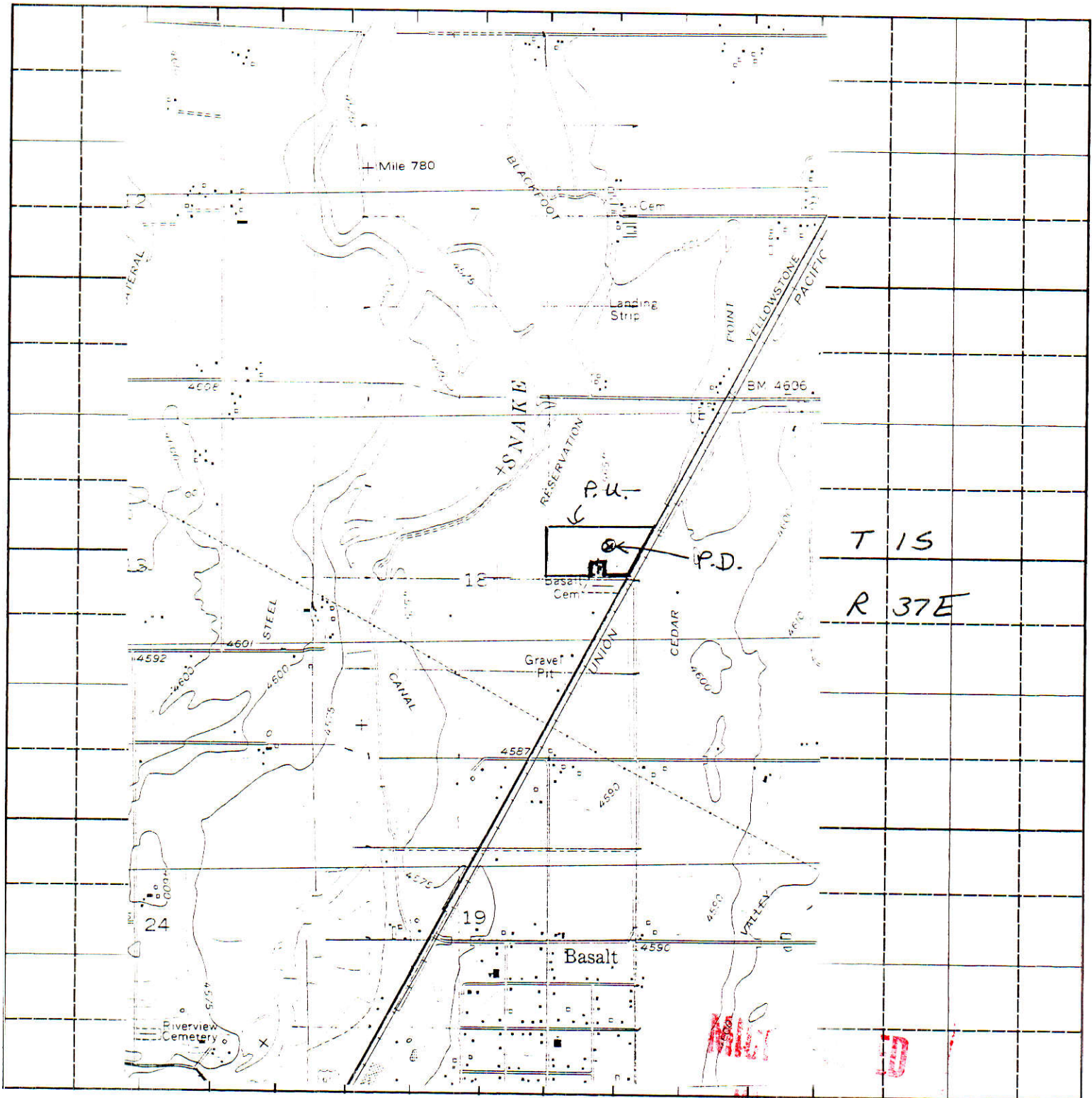
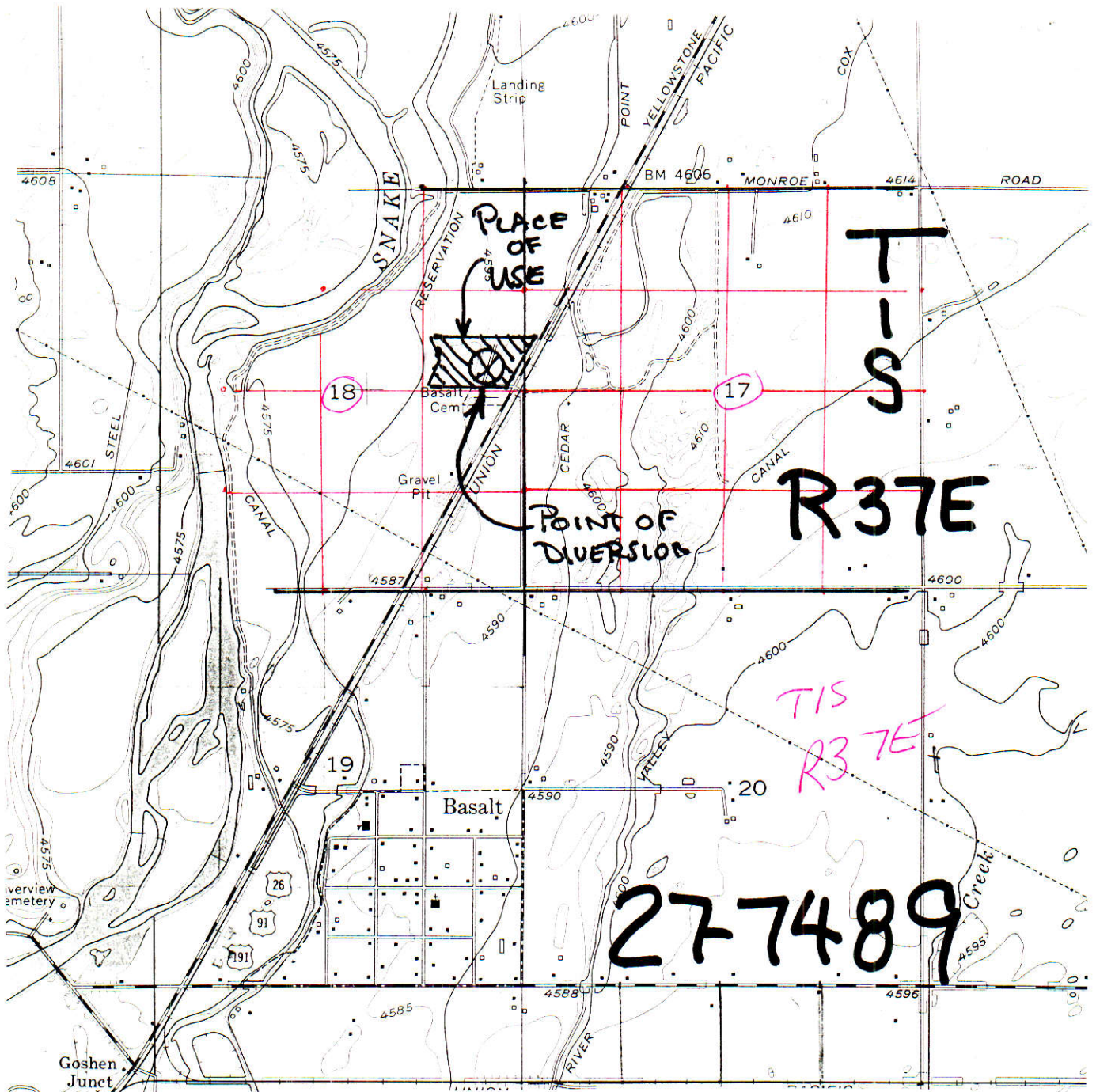


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

[Signature] Pres.
(Applicant)
for Crofts INC.



(SHEET 7)

