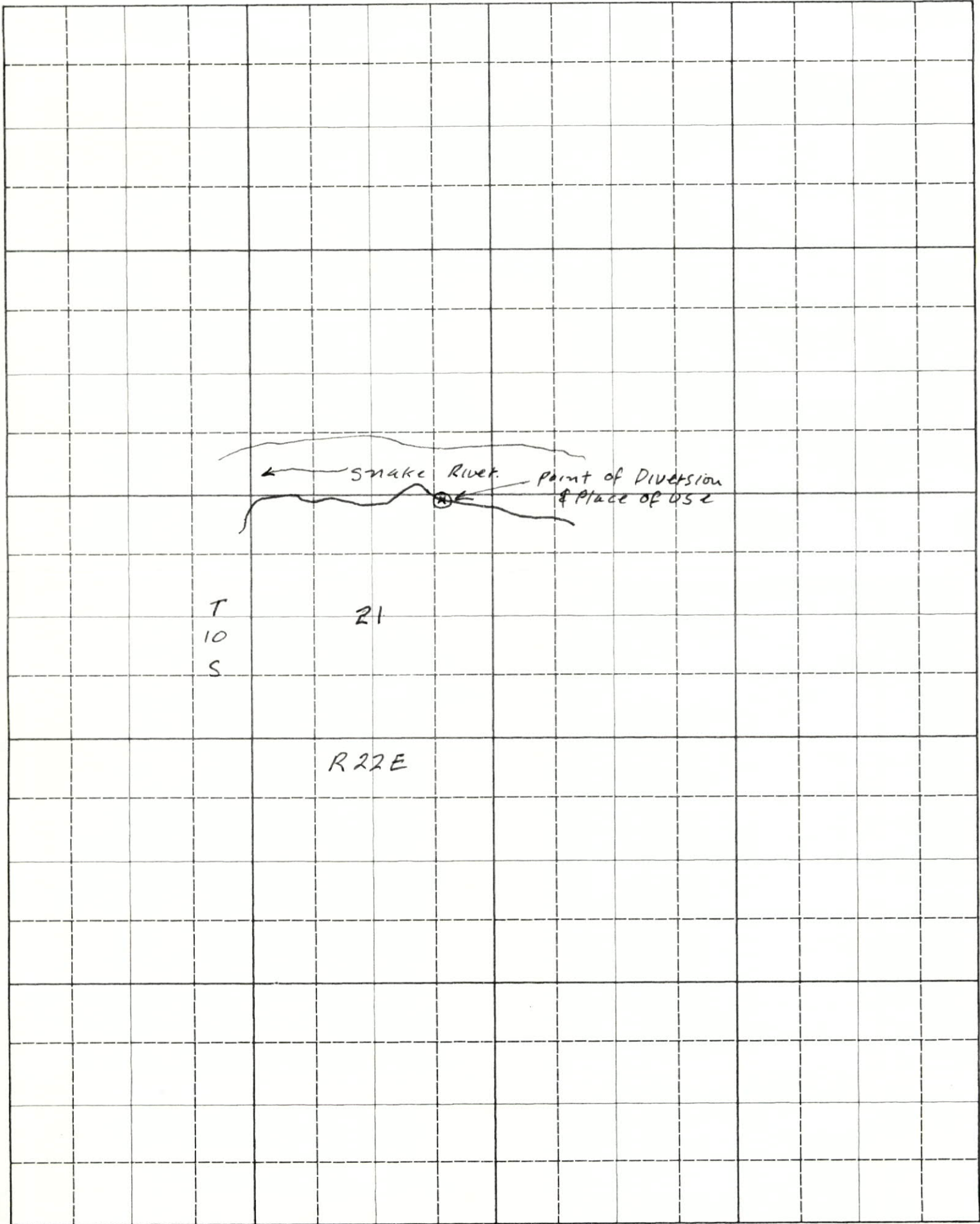


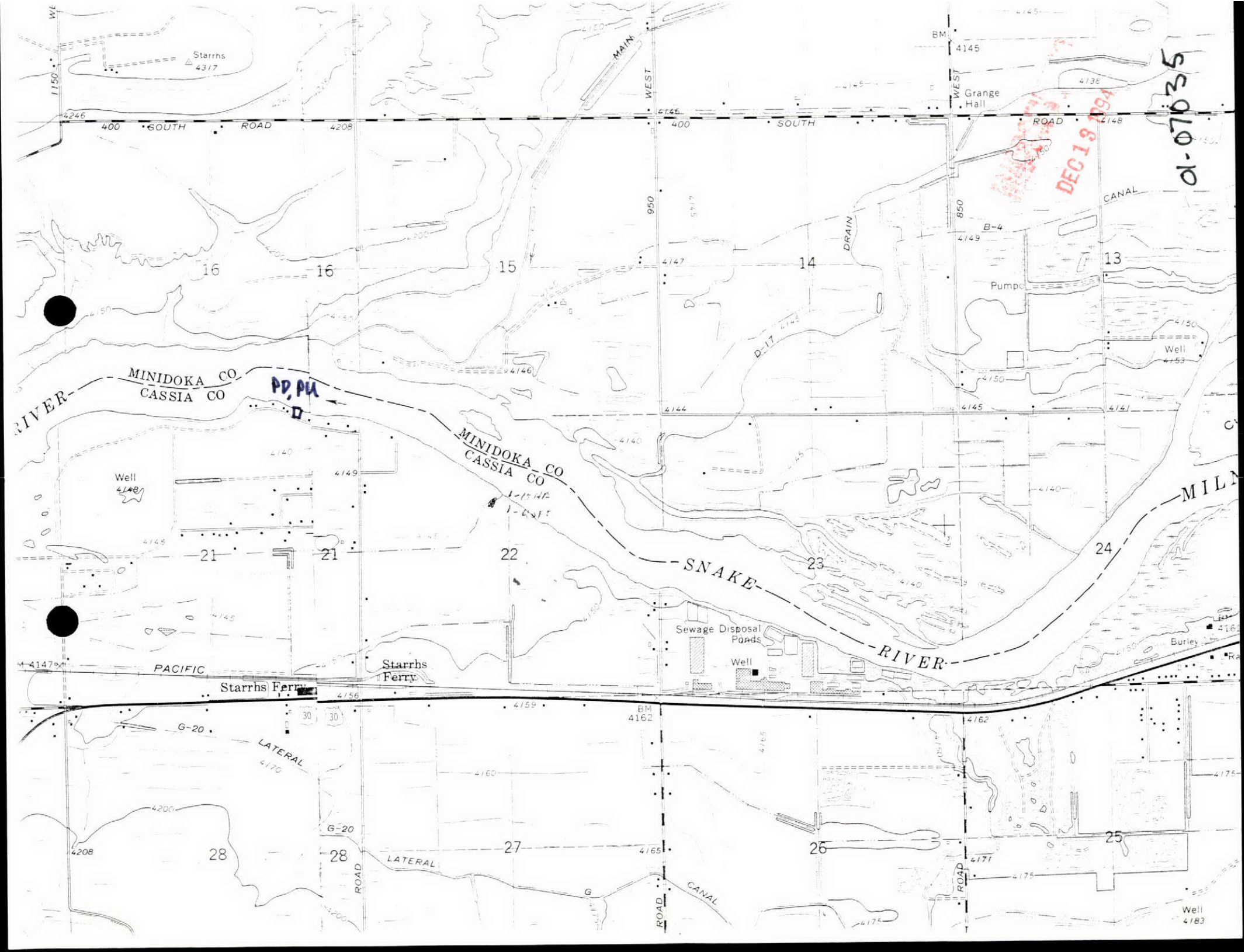
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

