

Form 304
4/88

RECEIVED
FEB 12 1990

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

For Office Use Only
\$15 FEE Incurred by 221

Date 2-5-90
FEB 05 1990

Department of Water Resources
Eastern District Office

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted
an additional period of time in which to complete development of a water right under the provisions of Section
42-204, Idaho Code.

Permit No. 73-7102 Drill Permit 73-89 E001

Name(s) of Permit Holder: Pines Grazing Assn

Post Office Address: May ID, 83253

Telephone No. _____

Date Proof is Due: Jan 1 1990

Description of work has been completed toward the development of this water right: well being
(This must be filled out if no work has been completed, show "none".)

re-drilled

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Drought - & Finances The well relies on shallow
gravel aquifer 4 year drought, well being
re worked to increase capacity & efficiency

Permit holder(s) request an extension to JAN, 1992 Blaine St. Denny
(1 yr. minimum) (Signature)

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to January 1, 1992.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to
December 10, 1984, pursuant to Sec. 42-218a, Idaho Code.

Signed this 19 day of March, 19 90.

J. Allen Snyton
Chief, Water Allocation Bureau

Form 300
3-59

File No. 73-7102

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant PINES GRAZING ASSN. Phone 663-1621

Post office address Box ID 63253

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1 Township 13N

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

4. Water will be used for the following purposes:

Amount 4.8 for Irrigation purposes from 1-1 to 11-1 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. 4.8 cubic feet per second and/or b. _____ acre-feet per season.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump and sprinkler system

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

capacity _____ acre-feet, materials used in storage dam: _____

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

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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ 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: _____

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

[illegible]

Total number of acres to be irrigated 240

c. Describe any other water rights used for the same purposes as described above. None 73-2165

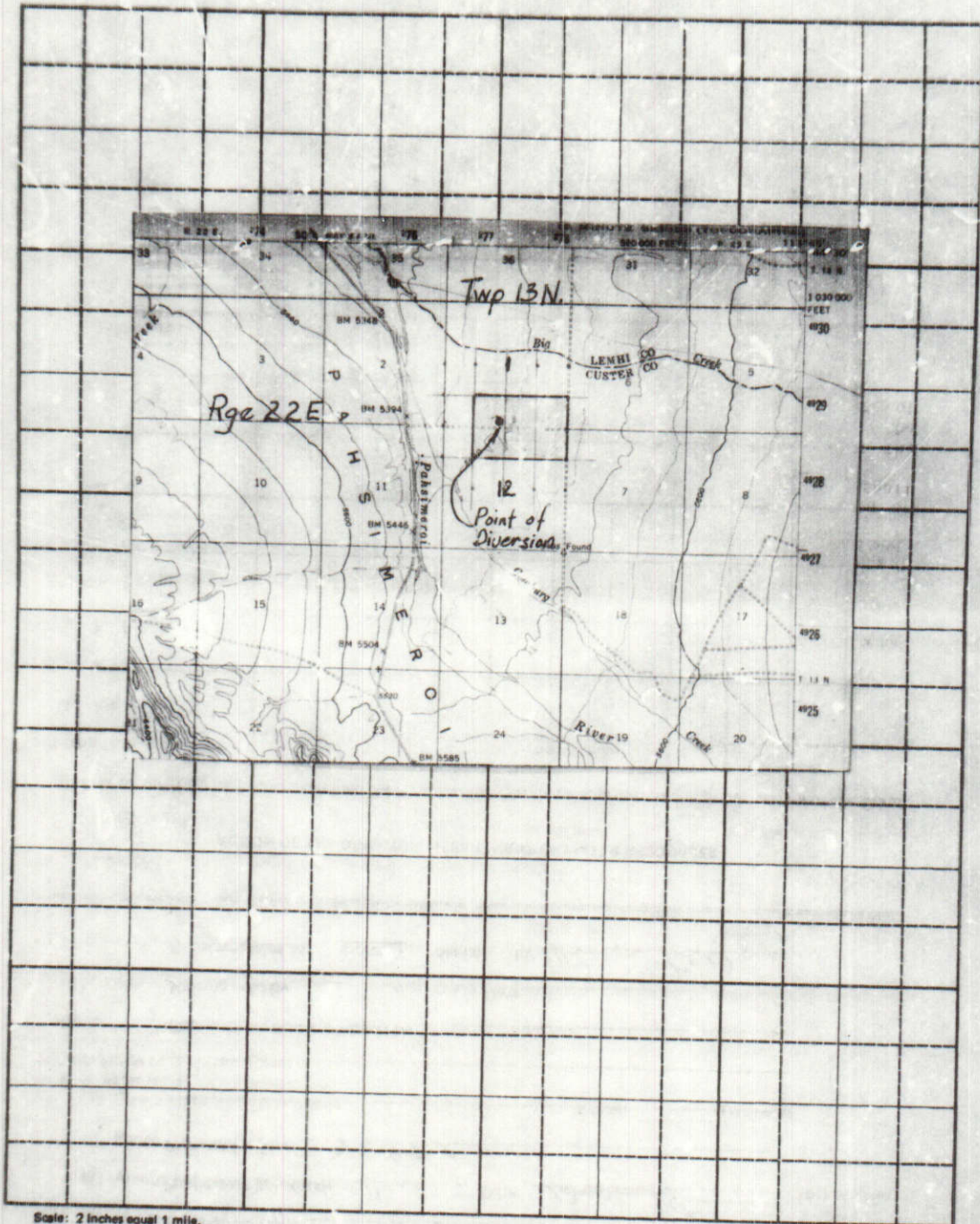
9. a. Who owns the property at the point of diversion Pines Grazing Association

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

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

10. Remarks

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.

Blaine Down
(Applicant)

Expedited Priority 11/5/84

Received by EMC Date 11/5/84 Time 4:45

Preliminary check by BW Fee \$ 125.00 # 34332

Received by CRJ Date 11-5-84

Publication prepared by CRJ Date 11-14-84

Published in Custer Co. Publishing Company

Publication dates November 22 & 29, 1984

Publication approved CW Date 12-06-84

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC CW

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. 73-7102, 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 January 1, 19 90.

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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 3rd day of January, 1985.

J. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

1. Margaret T. Parks
Publisher of the Challis Messenger, a
weekly newspaper, published at Challis,
Idaho, do solemnly swear that the notice
hereto attached and made a part hereof,
was published in the regular and entire
issue of the Challis Messenger for, 2
consecutive weeks, commencing with
the issue dated Nov. 22
19. 84 and ending with the issue
dated Nov. 29, 19. 84.

Margaret Parks
Subscribed and sworn to before
this 30th day of November
19. 84

Ethel M. Peck
Notary Public, residing at Challis,
Idaho. My commission expires on

Life

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
73-7101
PINES GRAZING ASSN.
MAY, ID 8223
Source: GROUNDWATER
Date Filed: 11/05/1984
Diversion Pt: SESE Sec 01 T 11N R
21E
Use: IRRIGATION (4.50 CFS)
In: SESE Sec 01 T 11N R
R 24E NENE NWNE NENEW Sec 12 T
11N R 2E FOR 245 ACRES
73-7104
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE, 3200
AMERICAN TERRACE, BOISE,
ID 83706
Source: SPRING trib to SUNSET
CREEK
Date Filed: 11/06/1984
Diversion Pt: SESE Sec 34 T 11N R
23E
Use: STOCK WATER (0.01 CFS)
WILDLIFE (0.01 CFS)
In: NENE Sec 27 T 11N R 12E
The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, 100 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83401 on
or before DECEMBER 10, 1984.
KIM DUNE, Dir.
Published: 11/22/84 11/29/84

RECEIVED

DEC 3 1984

Department of Water Resources
Eastern District Office

73-7102

PINES GRAZING ASSN.