700 N

Snake

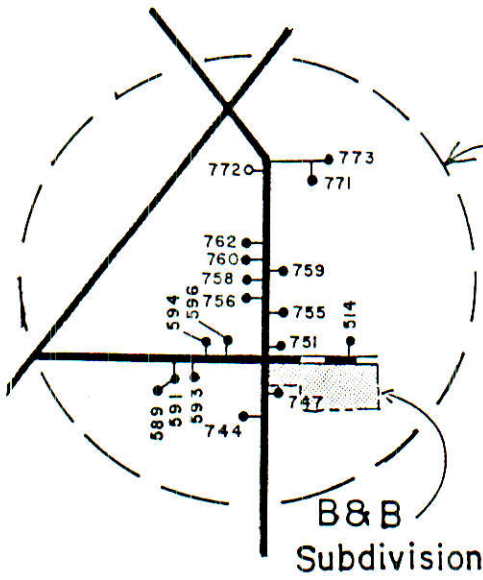
City

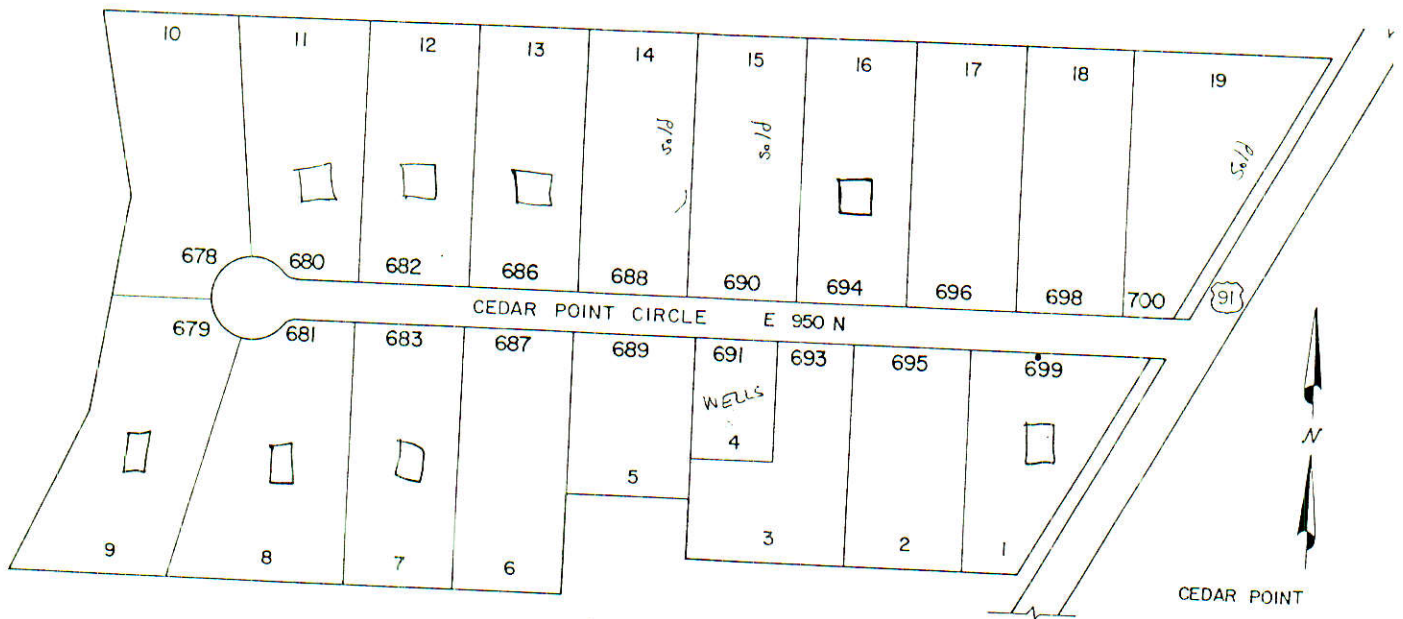


POINT OF DIVERSION
AND
PLACE OF USE
17

27-07499

B & B /
Subdivision





☐ Homes on lots at time of exam (7-27-2000)

Cedar Point Subdivision

Sec 17 & 18, T1S, R37E

27-07489

718
1817

3
90.4

NHEL
3
70

2 NHEL
14.5

R37E

PLACE OF USE

5 NHEL
72.7

T
-
S

7 HEL
69.5

6 NHEL
13

HEL 10
6.9

9 NHEL
152

POINT OF DIVERSION

12 NHEL
24.2

16.7
HEL

13 NHEL
38.0

NHEL
14
7.7

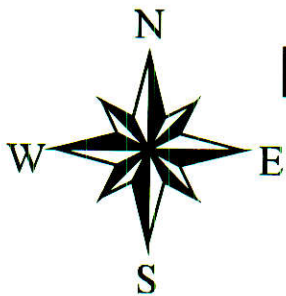
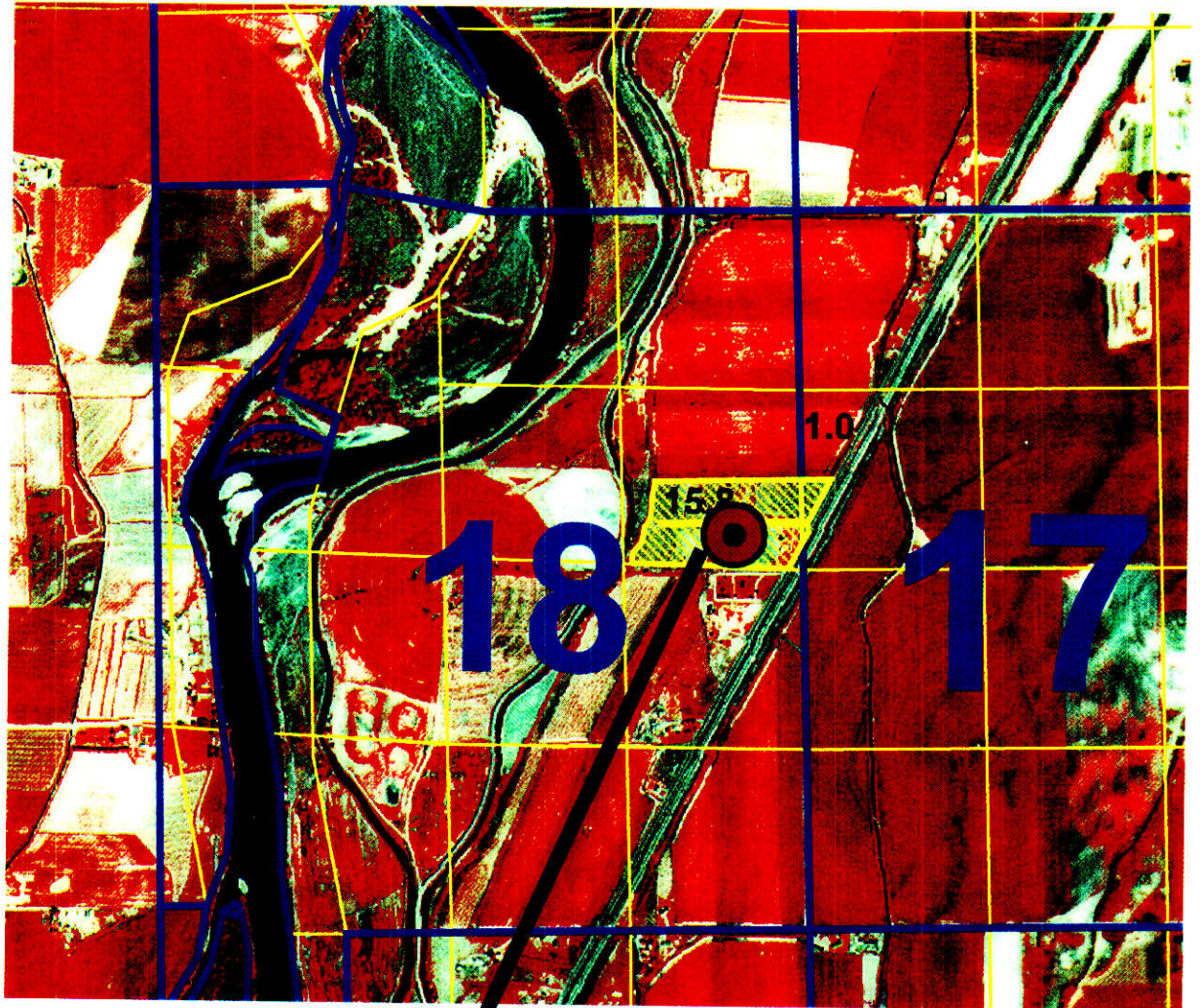
15 NHEL
123.7

17 NHEL
125.3

1817
1920

27-07489

**T
1
S**



**Point of Diversion
&
Place of Use**

R37E

27-07489



POD 1hp pump

27-7489

Photo Page 1 of 3

27-07489



POD 10 hp pump
PHOTO PAGE 2 of 3

27-7489



1 hp pump measurement



10 hp pump measurement

27-7489

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
~~ORIGINAL APPLICATION~~	~~27-07489~~	~~CROFTS, INC. BY~~ ~~VINCENT CROFTS~~	~~0.69~~
FULL ASSIGNMENT	27-07489	CEDAR POINT SUB- DIVISION WATER CO.	0.69

APRIL 6, 1998

MICROFILMED

APR 15 1998

JUN 3 1998

JUN 29 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
27-07489 IN THE NAME OF)
CROFTS, INC.)
_____)

ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of a response by the permit holder to an order issued by the department, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On November 9, 1994, the Director of the department issued an Order for Temporary Stay of Development and Notice of Formal Proceedings (Order for Temporary Stay) in connection with Permit No. 27-07489 in the name of Crofts, Inc. (permit holder).

2. On February 14, 1995, the department issued a Final Order cancelling Permit No. 27-07489, since the permit holder did not respond to the Order for Temporary Stay.

3. On February 21, 1995, the permit holder filed a Petition for Reconsideration of the department's Final Order stating that certain of the development has occurred and that the Order for Temporary Stay has delayed completion of the project by a period of approximately four (4) months.

4. The permit holder has completed most of the work authorized by Permit No. 27-07489 including the construction of one (1) of the two (2) anticipated wells and the stubbing off of domestic water lines to all of the eighteen (18) lots.

CONCLUSIONS OF LAW

1. The permit holder has provided sufficient information to demonstrate that substantial investment has been made in facilities to divert and beneficially use the water contemplated under the permit.

2. The department should rescind the Final Order dated February 14, 1995, should reinstate Permit No. 27-07489 and should extend the proof of beneficial use date by the amount of time which the department's Order for Temporary Stay stopped development of the permit.

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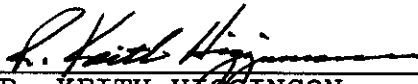
JUN 29 1995

ORDER

IT IS THEREFORE, HEREBY ORDERED that the Final Order of the department dated February 14, 1995 is **RESCINDED** and that Permit No. 27-07489 is **REINSTATED**.

IT IS FURTHER HEREBY ORDERED that the permit holder shall submit the proof of construction of works and application of water to beneficial use for Permit No. 27-07489 on or before July 1, 1995.

Dated this 23rd day of FEBRUARY, 1995.



