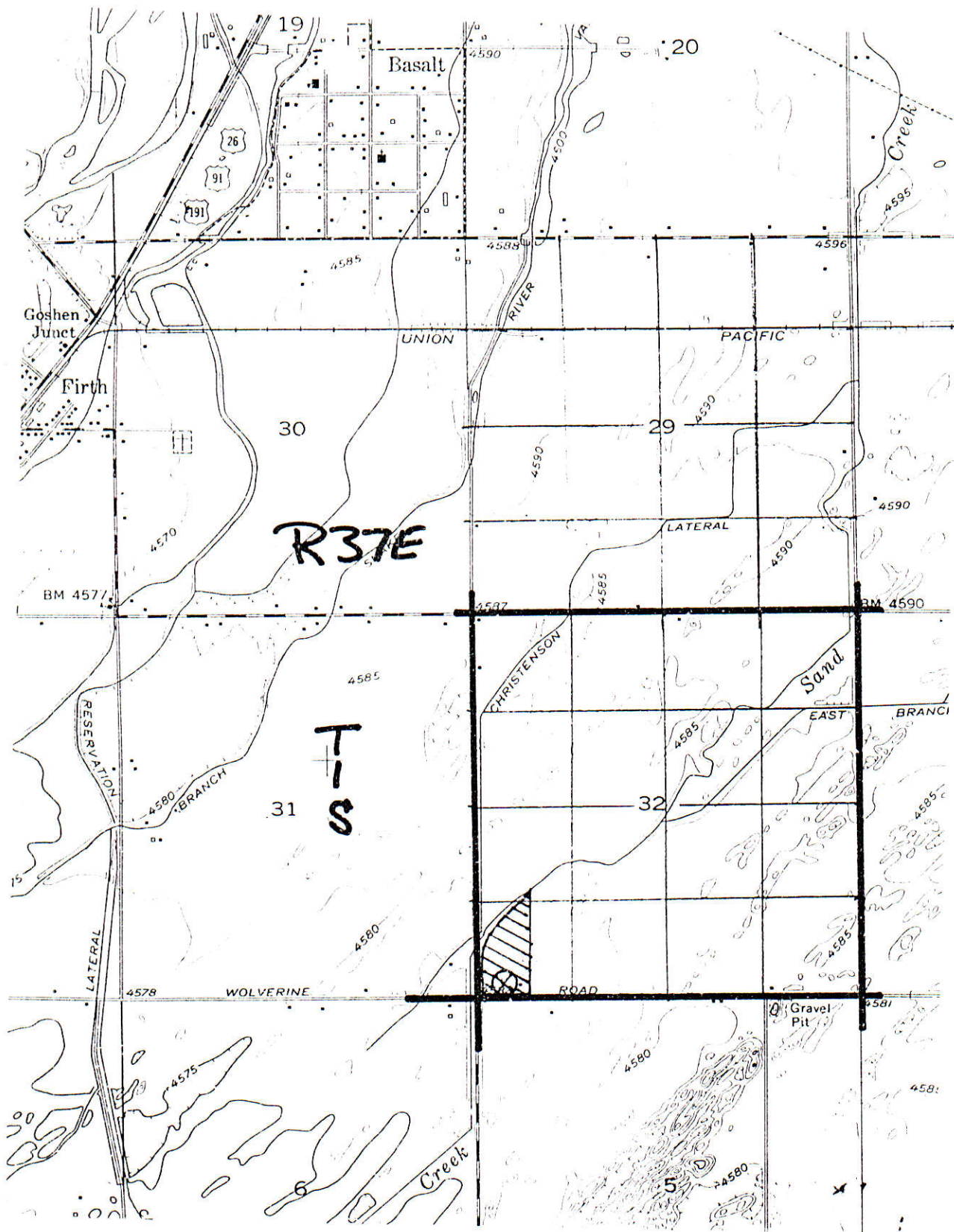




NOTICE

This file has been REPRODUCED
from MICROFICHE because:

For a possible reinstatement of the
Permit.

Paul A. Block
Person Recreating File

Sep 22, 2000
Date

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 27-07578

Proposed Priority: March 6, 1997 Maximum Diversion Rate: 0.14 CFS

This is to certify, that GAYLEN CLAYSON
DBA CEDAR ARCH DAIRY
600 N 710 E
FIRTH ID 83236

has applied for a permit to appropriate water from: GROUNDWATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.14 CFS
COMMERCIAL	01/01 to 12/31	0.14 CFS
	Totals	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSW, Sec. 32, Township 01S, Range 37E
BINGHAM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

01S 37E 32 NWSW SWSW

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1998.
2. Subject to all prior water rights.
3. Two points of diversion are located within SWSW, S32, T01S, R37E.
4. Stockwater use is for 410 dairy cattle and 428 range cattle.

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

16th day of June, 1997.