MAY, ID 63253

Source: GROUNDWATER

Date Filed: 11/05/1984

Diversion Pt: SESW Sec 01 T 13N R 22E

Use: IRRIGATION (4.80 CFS)

In: SESW SWSE SESE Sec 01 T 13N R 22E NENE NWNE NENW Sec 12 T 13N R 22E
FOR 240 ACRES

NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
73-7102
PINES GRAZING ASSN.
MAY, ID 63253
Source: GROUNDWATER
Date Filed: 11/05/1984
Diversion Pt: SESW Sec 01 T 13N R
22E
Use: IRRIGATION (4.80 CFS)
In: SESW SWSE SESE Sec 01 T 13N
R 22E NENE NWNE NENW Sec 12 T
13N R 22E FOR 240 ACRES

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

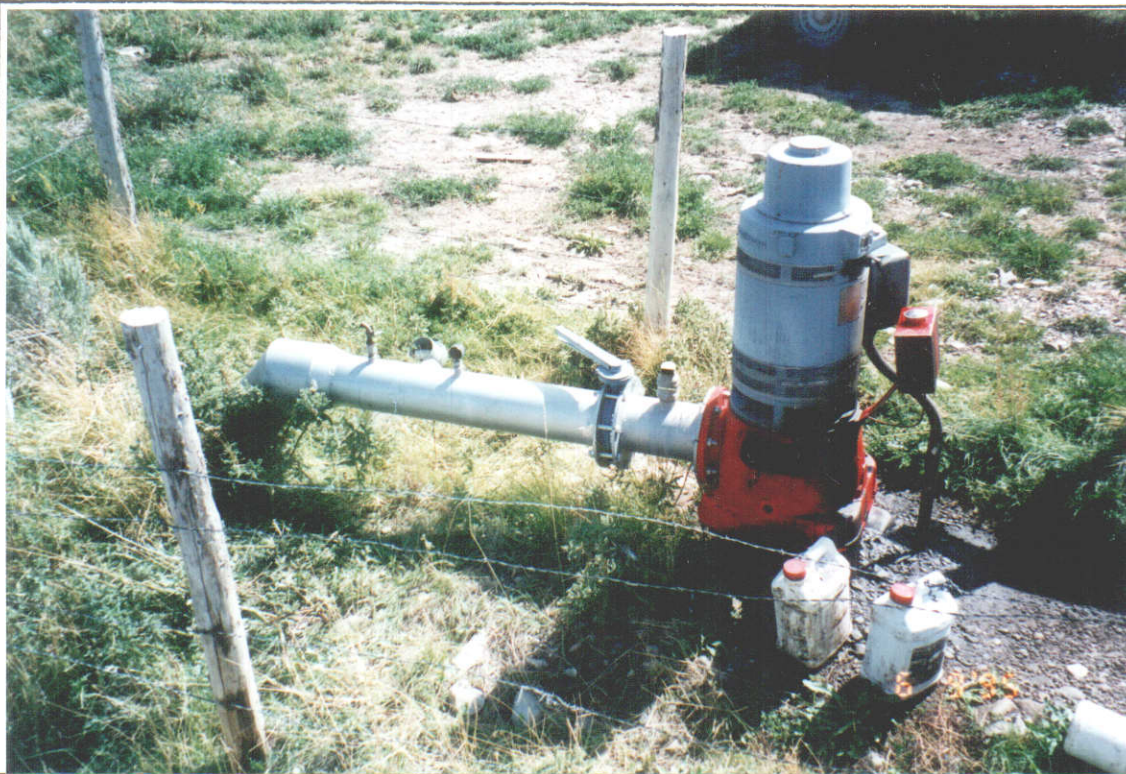
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before DECEMBER 10, 1984.

KEN DUNN, Dir.

Published 11/22 & 11/29/84.

PINES GRAZING ASSN.
IRRIGATION

10/1



VIEW OF
WELL + PUMP
POINT OF
DIVERSION

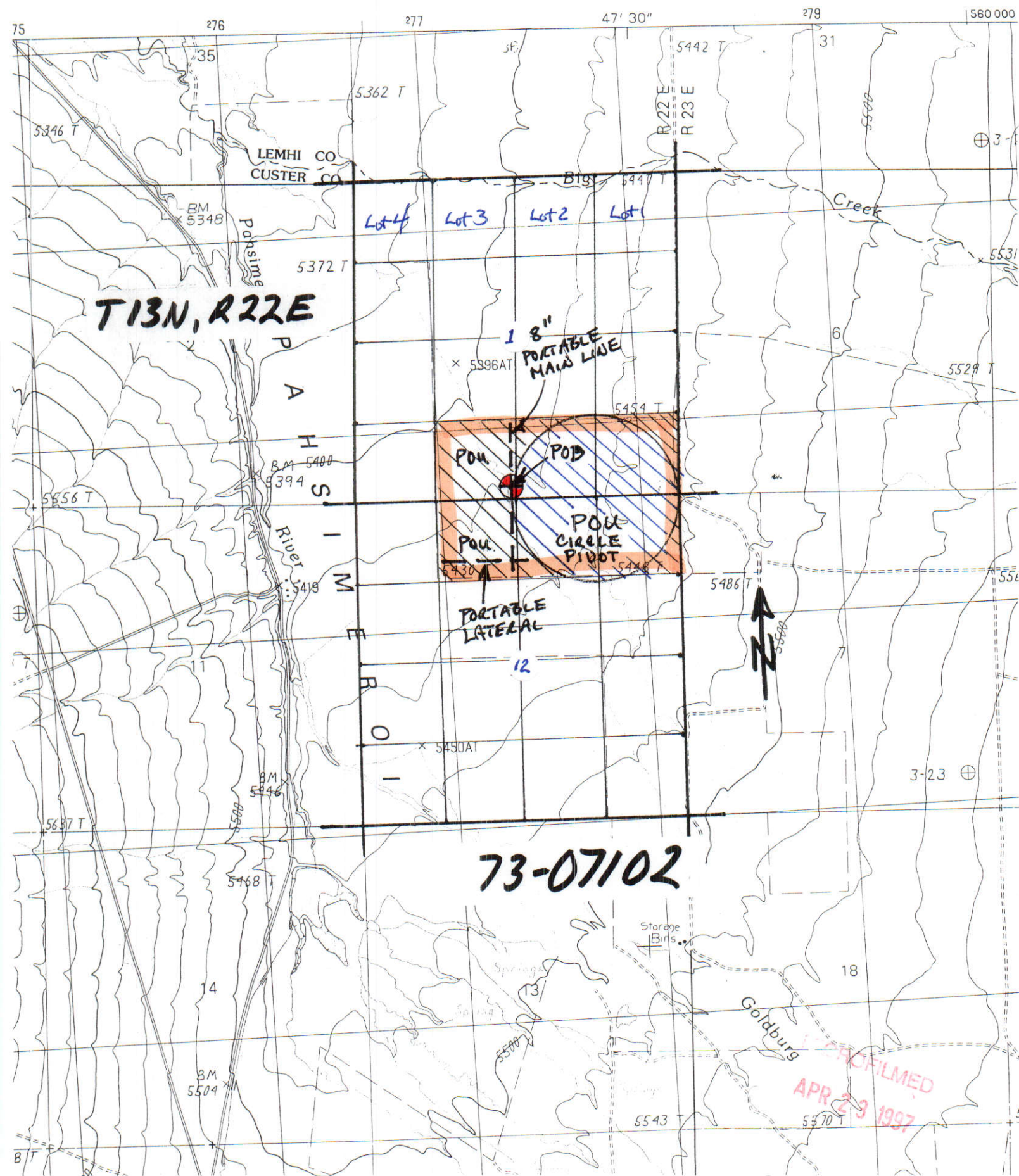


VIEW OF
CIRCLE
PIVOT
PLACE OF
USE

RECORDED
APR 23 1997

73-07102

7.5 M



I certify that file No. 73-07102
has been reviewed and is ready to be MICROFILMED
and DESTROYED.

Burda Miller
Signature

4-17-92
Date

The attached proof report is the water right as it appeared in the database
prior to the final status and deletion from the database.

NR3808NP
(89-36)

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/08/92 00:45:06
Page 1

Water Right Number - 73-07102

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
PINES GRAZING ASSN.