 (Applicant)



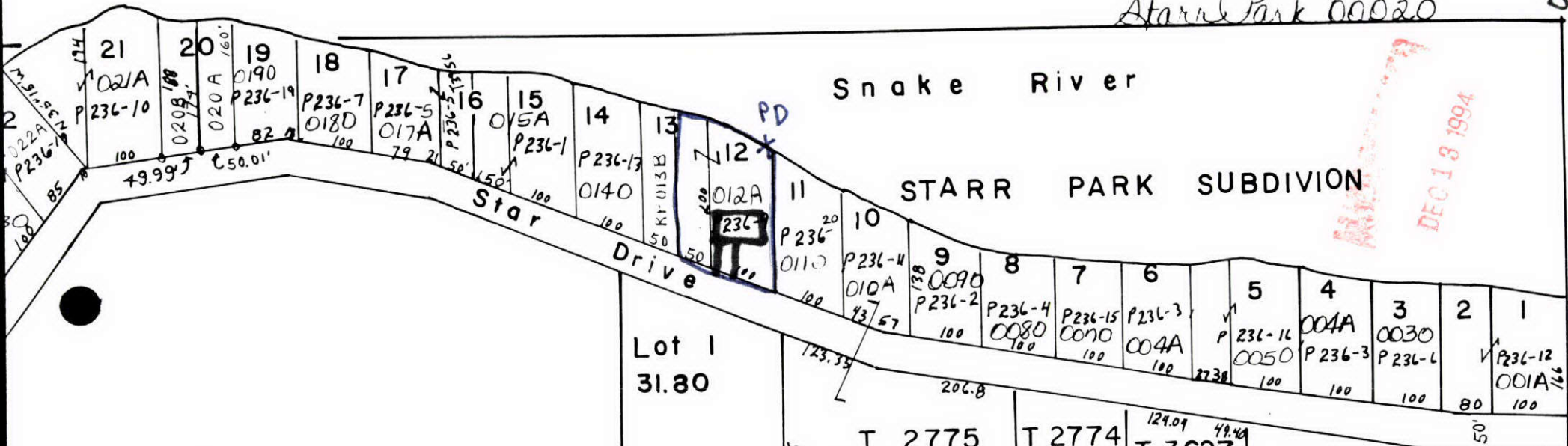
DEC 13 1994

01-07035

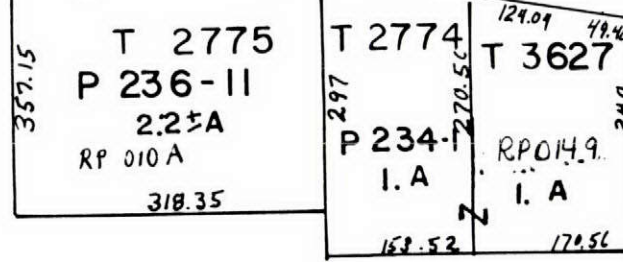
Section NE 1/4 21 Township 10 Range 22

Starr Park 00020

01-0763

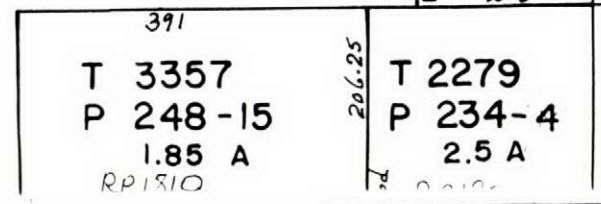
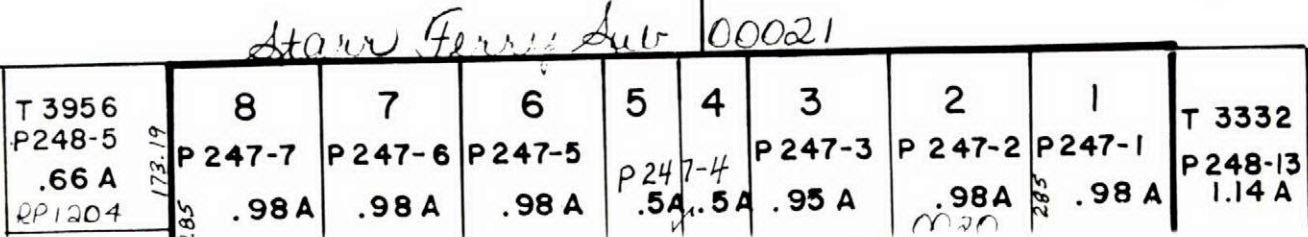
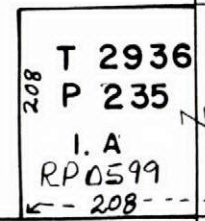


DEC 13 1994



T 6147 IN LOTS 1, 2 AND 3.

RP 0300
128.40± A TTL



COUNTY ROAD

01-7035



Diversion Works

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DEC 13 1994

01-7035



P/U

DEC 13 1994

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Donna Fitzhugh being first
duly sworn, deposes and says that she is the

clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for four
consecutive weeks, commencing with the issue
dated Sept. 25 1979, and ending
with the issue dated Oct. 2 1979

Donna Fitzhugh
Subscribed and sworn to before me
this 2nd day of Oct
1979.

