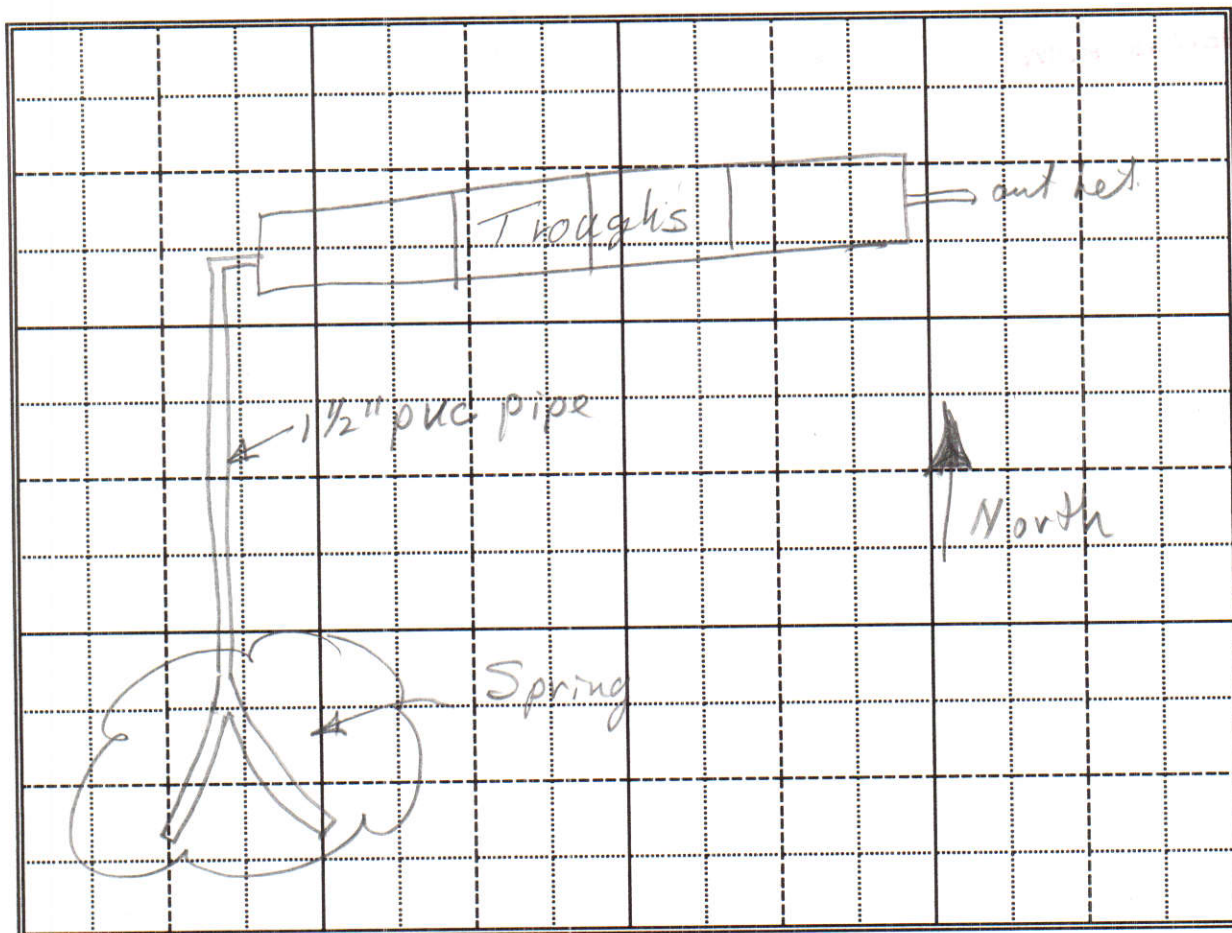


3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



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

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

D. FLOW MEASUREMENTS

1.