1 -
2 -
3 -
City- MAY
Phone -

State- ID Zip- 83253

+ - - Priority Date - - +
12/10/1984

+ - - Region - - - +
15 EASTERN

+ - - Stage - - - +
P - PERMIT

+ - - Status - - - +

+ - - Source - - - - -
GROUNDWATER

+ - - Tributary - - - - -

+ - - Point of Diversion - - - - -
Stream Index (Blank if no Index Code)
Turn Rng Sec Tract Lot RFlg County
13N 22E 1 SE SW (37) CUSTER

+ - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 01/01 11/01 4.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
4.800

+ - - Place of Use - - - - -
Turn Rng Sec Tract Lot Acres Code Description County
13N 22E 1 SE SW 40.0 01 IRRIGATION (37) CUSTER
13N 22E 1 SW SE 40.0 01 IRRIGATION (37) CUSTER
13N 22E 1 SE SE 40.0 01 IRRIGATION (37) CUSTER
13N 22E 12 NE NE 40.0 01 IRRIGATION (37) CUSTER
13N 22E 12 NW NE 40.0 01 IRRIGATION (37) CUSTER
13N 22E 12 NE NW 40.0 01 IRRIGATION (37) CUSTER

Total Acres: 240.0

+ - - Diversion Means - PUMP & SPRINKLER SYSTEM.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - -
No Remarks found.

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

WR3600W
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/08/92 00:45:06
Page 2

Water right number - 73-07102

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +
026 - Permit holder shall commence the excavation or construction of
- diverting works within one year of the date this permit is issued
- and shall proceed diligently until the project is complete.
01C - A flow measurement port or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 01/06/1992 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

+ - - Audit Fields - 06/06/85 05/22/88 CONVERT 03/26/90 CURTIS 01/06/92 COMMENTS

+ - - - - Water Rights Dates and Flags Area - - - - - +
Proof Due Date - 01/01/1992 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 01/03/1985 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - Water District -
Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended -
Decree Date - 00/00/0000 Presumption Flag -

PINES GRAZING ASSN.
MAY ID 83253

January 6, 1992

RE: PERMIT NO. 73-07102 LAPSE NOTICE

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated October 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1/6/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

LG

138231
October 31, 1991

PINES GRAZING ASSN.
MAY ID 83253

PROOF DUE NOTICE

RE: PERMIT NO. 73-07102

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Mina Shields
Secretary/Records Manager

Enclosures

March 22, 1990

Pines Grazing Assn.
May, ID 83253

Gentlemen:

Re: Permit No. 73-7102

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to January 1, 1992. Note that the extension has been reinstated with an advance in priority, since the extension was received after the proof of beneficial use date.

Note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

PINES GRAZING ASSN.
MAY, ID 83253

January 10, 1990

RE: PERMIT NO. 73-07102 LAPSE NOTICE

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated October 31, 1989.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

L. GLEN SEXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 1-15-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



130031
128822

October 31, 1989

PINES GRAZING ASSN.
MAY, ID 83253

PROOF DUE NOTICE

RE: PERMIT NO. 73-07102

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

January 13, 1985

RE: Permit No. 73-7102

Pine's Grazing Assn.
May, ID 83253

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

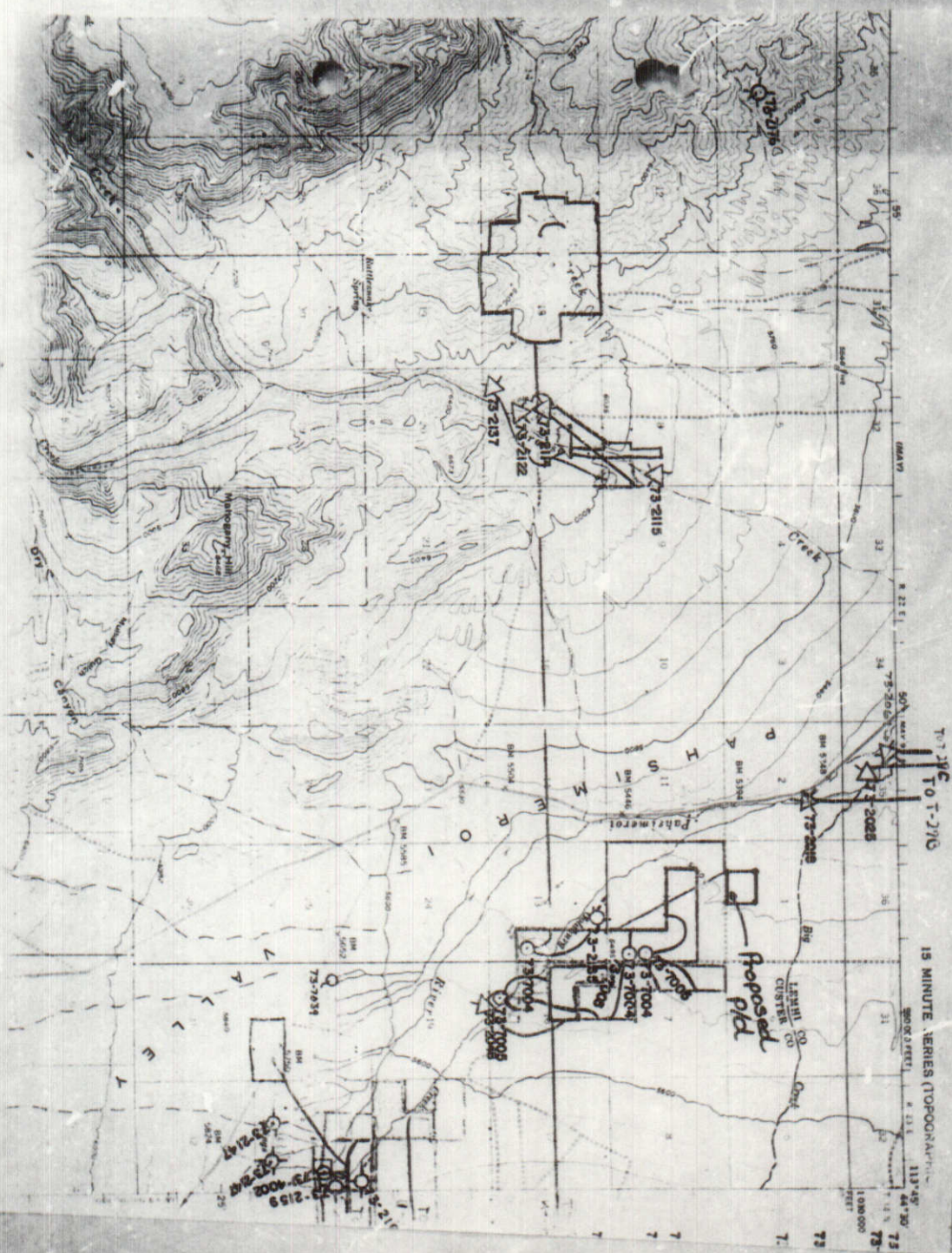
We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

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

DRT:sc

Enclosures



State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. E. RAMSEY APPLICATION NUMBER: 73-7102
CHECK: NOV 5 1984

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

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 73-2165
☒ Yes ☐ No* In form for advertising.
Final date for protests: 12-10-84
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12-03-84
☒ 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? 73
11-05-84 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: Dec 19, 1984

STATE OFFICE REVIEW:

105,103,417

26 OIC

☐ See attached sheet for more information.
By: EW

Date: 12/28/84

RECEIVED
DEC 26 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 14, 1984

Custer County Publishing Co.
P. O. Box 405
Challis, Idaho 83226

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 billings to this office before DECEMBER 10, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 73-07102

Priority: September 17, 1992

Maximum Diversion Rate:

1.65 CFS

Maximum Diversion Volume:

598.9 AF

This is to certify, that PINES GRAZING ASSN

MAY ID 83253

has complied with the terms and conditions

of the permit, issued pursuant to Application for Permit dated November 5, 1984; and has submitted Proof of Beneficial Use on September 17, 1992. An examination indicates that the works have a diversion capacity of 1.650 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	1.65 CFS	598.9 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 1, Township 13N, Range 22E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N	22E	1	SESW 40	SWSE 40	SESE 40	120	
		12	NENE 40	NWNE 40	NENW 40	120	

Total number of acres irrigated: 240

CONDITIONS OF APPROVAL AND REMARKS

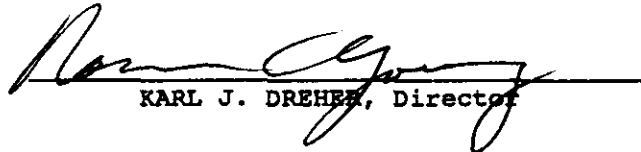
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 73-07102

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 14TH
day of April, 1977.


KARL J. DREHER, Director



4-14-77
73-07102

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 73-07102	)	
	)	ORDER OF
IN THE NAME OF PINES GRAZING ASSN	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On January 3, 1985, the Director of the Department of Water Resources issued Permit No. 73-07102 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before January 1, 1990.