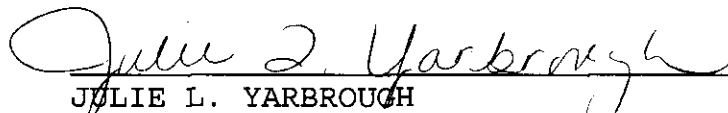
R. KEITH HIGGINSON
Director

RECEIVED
JUN 29 1995

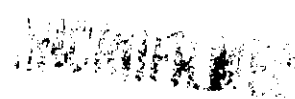
CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 23rd day of February, 1995,
I mailed a true and correct copy, postage prepaid, of the foregoing
ORDER to the following:

Crofts Inc.
P.O. Box 296
Firth, ID 83236



JULIE L. YARBROUGH
Senior Secretary


JUN 29 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPROVED PERMITS)
FOR THE APPROPRIATION OF GROUND)
WATER FROM THE EASTERN SNAKE RIVER)
PLAIN AQUIFER FOR WHICH PROOF OF)
BENEFICIAL USE HAS NOT BEEN)
SUBMITTED AND IS NOT PAST DUE)

FINAL ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of failure of the permit holder to respond to a prior order of the department, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On November 9, 1994, the department issued an Order for Temporary Stay of Development and Notice of Formal Proceedings (order) requiring certain permit holders to either file proof of beneficial use of water in connection with their permit or to otherwise respond to the department in connection with the order.

2. The holder of Permit No. 27-07489 (permit holder) has neither filed proof of beneficial use of water nor responded to the department in connection with the order.

CONCLUSIONS OF LAW

1. Section 42-1805, Idaho Code, provides in part as follows:

In addition to other duties prescribed by law, the director of the department of water resources shall have the following powers and duties:

...

(7) After notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of minimum flow provisions of the state water plan.

2. IDAPA Rule 37.03.08055.02 (Water Appropriation Rule 55) of the Department of Water Resources, provides as follows:

a. To the extent a permit has not been developed, the director may cancel, or modify permits for which proof of

RECORDED

JUN 29 1995

beneficial use has not been submitted in a designated geographical area as an extension of Rule 55.01.

b. Notice of the director's action to cancel or modify permits shall be by:

i. Summary Order served by certified mail upon the affected permit holders in the designated area.

ii. Publication of an order for three (3) consecutive weeks in a newspaper or newspapers of general circulation in the area.

c. Objections to the director's action shall be considered under the department's rules of procedure and applicable law.

3. IDAPA Rule 37.01.01104 (Rule of Procedure 104) of the Department of Water Resources provides in part as follows:

Formal proceedings may be initiated by a document from the agency informing the party(ies) that the agency has reached an informal determination that will become final in the absence of further action by the person to whom the correspondence is addressed, provided that the document complies with the requirements of Rules 210 through 280.

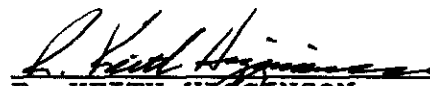
4. The department has properly notified the permit holder of requirements related to the department's order dated November 9, 1994 and the permit holder has failed to respond.

5. The department should cancel Permit No. 27-07489.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Permit No. 27-07489 in the name of Crofts Inc. is **CANCELLED** and is of no further force nor effect.

Dated this 14TH day of FEBRUARY, 1995.



R. KEITH HEGINSON
Director

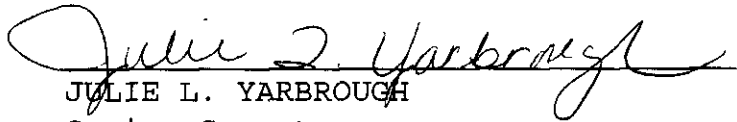
RECEIVED

JUN 29 1995

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 14th day of February, 1995,
I mailed a true and correct copy, postage prepaid, of the foregoing
FINAL ORDER to the following:

Crofts Inc.
P.O. Box 296
Firth, ID 83236


JULIE L. YARBROUGH
Senior Secretary

RECEIVED
JUN 29 1995

JUN 29 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPROVED PERMITS)
FOR THE APPROPRIATION OF GROUND)
WATER FROM THE EASTERN SNAKE RIVER)
PLAIN AQUIFER FOR WHICH PROOF OF)
BENEFICIAL USE HAS NOT BEEN)
SUBMITTED AND IS NOT PAST DUE)

**ORDER FOR TEMPORARY
STAY OF DEVELOPMENT AND
NOTICE OF FORMAL PROCEEDINGS**

The Director of the Idaho Department of Water Resources (Director), having responsibility for the administration of the appropriation of the water of the state of Idaho, the protection of rights to the use of water within the state, the protection of the public interest in the waters of the state and the conservation of the water resources of the state enters the following Findings of Fact, Conclusions of Law and Order for temporary stay; and provides the following notice of formal proceedings:

FINDING OF FACTS

1. On May 15, 1992, the Director issued an order establishing a moratorium on the processing and approval of applications for permit to appropriate water from all surface and ground water sources upstream from the USGS Gauge on the Snake River near Weiser, Idaho. On April 30, 1993, the Director issued an Amended Moratorium Order covering the Eastern Snake River Plain Aquifer. The 1994 session of the Idaho Legislature enacted section 42-1806, Idaho Code, requiring that the moratorium relating to the the Eastern Snake River Plain area shall continue in effect until December 31, 1997.

2. The state of Idaho has experienced seven (7) recent years of drought conditions resulting in lowered ground water levels and decreased discharge from surface water sources. The Idaho Legislature has authorized a study to examine the implications of these changes and the relationships between surface and ground water resources. The study is expected to be completed in approximately two (2) years.

3. Delivery calls have been made by the holders of senior-priority surface and ground water rights against the holders of junior-priority ground water rights from the Eastern Snake Plain Aquifer which could result in the curtailment of diversion and use of water under junior-priority ground water rights including rights which might otherwise be developed under permits which are the subject of this order and notice.

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JUN 29 1995

CONCLUSIONS OF LAW

1. Section 42-1805, Idaho Code, provides in part as follows:

In addition to other duties prescribed by law, the director of the department of water resources shall have the following powers and duties:

...

(7) After notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of minimum flow provisions of the state water plan.

2. Water Appropriation Rule 55.02. of the Department of Water Resources (IDAPA 37.03.08055.02) provides as follows:

02. PERMITS

a. To the extent a permit has not been developed, the director may cancel, or modify permits for which proof of beneficial use has not been submitted in a designated geographical area as an extension of Rule 55.01.

b. Notice of the director's action to cancel or modify permits shall be by:

i. Summary Order served by certified mail upon the affected permit holders in the designated area.

ii. Publication of the order for three (3) consecutive weeks in a newspaper or newspapers of general circulation in the area.

c. Objections to the director's action shall be considered under the department's adopted rules of procedure and applicable law.

3. Rule of Procedure 104 of the Department of Water Resources (IDAPA 37.01.01104) provides in part as follows:

Formal proceedings may be initiated by a document from the agency informing the party(ies) that the agency has reached an informal determination that will become final in the absence of further action by the person to whom the correspondence is addressed, provided that the document complies with the requirements of Rules 210 through 280.

4. Protection of prior rights to the diversion and use of surface and ground water of the Eastern Snake River Plain Aquifer

MICROFILMED
JUN 29 1985

and the Snake River may require that the further development of water under existing undeveloped permits be suspended indefinitely to assure that the effects and conditions caused by drought, changes in irrigation practices and resulting aquifer recharge, and diversion and use of ground water from the aquifer under prior established water rights are properly evaluated.

5. Section 42-204, Idaho Code, provides in part as follows:

Every holder of a permit which shall be issued under the terms and conditions of an application filed hereafter appropriating twenty-five (25) cubic feet or less per second must, within one (1) year from the date upon which said permit issues from the office of the department of water resources, commence the excavation or construction of the works by which he intends to divert the water, and must prosecute the work diligently and uninterruptedly to completion, unless temporarily interrupted through no fault of the holder of such permit by circumstances, over which he has no control.

ORDER

IT IS THEREFORE, HEREBY ORDERED as follows:

1. The owners of all permits to appropriate ground water within the boundaries of the Eastern Snake Plain Aquifer, as that area is defined by Rule 50 of the rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11), shall, effective immediately upon receipt of this order, temporarily stop further development under the permit until the Director authorizes further development.

2. The owners of all permits for appropriation of ground water within the boundaries of the Eastern Snake River Plain Aquifer shall on or before February 1, 1995, either:

A. File proof of beneficial use to cover the extent of diversion and beneficial use of water that has been accomplished prior to receipt of this order; or

B. File a response with the Director in this proceeding to satisfy the requirements of either subparagraph 1) or 2) below:

1) Document with supporting information that a "substantial investment" has been made, prior to receipt of this order, in facilities to divert and beneficially use water under the permit that merits the granting of additional time to complete all or part of the project. Substantial investment means an actual expenditure or written commitment for development of the project which meets the following requirements:

RECORDED
JUN 29 1995

- a) The actual expenditure or written commitment for the diversion and related equipment must equal or exceed the amount of fifteen thousand dollars (\$15,000) or exceed twenty five (25) percent of the estimated cost of the system for diverting and beneficially using the water, whichever is less; and
- b) The actual expenditure or written commitment must have been made before receipt of this order.

2) Request an indefinite stay in the development period for the project, or any part of the project for which a substantial investment has not been made, until the conditions that resulted in this order have been alleviated if such should ever occur. Upon approval of any such stay, no further development is to occur until such time as the department has issued an extension of time setting a date for completion of the project.

3. Failure to submit either proof of beneficial use or a satisfactory response shall result in cancellation of the permit without further notice.

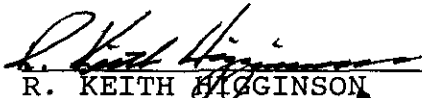
4. Before receiving approval for either additional time to complete a project under subparagraph 2.B.1) or a stay under subparagraph 2.B.2) above, the owner of the permit shall provide information to demonstrate compliance with the provisions of Sections 42-204, Idaho Code, with respect to commencing and diligently proceeding to develop the project authorized under the permit.