Karl J. Dreher
for Karl J. Dreher, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of Applicant GAYLEN CLAYSON DBA, Cedar Arch Dairy Phone (208) 346-6607
Mailing address 600 N 710 E, FURTH ID, 83236
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 1 S Range 37 E Sec. 32, in the _____ 1/4,
SW 1/4, SW 1/4, Govt. Lot _____, B.M., BINGHAM County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.52 cfs for STOCKWATER purposes from 1/1 to 12/31 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.52 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Two wells, pumps, main line to dairy barn
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is 6" inches; proposed depth of well is 65 feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? Late 1970; Drilling firm Barrus
Well was drilled for (well owner) GAYLEN CLAYSON; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in KW. _____
b. Stockwatering; list number and kind of livestock. 410 750* dairy cattle 428 Non Milking cows*
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

RECEIVED

MAY 30 1997

* Change as per tele call w/ Larry P. Fisher (Ag Credit) 3/25/97

Department of Water Resources

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

b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

[illegible]

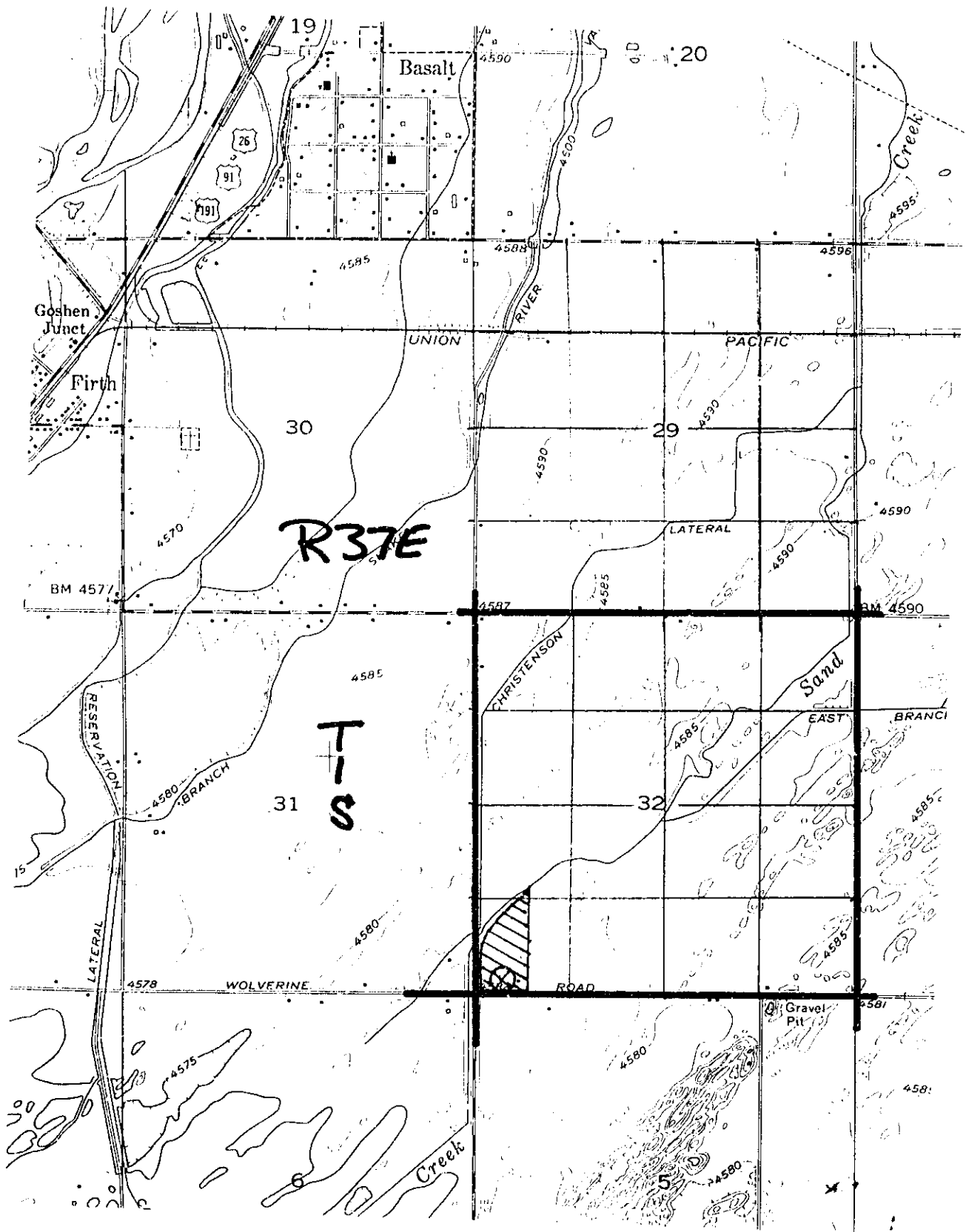
10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Applicant
 b. Who owns the land to be irrigated or place of use? "
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
 12. Remarks: Dairy established about 1930

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

Signature of Applicant (and title, if applicable)

Received by SC Date 3/6/97 Time 1:18 pm Preliminary check by _____
 Fee \$ 100.00 Received by Raw # EO 25001 Date 3-10-97
 Publication prepared by RB Date 5-18-97 Published in Morning News
 Publication approved RB Date 5-22-97



50⁰⁰

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

- Permit No. 27-07518 Telephone No. 208-346-6419
- Name of Permit Holder(s): GAYLEN CLAYSON DBA CEDAR ARCH DAM
- Mailing Address: 600N 710E
City FRUIT State IDA Zip 83236
- Source of Water: WELL If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
- Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): ~~600~~ 1000
Irrigation (No. of acres): NONE Other: _____
- Total rate of diversion and/or volume for which proof is submitted: .15 cfs OR _____ acre-feet
- Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No _____
Has the measuring device been installed? Yes _____ or No _____
- Fee Enclosed: \$ _____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
- Person to contact to accompany the Department representative during field examination of the water system.
Name: GAYLEN CLAYSON Telephone Number: 208-346-6607
Address: 600N 710E FRUIT IDAHO
- The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: owner Gaylen Clayson Date: 8-22-06
(include your title, if on behalf of company or organization)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

September 29, 2000

KARL J. DREHER
DIRECTOR

GAYLEN CLAYSON
CEDAR ARCH DAIRIES
710 E 600 N
FIRTH ID 83236

RE: LAPSED PERMITS NOS. 27-07578 & 27-07579

Dear Permit Holder:

The department is in receipt of the proof of beneficial use statements you filed with the department on September 8, 2000, with the appropriate license examination fees for the referenced lapsed permits.