2. On March 19, 1990, the Department granted an extension of time, extending the proof due date to January 1, 1992.

3. On October 31, 1991, the Department sent a proof due notice to the permit holder.

4. On January 6, 1992, the Department sent a lapse notice to the permit holder.

5. On September 17, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

6. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

7. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes a well log dated February 5, 1990. Evidence also includes an invoice dated February 12, 1990 for testing of the pump on this well.

8. The permit holder stated, in correspondence to the Department, that the Pines Grazing Assn. had a change of secretary and manager. Because of this change in management, the organization missed the required filing deadlines. **RECEIVED**

DEC 10 1992

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 73-07102 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to September 17, 1992.

Dated this 16th day of November, 1992.



L. GLEN SAXTON

Chief, Water Allocation Bureau

RECEIVED

SEP 10 1992

RECEIVED

SEP 17 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 73-07102 Telephone No. 663-4621

Name(s) of Permit Holder(s): Pines Grazing Assn

Post Office Address: May, Idaho 83253

Source of Water: Groundwater

If ground water, well driller's name: Bamus Date drilled: Spring 1989

Extent of Use:
Domestic _____ (No. of households) Irrigation 240 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 4.8 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Spring 1989

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

Fee Enclosed: \$ 200.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Blaine K Downs 663-4621
Name Telephone No.

1366 N 1400E Hamer Idaho 83425
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECORDED

1010 1992

9-11-92 Blaine K Downs Member
Date Signature (and title if on behalf of a company or organization)

73-89E-001

State of Idaho
Department of Water Resources

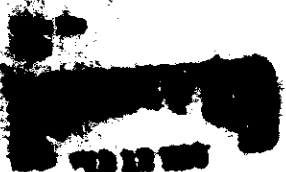
LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single ownership
domestic use or stockwater use of
less than 13,000 gallons per day.



UNITED STATES
DEPARTMENT OF THE INTERIOR
REPORT FOR EXTENSION OF TIME

To extend approval time in which to make proof of discovery and for a later right survey

Department of the Interior

The State Department of the Interior will consider this form as a request that the Department will extend the period of time in which to complete development of a later right and the time in which to make proof of discovery and for a later right survey.

Case No. 73-7102 Drill Permit 73-7102

Name of Party Interest Price Grazing Assn

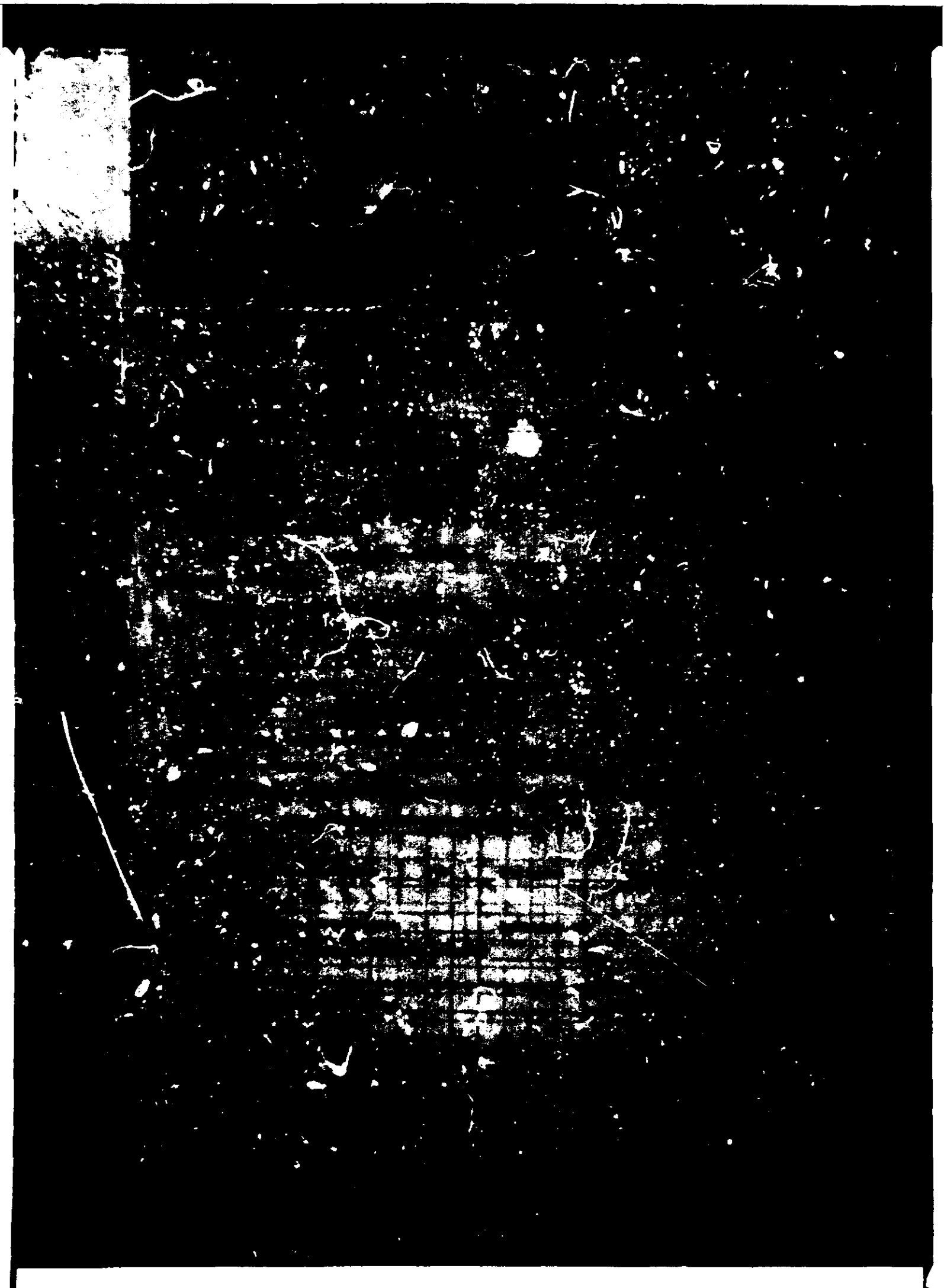
Map Reference Map No. 63263

Telephone No. _____

Excluded to Date Dec 1 1980

Excluded area has been completed except the extension of this later right yes
 (If not to check out of the area has been completed, then check no)

no



b. If word is for brevity, indicate merge in each subdivision in the "indicator" below:

[illegible]

Total number of acres to be irrigated 240

c. Describe any other water rights used for the same purposes as described above. None 73-2165