5. This order does not prevent the Director from reviewing continued development of a permit on a case-by-case basis if,

a. The Director determines that protection and furtherance of the public interest justifies continued development of a permit; or

b. The Director determines that continued development and use of water will have no effect on prior water rights because of its location, insignificant consumption of water or mitigation provided by the permit holder to offset injury to other rights.

Dated this 9TH day of NOVEMBER, 1994.


R. KEITH MCGINSON
Director

MICROFILMED
JUN 29 1995

RECEIVED

MAR 1 1993

Department of Water Resources

For Office Use Only
\$15 Fee Received by h
Date 3-1-93
Receipt No. 026974

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

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 water right under the provisions of Section 42-204, Idaho Code.

Permit No. 27-07489

Name(s) of Permit Holder: Crofts Inc.

Mailing Address: Box 296 Fifth, Idaho 83236

Date Proof is Due March 1, 1993 Telephone No. 208-346-6044

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Existing 6" well with 3/4 HP pump - well house + storage tank - with
lines stubed into 18 lots - one home built - one other lot sold -
with possibility of 2 or 3 homes to be built this summer

Costing \$

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

existing system pumps enough to take care of current use -
in the next 5 years another well + pump will need to be
added to handle more than 4 or 5 homes.

Permit holder(s) request an extension to Mar. 1, 1998, 19 98. (5 years)

FEE: \$15.00

[Signature] Pres. Crofts Inc.
(Signature)*

*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 March 1, 1995.

APR 07 1993

Signed this 3rd day March, 19 93

[Signature]
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07489

Proposed Priority: June 1, 1989

Maximum Diversion Rate:

0.69 CFS

This is to certify, that **CROFTS INC.**

P.O. BOX 296

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>
IRRIGATION	04/01 to 11/01	0.35 CFS
DOMESTIC	01/01 to 12/31	0.36 CFS
	Totals	0.69 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESENE Sec. 18, Township 01S, Range 37E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	37E	17	SWNW 3			3
		18	SENE 15			15

Total number of acres irrigated: 18

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1993**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
7. 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.

Microfilm

MAR 05 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

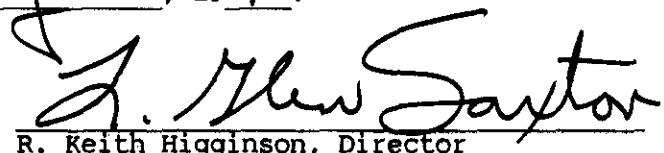
NO. 27-07489

CONDITIONS/REMARKS:

8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Domestic use is for 18 homes.

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

12th day of February, 1990.

for 
R. Keith Higginson, Director

RECEIVED

MAR 05 1990

277489

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Crofts, Inc. Phone (208) 346-6044
Post office address P.O. Box 296 Fifth, ID 83236
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 18 Township 15 Range 37E B.M. Bingham County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .36 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .35 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.69 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, pipe,
distribution system to building lots.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is 8 inches; proposed depth of well is 100 feet.
d. Is ground water with a temperature of greater than 90°F being sought? NO
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).

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MAR 05 1990

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. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 18 units
- e. Other; describe fully. _____

9. Description of place of use:

- 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.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13	37E	17							3										3
		17							D										
		18				15													15
		18				D													

Total number of acres to be irrigated 18

10. Describe any other water rights used for the same purposes as described above. Application filed for existing well (27-7488)

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

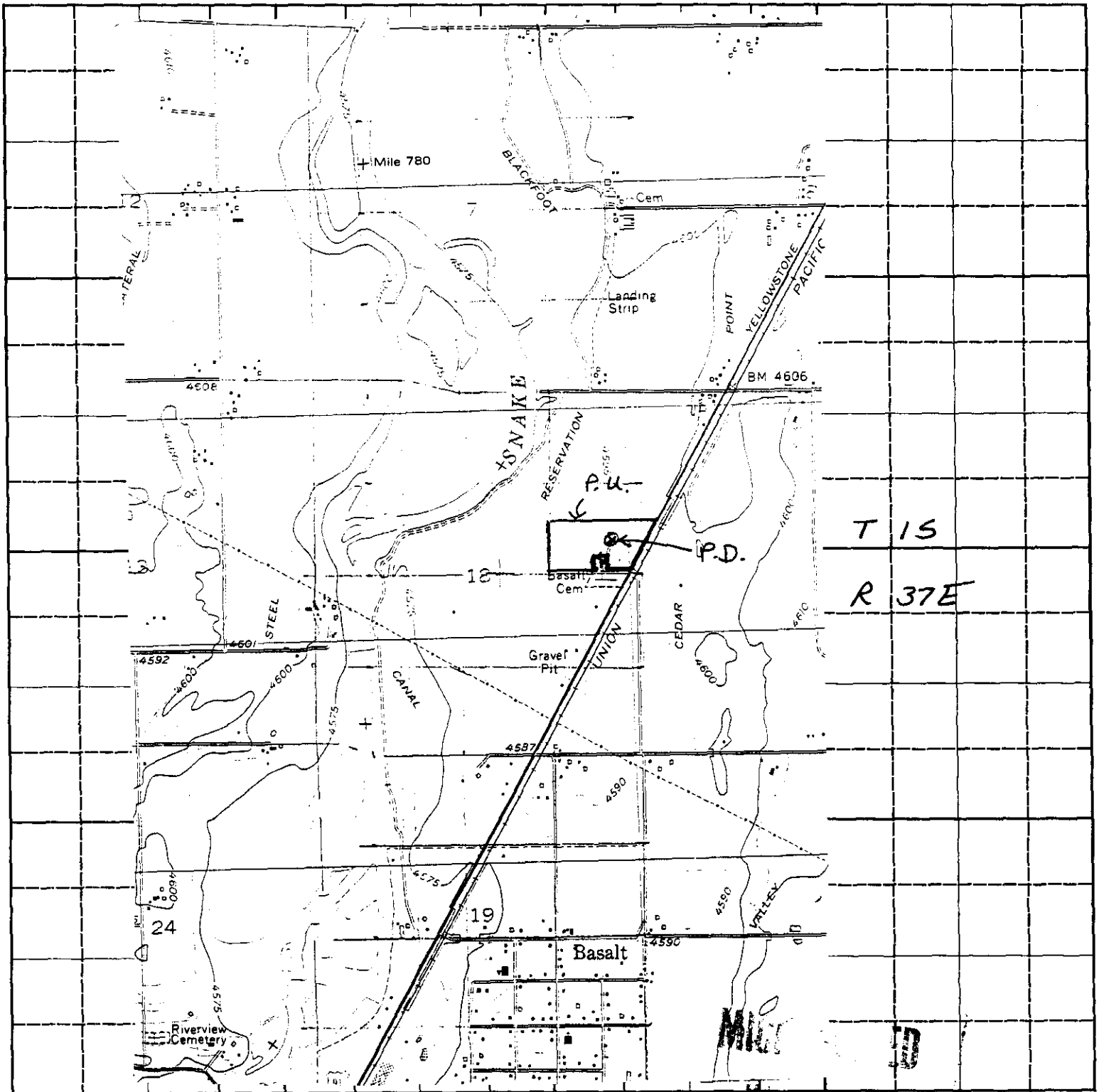
b. Who owns the land to be irrigated or place of use? Applicant & 1 lot owner

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Water System for Cedar Point Subdivision

12. Remarks: This application is for a new well to be drilled to supplement the existing well and provide water for lawn irrigation and additional in house use. Replaces lapsed permit no. 27-07094

MAR 05 1990

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



Scale: 2 inches equal 1 mile.

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

[Signature] Pres.
(Applicant)
for Crofts INC.

Received by CA Date 6-1-89 Time 1:40 P.M. Preliminary check by DMD
Fee \$ 45.00 Receipted by CA # E008590 Date 6-1-89
Publication prepared by RB Date 12-21-88 Published in Morning News
Publication approved aw Date 1-8-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED
MAR 05 1990

VINCENT Crofts
617 E 700th
Firth, Id. 83236
346-6856

Pres.

Neil Crofts
335 W. Locust
Shelley, Id. 83274
357-7407

~~V. Pres.~~
Sec.

Norman Crofts
1006 Hwy 91
Shelley Id. 83274
357-7257

V. Pres.

Afton Crofts
615 E 700th
Firth, Id. 83236
346-6139

V. Pres.

MACRO

MAR 05 1990

GROVER, Boyd
Rt. 1, Box 386
Shelley, Id. 83274
Source: GROUNDWATER
Diversion Pt: NWSE, Sec. 31, T. 01N, R.
37E.
Use: IRRIGATION (.660 CFS).
COMMERCIAL (.020 CFS).
DOMESTIC (.110 CFS).
Total Diversion: (.790 CFS).
Date Filed: 5/31/1983.
In: T01N, R37E, S31, NESE, NWSE.
33.0 ACRES TOTAL.

27-07429
BITHELL, Neil F.
BITHELL, Eleanor
392 E. 400 N.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 10, T. 02S, R.
36E.
Use: IRRIGATION (3.000 CFS).
Total Diversion: (3.000 CFS).
Date Filed: 3/11/1987.
In: T02S, R36E, S10, NESE, NWSE, SWSE,
SESE.
150.0 ACRES TOTAL.

27-07438
OLSEN, John W.
40 West Rich Lane
Blackfoot, Id. 832210000
Source: GROUNDWATER
Diversion Pt: SWSE, Sec. 36, T. 02S, R.
35E.
Use: IRRIGATION (2.840 CFS).
Total Diversion: (2.840 CFS).
Date Filed: 7/10/1987.
In: T02S, R35E, S36, NENW, SENW,
NESW, SESW, NWSE, SWSE.
142.0 ACRES TOTAL.