Since the proofs were received after the 60-day lapse period, the permits can be reinstated only if you submit **two (2) 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, i.e. from the time the permit was issued until the proof due date (June 16, 1997 to June 1, 1998) for department consideration.

Typical evidence of the extent of beneficial use of the water include pumping records, receipts from equipment purchased and/or installed, or other information to verify use during the authorized development period.

The department will maintain the proof of beneficial use statement along with any information which has been submitted with it, for **30 days** to provide you the opportunity to submit the required information. Please be aware that this permit is **lapsed** and is of no force nor effect unless it is reinstated.

Additionally, during my review of your proofs, the permits authorized stockwater and commercial uses. However, your proofs state that the uses you have applied the water to are domestic and stockwater. I request that you clarify your water use when you supply the additional evidence necessary to reinstate the permits. I also note that the proof for permit 27-07578 claims 1,000 head of livestock under your stockwater use. However, according to your permit stockwater use is authorized for 410 dairy

Page 2

cattle and 428 range cattle, which total 838 stock under this permit. Issuance of the license can not exceed the number of authorized stockwater use as presently permitted. I suggest that you check to determine that the additional head of livestock are authorized by some other water right. If not, you need to contact our Eastern Regional Office in Idaho Falls.

If you have questions regarding this matter, please feel free to contact me at (208)327-7953 or the Eastern Regional Office at (208)525-7161.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson". The signature is written in dark ink and is positioned above the printed name.

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Region

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 27-07578 Reviewed by D. Gibson Date 9/22/00

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?

Domestic & stockwater

Yes Address same as permit?

No Proof timely received?

Correct Uses? 7

If not, complete calculation below.

SOURCE OF WATER

No Surface water source

Yes Ground water source

No Drilling permit required?

No Copy in the file? Drilling Permit No. _____

Amount paid for permit _____ Correct?

No Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

Yes Required?

No Required?

\$50 Amount Submitted

No Installed?

Yes Correct?

Waiver requested?

PRIORITY CALCULATION

Date proof received 9/8/00

Date proof due 6/1/98 -

No. of days late =

Priority Date 3/6/97 +

New Priority Date 9/8/00

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof with letter requesting documentation showing beneficial use during development stage. Question re: domestic use & overage of stock from permitted amount. Clarify - Permit is for...

DATA ENTRY

New Address No Proof Made 9/8/00

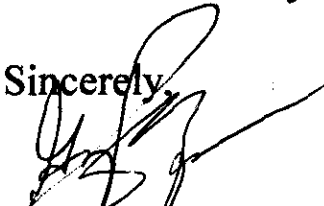
Gaylen Clayson
Cedar Arch Dairies
710 E. 600 N.
Firth, ID 83236

*re: 27-07578
27-07579*

To Whom It May Concern,

A few years back when we were applying for the water rights on the two dairies in Firth, we were working with Eastern Idaho Agricultural Credit Association for financing. They were the ones requiring the recording of the water rights and taking care of this process. There must have been an error in the recording process. At this time, we would like to ~~re-apply~~ ^{re-instate} for the water rights on the Cedar Arch Dairy and the North Cedar Arch Dairy of Firth, ID.

Sincerely,



Gaylen Clayson

NOTICE

This file has been REPRODUCED
from MICROFICHE because:

For a possible reinstatement of the
permit.

Douglas Block
Person Recreating File

Sep-22, 2000
Date

I certify that file No. 27- 07578

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

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

Kristen L. Y.
Reviewer

8.26.98
Date

WR5000NP
(40-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/13/98 11:21:35
Page 1

Water Right Number - 27-07578

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
CLAYSON

CAYLEN

1 - DBA CEDAR ARCH DAIRY
2 - 600 N 710 E
3 -
City- FIRTH
Phone - 208-346-6607

State- ID Zip- 83236

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/06/1997 15 EASTERN P - PERMIT

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County Diversion Name Diversion Rate Diversion No.
01S 37E 32 SW SW (11) BINGHAM

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.140
10 - COMMERCIAL 01/01 12/31 0.140

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.140 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 37E 32 NW SW 04 STOCKWATER (11) BINGHAM
01S 37E 32 SW SW 04 STOCKWATER (11) BINGHAM

+ - - Diversion Means - TWO WELLS, PUMPS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
Two points of diversion are located within SWSW, S32, T01S,
R37E.
Stockwater use is for 410 dairy cattle and 428 range cattle.