Norma M. Peterson Notary Public
Cost of Publication 10.66
Notary Fee
Total Cost 10.66

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

79-296

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following ap-
plication(s) have been submitted for permit to
appropriate the public waters of the State of
Idaho:

01-7035

GONZALES, LUIS J., P.O. BOX 265, BURLEY, ID
83318, Source: SNAKE RIVER, Date Filed:
09/10/1979, Amount: 0.04 CFS, Diversion Point:
LOT 01 (NENE) Sec 21 T 10S R 22E, CASSIA Co.,
Use: IRRIGATION (0.04 CFS) from 03/15 to
11/15, Place of Use: LOT 01 (NENE) Sec 21 T 10S
R 22E FOR 1 ACRES, Diversion Means: PUMP AND
PIPELINE

If issued, the permit(s) will be subject to all
prior water rights. Protests against the granting of
any permit must be filed with the Director of the
Idaho Department of Water Resources, 1041 Blue
Lakes Blvd. North, Twin Falls, Idaho 83301 and
received on or before OCTOBER 12, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on September
25, October 2, 1979.

RECEIVED

OCT 6 1979

Department of Water Resources
Southern District Office

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 01-07035

Priority: September 10, 1979

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

2.4 AF

This is to certify, that LUIS J GONZALES

PO BOX 265

BURLEY ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 10, 1979; and has submitted Proof of Beneficial Use on August 29, 1984. An examination indicates that the works have a diversion capacity of .030 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

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	04/01 to 10/31	0.03 CFS	2.4 AF
<u>LOCATION OF POINT(S) OF DIVERSION:</u> Lot 1 (NENE), Sec. 21, Township 10S, Range 22E CASSIA County			

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

10S 22E 21

Lot 1(NENE) 0.6

0.6

Total number of acres irrigated:

0.6

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. No water may be diverted under this right until adequate supplemental water is obtained for the irrigation season when the natural flow is not available.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

DEC 13 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 01-07035

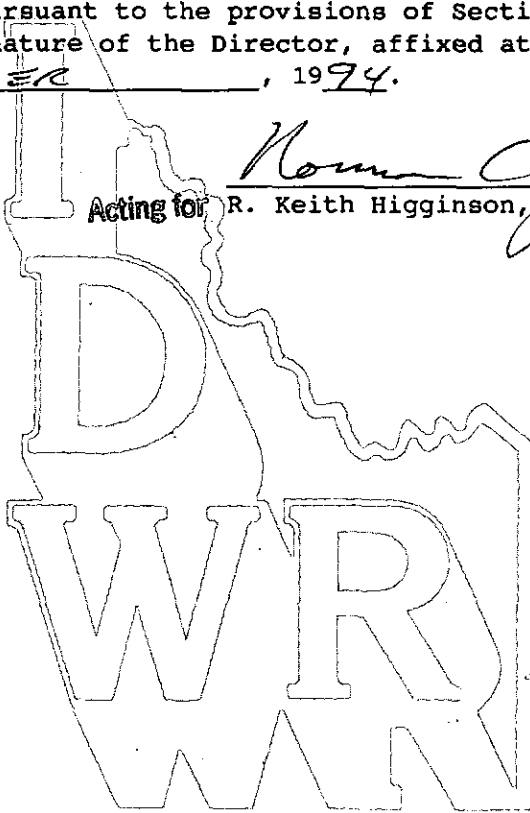
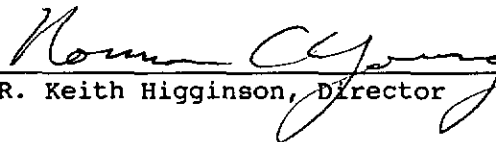
CONDITIONS/REMARKS:

8. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
9. Place of use is located within Lots 12 and 13, Starr Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9TH day of DECEMBER, 1994.

Acting for

R. Keith Higginson, Director



DEC 13 1994

Form 202-3/78
RECEIVED

Ident. No. 01-7035

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED
SEP 13 1979

Department of Water Resources
Southern District Office

To appropriate the public waters of the State of Idaho

Deposited with the State of Idaho
SEP 13 1979

1. Name of applicant Luis J. Gonzalez Phone 865-6854

Post office address P.O. Box 265, Butte, Id 83318

2. Source of water supply Snake River which is a tributary of _____

3. Location of point of diversion is (NE) ^{Lot 1} % of (NE) % of Section 21 Township 10S

Range 22E B.M. Cassia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 for irrigation purposes from MAY 15 to NOV 15 (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)

5. Total quantity to be appropriated:

a. .04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump & Pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ % of _____ % of Section _____ Township _____

Range _____ B.M.

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

(3) List number of each kind of livestock to be watered _____

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

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

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SEP 13 1979

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	22E	21	Lot 1 1																1