27-07488
CROFTS, Inc.
P.O. Box 296
Firth, Id. 83236
Source: GROUNDWATER
Diversion Pt: SESENE, Sec. 18, T. 01S, R.
37E.
Use: DOMESTIC (.200 CFS).
Total Diversion: (.200 CFS).
Date Filed: 6/01/1989.
In: T01S, R37E, S17, SWNW, S18, SENE.

27-07489
CROFTS, Inc.
P.O. Box 296
Firth, Id. 83236
Source: GROUNDWATER
Diversion Pt: SESENE, Sec. 18, T. 01S, R.
37E.
Use: DOMESTIC (.360 CFS).
IRRIGATION (.350 CFS).
Total Diversion (.690 CFS).
Date Filed: 6/01/1989.
In: T01S, R37E, S17, SWNW, S18, SENE.
18.0 ACRES TOTAL.

35-08530
SASSER, L. Blaine
SASSER, Ardeena
635 S. 1800 W.
Pingree, Id. 832620000
Source: GROUNDWATER
Diversion Pt: SWNW, Sec. 6, T. 04S, R.
33E.
Use: IRRIGATION (1.400 CFS).
Total Diversion: (1.400 CFS).
Date Filed: 6/09/1986.
In: T04S, R33E, S06, NWNW, SWNW,
SENW.
73.0 ACRES TOTAL.

The permit(s) will be subject to all prior
water rights. Protests may be submitted here.

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)ss

I, Ted Townsend do
solemnly

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

newspaper two consecutive weeks

the first publication having been made on the

21st day of December, 1989;

and the last publication having been made on the

28th day of December, 1989
that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 29th day of December, in
the year 1989 before me a Notary Public of said State,
personally appeared

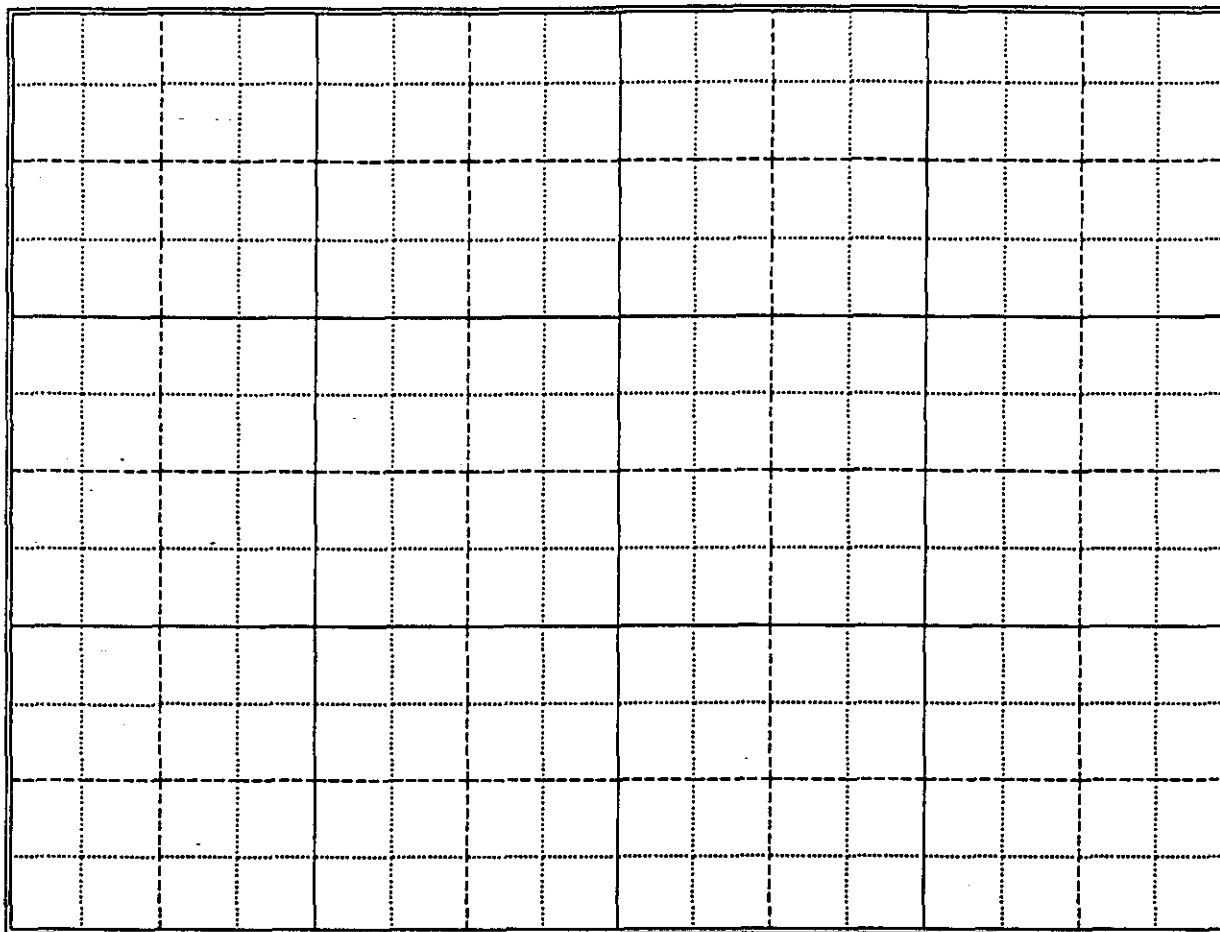
Ted Townsend
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

Raye Carter
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00

MAR 05 1990

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	UNK	1			
	UNK	10			

*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
Polysonic	Sonic	Fuji	FLC-S1011	7K0089TB		ST ID 240333

2. Measurements: .152 steel 1.92 dia - 1 hp 31 gpm observed File 27-7489
.212 steel 3.53 10 hp 137 gpm observed File 27-7489A

27-07489

E. NARRATIVE/REMARKS, COMMENTS

There are two wells for the subdivision

Barros well drilling did well.

1 hp well is the main source
The 10 hp well is for high demand times

27-7488 → One he brought with him along with permit 27-7489
27-7489 The one I had and did.

1 hp pump was switched off to get 10 hp to come on for a flow measurement.

There are eight homes currently using the system. (See plat)
(Lots 1, 7, 8, 9, 11, 12, 13, & 16)

Location of available site for measurement & recording of flow indicates that measurements are in error. Use theoretical flow measurement

$$Q_{1hp} = 0.04 \text{ cfs}$$

$$Q_{10hp} = 0.40 \text{ cfs}$$

$$\underline{\underline{0.44 \text{ cfs}}}$$

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

27-7489

F. FLOW CALCULATIONS

Measured Method:

✓ Additional Computation Sheets Attached

$$Q_{\text{THEORETICAL}} = Q_{\text{in}} + Q_{\text{out}} = 0.04 \text{ cfs} + 0.40 \text{ cfs} = 0.44 \text{ cfs}$$

$$Q_{\text{IRR}} = 16.8 \text{ ac} \times 0.02 \text{ cfs/ac} = 0.34 \text{ cfs}$$

Q_i

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 16.8 \text{ ac} (4) = 67.2 \text{ afa}$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.34 (214) 1.9835 = 144$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 67.2 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$V_{\text{Dom}} = 18 \times 0.6 \text{ ~~afa~~ } = 10.8 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	0.36 cfs	10.8 cfa
IRRIGATION	4/1	10/31	0.34 cfs	67.2 cfa
Totals:			0.44 cfs	78 cfa

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 Keith C. White Date 4/4/2001

Reviewer Steve Mueller Date 7-28-00

SEAL

27-7489

THEORETICAL PUMP FLOW CALCULATIONS

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

SYSTEM: 1 hp

$$\begin{aligned}\text{Hp} &= \text{Horsepower} = \underline{1} \\ \text{Eff} &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Drawdown}) \\ &\text{Static Water Level} = \underline{63} \text{ ft.} \\ &\text{Assumed Drawdown} = + \underline{10} \text{ ft.} \\ &\text{Lift} = \underline{73}\end{aligned}$$

OR

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

$$\text{psi} = \text{Operating Pressure} = \underline{35} \text{ psi}$$

$$Q_{\text{cfs}} = \left[\frac{1}{\text{Hp}} \times 8.814 \times \frac{0.70}{\text{eff}} \right] \div \left[\frac{73}{\text{Lift}} + \left(\frac{35}{\text{psi}} \times 2.308 \right) \right]$$

$$Q_{\text{cfs}} = \left[\underline{6.1698} \right] \div \left[\underline{153.78} \right]$$

$$Q_{\text{cfs}} = \underline{0.04} \text{ cfs SYSTEM } \underline{1 \text{ hp system}}$$

SYSTEM: 10

$$\begin{aligned}\text{Hp} &= \text{Horsepower} = \underline{10} \\ \text{Eff} &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Drawdown}) \\ &\text{Static Water Level} = \underline{63} \text{ ft.} \\ &\text{Assumed Drawdown} = + \underline{10} \text{ ft.} \\ &\text{Lift} = \underline{73}\end{aligned}$$

OR

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

$$\text{psi} = \text{Operating Pressure} = \underline{35} \text{ psi}$$

$$Q_{\text{cfs}} = \left[\frac{10}{\text{Hp}} \times 8.814 \times \frac{0.70}{\text{eff}} \right] \div \left[\frac{73}{\text{Lift}} + \left(\frac{35}{\text{psi}} \times 2.308 \right) \right]$$

$$Q_{\text{cfs}} = \left[\underline{61.698} \right] \div \left[\underline{153.78} \right]$$

$$Q_{\text{cfs}} = \underline{0.40} \text{ cfs SYSTEM } \underline{10 \text{ hp system}}$$