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

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/13/98 11:21:35
Page 2

Water right number - 27-07578

Prefix Translation: WATER RIGHT

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

+ - - - - -Comments- - - - - +

Date: 06/26/1998 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

+ - - Audit Fields - 04/17/97 R800ELL 06/09/97 CZIMMERM 06/12/97 CZIMMERM 06/13/97 CZIMMERM 06/26/98 COMMENTS

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

Proof Due Date - 06/01/1998	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 06/16/1997	Protested Date - 00/00/0000	Swan Falls - 1
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 - E023001	Water District -
Licensed Date - 00/00/0000	Appl Received - 03/06/1997	Transfer/Amended -
Presumption Flag -	Name Connector -	POU Ownership Flag- Y
SRBA Decreed Flag -		

June 26, 1998

GAYLEN CLAYSON
DBA CEDAR ARCH DAIRY
600 N 710 E
FIRTH ID 83236

LAPSE NOTICE

RE: PERMIT NO. 27-07578

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 March 31, 1998. 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 fifty dollar (\$50.00) 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

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 6/26/98
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1 North Orchard Street
Boise, Idaho 83706-2237

CERTIFIED

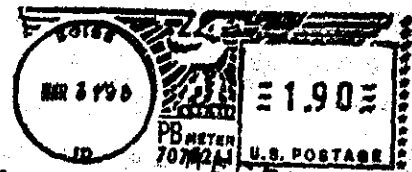
P 590 062 455

MAIL



- Not Deliverable As Addressed
- ☐ Unable To Forward
 - ☐ Insufficient Address
 - ☐ Moved, Left No Address
 - ☒ Unclaimed ☐ Refused
 - ☐ Attempted - Not Known
 - ☐ No Such Street ☐ Vacant
 - ☐ No Such Number
 - ☐ No Recipient
 - ☐ Return to Sender - No Order
 - ☐ Return to Sender - Order Expired

GAYLEN CLAYSON
DBA CEDAR ARCH DAIRY
600 N 710 E
FIRTH ID 83236



RECEIVED
APR 20 1998
Department of Water Resources

MAILED
1st Notice 4-2
2nd Notice 4-7
Notice 4-17

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

March 31, 1998

GAYLEN CLAYSON
DBA CEDAR ARCH DAIRY
600 N 710 E
FIRTH ID 83236

PROOF DUE NOTICE

RE: PERMIT NO. 27-07578

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 June 1, 1998. (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.

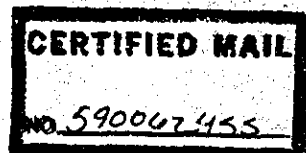
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

June 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GAYLEN CLAYSON
DBA CEDAR ARCH DAIRY
600 N 710 E
FIRTH ID 83236

RE: Water Right Nos. 27-07578 and 27-07579

PERMIT APPROVAL NOTICE

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permits authorizing you to appropriate ground water for stockwater and commercial purposes. Please note that these two permits do not authorize you to develop new water uses. They have been approved to cover water uses that were in place by 1987. Also, please be sure to thoroughly review the conditions of approval and remarks listed on your permits.

The permits are preliminary orders issued by IDWR pursuant to section 67-5243, Idaho Code. They can and will become a final orders without further action by IDWR unless a party petitions for reconsideration or files an exception or brief as described in the enclosed information sheet.

I have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to complete the water appropriation process. Also enclosed are two Proof of Beneficial Use forms. Because your permits were issued to cover development that was completed by 1987, you should complete and submit these forms immediately.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to IDWR. If you acquired a water right or changed your mailing address prior to July 1, 1996, you have until July 30, 1998, to notify IDWR. If you acquire a water right or change your mailing address after July 1, 1996, you must notify IDWR within 120 days of the change. Failure to comply with these requirements could result in a \$100 late filing fee. Contact any IDWR office to obtain the proper reporting form.

If you have any questions, please contact me at 208-327-7946.

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

Enclosures

K:\NAMELTRS\P2707578.DOC

MEMORANDUM

DATE: June 16, 1997
TO: Water Right Files 27-07578 and 27-07579
FROM: S. W. Keen *SWK*
RE: Possibility of claiming the use in the SRBA

Last week I spoke with Keith Wilson in Eastern Region about the possibility of the water uses under applications 27-07578 and 27-07579 being claimed in the Snake River Basin Adjudication. Because the applications indicate that the uses date back to the first half of this century, I thought that they could have been claimed as beneficial use rights. Keith explained to me that he believes there were three factors that contributed to the decision to file applications instead of claims. First, the claims could not include any expansion of use that occurred prior to the mandatory application date of 1963 for ground water uses. By filing the applications, the applicants can cover expansions in use that may have occurred between 1963 and 1987. Second, at this point in the adjudication a late claim is a little more costly than an application. Third, the applicants need to show a valid water right to qualify for a loan. Therefore, they are apparently more interested in obtaining permits than in filing claims that will not be investigated or decreed for some time.

MEMORANDUM

DATE: June 5, 1997
TO: File No. 27-07578
FROM: Cindy Zimmerman
RE: Telephone Conversation

This application is located within the Eastern Snake River Plain Moratorium area. Processing of this application is based on pre-1987 development and usage. The applicant has supplied sufficient evidence of pre-1987 water usage to process this application.

During the review of this application, I noted that the rate of diversion recommended in the dairy worksheet worked up by Keith Wilson on 4/4/97 and identified on the application exceeded the theoretical capacity of the diversion system. I called the applicant, Gaylen Clayson, who confirmed the horsepower of each well pump.

I recommend the rate of diversion identified on the permit issued on this application be limited to the existing system capacity of 0.14 cfs.

DATE: June 12, 1997; 4:00 pm
RE: Water Uses

In preparing this application, Keith Wilson at the region prepared a dairy worksheet to estimate the rate of flow, etc., required for this dairy. In preparing the application, Skip Jones inadvertently used the total rate of diversion for stockwater use rather than using the described stockwater and commercial uses. In my conversation with Skip, he agreed that commercial use as described in the dairy worksheet needed to be added as a use but that the total rate of diversion would not change. Skip advised that the application would not need to be re-advertised.