Total number of acres to be irrigated 1

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

Name known

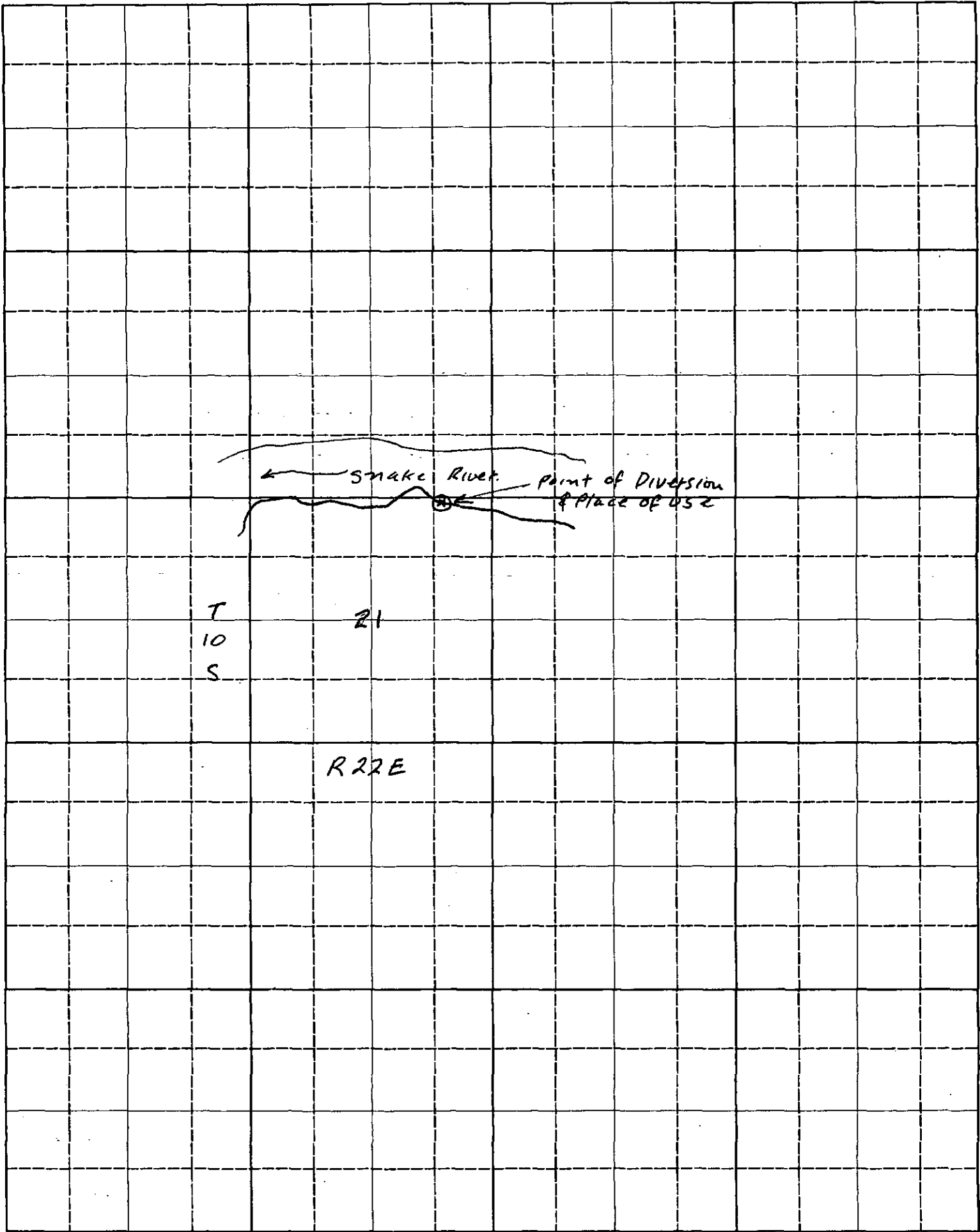
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or 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 _____

10. Remarks Property is further described as Lot 12
Star Park Subdivision

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
(Applicant)

Proposed Priority 9/10/79

Received by LH Date 9-10-79 Time 10:00 AM

Preliminary check by LH Fee \$ 20.00

Receipted by LH Date 9-10-79 # 13324

Publication prepared by marva Date 9/13/79

Published in south idaho press

Publication dates 9/25 & 10/2/79

Publication approved marva Date 10/4/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LH Jim

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. 01-7035, 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 October 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the water-master suitable control of the diversion. (2) Use of water under this permit is subject to control by the watermaster of State Water District # 01, Snake River

Witness my hand this 31st day of October, 19 79.

J. Glen Saxton
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 9, 1994

LUIS J GONZALES
PO BOX 265
BURLEY ID 83318

RE: WATER RIGHT NO. 01-07035

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED WFR
DEC 13 1994

DEC 13 1994

LICENSE REVIEW CHECKLIST



PERMIT NO. 01-07035 DATE 11-28-94

5

NAME	Yes ☒ No ☐	Or Address Change? <u>Different</u>
PRIORITY DATE	☐ ☒	Advance? ☐ Advanced to: <u>OWNED NOW. NO ASSIGNMENT HOWEVER</u>
		Order to reinstate needed? ☐
		Incorrect fee for rate recommended? <u>NA</u>
SOURCE	☐ ☒	Changes or just clarification of originally intended source? ☐
		Notice of Intent to Void necessary? ☐
POINT OF DIV	☐ ☒	Amendment needed? ☐
	☐ ☒	Overlaps? ☐
PLACE OF USE	☐ ☒	Amendment needed? ☐
	☐ ☒	Overlaps? ☐
DIV RATE	☒ ☐	Permit/fee limits: <u>.04 CFS</u>
	<u>Sprinkler</u>	Meas Q = <u>159 gpm</u> Theo Q = ☐
	<u>.03 CFS</u>	Recommend: <u>.03</u>
		<u>.6 x .03 = .02</u> <u>.6 x .04 = .024</u>
		Combined rates exceed capacity ☐
ANNUAL VOLUME	☐ ☒	Season of use: <u>4-10 (4-1 to 10-31)</u> <u>(new)</u>
		Calculations: <u>.6 x 4 = 2.4</u>
		Flow limit: ☐ cfs x ☐ x 1.9835 = ☐
		Combined volumes exceed capacity/allowable ☐
USES	☐ ☒	Change in Nature of Use or additional uses? ☐
		Amendment necessary? ☐
REMARKS	☒ <u>(11B)</u>	Multiple p/d(s) in 1/4 1/4? ☐
		Other <u>Plu within lots 12 + 13, Starr Park Sub</u>
		<u>and rental pool for Dist 01 requirement.</u>
CONDITIONS	<u>R02</u> ☐	Measuring/Locking Devices ☐
	<u>R04</u> ☐	Watermaster control - District <u>01</u>
	<u>R51</u> ☐	Irrigation Overlap ☐
	☐ ☒	Water Quality ☐
	☐ ☒	Other ☐ Heat/Cool/ Fish verified ☐

COMMENTS: Reduce rate to capacity

RECOMMENDED

Irrigation

CFS

.03

VOL

2.4

SRBA Claim Filed Being filed

Adjustment Memo Needed YES

LICENSE

1ST AMENDMENT LETTER ☒

FINAL AMENDMENT LETTER ☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 27 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 01-7035

1. Owner: Cary & Tammie Darling Phone No. 8628-9236 home
423-6564 work

Current Address: Rt. 4 Box 4109D, Burley, ID 83318

2. Accompanied by: Mr. Darling EXAM DATE: 9-8-94

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Snake River tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	<u>1</u>	<u>NW</u>	<u>NE</u>	<u>NE</u>	<u>21</u>	<u>10S</u>	<u>22E</u>	<u>Cassia</u>	

2. Place(s) of Use:

Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>10S</u>	<u>22E</u>	<u>21</u>	<u>0.6</u>																<u>0.6</u>

DEC 13 1994

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

Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	1	5KLC38PN3011	Myers	67286

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: System is mostly 3-gpm flow-control Rainbirds. Measured
26 + 32 psi in 2 heads.