PERMIT NO. 27-7489

LOG NAME: 27-07489 One
START: 07-27-2000 12:35
END: 07-27-2000 12:45
INTERVAL: 00:01:01

07-27-2000 12:35:00
+0.000E+0 ft/s
+0.000E+0 gal/m
+0.000E+0 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-27-2000 12:36:01
+0.000E+0 ft/s
+0.000E+0 gal/m
+0.000E+0 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-27-2000 12:37:02
+0.000E+0 ft/s
+0.000E+0 gal/m
+0.000E+0 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-27-2000 12:38:03
+0.000E+0 ft/s
+0.000E+0 gal/m
+0.000E+0 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-27-2000 12:39:04
+4.831E+0 ft/s
+3.088E+1 gal/m
+6.881E-2 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-27-2000 12:40:05
+4.745E+0 ft/s
+3.033E+1 gal/m
+6.759E-2 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-27-2000 12:41:06
+4.647E+0 ft/s
+2.971E+1 gal/m
+6.619E-2 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-27-2000 12:42:07
+4.536E+0 ft/s
+2.899E+1 gal/m
+6.460E-2 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-27-2000 12:43:08
+4.438E+0 ft/s
+2.837E+1 gal/m
+6.321E-2 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-27-2000 12:44:09
+4.325E+0 ft/s
+2.765E+1 gal/m
+6.161E-2 ft³/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

Flow measurement for 1 hp well

Maximum Flow = 0.07 cfs

27-07489 One

LOG NAME: 27-07489 Two

START: 07-27-2000 13:27

END: 07-27-2000 13:37

INTERVAL: 00:01:00

07-27-2000 13:27:00

+0.000E+0 ft/s +0.000E+0 gal/m

NORMAL

07-27-2000 13:28:00

+0.000E+0 ft/s +0.000E+0 gal/m

NORMAL

07-27-2000 13:29:00

+3.828E-2 ft/s +9.042E-1 gal/m

+2.014E-3 ft3/s

NORMAL

07-27-2000 13:30:00

+5.318E+0 ft/s

+1.255E+2 gal/m

+2.798E-1 ft3/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

07-27-2000 13:31:00

+2.350E+0 ft/s

+5.551E+1 gal/m

+1.236E-1 ft3/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

07-27-2000 13:32:00

+0.000E+0 ft/s

+0.000E+0 gal/m

+0.000E+0 ft3/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

07-27-2000 13:33:00

+0.000E+0 ft/s

+0.000E+0 gal/m

+0.000E+0 ft3/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

07-27-2000 13:34:00

+3.385E-2 ft/s

+7.996E-1 gal/m

+1.781E-3 ft3/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

07-27-2000 13:35:00

+3.886E-2 ft/s

+9.177E-1 gal/m

+2.044E-3 ft3/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

07-27-2000 13:36:00

+0.000E+0 ft/s

+0.000E+0 gal/m

+0.000E+0 ft3/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

07-27-2000 13:37:00

+0.000E+0 ft/s

+0.000E+0 gal/m

+0.000E+0 ft3/s

+TOTAL 0000000 gal

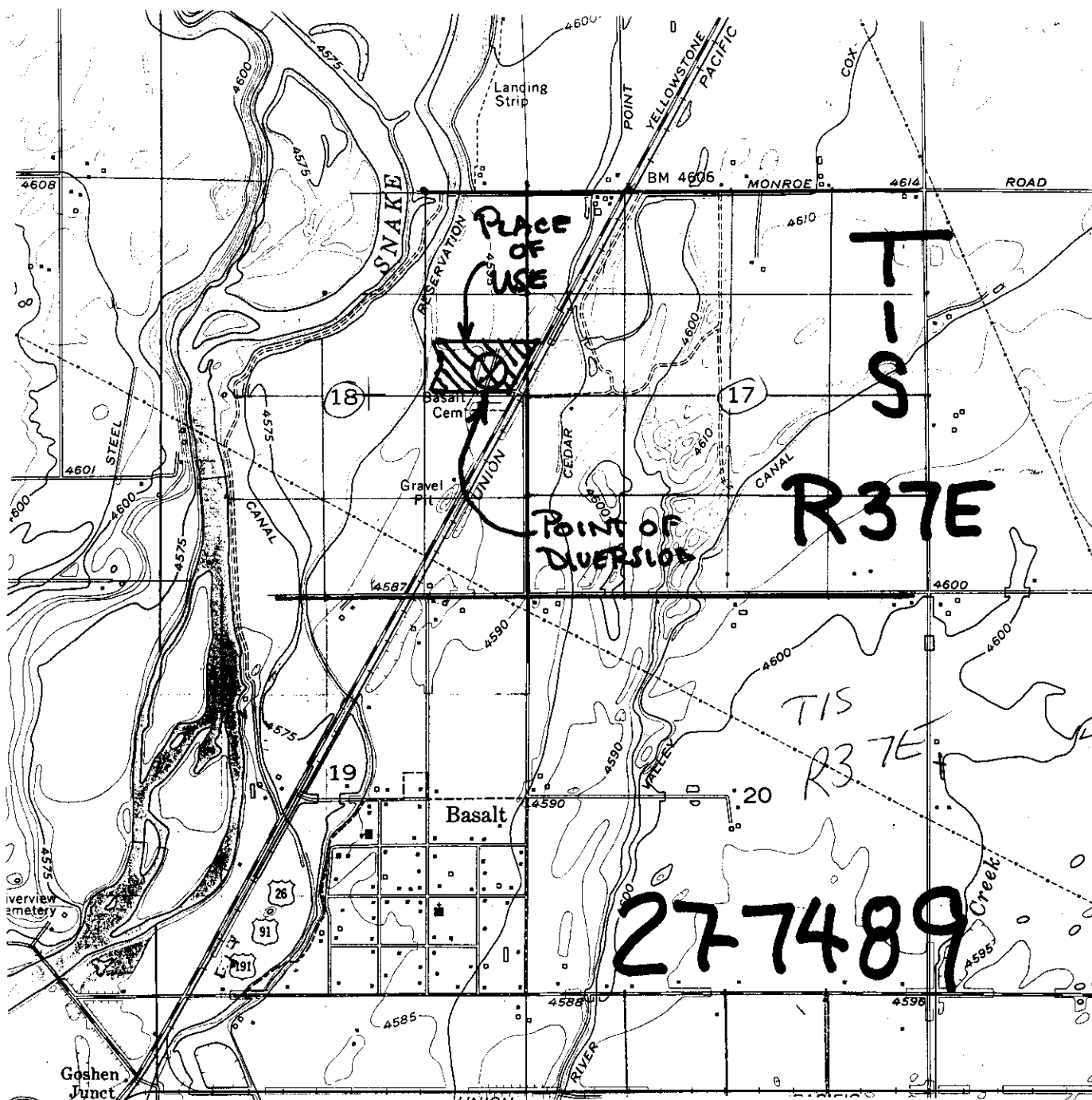
-TOTAL 0000000 gal

NORMAL

Flow Measurement for 10 Hp well.

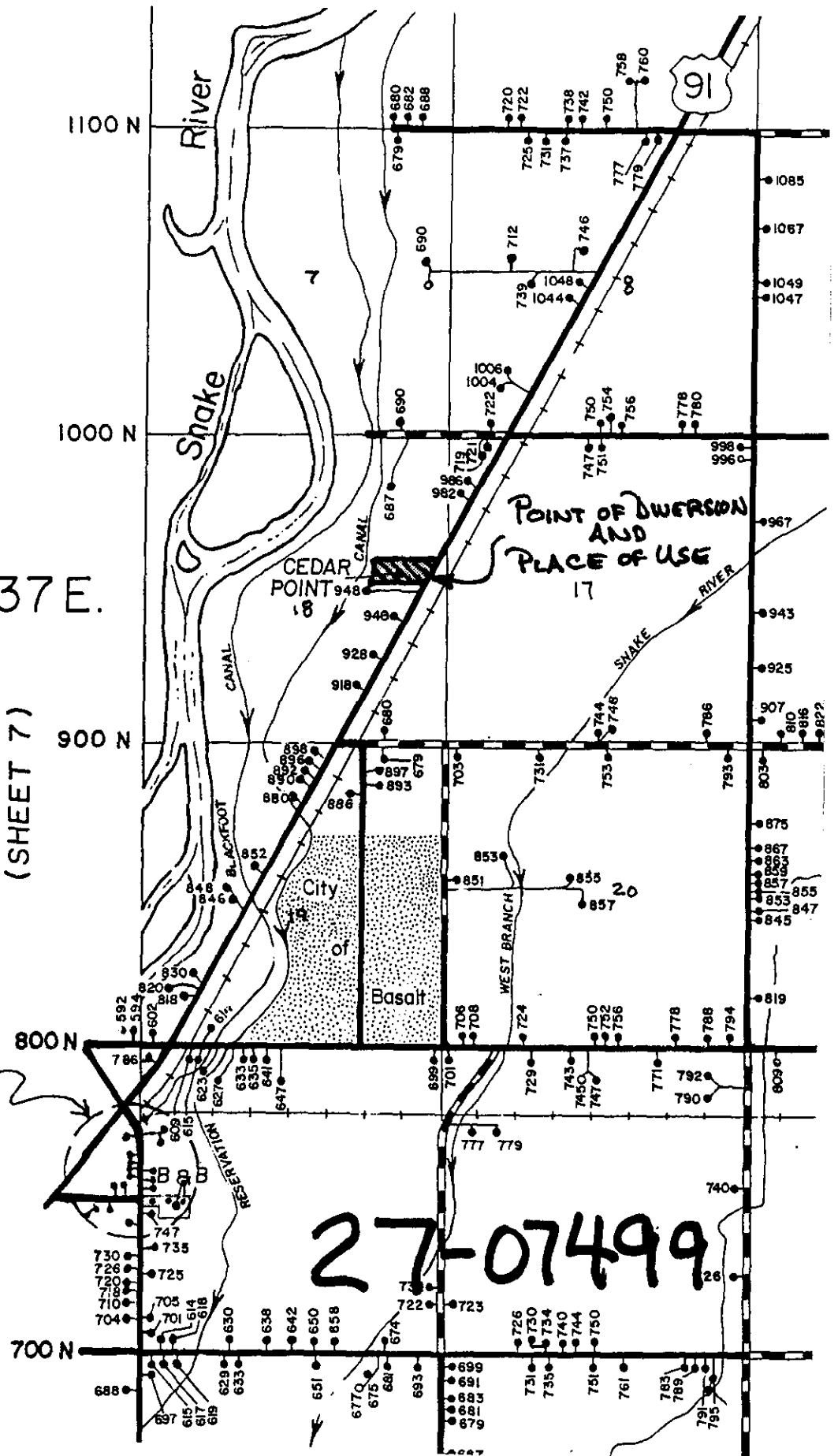
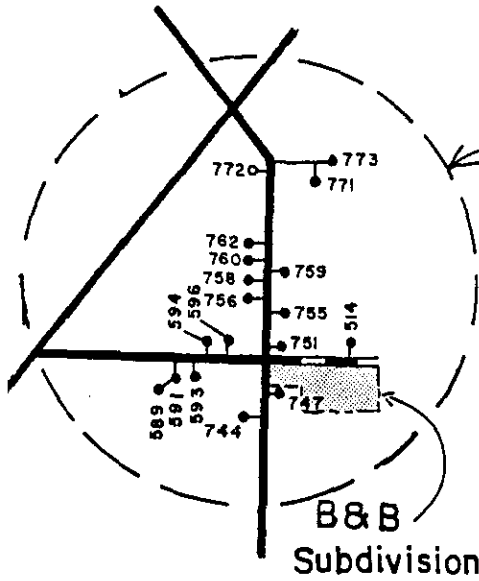
Maximum Flow Rate = 0.28 cfs