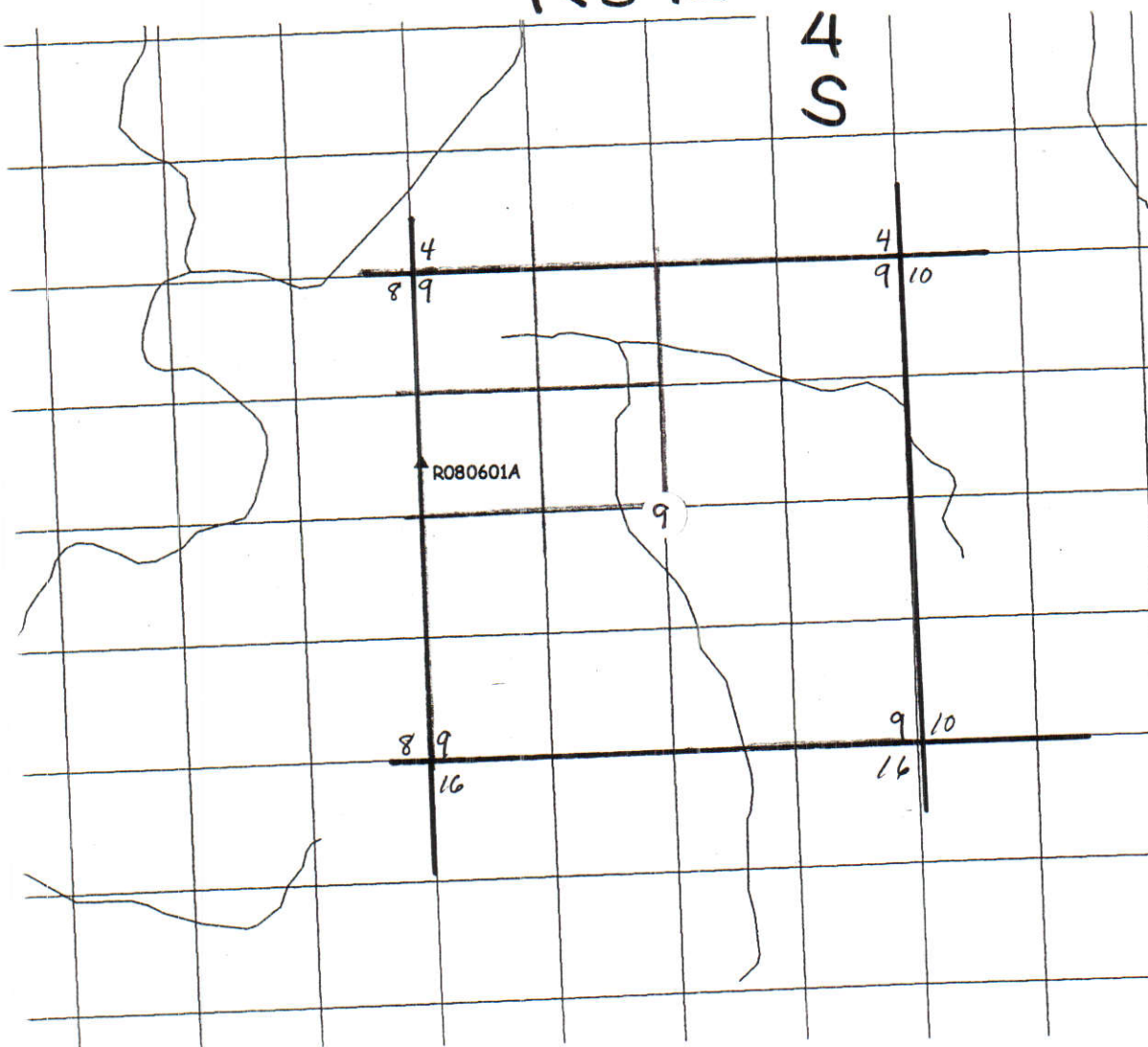
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