DEC 13 1994

E. NARRATIVE/REMARKS/COMMENTS

Pipeline into Snake River, pump to 5 hoses for 5 movable sprinklers. Property ownership of Lot 12 & E 1/2 of Lot 13 of Starr Park Subdivision by the Darlings confirmed by Cassia Co, assessor. Permit holder (Mr. Gonzales) is no longer involved with the property - his address is unknown.

Mr. Darling stated that he bought the 1 1/2 lots together with the river pump already established. So even though the permit only mentions Lot 12, the license should be issued to cover both parcels. Total irrigated acreage is within permit limits. All is watered but home & driveway, about 0.6 acres, assumes 80% of property is watered.

Use of pump requires annual rental of stored water from District 01 watermaster.

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

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

 $5 \times 3 \text{ gpm} = 15 \text{ gpm}$. Allow 0.04 cfs permitted amount.**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.6 \times 4 = 2.4$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \times 214 \times 1.9835 = 17$$

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Irrigation	4-1	10-31	0.04	2.4
Totals:			0.04	2.4

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name J E Stanton Date 9-12-94

Reviewer _____ Date _____

* See attached explanation memo.

SEAL

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DEC 13 1994

MEMORANDUM

TO: File 01-07035 / Luis Gonzales (new owners are Cary and
Tammie Darling)

FROM: Brenda Chapman

DATE: November 25, 1994

RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced
water right are based on the information below:

H. RECOMMENDATIONS

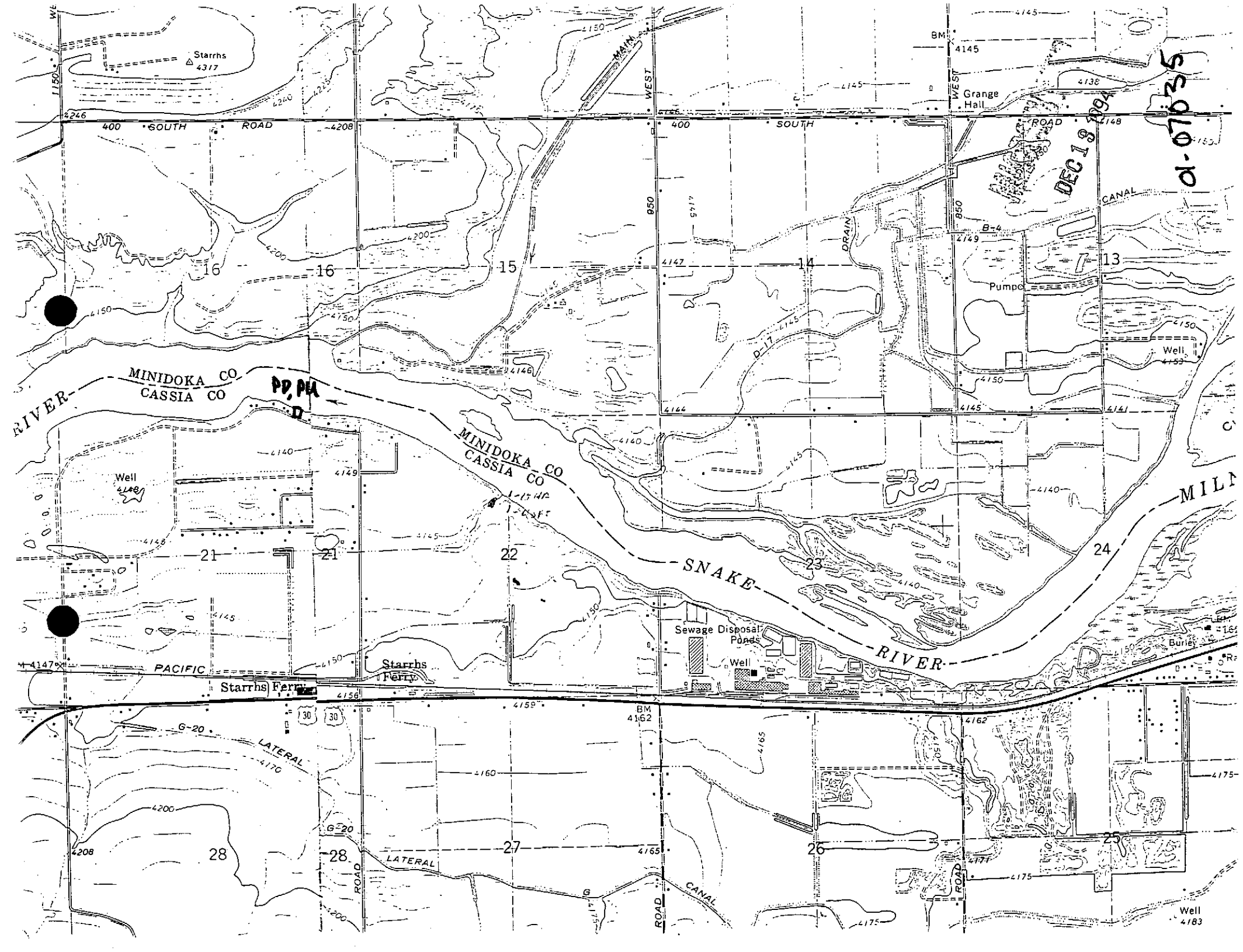
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-01 to 10-31	.03	2.4

The irrigation season dates were adjusted to the currently
used Field Headgate Requirement and Season of Use chart.

The rate was reduced to the measured capacity.

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DEC 13 1994



Section NE 1/4 21 Township 10 Range 22

Starr Park 00020

DEC 13 1994

Snake River

STARR PARK SUBDIVISION

Star Drive

Lot 1
31.80

T 2775
P 236-11
2.25A
RP 010A
318.35

T 2774
P 234-1
1.1A
152.52

T 3627
RP 014.9
1.1A
174.56

T 6147 IN LOTS 1, 2 AND 3.