27-07489 Two



T.1S., R.37E.

(SHEET 7)



718

1817

800'

300'

PLACE OF USE

5 NHEL

327

NHEL

R3TE

7 NHEL

69.5

6 NHEL

HEL 16
69

NHEL

152

POINT OF DIVERSION

12 NHEL

24.2

16.7

13 NHEL

38.0

NHEL

1817

1920

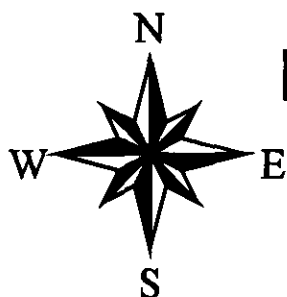
NHEL

17 NHEL

125.3

27-07489

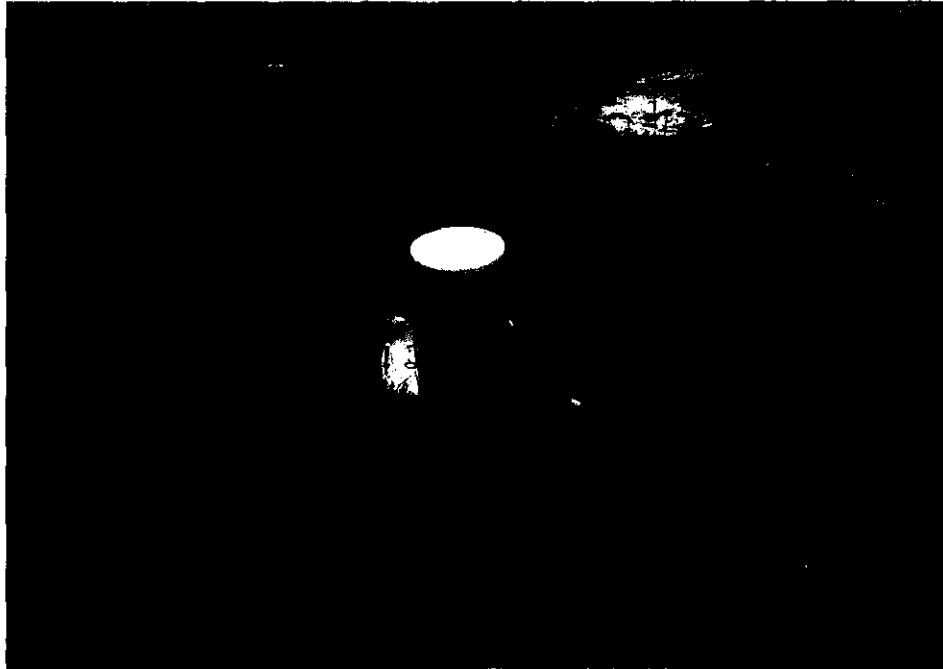
**T
1
S**



**Point of Diversion
&
Place of Use**

R37E

27-07489

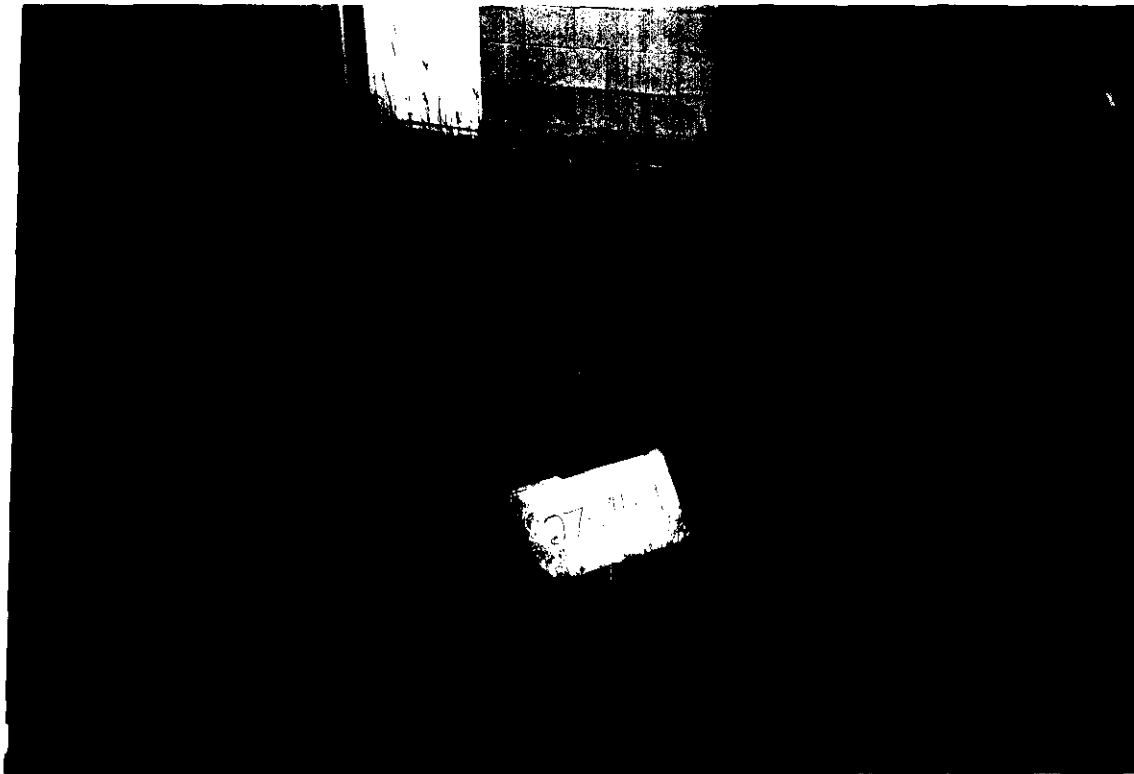


POD 1hp pump

27-7489

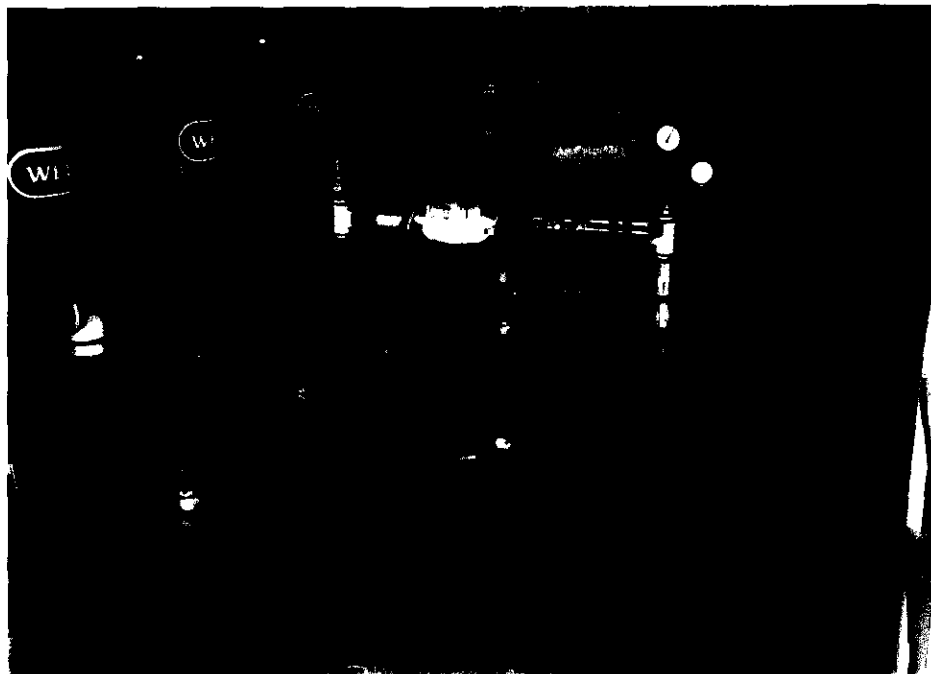
Photo Page 1 of 3

27-07489



POD 10 hp pump
PHOTO PAGE 2 of 3

27-7489



1 hp pump measurement



10 hp pump measurement

27-7489



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 6, 1998

CEDAR POINT SUBDIVISION WATER CO.
C/O ROSS KELLOGG, SECRETARY
683 E 950 N
SHELLEY ID 83274

RE: ASSIGNMENT OF PERMIT NO. ~~67-07809~~ 27-07489

Dear Water Right Holder(s):

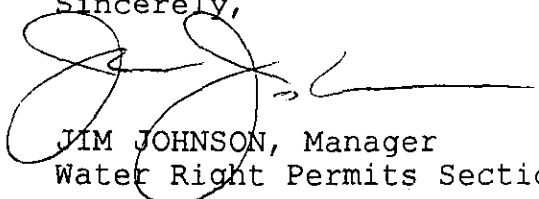
We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

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 the department. If you have acquired a water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

MICROFILMED
APR 15 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 27-07489 Reviewed by [Signature] Date 6-27-95

GENERAL CONSIDERATIONS

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

TYPES OF USE

Dom. Stock, etc.