9. a. Who owns the property at the point of diversion Pines Grazing Association

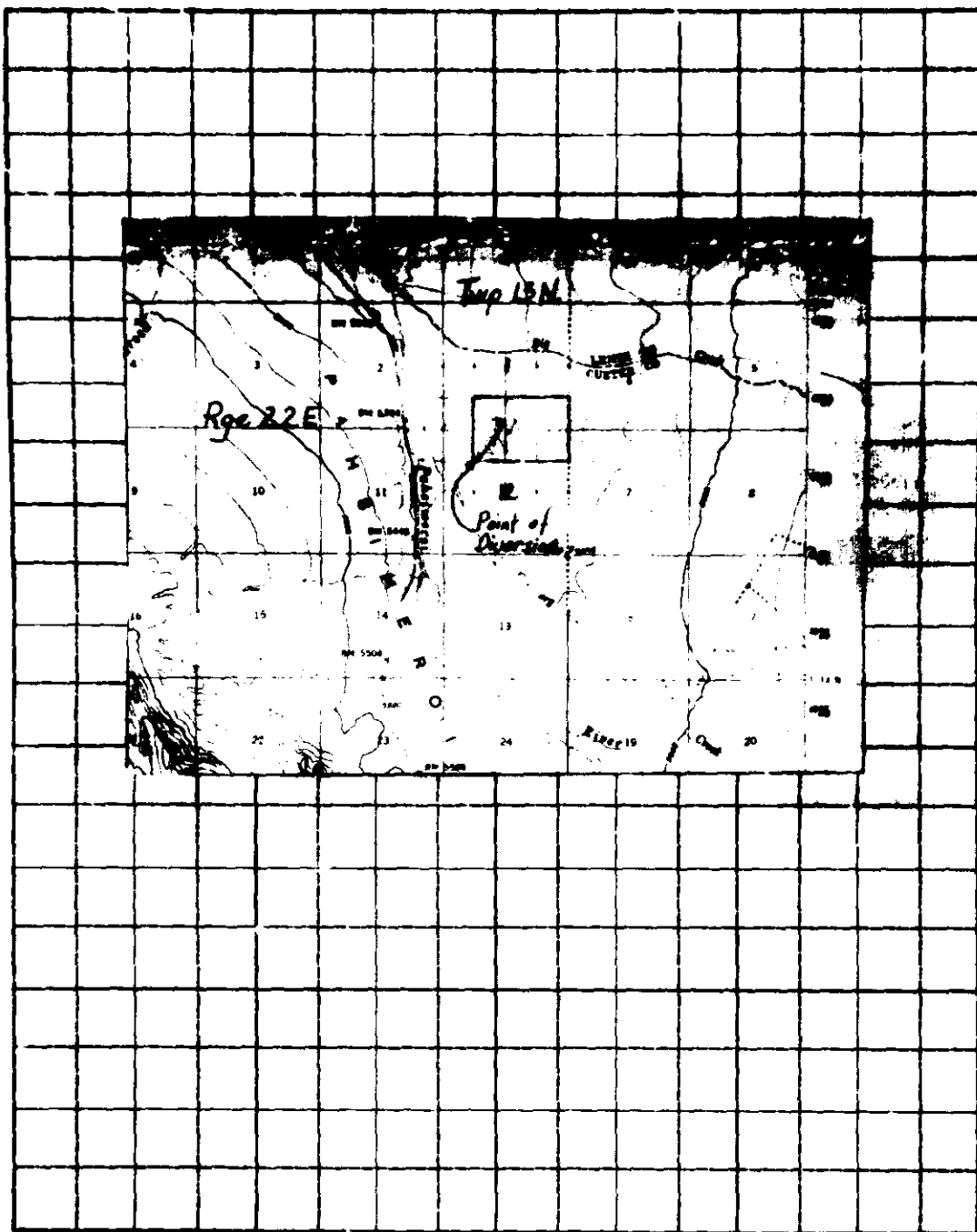
b. Who owns the land to be irrigated or place of use Pineas Grazing Association

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

10. References

STATE OF IDAHO

11. Map of the area must 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.

Blaine Downey
(Applicant)

Exhibit

Revised priority 11-14-84

Received by EMC Date 11/5/84 Time 4:45

Permitting check by EMC Fee 425.00 No. 24322

Received by CD Date 11-5-84

Publication prepared by CD Date 11-14-84

Published in Crater Co. Publishing Company

Publication date November 22 & 29, 1984

Publication approved CD Date 12-06-84

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC CD

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. 73-7102, 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 January 1, 19 90.

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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 3rd day of January, 1985.

J. Glen Sayton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks
Publisher of the Challis Messenger, a
weekly newspaper published at Challis,
Idaho, do solemnly swear that the notice
hereto attached and made a part hereof,
was published in the regular and entire
issue of the Challis Messenger for 2
consecutive weeks, commencing with
the issue dated Nov. 22
1984 and ending with the issue
dated Nov. 29 1984.

Margaret Parks
Subscribed and sworn to before
this 30th day of November
1984.

Estel M. Peck
Notary Public, residing at Challis,
Idaho. My commission expires on
Life

RECEIVED

DEC 3 1984

Department of Water Resources
Eastern District Office

71-2102

PINEY GRAZING ASSN.

HWY. ID 63253

Source: GROUNDWATER

Date Filed: 11/05/1984

Diversion Pt: SESH Sec 01 T 13N R 22E

Use: IRRIGATION (4.80 CFS)

In: SESH SENE SESE Sec 01 T 13N R 22E NENE NINE NENW Sec 12 T 13N R 22E
FOR 240 ACRES



NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before DECEMBER 10, 1984.

KEN DUNN, Dir.

Published 11/22 & 11/29/84.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 15, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PINES GRAZING ASSN
MAY ID 83253

RE: WATER RIGHT NO. 73-07102

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:ph

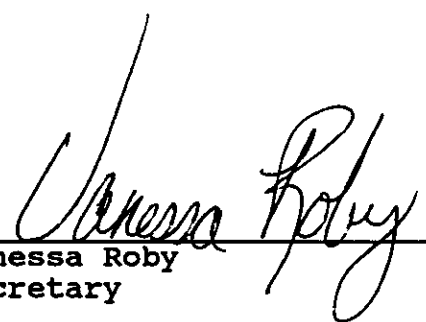
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of April, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 73-07102

PINES GRAZING ASSN
MAY ID 83253



Vanessa Roby
Secretary

LICENSE REVIEW CHECKLIST

PERMIT NO. 73-07102

DATE 3/18/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

NO AERIAL PHOTOS AVAILABLE

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>4.8</u> cfs
Fee limit	<u>5.0</u> cfs \$200 ⁰⁰
Measured	<u>1.65</u> cfs
Theoretical	<u>2.88</u> cfs

Recommended Total Div Rate 1.65 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use ✓

Volume Calculation

<u>240</u>	<u>3.5</u>	=	<u>af</u>
<u>—</u>	<u>—</u>	=	<u>af</u>
<u>—</u>	<u>—</u>	=	<u>af</u>
<u>—</u>	<u>—</u>	=	<u>af</u>
SUBTOTAL			<u>840.0</u> af

Flow rate 1.65 cfs X 183 days X 1.9845 = 597.9 af
Total volume recommended 597.9 af
(SUBTOTAL or Flow Rate, whichever is less)

598.9 as examiner calculated is ok

REMARKS

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

130 Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
Adjustment Memo —

1st Amend Letter NA
2nd Amend Letter —

RECEIVED

MAR 31 1997

3/28/97

Department of Water Resources

Dept. of Water Resources
1301 North Orchard St.
Boise, Id. 83720

Attn: Cindy Bird

We are unable to locate
the map you requested
for Pines Groing Assoc.
(T13N R22E Sec1-12)
for Mr. Downie. Pines
Groing is now owned
by Mr. Garth Chuino,
Mr. Judd Whitworth and
Mr. Kyle Downs.

Melvin Porter
Butte/Auster FSA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 06 1997
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 73-2102

1. Owner: PIRES GRAZING ASSN Phone No. (208) 663-4621

Current Address: HAY, IDAHO 83253

2. Accompanied by: JAY H. HORTON EXAM DATE: 09-06-75

Address: BOX 106, HAY, ID. 83253 Phone No. (208) 576-4452

Relationship to Permit Holder: MANAGER

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: SURFACE 73-00019, SURFACE 73-00254, GROUNDWATER 73-02165

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	SW	1	13N	22E	CLUSTER	U.S. G. S. TOPO MAP / NAAPP PHOTO