Dairy Worksheet

FILE NUMBER 27-07578
 REVIEWER C L Zimmerman 06/04/97

DAIRIES: WATER USE WORKSHEET

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE 410 } per
 NUMBER OF NONMILKING CATTLE 428 } supply
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES:
 IF ANAEROBIC, ENTER ZERO 0.0 }
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) 4 }
 ENTER 0 FOR RECYCLED WATER USE, 1 FOR MANUAL COW WASHING,
 2 FOR AUTOMATIC, OR 3 IF SPRINKLERS ARE USED TO FLUSH HOLDING
 PEN AND WASH COWS 0
 NUMBER OF MILKINGS PER DAY 2
 FLOW OF WATER FOR IN-BARN USE (GPM) 64
 DURATION OF MILKING (MINUTES/DAY) 1320
 DURATION OF CLEAN-UP (MINUTES/MILKING) 60
 HOURS PUMP IS ON 20.0

CALCULATIONS

DAILY VOLUME FOR STOCKWATER (GALLONS)

MILKING CATTLE @35 GPD/HD 14350
 NONMILKING CATTLE @12 GPD/HD 5136
 TOTAL (GALLONS) 19486
 FLOW RATE REQUIRED (CFS) 0.36
 0.14

DAILY VOLUME IN BARN USE (GALLONS)

IN BARN RATE * DURATION (GALLONS) 83160
 FLOW RATE REQUIRED (GPM) 63
 FLOW RATE REQUIRED (CFS) 0.14
 TOTAL FLOW RATE REQUIRED (CFS) 0.50
 0.14

DIVERSION VOLUME (AFA):

STOCKWATER
 MILKING CATTLE @35 GPD/HD ** 16.1
 NONMILKING CATTLE @12 GPD/HD ** 5.8
 TOTAL VOLUME 21.8

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT 0.4
 PARLOR FLOOR AND MILKHOUSE FLOOR 0.0
 CATTLE WASHING BASED UPON METHOD OF WASHING 0.0
 COOLER PLATE USAGE 3.7
 TOTAL VOLUME 4.1

TOTAL DIVERSION VOLUME 25.9

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
 MILKING 2.9
 NONMILKING 0.0
 TOTAL 2.9

COMMERCIAL 0.0

TOTAL CONSUMPTIVE USE 2.9

PUMP INFORMATION

	WELL 1	WELL 2	WELL 3
PUMP HORSEPOWER (HP)	2.0	1.0	0.0
LIFT (FT)	60	60	0
DISCHARGE PRESSURE (PSI)	30	30	0
FRICTION LOSSES (FT)	0.0	0.0	0.0
HOURS WATER IS PUMPED DAILY	20	20	0

CALCULATIONS

	WELL 1	WELL 2	WELL 3
THEORETICAL FLOW RATE (GPM) *	43	21	0
THEORETICAL FLOW RATE (CFS) *	0.10	0.05	0.00
DAILY VOLUME (GALLONS)	114	57	0
DIVERSION VOLUME (AFA) **	57.5	28.7	0.0

TOTAL COMBINED FLOW RATE (CAPACITY) 0.14

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EV DAY OF THE YEAR

EVALUATION OF REDUCTION REQUIRED IF AN IRRIGATION RIGHT IS USE IRRIGATION RIGHT (BEFORE CHANGE)

	WELL 1	WELL 2	WELL 3
RATE (CFS)	0.80		
ACRES	40.0		
ACRE FEET PER ACRE	4.0		
CONSUMPTIVE USE PER ACRE	3.0		

CALCULATIONS:

	CFS	ACRES
RATE PER ACRE	0.02	
RATE NEEDED FOR DAIRY OPERATIO	0.14	
REDUCTION OF IRR. BASED ON RATE/	7.0	
REDUCTION BASED ON CONSUMPTIVE	1.0	
REDUCTION BASED ON ANNUAL VOLU	6.5	

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES

NUMBER OF ACRES THAT CAN BE IRRIGATED BY CONSUMPTIVE USE

	ACRES
INPUT DATA	
IRRIGATION CONSUMPTIVE USE/ACR	4.0
CALCULATED	
ACRES IRRIGATED	0.7

** Maximum rate of diversion limited to combined well capacity of 0.14 cfs.

INTER-DEPARTMENT MEMO

TO: File 27-07578
FROM: HWT

SUBJECT: _____
DATE: 5-22-97

This is a pre-1987 use that applicant requested
we process.

☒ For your information

☐ Response required

HWT
signature

FILE NUMBER ----- GAYLEN CLAYSON - SWSW Sec 32, T01S, R37E
 REVIEWER ----- K C WILSON 04/04/97
 1 OF 2

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE -----	410
NUMBER OF NONMILKING CATTLE -----	463
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES; IF ANAEROBIC, ENTER ZERO -----	0.0
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) -----	4
ENTER 0 FOR RECYCLED WATER USE, 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS -----	0
NUMBER OF MILKINGS PER DAY -----	2
FLOW OF WATER FOR IN-BARN USE (GPM) -----	65
DURATION OF MILKING (MINUTES/DAY) -----	1320
DURATION OF CLEAN-UP (MINUTES/MILKING) -----	60
HOURS PUMP IS ON -----	20.0

CALCULATIONS

DAILY VOLUME FOR STOCKWATER (GALLONS):