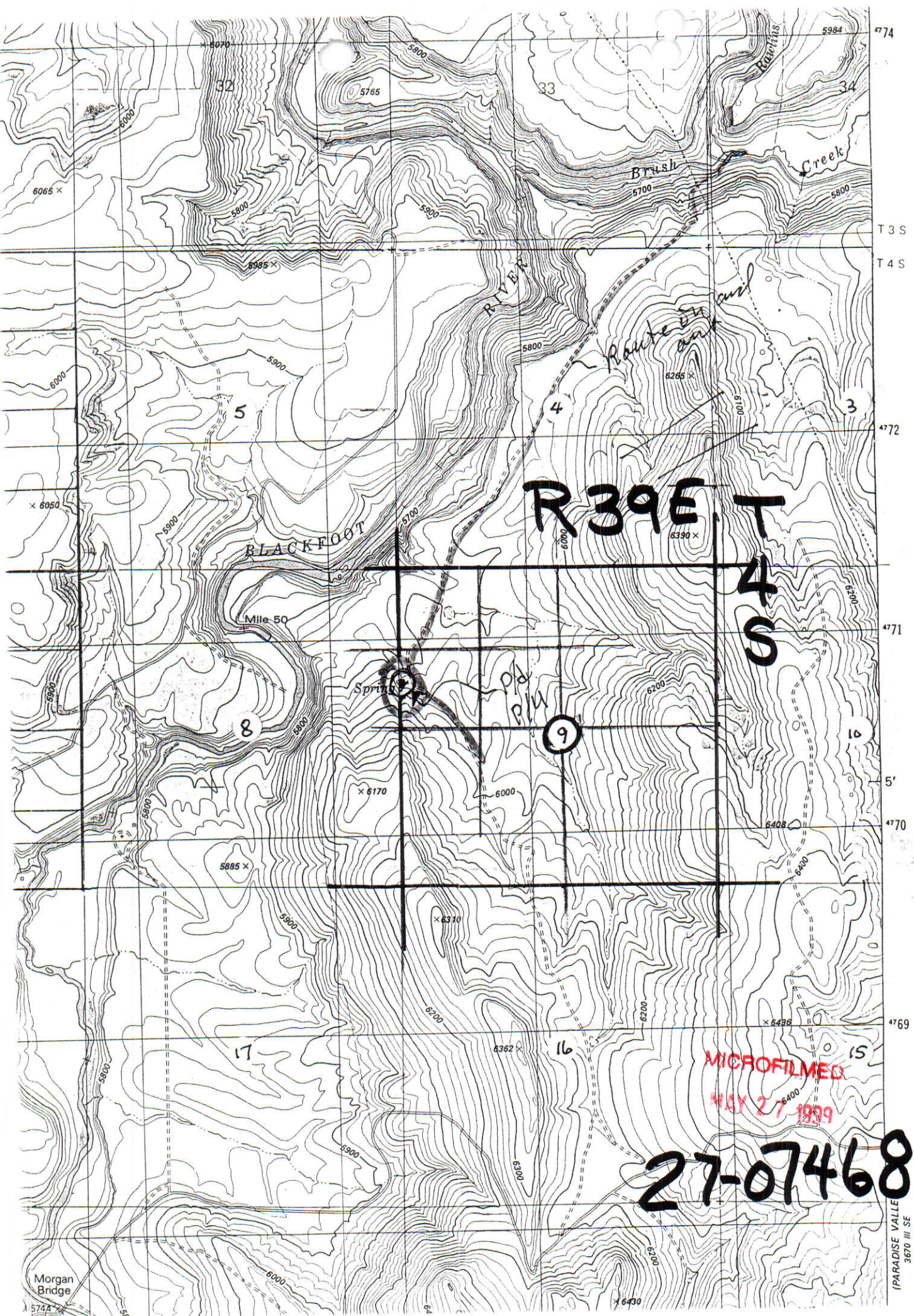
MICROFILMED

MAY 27 1999

R39E T
4
S



MICROFILMED 27-07468
MAY 27 1999



Permit #
27-07468



Look South a Spring



Looking South a Spring Bagger Has dug up some of 4th pipe

MICROFILMED

MAY 27 1999



looking North a Watering Trough.