RP 0300
128.40± A TTL

T 2936
P 235
1.1A
RP 0599
208

T 3357
P 248-15
1.85 A
RP 1810

T 2279
P 234-4
2.5 A

T 3956
P 248-5
.66 A
RP 1204

8
P 247-7
.98A

7
P 247-6
.98A

6
P 247-5
.98A

5
P 247-4
.5A

4
P 247-3
.95A

2
P 247-2
.98A

1
P 247-1
.98A

T 3332
P 248-13
1.14 A

Starr Ferry Sub 00021

COUNTY ROAD

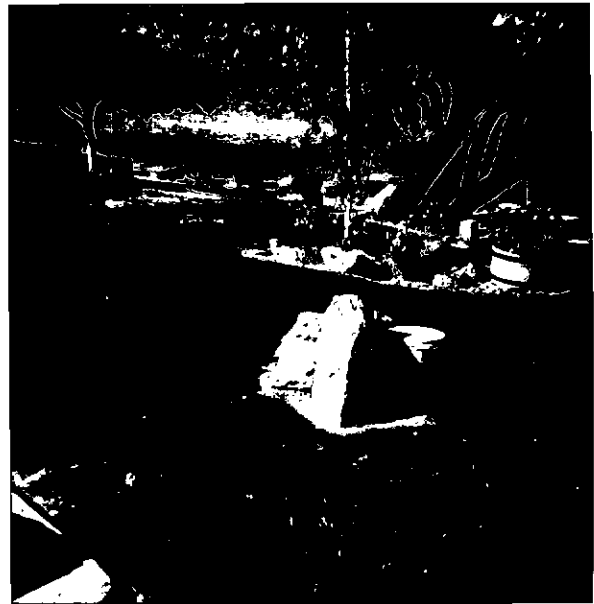
01-7035



Diversion Works

12 DEC 1994
DEC 13 1994

01-7035



P/U

DEC 13 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 21, 1994

CARY AND TAMMIE DARLING
RT 4 BOX 4109D
BURLEY ID 83318

RE: Snake River Basin Adjudication (SRBA)
Cassia County - Notice of Claim #A01-07035

Dear Mr. and Mrs. Darling:

Notice of Claim A01-07035 just reached my desk this morning.

I've been assured the license will be issued soon and sent to your address. Because we do not have an Assignment of Permit to you, the license must be issued in Gonzales' name. However, with the Notice of Claim the water right will be recommended for Decree in your name.

Before we can process your Notice of Claim, we need the filing fee of \$50.00 plus \$1.00 per acre irrigated. Please remit \$51.00 to IDWR and send it to this office.

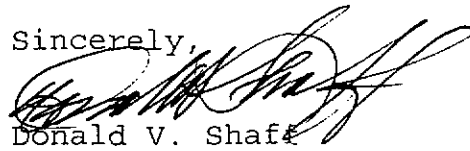
I have enclosed a form with instructions for filing on your well water as well as a pamphlet on small domestic and stockwater claims. The filing fee for this use is \$25.00.

You marked on your Notice of Claim that you want to receive the docket sheet. The docket sheet can be requested from the SRBA Court by calling 208/736-3011.

Upon receipt of your filing fee(s) we will process Notice of Claim A01-07035 and send you a copy for your records.

Please contact me at 208/327-7932 if you have any questions.

Sincerely,


Donald V. Shaff
Manager, Adjudication Section

DVS:ss:state:region:tf
Enclosures:
Short Form w/Instructions
D&S Quick Guide
cc: B. Chapman

DEC 13 1994

ACTION REQUIRED

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MAY 13 1994

Department of Water Resources

FROM: Jim, Southern

TO: Cindy Zimmerman 5-12-94

Looks like a problem for you. Licensing exam has not been done on this; file is still in Southern. I don't think we can change permittee without assignment from original owner, who is long gone. But since we already told people that everything was OK and that nothing needed to be done, maybe we would make an exception here. Permit looks ~~OK~~ OK, just needing an exam. Appears to ^{NOT} be question of permit validity, just of ownership. Thanks.



April 27, 1994

Mr. Jim Stanton
State of Idaho
Department of Water Resources
222 Shoshone East
Twin Falls ID 83301

RECEIVED
APR 29 1994
Department of Water Resources
Southern Region Office

Ref: Water Right Number 01-07035

Dear Mr. Stanton,

We recently purchased a home on the snake river from Thomas and Carmen Yadon. Included in the contract was a water right. Mr. Larry Roberts of Land Title & Escrow contacted the IDWR, namely Wendy Murphy, to find out what needed to be done to get this water right in our name. Ms. Murphy responded that nothing needed done, that the water right was pertinent to the ground. (Copies of these letters are attached.)

Since that time I've been in contact with Wendy Murphy, Gregory Taylor, and Frank Hitchcock of IDWR to find out why we haven't received anything on the water right. This has turned out to be a complicated matter, but my understanding is that something called 'an assignment' did in fact need done. That in fact it is still in the name of the original owner, Mr. Luis J. Gonzales. Mr. Gonzales' last known address was in Henderson, NV.

Since so many years have passed, we are requesting that you change the water right into our name without further complications if at all possible.

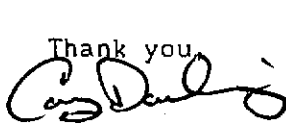
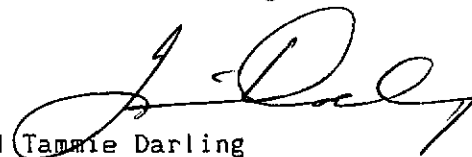
I'm not sure who 'dropped the ball' on these 'assignments'; all I know is that when we bought the home, we were told by everyone, including IDWR that everything was done that needed done.

Please advise as soon as possible. We would really like this matter taken care of before Mrs. Yadon, whom we bought the property from, moves to New Mexico in May in case her assistance is needed.

We have also enclosed the completed 'Notice of Claim' that Gregory Taylor sent us to fill out.

We also would like to put in a claim on the well water on the property. Would you please send us the paperwork needed to complete this. I believe Mr. Hitchcock said we would need to get that from his office.

Thank you,


Cary Darling and  Tammie Darling

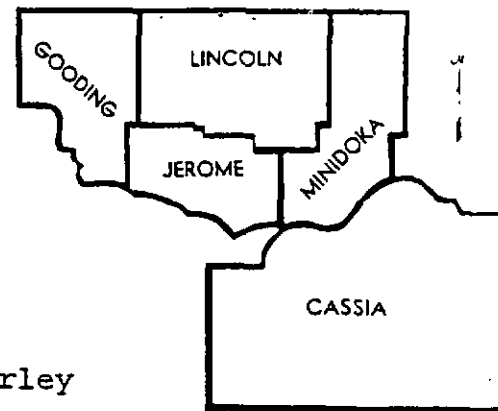
Enclosures

cc: Mr. Frank Hitchcock

DEC 13 1994

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: Burley
OFFICE:

February 8, 1994

Mr. Ronald D. Carlson
Watermaster
State of Idaho
Water District #1
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Re: Tom Yadon

Dear Mr. Carlson:

Enclosed is a copy of a statement for the water that Mr. Yadon has provided for me. He is in the process of selling his property in Burley, Cassia County, Idaho that is in within Water District #1.