MILKING CATTLE @35 GPD/HD -----	14350
NONMILKING CATTLE @12 GPD/HD -----	5556
TOTAL (GALLONS) -----	19906
FLOW RATE REQUIRED (CFS) -----	0.37

DAILY VOLUME IN BARN USE (GALLONS):

IN BARN RATE * DURATION (GALLONS) -----	85800
FLOW RATE REQUIRED (GPM) -----	65
FLOW RATE REQUIRED (CFS) -----	0.14
TOTAL FLOW RATE REQUIRED (CFS) -----	0.51

DIVERSION VOLUME (AFA):

STOCKWATER	
MILKING CATTLE @35 GPD/HD ** -----	16.1
NONMILKING CATTLE @12 GPD/HD** -----	6.2
TOTAL VOLUME -----	22.3

COMMERCIAL	
WASHING OF BULK TANK AND RELATED EQUIPMENT -----	0.4
PARLOR FLOOR AND MILKHOUSE FLOOR -----	0.0
CATTLE WASHING BASED UPON METHOD OF WASHING -----	0.0
COOLER PLATE USAGE -----	3.7
TOTAL VOLUME -----	4.1

TOTAL DIVERSION VOLUME -----	26.4
------------------------------	------

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER	
MILKING -----	2.9
NONMILKING -----	0.0
TOTAL -----	2.9

COMMERCIAL -----	0.0
------------------	-----

TOTAL CONSUMPTIVE USE -----	2.9
-----------------------------	-----

FILE NUMBER -----
REVIEWER -----

GAYLEN CLAYSON - SWSW Sec 32, T01S, R37E
K C WILSON 04/04/97
2 OF 2

THEORETICAL FLOW ESTIMATION WORKSHEET

PUMP INFORMATION

	WELL 1	WELL 2	WELL 3
PUMP HORSEPOWER (HP) -----	2.0	1.0	0.0
LIFT (FT) -----	60	60	0
DISCHARGE PRESSURE (PSI) -----	30	30	0
FRICTION LOSSES (FT) -----	0.0	0.0	0.0
HOURS WATER IS PUMPED DAILY -----	20	20	0

CALCULATIONS

THEORETICAL FLOW RATE (GPM) * -----	43	21	0
THEORETICAL FLOW RATE (CFS) * -----	0.10	0.05	0.00
DAILY VOLUME (GALLONS) -----	114	57	0
DIVERSION VOLUME (AFA) ** -----	57.5	28.7	0.0

TOTAL COMBINED FLOW RATE (CAPACITY) ----- 0.14

* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE
THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY
DAY OF THE YEAR.

EVALUATION OF REDUCTION REQUIRED IF AN IRRIGATION RIGHT IS USED
IRRIGATION RIGHT (BEFORE CHANGE)
INPUT:

RATE (CFS)	0.80
ACRES	40.0
ACRE FEET PER ACRE	4.0
CONSUMPTIVE USE PER ACRE	3.0

	CFS/ACRE	CFS
CALCULATIONS:		
RATE PER ACRE	0.02	ACRES
RATE NEEDED FOR DAIRY OPERATION	0.14	ACRES
REDUCTION OF IRR. BASED ON RATE/ACRE	7.2	ACRES
REDUCTION BASED ON CONSUMPTIVE USE	1.0	ACRES
REDUCTION BASED ON ANNUAL VOLUME	6.6	ACRES

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

NUMBER OF ACRES THAT CAN BE IRRIGATED BY CONSUMPTIVE USE

INPUT DATA	
IRRIGATION CONSUMPTIVE USE/ACRE	4.0
CALCULATED	
ACRES IRRIGATED	0.7

CALCULATIONS FOR TOTAL NUMBER COWS IN DAIRY HERD (MILK & NON-MILKING COWS) & REQUIRED DATA FOR DAIRY WATER USE WORK SHEET

FILE: Gaylen Clayson (Sec 32)

ASSUMPTIONS: (1) 10% mortality in calves
 (2) half of calves are bulls
 (3) dairy replaces ~ 1/3 of herd each year
 (4) maintaining milking herd of ()

CALCULATIONS: 410 # Milk cows

1. ASSUME: 10% mortality in calves.
 (Milk cows) × (% remaining cows) = Total Number Calves

(410) × (0.9) = 369 Total Calves

2. ASSUME: Half of calves are bulls reduce total by two.
 (Total Calves) ÷ 2 = Remaining Total of Weanling

(369) ÷ 2 = 185 Total Weanling

3. ASSUME: 1/3 herd replaced each year
 Milking started with 3 yr. old use 3*
 Milking started with 2½ yr. old use 2½*
 Milking started with 2 yr. old use 2*

Herd composition of Non-milk cows:

(Weanling + Yearlings + 2 yr old) Milking of 3 yr. old

(Weanling + Yearlings) Milking of 2 yr. old

(Total Weanling) × (Num.)* = Total of Non-milk cows

(185) × (2½) = 463 Non-milk cows

REQUIRED DAIRY DATA:

1. Composition of herd (410) Milk Cows
 (Use calculated numbers) (463) Non-milk Cows
2. Lagoon anaerobic enter zero; Aerobic enter surface area in
 acres: [(50 #) × (100) #] ÷ 43560 = (0.2)
3. Evapotranspiration factor for area (AFA): (4)
4. Recycled water use = 0; manual cow washing = 1; uses Town
 Automatic washing = 2; Sprinklers to flush
 holding pen & wash cows: (Use from Owner "#") (0)
5. Number of milkings per day: - - - - - # (2)
6. Flow of water for in-barn use (GPM): - - - - - # (65)
7. Duration of Milking (Minutes/Day): - - - - - # (1320)
8. Duration of Clean-Up (Minutes/Milking): - - - - - # (60)