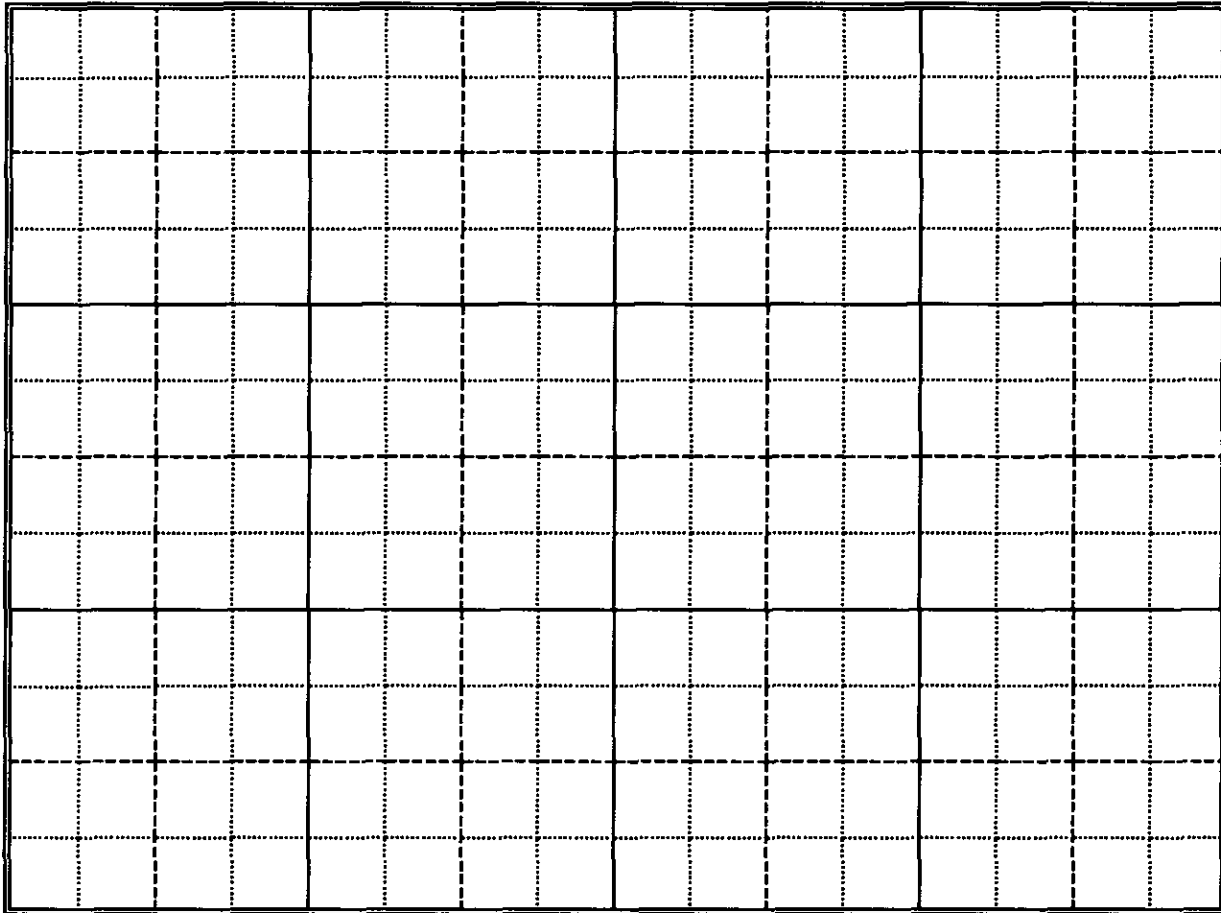
2. Place(s) of Use:

Indicate Method of Determination IN SITE 1057.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	22E	1												40			40	40	120
		12	40	40			40												120
																	TOTAL		240

FILED
FEB 9 1997

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



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	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GENERAL ELECTRIC	60	EF 7506492		8"

*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
PRESSURE GAGE	ASHCROFT				0-100	37 PSI

2. Measurements: POLYSONIC (TYHE-FLYTE) TF-P 7M0263

APR 23 1967

E. NARRATIVE/REMARKS/COMMENTS

WATER IS PUMPED VIA A 60 HP GENERAL ELECTRIC MOTOR
TO A 10" MAIN LINE (BURIED) WHICH PROVIDES WATER
TO A ^{LOW PRESSURE} CIRCLE PIVOT AND A PORTABLE 8" MAIN LINE.

CIRCLE PIVOT IS 1/4 MILE ~~BARROWS~~ WITH 8 TOWERS
AND END GUN. (1420') (145.4 acres)

BALANCE OF SYSTEM USES ^{ONE PORTABLE} 4" LATERAL WITH 33 BIRDS
WITH ~~HAULING~~ 5/32 ORFICES.

NO AERIAL NAAPP PHOTO AVAILABLE AT TIME PERMIT
WAS COMPLETED.

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

APR 23 1997

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method: THEORETICAL Q = 2.88

POLYSONIC METER Q = 1.65 CFS

Q IS LIMITED BY SYSTEM DESIGN.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{240 \times 3.5 = 840}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{1.65 \times 183 \times 1.9835 = 598.9}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{598.9 \text{ AFA}}$

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		
<u>IRRIGATION</u>	<u>4/15</u>	<u>10/15</u>	<u>1.65 CFS</u>	<u>598.9</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>1.65 CFS</u>	<u>598.9 AFA</u>

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. AUTHENTICATION

Field Examiner's Name *Amphibious* Date 1/30/96

Reviewer *[Signature]* Date 2/15/96

SEAL

MAR 20 1996

APR 23 1996

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{60} \\ Eff &= \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Drawdown}) \\ \text{Static Water Level} &= \underline{33} \text{ ft.} \\ \text{Assumed Drawdown} &= + \underline{10} \text{ ft.} \\ \text{Lift} &= \underline{43} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{37} \text{ psi}$$

$$Q_{cfs} = \left[\frac{60}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{43}{Lift} + \left(\frac{37}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{370.188} \right] \div \left[\underline{128.396} \right]$$

$$Q_{cfs} = \underline{2.88} \text{ cfs}$$

73-07102

PIÑES GRAZING ASSN.
IRRIGATION

10/1



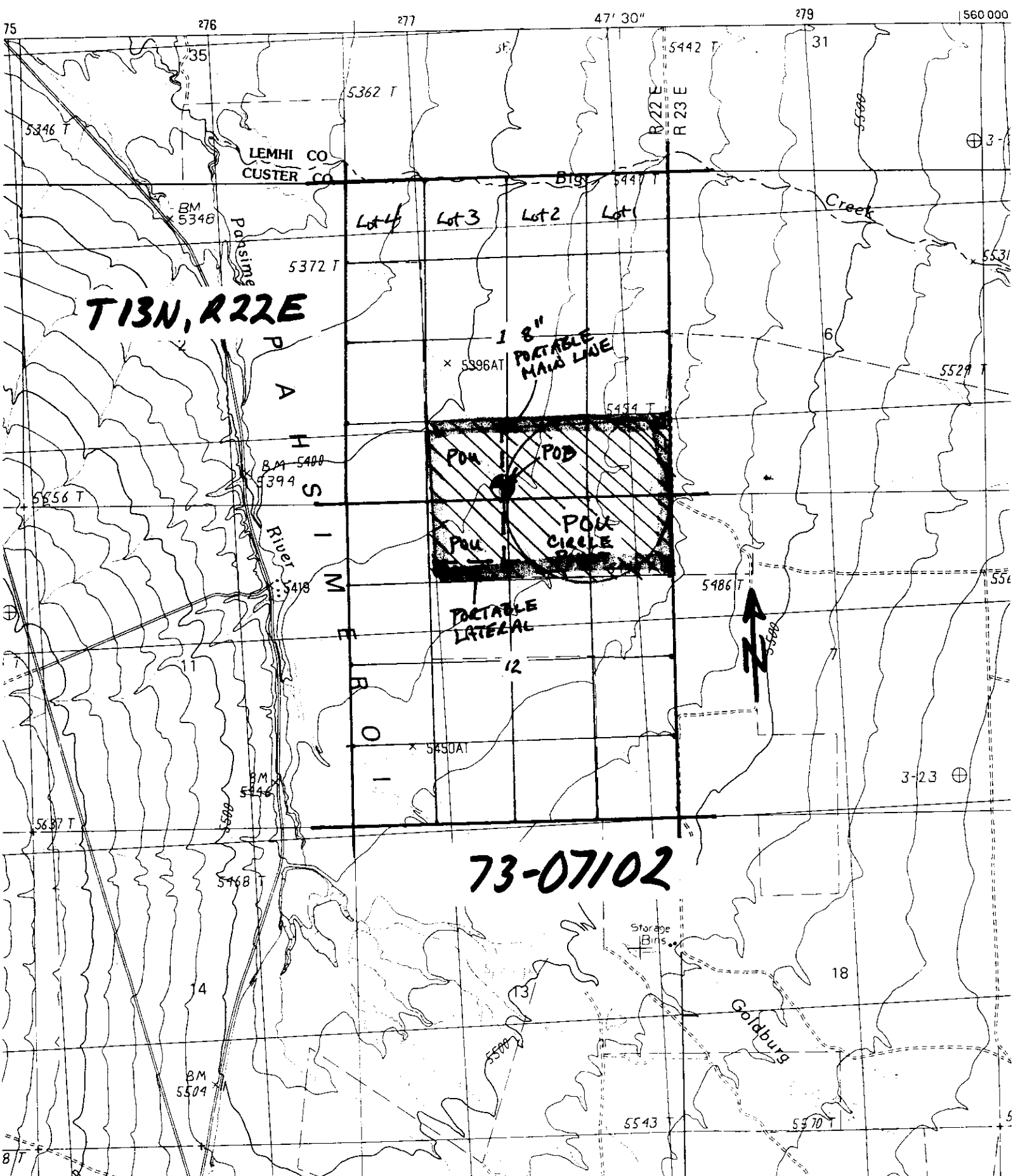
VIEW OF
WELL + PUMP
POINT OF
DIVERSION



VIEW OF
CIRCLE
PIVOT
PLACE OF
USE

PIÑES GRAZING ASSN.
PIVOT IRRIGATION

73-07102



T13N, R22E

73-07102

LEMHI CO
CUSTER CO

1 8" PORTABLE
MAIN LINE

POA POB
POC
POD CIRCLE

PORTABLE
LATERAL

Goldburg

Storage
Bins

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

73-7102
60 HP PK HP

PRINTER USE
? YES

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

09-06 14:2100 *R
+002.90 % AI2

MODE SELECT
T0 CHECK

0297.5 MMSEC
100.65 % T0

MODE SELECT
INPUT

OUTER DIAMETER
8.0000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1098 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1450 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.641 IN U

09-06 14:2400 *R
+703.226E 06PM

DAMPING SET
20 SEC

09-06 14:2600 *R
+741.266E 06PM

1.65 of 1.7
Start.

