Sr. Water Rights Agent

CC: Ron Carlson

Palisades Water Users, Inc.

Microfilm

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FEB 23 1995

Department of Water Resources
Southern Region

To: Mel Schulte

From: Ernie Carlson

RE: Vaughn Hobson

Attached is the paper work I have accumulated while corresponding with Mr. Hobson about the use of water on his property. With the land appurtenant to license 01-02073 having been recently annexed into the Bailey Irrigation District, I suggested he transfer the ~~license~~ a portion of the license to cover field numbers 10 & 11 on the attached photocopy.

Please call me if you have any questions.

Ernie

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Department of Water Resources
Southern Region

AUGUST 31, 1994

J VAUGHN HOBSON
RT 4 BOX 4225
BURLEY ID 83313

RE: PALISADES WATER

Dear Mr. Hobson:

Thank you for the letter dated April 27, 1994, advising of an error in the land list for Notice of Claim A01-10214, in the name of Palisades Water Users Inc.

The land adjacent to Lake Walcott and highlighted on the aerial photo included with your letter appears to be the licensed place of use for water right 01-02073. Using the aerial photo, the legal description for this land is as follows:

T10S	R22E	Sec 19	Lot 4	4 acres
			Lot 3	13 acres
		Sec 30	NENW	7 acres
			NWNW	<u>17 acres</u>
		Total		41 acres

The place of use for Notice A01-10214 will be amended to include this property.

A comparison of water rights and Notices of Claim on file with IDWR revealed there are no rights on record for irrigation of your land in T10S, R21E, Sec25. On the enclosed photo this includes field numbers 1, 4, 5, 8, 9, 10, and 11. It is my understanding the water right for Palisades Water Users is supplemental and, therefore, cannot be used on land where there is no other water right. For this reason, fields 10 and 11 were not added to the place of use for Notice of Claim A01-10214.

Is there a possibility some of the land in Section 25 falls within the service area of Burley Irrigation District and was overlooked when the District filed its Notice of Claim? Absent a water right, irrigation of the land in Section 25 is in violation of State law.

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J VAUGHN HOBSON
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If you have questions concerning the use of Palisades Water Users storage water, please contact Ron Carlson at 525-7172 or write to him at 900 N Skyline Drive, Idaho Falls ID 83402.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

cc: Ron Carlson, Watermaster
Alan Merritt, IDWR, Twin Falls, ID

FILE:

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Department of Water Resources
Eastern District Office

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Department of Water Resources
Barley Southern Region

10-4-94

Mr Ron Carlson
Department of Water Resources
Adobe Falls ad. 83402

In Response to your
letter of Aug 31 1994.

Fields 1, 4, 5, 8, 9 are in the Barley
Irrigation District. I talked to Randy Bingham
manager this morning and he said they
were omitted in first filing, but he has
sent in an amendment correcting this error.

In regards to field 10 & 11 in the mid
seventies I had a permit to drill a well
to water this land. we drilled down three
different times trying to get enough water for
irrigation but were unable to find enough
water.

It was watering fields 2 & 3 with
rental water from Water District No 1 since
the late 1950's I don't remember the exact date
your Dept was pressuring me to get a
permanent water right. About 1980 I was
able to buy the 300 shares of Palisades
Water to water the 41 acre there and
to water the fields 10 & 11 where I had
drilled the dry well.

MAY 21 1996

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The PCH. loaned me enough money to buy the 300 shares for 15,000.⁰⁰ then they would loan me enough money to pump the water up there - pump pipelines etc. So I approached B.I.D. Manager about water for fields 10 & 11, they said no there wasn't water available but would let me use my water from B.I.D. water rights after it was on my property to pump it up there untill I could get money together to pipe Polarisades water up from the river. I have watered these fields 7 years with B.I.D. water and 3 years with Polarisades.

Last year it looked like there may not be any polarisades water so I got a chance to purchase B.I.D. water for fields 2 & 3 which was legal, within the district.

I was never told that polarisades water was only available to water district. I know for sure lots of it is used outside of a district the water by purchase was ^{May 1 1938} transferred at least ² times from Lee Trodsham to Orel Olson to Bill Barkdall then to Vaughn Hobson. Bill Barkdall transferred it from 4 1/2 miles west of Burley

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to some property he had - dry farm - located
between Rupert and American falls and
pumped out of Lake Wallcott.

He also filed for River flow water
in about 1950 - it is recorded with
Dept. of Water Resources.

If the Dept. of Water Resources granted me
a permit to drill the well to water
fields 10 & 11, and couldn't get enough
water, that Palesades would or should
be available for this land.

Thanks for listening to my
problem.

Sincerely,

J. Douglas Hobson

We are busy in potatoes and soon will
harvest as soon as we finish I
plan to go to the Twin Falls DWR office to
see if we can resolve this problem.

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Eastern District Office

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Department of Water Resources
Southern Region

Barley
4-27-94

Palisades Water users Inc.
Water District No. 1
Mr Ron Carlson

I received a letter
from Dept of Water Resources to go to Twin
Lakes to Review my Water rights.

Their records only show that I water
25 acres with Palisades Water.

I water 71.5 acres, this needs to be
corrected.

I am sending you a photo map
showing the land that I water with
Palisades Water. The fields are
outlined in Red, with legal descriptions.
I hope this is helpful.

Thanks
J. Vaughn Holson

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