I am unaware of what type of water right this is and perhaps you can either inform me of what type of water right it is and if it can be transferred and what the procedure is or direct me to someone in the State of Idaho Department of Water that can advise me as to this water right.

Thank you for your assistance.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Larry Roberts
Manager

LR/tel
enc.

COPY
RECEIVED

APR 29 1994
Department of Water Resources
Southern Region Office

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3324 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8861

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 1199

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DEC 13 1994



State of Idaho

Water District 1

RONALD CARLSON
WATERMASTER
(208) 525-7172

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

COPY

COMMITTEE OF NINE

CHAIRMAN
Paul Berggren
Blackfoot

VICE CHAIRMAN
Jim Shawver
Eden

SECRETARY
Reed Murdock
Blackfoot

Jeff Marotz
Ashton

Reed Oldham
Rexburg

Claude Storer
Idaho Falls

Dale Rockwood
Idaho Falls

Leonard Beck
Burley

Robert Schaer
Buhl

ALTERNATE
Dave Rydatch
St. Anthony

ADVISORY
Murtie Kunz
Victor

Larry Moore
Heyburn

Jim Bright
Murtaugh

Richard Oneida
Shoshone

John Resholt
Twin Falls

R. Keith Higginson
Boise

July 15, 1991

Tom Yadon

IN ACCOUNT WITH:
WATER DISTRICT NO. 1
150 Shoup, Suite 15
Idaho Falls, Idaho 83402

Delivery of 4 24-hour second feet
of water during the 1990 irrigation season:

1990 Charge	\$ <u>20.00</u>
1989 Balance	\$ <u> </u>
1990 Total Amount Due	\$ <u>20.00</u>

Please make check payable to: Water District 1.

RONALD D. CARLSON
Watermaster

DEC 13 1994

Attn: Watermaster
Copy
1993
20.00
Water District

COPY

February 18, 1994

Larry Roberts
Land Title and Escrow, Inc.
P.O. Box 177
Burley, ID 83318

Re: Ton Yadon

Dear Mr. Roberts:

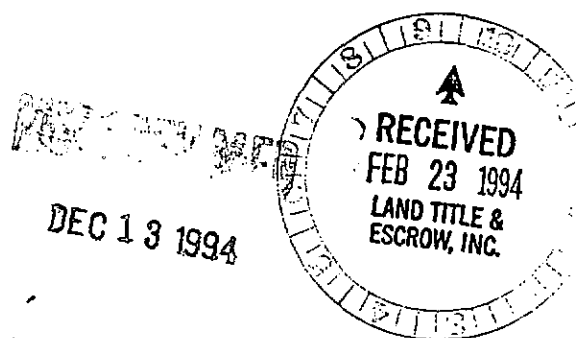
Enclosed is a copy of the water right attached to Mr. Yadon property. Water Resources required no action to change the water right, it is pertinent to the ground. However, Water District 01 would need to be informed of the new owner's name and address in order to correct our billing.

We have since moved from the 150 Shoup address and are now located at 900 N. Skyline Dr., Idaho Falls, Idaho.

Very truly yours,

Wendy Murphy
Adm. Assistant

enclosure



Water Right Number - 01-07035

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GONZALES

LUIS J.

1 - P. O. BOX 265

2 -

3 -

City- BURLEY

Phone -

State- ID Zip- 83318

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/10/1979 17 SOUTHERN P - PERMIT

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
SNAKE RIVER

Point of Diversion						Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County		
10S	22E	21	NE NE	1		(31) CASSIA		

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	0.040	

+ - Total Div. Rate - + . + - Total Div. Volume - + + - Total Div. Capacity - +
0.040

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
10S	22E	21	NE NE	1	1.0	01 IRRIGATION		(31) CASSIA
Total Acres:					1.0			

+ - - Diversion Means - PUMP AND PIPELINE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
FURTHER DESCRIBED AS LOT 12 STARR PARK SUBDIVISION

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
01D - A lockable device, subject to the approval of the Department,
- shall be installed on the diverting works in a manner that will
- provide the watermaster suitable control of the diversion.
005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. &DISTRICT.

DEC 13 1994

C 1994

Department of Water Resources
Cassia County

RECEIVED
FEB 9 1994
Department of Water Resources
Eastern District Office

COPY

202656

WARRANTY DEED

For Value Received

LUIS JOEL GONZALEZ, also known as LUIS GONZALEZ, and NINA GONZALEZ,
husband and wife

the grantors do hereby grant, bargain, sell and convey unto
THOMAS E. YADON and CARMEN YADON, husband and wife

COPY

the grantees, the following described premises, to-wit:

Lot 12 and the E $\frac{1}{2}$ of Lot 13 in the STAR PARK SUBDIVISION, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of the County of Cassia, State of Idaho.

SUBJECT TO:

General taxes for the year 1989, and subsequent years.

Declarations Imposing Restrictions and Agreements, as to STAR PARK SUBDIVISION, recorded June 30, 1961 as Instrument No. 2366 on Film No. 7, records of Cassia County, Idaho.

Grantees herein jointly and severally hereby assume and covenant to perform all the terms and conditions of the obligation set forth in that certain Promissory Note executed by Luis Joel Gonzalez and Nina Gonzalez, husband and wife and delivered to Cameron-Brown Company in the amount of \$70,065.00, dated June 9, 1986 and that certain Deed of Trust, securing said Promissory Note of even date therewith, upon the property conveyed in the deed, which Deed of Trust is recorded on June 13, 1986 as Instrument No. 179066 on Film No. 181, records of Cassia County, Idaho, including, but not limited to, the obligation to repay the debt.