73-07102

SOME READING
73-7102

November 20, 1992

PINES GRAZING ASSN
MAY ID 83253

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 73-07102

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

DEC 10 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 73-07102

Reviewed by Klg

Date 9/22/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

irrigate - 240
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source

yes Drilling permit required?
yes Copy in the file? Drilling Permit No. 73-89-E-001
100 Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
200 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received proof received Beyond 60
Date proof due day simple Reinstatement
No. of days late Advance - priority to the date
Priority Date proof received
New Priority Date 9/17/92

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs a flow
needs an order

DATA ENTRY

New Address data entry completed 11/16/92

Proof Made 9/17/92
11/20/92 Klg

Pines Grazing Association
% Blaine K. Downs
1366 N. 1400 E.
Hamer, Idaho 83425

RECEIVED

NOV 12 1992

Department of Water Resources

NOVember 9, 1992

State of Idaho
Department of Water Resources
1301 North Orchard Street
State House Mail
Boise, Idaho 83720-9000

Attention: Karen L. Gustafson

RE: Permit No. 73-07102 - Proof of beneficial use statement for Pines Grazing Assn.

Dear Ms. Gustafson:

Enclosed is the information requested in Item A of your letter, dated Sept.22, 1992.

The water source is a well drilled by Mr. La Mar Barrus, from Bancroft, Idaho. The well was drilled prior to 2/12/1990.

Invoice for first diversion of water by Walker Pump, Inc., Rigby, Idaho and a copy of the cancelled check #703, dated April 10, 1990 which paid for this test pumping.

The Existing system consists of a Valley Circle on the East 160 acres and handlines for the west 80 acres.

The system was installed by Harold Steel Irrigation and produced a crop for 1992 irrigation season as stated in earlier correspondence.

Reason why the proof of beneficial use was failed late are as follows:

- Extra work was required on the well
- Extreme drought in the area
- Change of Secretary and change of Manager for the Pines Grazing Association, has resulted in our missing the filing deadline.

The priority date requested may be changed to 1992, as per your letter, as there are no conflicting well rights in the area. The date of priority should not constitute a problem.

I hope this information is what you need. We appreciate your help with this matter.

Sincerely,

PINES GR~~A~~ZING REP.

Blaine K. Downs
1366 N. 1400 E.
Hamer, Idaho 83425
(208) 663-4621

NOT RECORDED

DEC 10 1992

Enclosure - 3

Rocky Mountain - B. & L. 1216

PINES GRAZING 1-78
TERF J, ID 83450

703

April 10 1990

92-41/1241

Pay to the
order of

Walker Pump

\$ 1620.00

One thousand six hundred twenty & 10/100

Dollars

the BANK of
COMMERCE

MUD LAKE OFFICE
P.O. BOX 159
TERRETON, IDAHO 83450

DEC 10 1992

665

For

test well

Nancy Skidmore

Check 2

1 2 1 2 1 0 0 1 1 2 1 0 1 7 0 6 5 0 5 6 0 1 0 0 7 0 3 1 0 0 0 0 0 1 2 2 0 0 0 0 0



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

September 22, 1992

Pines Grazing Association
c/o Blain K. Downs
1366 N 1400 E
Hamer, ID 83425

RE: Permit No. 73-07102

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on September 17, 1992. The permit lapsed on January 1, 1992, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of December 10, 1984 will be advanced to September 17, 1992.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

RECEIVED

DEC 10 1992

Enclosure

USE TYPEWRITER OR
BALLPOINT PEN

JUN 21 1990

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well. Date:

Department of State: Kansas
Eastern District Office

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY -- FORWARD THE WHITE COPY TO THE DEPARTMENT

3/89

Drilling Permit No. 3-89-E-001

Water Permit No. _____

Injection Permit No. _____

State of Idaho
Department of Water Resources
D R I L L I N G P E R M I T

1. Applicant Pines Grazing Assn. (Blaine Downs)
2. Address May, ID 83253
Telephone 663-4621
() Well Owner () Well Operator () Other, specify agent
3. Proposed well location SE 1/4 SW 1/4, or Gov't lot No. _____,
Sec. 1, Twp. 13N, Rge. 22E, County Custer,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
() Domestic () Stockwater () Monitoring
No. of households _____ No. of livestock _____
(X) Irrigation 240 Acres () Industrial () Municipal
() Injection () Other, Specify _____
5. Well construction information:
(X) New well () Deepen () Replace
Proposed surface diameter 16" Maximum depth 100'
Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Anticipated construction start date 9-5-89
7. Well Driller (if known) _____
Address _____
8. Applicant's signature Blaine G. Downs
Title _____
Date 9-5-89

MICROFILMED

DEC 10 1992

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is approved.

If approved, this permit authorizes the construction of a well subject to the following conditions:

GENERAL CONDITIONS

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS

Dated this 5th day of September, 1989.

Signed

Title

Ronald D. Carlson
Eastern Regional Manager

Received by RB Fee \$100⁰⁰ Date 9-5-89

Receipt No. EO10116 Construction start extension to

Extension approved by

RECEIVED

DEC 10 1992

To whom it may concern:

This 'Proof of Beneficial Use' form &
our check for \$200.00 is late because
the form was sent to May, Idaho.
In the future, please send all
correspondence to: Blaine K. Downs

1366 N. 1400 E.

Harner, Id 83425

Thank-you

Gary Anderson
Secretary/Treasurer
Pines Grazing Assoc

RECEIVED

SEP 17 1992

Department of Water Resources

MAILED

DEC 10 1992

I hereby certify that the No. 23-07102

has been forwarded to the proper authorities for their consideration.

[Signature]

[Redacted]

00000000
000-000

ISLAND DEPARTMENT OF WATER RESOURCES
WATER RIGHT PERMIT READING REPORT

04/02/02 00:00:00
Page 1

Water Right Number - 75-07102

Prefix Translation:

WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
PHONE NUMBER ADD.

1 -
2 -
3 -
City- HAW
Phone -
State- HI Zip- 00000

----- Priority Date ----- +----- Region ----- +----- Stage ----- +----- Status -----
12/10/1984 15 EASTERN P - PERMIT

----- Source ----- +----- Tributary -----
GROUNDWATER

----- Point of Diversion -----
Twp Rng Sec Tract Lot Rfig County Stream Index (Blank if no Index Code)
13N 22E 1 SE SW (37) CUSTER

----- Motor Use -----
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 01/01 11/01 4.000

----- Total Div. Rate ----- +----- Total Div. Volume ----- +----- Total Div. Capacity -----
4.000

----- Place of Use -----
Twp Rng Sec Tract Lot Acres Code Description County
13N 22E 1 SE SW 40.0 01 IRRIGATION (37) CUSTER
13N 22E 1 SW SW 40.0 01 IRRIGATION (37) CUSTER
13N 22E 1 SE SE 40.0 01 IRRIGATION (37) CUSTER
13N 22E 12 SE SE 40.0 01 IRRIGATION (37) CUSTER
13N 22E 12 NW SE 40.0 01 IRRIGATION (37) CUSTER
13N 22E 12 SE NW 40.0 01 IRRIGATION (37) CUSTER

Total Acres: 240.0

----- Diversion Means - PUMP & SPRINKLER SYSTEM.