REQUIRED PUMP INFORMATION:

- | | Well 1 | Well 2 | Well 3 |
|---|---------------|---------------|--------|
| 1. PUMP HORSEPOWER (Hp) - - - - - # | (<u>2</u>) | (<u>1</u>) | () |
| 2. LIFT (Ft) - - - - - # | (<u>60</u>) | (<u>60</u>) | () |
| 3. DISCHARGE PRESSURE (psi) - - - - - # | (<u>30</u>) | (<u>30</u>) | () |
| 4. Friction Losses (Ft) - - - - - # | (<u>0</u>) | () | () |
| 5. Hours pump is on: - - - - - # | (<u>20</u>) | (<u>20</u>) | () |

NOTE: All amounts indicated by "#" must be supplied by Dairy.

RECEIVED

MAY 21 1997

Department of Water Resources
Eastern Region

Firth, Idaho 83236
Source: GROUNDWATER
Diversion Point: SWSW, Sec. 32, T.
01S, R. 37E, in Bingham County.
Use: STOCKWATER (0.520 CFS)
Total Diversion: (0.520 CFS)
Date Filed: 3/6/1997
In: BINGHAM County
T01S, R37E, S32, NWSW, SWSW

27-07579

CLAYSON, Gaylen
DBA Cedar Arch Dairy
600 N., 710 E.
Firth, Idaho 83236
Source: GROUNDWATER
Diversion Pt: SWNW, Sec. 29, T. 01S,
R. 37E, in Bingham County.
Use: STOCKWATER (0.420 CFS)
Total Diversion (0.420 CFS)
Date Filed: 3/6/1997
In: BINGHAM County
T01S, R37E, S29, SWNW, SENW

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the applicant and the Director, Dept. of
Water Resources, along with a \$25.00 fil-
ing fee, Eastern Region, 900 N. Skyline,
Idaho Falls, Idaho, 83402, on or before
May 19, 1997.

KARL J. DREHER
Director

DEPT. OF WATER RESOURCES
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718
(208) 525-7161
Fax: (208) 525-7177

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

27-7578

CLAYSON, Gaylen
DBA Cedar Arch Dairy
600 N., 710 E.

(3266)
Pub., 5/1, 8

Legal

**AFFIDAVIT OF
PUBLICATION**

County of Bingham

State of Idaho

I, Jacqueline Graham
solemnly

Legal

swear that I am the Coordinator of
The Morning News, which is a daily news-
paper of general circulation, published
each day except Sunday at Blackfoot,
Bingham County, Idaho; said newspaper
having been so published at Blackfoot
aforesaid for more than one year past;
that said newspaper heretofore complied
with all the provisions of Chapter 184 of
the Sessions Laws of Idaho of 1911, ap-
proved March 11, 1911, and duly desig-
nated, pursuant to law, a particular day
of the week as the day on which legal
notices required by law or by the order of
any Court of competent jurisdiction within
the State of Idaho shall be published for
with of each week; that the notice at-
tached hereto and which is a part of this
affidavit and part of the proof of publi-
cation was published in said issue of said
newspaper 2 consecutive Weeks
the first publication having been made on
the 1st day of May
1997, and the last publication having
been made on the 8th day of
May 1997; that said notice
was published in the regular and entire
issue of every number of the paper as
aforesaid during the period and time of
publication, and that notice was pub-
lished in the newspaper and not in a sup-
plement.

Jacqueline Graham

On this 19th day of May, in
the year 1997, before me a Notary
Public of said State, personally appeared
Jacqueline Graham

known or identified to me to be the per-
son whose name is subscribed to the with-
in instrument, and being by me first duly
sworn, declared that the statements
therein are true, and acknowledged to
me that he executed the same.

Lyndee Smith

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:

October 16, 2002.

Affidavit Processing Fee \$3.00



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 30, 1997

GAYLEN CLAYSON
DBA CEDAR ARCH DAIRY
600 N 710 E
FIRTH ID 83236

RE: Notice of Application for Permit No. 27-07578 & 27-07579

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application for transfer of water rights. This office is currently in the process of advertising the application in the Morning Newsz May 1 & 8, 1997. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 23, 1997

Legal Notices Department
THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before MAY 19, 1997.

Yours truly,

Rita Bodell
Secretary

Encl.

27-07578

CLAYSON, GAYLEN
DBA CEDAR ARCH DAIRY
600 N 710 E
FIRTH, ID 83236

Source: GROUNDWATER

Diversion Pt: SWSW Sec 32 T 01S R 37E in BINGHAM County.

Use: STOCKWATER (0.520 CFS)
Total Diversion: (0.520 CFS)

Date Filed: 3/ 6/1997

In: BINGHAM County
T01S R37E S32 NWSW SWSW



**Eastern Idaho
Agricultural Credit Association**

Blackfoot Office
P.O. Box 985 - 188 W. Judicial
Blackfoot, Idaho 83221
Bus: 208/785-1510
Toll Free: 1-800-686-8910
Fax: 208/785-4451

March 5, 1997

Water Resources
c/o Keith Wilson
900 Skyline Dr., Suite A
Idaho Falls, ID 83402

RECEIVED

MAR 06 1997

Department of Water Resources
Eastern Region

Dear Mr. Wilson,

Mr. Clayson is submitting to you two applications for water permits on the two dairies he owns in the Firth area. It is our understanding that verification of the number of livestock on the locations prior to the moratorium in 1987 is required. We have searched through our records and have found the following verification.