Recorded to and platified by me
5 day of July 1989
E. J. O'Connell

Recorder Cassia County

By Bm
Clerk

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as above described, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 1, 1989

RECORDED

DEC 13 1994

Luis Joel Gonzalez
LUIS JOEL GONZALEZ, aka
LUIS GONZALEZ

Nina Gonzalez
NINA GONZALEZ



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

June 18, 1985

Luis J. Gonzalez
P.O. Box 265
Burley, ID 83318

Re: Water Right Identification No. 01-7035

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

- ☒ Proof of beneficial use has already been submitted for the water right.
- ☐ Proof of beneficial use is not applicable for existing licensed rights.
- ☐ Proof of beneficial use is not applicable for existing decreed rights.
- ☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.
- ☐ Other:

Sincerely,

RITA I. FLECK

Secretary/Records Manager

Enclosure

cc: Region

DEC 13 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 01-7035
Name(s) of Permit Holder(s): Luis & Diana Gonzalez
Post Office Address: P.O. 265 Butte IDA
Tel. No. 678-4167

☒ I hereby certify that construction of diversion works for the above referenced permit began on Nov 11 1979 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

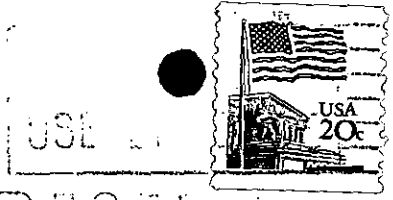
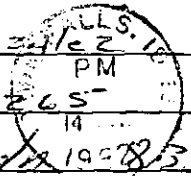
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:
DEC 13 1994

*Note: A financing difficulty is not an acceptable reason.

7-12-82
Date

[Signature]
Signature of Permit Holder

Luis J. Gonzalez
P.O. Box 265
Burley ID 83318



REGISTERED MAIL

JUL 15 1994

U.S. MAIL PERMIT NO. 1000 BOISE, IDAHO



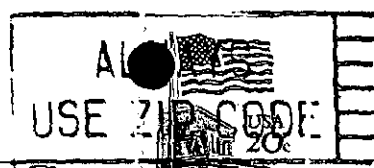
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEC 13 1994

Luis J. Gonzalez

P.O. Box 265

Burley Id



RECEIVED

AUG 29 1984



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

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. 01-7035

Name(s) of Permit Holder: Luis J. Gonzalez

Post Office Address: P.O. Box 265

Burley Id

Tel. No. 678-4167

Source of Water: Snake River

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation .64 (acres)
☐ Other _____

Measuring Device: ^{lockable} 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.

08/06/84

Date

MICROFILMED

Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138053

GONZALES, LUIS J.
P. O. BOX 265
BURLEY, ID 83318

PROOF DUE NOTICE

JULY 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 01-7035 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

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

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

November 1, 1979

Luis J. Gonzales
P.O. Box 265
Burley, Idaho 83318

Dear Mr. Gonzales,

RE: Permit No. 01-7035

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page. Be sure to note the special condition requiring you to install a lockable device on your diverting works.

Please be advised that there is insufficient natural flow available in the Snake River and tributaries to provide water for a new appropriation throughout the entire season of use.

During the spring run-off each year, there may be a period of time in which the prior rights to the use of natural flow and storage are filled leaving water available for your later-in-time permit. As the natural flow diminishes, however, there would be no water available for your right unless you had arranged for an additional source of water as a supplemental supply.

This information is provided so that you will not be misled into thinking that this permit will provide sufficient water through the entire season of use. If you have any questions regarding this matter, please feel free to contact this office.

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 water 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.

MICROFILMED

Page 2
Permit No. 01-7035

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

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

DRT:mr

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

Gonzales, Luis J.

INITIAL REVIEW BY:

J. E. Stanton

APPLICATION NUMBER:

01-7035

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____

Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

☐ Yes ☒ No Platted by: _____ Map No. _____

☐ Yes ☐ No Other rights on same place of use. _____

☒ Yes ☐ No* In form for advertising.

Final date for protests: 10/12/79

☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 10/4/79

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☒ Yes ☐ No Measuring device required.

☒ Yes ☐ No Access port required.

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

☒ 9-10-79 Date of priority recommended.

Special conditions of approval or cover letter.

In order to obtain an adequate water supply under this Permit the Permit holder must store water from the water district 01 rental pool.

By: Loren O. Hahner

Date: 10-25-79

STATE OFFICE REVIEW:

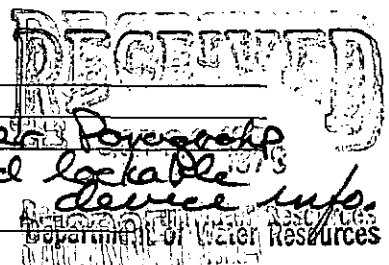
OID, (01, Snake River)

Shout river letter w/ Idaho Power Program and lockable device info.

☐ See attached sheet for more information.

By: Jm

Date: 10/29/79



SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss.

STATE OF IDAHO)

Donna Fitzhugh being first

duly sworn, deposes and says that she is the

clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two

consecutive weeks, commencing with the issue

dated Sept. 25 1979, and ending

with the issue dated Oct. 2 1979

Donna Fitzhugh
Subscribed and sworn to before me

this 2nd day of Oct

1979

James M. Peterson Notary Public

Cost of Publication 10.66

Notary Fee _____

Total Cost 10.66

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

79-296

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

01-7035

GONZALES, LUIS J., P.O. BOX 265, BURLEY, ID 83318, Source: SNAKE RIVER, Date Filed: 09/10/1979, Amount: 0.04 CFS, Diversion Point: LOT 01 (NENE) Sec 21 T 10S R 22E, CASSIA Co., Use: IRRIGATION (0.04 CFS) from 03/15 to 11/15, Place of Use: LOT 01 (NENE) Sec 21 T 10S R 22E FOR 1 ACRES, Diversion Means: PUMP AND PIPELINE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before OCTOBER 12, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on September 25, October 2, 1979.

RECEIVED

OCT 2 1979

Department of Water Resources
Southern District Office

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

01-2035-

GONZALES, LUIS J.

P. O. BOX 265, BURLEY, ID 83318

Source: SNAKE RIVER

Date Filed: 09/10/1979

Amount: 0.04 CFS

Diversion Point: LOT 01 (NENE) Sec 21 T 10S R 22E, CASSIA Co.

Use: IRRIGATION (0.04 CFS) from 03/15 to 11/15

Place of Use: LOT 01 (NENE) Sec 21 T 10S R 22E FOR 1 ACRES

Diversion Means: PUMP AND PIPELINE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before OCTOBER 12, 1979.

C. STEPHEN ALLRED

Director

Published 9/25 & 10/2/79.

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OCT 11 1979

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

SEPTEMBER 13, 1979

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 12, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED
SEP 17 1979