----- Non-Irrigation Use -

----- Other Rights for Same Use -

----- Remarks -----
No Remarks Found.

----- Old Water Right Numbers -----
No Old Water Right Numbers Found.

00000000
000-363

ISLAND DEPARTMENT OF WATER RESOURCES
WATER RIGHT PERMIT READING REPORT

04/08/92 09:45:06
Page 2

Water right number - 75-07102

Prefix Translation: WATER RIGHT

----- Conditions of Approval -----
006 - Permit holder shall commence the excavation or construction of
- diverting works within one year of the date this permit is issued
- and shall proceed diligently until the project is complete.
01C - A flow measurement part or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

----- Decree Plaintiff -----

----- Decree Defendant -----

----- Source Date -----
04/08/0000

----- Comments -----
Dates: 01/04/1992 User Id: WMLT Subject: Lagoon Notice Sent
Lagoon Notice Sent

----- Audit Fields - 04/04/00 03/22/00 CONVERT 03/24/90 CURTIS 01/04/92 COMMENTS

----- Water Rights Dates and Flags Area -----

Proof Due Date	- 01/01/1992	Field Exam Date	- 04/08/0000	Field Exam Fee	-
Approved/Denied	- 01/05/1995	Protected Date	- 04/08/0000	Shan Falls	-
Proof Read Date	- 04/08/0000	Hearing Date	- 04/08/0000	Temporary Right	- P
Exam to S.O. Date	- 04/08/0000	Verified Date	- 04/08/0000	OLE/Coror Act	-
Order Show Cause	- 04/08/0000	Receipt Number	-	Water District	-
Licensed Date	- 04/08/0000	Appl Received	- 04/04/0000	Transfer/Amended	-
Source Date	- 04/08/0000	Presumption Flag	-		

January 6, 1992

PINES GRAZING ASSN.
RAY ID 83253

LAPSE NOTICE

RE: PERMIT NO. 73-07102

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated October 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SEXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1/6/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

KG

184231
October 31, 1991
PINES GRAZING ASSN.
WAY ID 83253

PROOF DUE NOTICE
RE: PERMIT NO. 73-07102

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Nina Shields
Secretary/Records Manager

Enclosures

March 22, 1968

James Earl Ray, Jr.,
May 20 1968

Abstract

Doc. Ident. No. 73-7188

Treatment is a copy of the approved request for extension of time. The time within which to submit report of investigation was 30 days from January 1, 1956. Note that the extension had been approved and returned to the agency. Since the extension was returned with the report of investigation the day.

NOTE: That the Department has provided this information based on the information it has received and is not to be used for any other purpose. The information is provided for your information only and is not to be used for any other purpose. The information is provided for your information only and is not to be used for any other purpose.

Information:

Page 2. [REDACTED]
[REDACTED] [REDACTED]

[REDACTED]

PINES CRASSING AGON.
MAY, ID 01253

January 10, 1990

RE: PERMIT NO. 73-07102 LAPSE NOTICE

Dear Permit Holder:

You are hereby notified that under the provisions of Section 43-310A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated October 31, 1989.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the permit has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

S. J. JAMES
Water Allocation Bureau

CERTIFICATION CLERK

I hereby certify that the
above is a true and correct
copy of the original
as filed in the
office of the
Water Allocation Bureau
on January 10, 1990.

130031
198896

October 31, 1989

PINES GRAZING ASSN.
MAY, ID 83253

PROOF DUE NOTICE

RE: PERMIT NO. 73-07102

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

January 13, 1985

RE: Permit No. 73-7102

Pine's Grazing Assn.
May, ID 83263

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

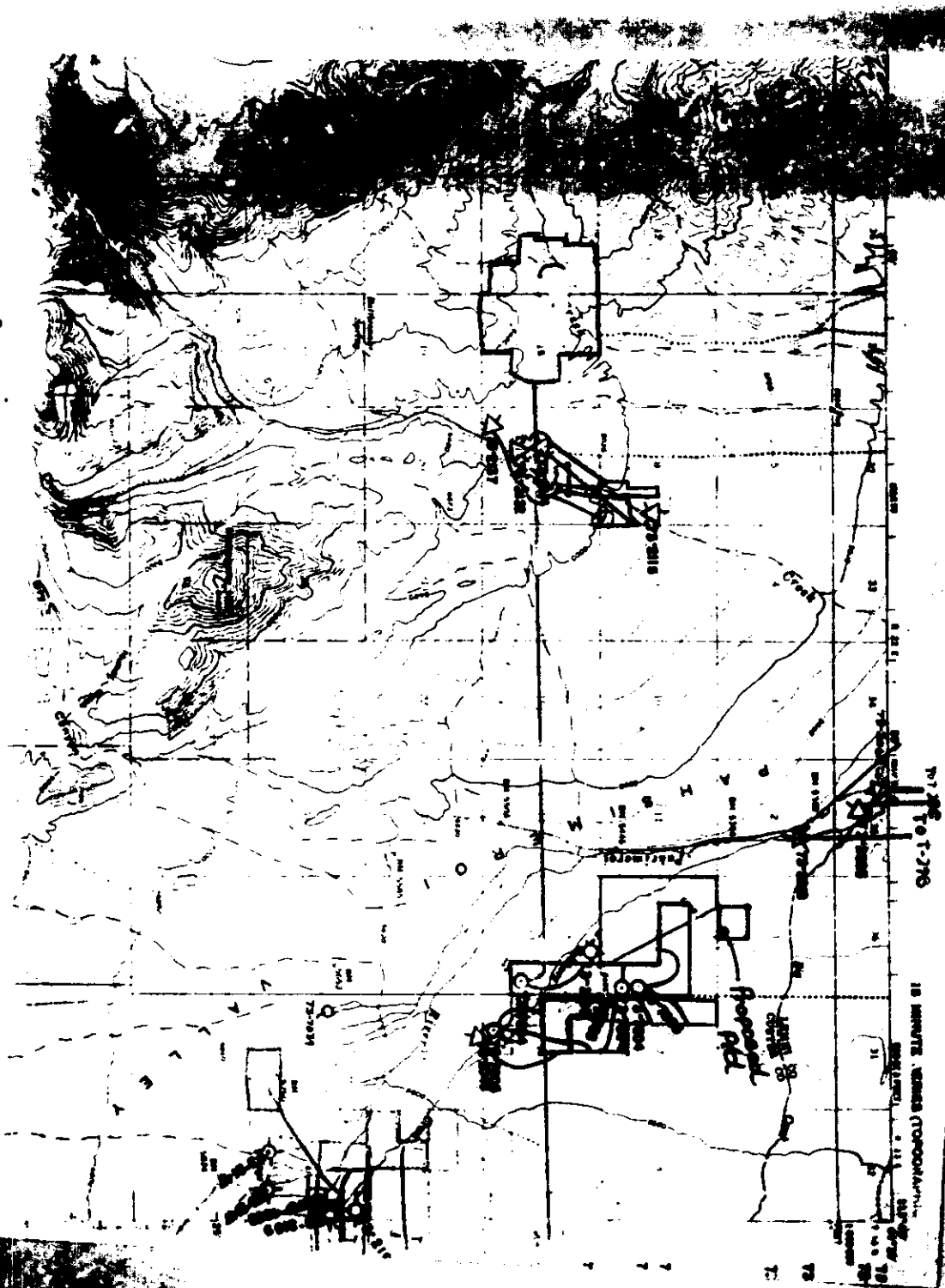
We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTTILL, JR., P.E.
Supervisor, Water Allocation Section

DRF:ec

Enclosures



State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: EL. E. RANNEY APPLICATION NUMBER: 73-7100
CHECK: NOV 5 1984

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ 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.
- Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☒ No Plotted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 73-2465
☒ Yes ☐ No In form for advertising.
Final date for protests: 12-10-84
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12-03-84
☐ 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? 73
12-05-84 Date of priority recommended.
Special conditions of approval or cover letter. _____

STATE OFFICE REVIEW:

105-105-117 95
☐ Not attached sheet for more information.
By: Law Date: 12/12/84

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7301

NOVEMBER 14, 1984

Custer County Publishing Co.
P. O. Box 405
Challis, Idaho 83226

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 sniffer 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 DECEMBER 10, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.