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file?

200.00 Amount paid for permit

no Well log in the file?

Drilling Permit No. 27-95-E-0009 000

yes Correct?

LICENSE EXAMINATION FEE

yes Required?

100.00 Amount Submitted

yes Correct?

MEASURING DEVICE

no Required?

1 Installed?

1 Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

	-	
	=	
	+	

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [Crossed out]

Proof Made 6-19-95

June 27, 1995

CROFTS INC.
P.O. BOX 296
FIRTH ID 83236

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07489

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

JUN 29 1995

April 30, 1995

CROFTS INC.
P.O. BOX 296
FIRTH ID 83236

PROOF DUE NOTICE

RE: PERMIT NO. 27-07489

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 July 1, 1995.

(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.

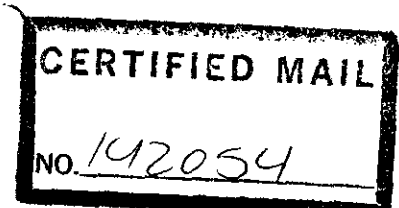
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

JUN 29 1995





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 23, 1995

RE: Permit No. 27-07489 in the name of Crofts, Inc.

Dear Interested Parties:

I have enclosed a copy of the **ORDER** which authorizes you to continue with development of the above referenced water right under the terms of the existing permit.

Please be advised that the permit holder shall submit proof of construction of works and application of water to a beneficial use on or before July 1, 1995.

If you have any questions regarding the enclosed order, please feel free to contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

cc: IDWR - Region

MICROFILMED

JUN 29 1995



RECEIVED

FEB 21 1995



CROFTS, INC.

Department of Water Resources

BOX 275 PHONE 346-6044

FIRTH, IDAHO 83236

Feb.16, 1995

RE: Petition for reconsideration of a "Final Order" on application for permit No. 27-07489 in the name of Crofts Inc.

Dear Mr. Saxton & Department of Water Resources,

After our phone conversation on Feb. 16 I am writing to ask for an additional 4 months to show beneficial use of water on this permit.

The first part of Nov. 1994 we received a "stay" from your office which stopped us from drilling the second well we need for this 18 home subdivision; which robbed us of approximately 4 months time to drill the remaining 8 inch well.

Water lines are stubbed to 18 lots. One existing well with pumphouse & pressure tanks now services 5 homes. After visiting with the county Dept. of Health and Welfare they much prefer us to finish this community water system rather than start thinking of 18 individual wells. We think this would be the most efficient way to meet your needs as well as our own.

Please send us notice that this stay is lifted and give us 4 months from the date of that notice to replace the time that was taken from us by the "stay".

Regardless of your answer to this request we need to preserve water right of the existing 6 inch well that was there when we got the property and now services 5 homes. The beneficial use is about .20 cfs. Can this letter serve as that notice or should it be handled differently.

THANK YOU FOR YOUR HELP

Vincent Crofts

CROFTS INC.

Box 296

Firth, Idaho

83236

MICROFILMED

JUN 29 1995

MEMORANDUM

To: File 27-07489
From: L. Glen Saxton *LS*
RE: TELEPHONE CONVERSATION WITH PERMIT HOLDER
Date: February 16, 1995

On this date Vincent Croft called me in connection with the Final Order recently sent to him.

I explained that he needed to do something within the 14 day period in which to request reconsideration of the matter if he did not want to lose all of the permit.

He plans to file a request for reconsideration, asking first that the department grant a extended development period for the time period between November 9, 1994 when the department sent the Temporary Stay to March 1, 1995 which is the proof due date. This period is about four (4) months. In that period he would have the second well drilled and hooked into the existing system which has been stubbed off to the 18 homes anticipated.

If the department does not grant the extension request above, he plans to file proof of beneficial use on the five (5) homes which are hooked onto the system.

I explained that he can refile on the lots which need domestic water if his request for reconsideration is not approved.

RECEIVED
JUN 20 1995

JUN 20 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 14, 1995

RE: In the Matter of Application for Permit No. 27-07489 in the name of Crofts Inc.

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

(1) If the presiding officer is the agency head, the presiding officer shall issue a final order.

(2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.

(3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.

(4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.

(5) 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

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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.

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A nonparty shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order 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 67-5246(4) Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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

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- 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 a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

JUN 29 1985

MEMORANDUM

To: File 27-07489
From: L. Glen Saxton *LS*
RE: TELEPHONE CALL
Date: November 15, 1994

Vincent Croft called twice today in connection with the department's order for temporary stay of development. I expalined the options available to him as described in the order.

He may relinquish the irrigation use from the permit and seek to continue development of the domestic portion.

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JUN 29 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 9, 1994

CROFTS INC.
P.O. BOX 296
FIRTH ID 83236

RE: Water Right No. 27-07489

Certified Mail No. 141774

Dear Water Right Holder(s):

Enclosed is a copy of an Order for Temporary Stay of Development and Notice of Formal Proceedings in connection with the above referenced water right permit. Also enclosed is a form and instructions for filing proof of beneficial use of water.

If you have questions related to the order and its effect upon your permit, please feel free to contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

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JUN 29 1995



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

March 4, 1993

Crofts Inc.
PO Box 296
Firth, ID 83236

Re: Permit No. 27-07489

Dear Permit Holder:

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 March 1, 1995. Please 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 since the department will not be able to grant additional extensions based on due diligence.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

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APR 07 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 27-07489 Reviewed by Klg Date 3/2/93

BASIC INFORMATION

yes Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Recommend approval Based on due diligence
Extend to 3/1/95

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date 3/4/93 Klg
Change Priority Date _____

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MAR 1 1993

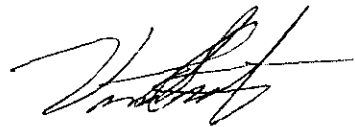
Department of Water Resources

Dear Dept. of Water Resources

I hold two water permits on this Subdivision.
No. # 27-07488 and No. # 27-07489

I talked to Tim Luke in your office on
Feb. 25, 1993. It was his recommendation that
permit No. # 27-07489 would be adequate for
both irrigation and domestic use of 18 homes
on approximate 1 acre lots. So I have filed
for an extension of time on permit No. # 27-07489
and would like to withdraw permit No. # 27-07488
as per Tim Luke's advice.

Thanks for your help.



Vincent Crofts
Pres. Crofts Inc.

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APR 07 1993

December 31, 1992

CROFTS INC.
P.O. BOX 296
FIRTH ID 83236

PROOF DUE NOTICE

RE: PERMIT NO. 27-07489

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 March 1, 1993. (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.

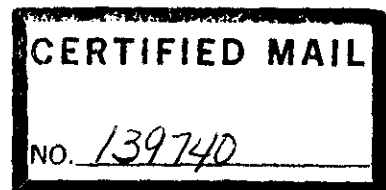
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

Karen L. Gustafson
Secretary/Records Manager

Enclosures



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APR 07 1993

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
February 13, 1990

CROFTS INC.
P.O. BOX 296
FIRTH, ID 83236

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P27-07489

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Please note the 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

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MAR 05 1990

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,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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MAR 05 1990

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Devin M. Dunn DATE 13 July 1989 APPLICATION NUMBER 27 7489
Crofts Inc.

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or minicipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.) Lapsed permit 27-07094
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested JAN 23 1990

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☒ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 1-8-90
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☒ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-POS
☐ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 6-01-1989
By HGJ Date 1-19-90

STATE OFFICE REVIEW P05, P23, P10, P17 46 48 49 04 26
By KW See below for additional information
Date 1-31-90

ADDITIONAL INFORMATION

* Recommended cfs allowed for Domestic be limited to 0.20 cfs as per
chart. HGJ

App. in NON-TRUST area -
allow 3 yrs. for development -

18-Dec-1989

Department of Health & Welfare
Division of Environment
150 N. 3rd
Pocatello, ID 83201

RE: Application for Permit No. 27-7488 & 27-7489

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received on or before January 8, 1990. Action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

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MAR 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 14, 1989

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 JANUARY 8, 1990.

Yours truly,

Rita Bodell
Secretary

Encl.

RECORDED

MAR 05 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appli on(s) have been filed to appropriate the public waters of the State of Idaho:

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MAR 05 1990

27-07489

CROFTS, INC.
P.O. BOX 296
FIRTH, ID 83236

Source: GROUNDWATER

Diversion Pt: SESENE Sec 18 T 01S R 37E

Use: DOMESTIC (.360 CFS)
IRRIGATION (.350 CFS)
Total Diversion: (.690 CFS)

Date Filed: 6/01/1989

In: T01S R37E S17 SWNW
S18 SENE

18.0 ACRES TOTAL

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The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203C, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JANUARY 8, 1990.

R. Keith Higginson, Director

Published 12/21/1989 & 12/28/1989

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