Sec. 32: SW $\frac{1}{4}$ SW $\frac{1}{4}$, T1S, R32 EBM

Enclosed is a field report form submitted to Eastern Idaho PCA in August of 1987 reporting 535 mature livestock in the dairy herd comprised of milking and dry cows. This number is reasonably verified by a milk receipt from the same year showing the milk production from 410 milking cows. Therefore, is reasonable to conclude the majority of these cows calved during the year. Assuming that 80% of the progeny survived, 428 young stock could have been on the dairy during 1987 for a total of 963 hd.

Sec. 29: SW $\frac{1}{4}$ NW $\frac{1}{4}$, T1S, R32 EBM

Enclosed is a financial statement taken by Eastern Idaho PCA in 1985 by the current owners^(at the time) of this dairy. It verifies that a herd of 308 Holstein cattle were on the premises as of that date. Using the same logic as in the previous instance it can be concluded that another 246 young stock were on the premises that year for a total of 554 hd.

Thank you for your assistance in this matter.

Sincerely,
Eastern Idaho ACA


Lorry Pitcher
Loan Officer

NAME:

FIELDMAN:

The following information is needed to complete our production files on your dairy:

During the period from Sept 1, to _____ 31,

What was the:

- (a) Total pounds of milk shipped 848,000
- (b) Average Test 3.59
- (c) Gross amount of check 92,880.00
- (d) Total market deductions for hauling, ADA, location difference, Market Association, etc: _____
(Do not include assignments to PCA, FLB, etc.)

What are the:

- (a) Total number of cows milking today 425
- (b) Total number of cows dry today 110

Beginning cow inventory on 535 1, 1986, was

- (a) Total number of cows/springers purchased 15 5016
- (b) Total number of cows/springers sold _____

Ending cow inventory on _____ 31, 1986

What was the total amount of grain fed last month \$ _____

Any comments: (Use other side if additional room is needed)

10.90 per Hundred wt.
58 lbs

Signed _____

PLEASE SIGN AND RETURN THIS FORM TO OUR OFFICE BY SEPTEMBER 26, 1986. ENCLOSED YOU WILL FIND AN ADDRESSED ENVELOPE FOR YOUR CONVENIENCE.

241633

MILK STATEMENT

DATE OF CHECK: 04-16-87
PERIOD ENDING 03-31-87
PRODUCER NO 01639

UNDS OF MILK	TEST SUMMARY		LAB	E		WMT	SOMATIC CELL CNT.	PHOSPHORUS	DED WATER	FLAVOR	FARM SCORE	SEDIMENT	SAMPLE DATE	
	BUTTERFAT	PROTEIN		RAW	P.L.									
27370	4.28	3.13	IMPA	8000	240000		242000						03-20-87	
20007	4.60	3.17												
26084	3.60	3.13												
20553	4.60	3.17												
4/10 cows \$11.96 net														
L.P. MILK	AVE BF	AVE PROT	BUTTERFAT POUNDS	PROTEIN POUNDS	CLASS 1 POUNDS	CLASS 1 PRICE	CLASS 1 VALUE	THIS PERIOD'S TOTAL VALUE (CLASS 1 + SURPLUS)						
6985	3.84	3.11	25774.69	20874.82	270649	15.0572	40752.16							
SE YIELD	CHEESE VALUE	EXCESS FAT VALUE	SURPLUS POUNDS	SURPLUS PRICE	SURPLUS VALUE									
9818	10.02620	.749636	400567	10.7758	43164.30									
POUNDS								TOTAL VALUE						
39439	BASE AND PRICE SUMMARY							23467.67 * 112617.54						
32	19524	624768	43.32	270649	14.52	1.580	1.090							
NUS) COMMODITY CREDIT CORP. .25/CWT. 1,672.04								-1,678.04 ***4598.61						
-D FARM STORE: ****441.16 Y-T-D CHALET: *****51.00								PREMIUMS *****C.						
CALCULATED DEDUCTIONS														
HAULING	STOP CHARGE	FED ADV	STATE ADVERTISING	CAPITAL ROTATION	TOTAL CALCULATED DEDUCTIONS									
30	2784.96	1.00	28.00	.05	335.61	.10	671.22	.15	1006.82	4826.61				
7,860.04	*86.00	**919.72	**1,839.44	***2,759.15	13,464.35									
REQUESTED ASSIGNMENTS														
35 DONEY FLINT	329.03	ASSIGNMENT FEES		6.00										
SHALPIN DAIRY SUPPLIES	500.00													
HIGHAM, CHARLES DR.	1000.00													
UTAH POWER & LIGHT	1000.00													
UTAH CREDIT CORP/CRAI	1837.87													
TOTAL ASSIGNMENT 4666.90 **7317.14														
NET CHECK 38927.23 **210695.14														

PRODUCER MESSAGE

01639 GAYLEN CLAYSON
C/O EASTERN IDAHO P.C.A.
P. O. BOX 618
IDAHO FALLS, IDAHO 83402DUE TO SOME CONFUSION,
YEAR - T - C - DATE AMOUNTS
ARE NOW PRECEDED BY
ASTERISKS (*****).
Y-T-D AMOUNTS APPEAR IN GRAY-SHADED AREAS.

CHECK # AND DATE: 241633 04-16-87

GRAY-SHADED AREAS ARE YEAR-TO-DATE FIGURES