Permit #
27-07468

MICROFILMED

MAY 27 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 27-07468

Priority: May 22, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

5.7 AF

This is to certify, that EASTERN IDAHO GRAZING ASSN
PO BOX 308

BLACKFOOT ID 83221 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 22, 1989; and
has submitted Proof of Beneficial Use on November 27, 1990. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

TWITCHELL LAKE SPRING tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	5.7 AF

LOCATION OF POINT(S) OF DIVERSION: SESWNW , Sec. 9, Township 04S, Range 39E
BINGHAM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04S 39E 9 SWNW

CONDITIONS OF APPROVAL AND REMARKS

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30th day of APRIL, 1999.

MICROFILMED

MAY 27 1999

Acting for


KARL J. DREHER, Director

RECEIVED

APR 29 1999

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 27-07468

Date of Priority: May 22, 1989 Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 5.7 AF

Comes now EASTERN IDAHO GRAZING ASSN
PO BOX 308
BLACKFOOT ID 83221 and represents to the Director of the
Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho No. 27-07468, and requests that the permit be changed as follows:

Source: TWITCHELL LAKE SPRING tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	5.7 AF

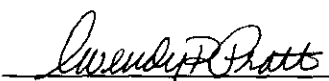
LOCATION OF POINT(S) OF DIVERSION: SESWNW, Sec. 9, Township 04S, Range 39E
BINGHAM County

PLACE OF USE: STOCKWATER
TWN RGE SEC
04S 39E 9 SWNW

Permit holder asserts that no one will be injured by such change and that such change
will be made at permit holder's own risk.

Signed at Blackfoot, Idaho, this 27th day of April, 1999.

MICROFILMED
MAY 27 1999


(Signature)

PAGE 2

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 27-07468

FOR DEPARTMENT USE ONLY

Preliminary check by 1EW Fee = 50.- Receipted by 1EW # C045277 Date 4/29/99

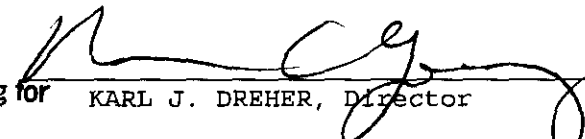
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 27-07468 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Witness my hand this 30TH day of April, 1999.

Acting for 
KARL J. DREHER, Director

MICROFILMED
MAY 27 1999

Form 217
03/86

RECEIVED

JUN 8 1990

Department of Water Resources
Eastern District Office

RECEIVED

NOV 27 1990

STATE OF IDAHO
Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received N/A
Date 6-5-90
Receipt #
Receipt by
Reviewed by
Sent to region

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

Permit No. 27-07468

Name(s) of Permit Holder: Eastern ID Grazing Assn.

Post Office Address: C/o Leah Jones P.O. Box 308 Blackfoot, ID 83221

Telephone No. 785-7197

Source of Water: Tutthill Lake Spring

Extent of Use:

Domestic (number of households) Stockwater Cattle - 500
 (number and type of stock)
Irrigation (acres) Other/Remark Sheep - 2000

Total rate and/or volume for which proof is submitted 0.04 cfs acre-feet

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

Measuring Device: Required? Yes X No
Installed? Yes X No

Fee enclosed \$ N.A.
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes X No
Installed? Yes X No

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

See above

(Name)

(Telephone Number)

(Address)

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

JAN 03 1991

6-8-90
Date

Leah D. Jones Secretary - Treasurer
Signature of Permit holder (and title, if appropriate)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 27-07468

Proposed Priority: May 22, 1989

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **EASTERN IDAHO GRAZING ASSN.**
C/O LEAH JONES
P.O. BOX 308
BLACKFOOT, ID 83221

has applied for a permit to appropriate water from:

TWITCHELL LAKE SPRING

tributary of **SINKS**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

STOCKWATER

05/10 to 11/10

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSWE

Sec. 4, Township 04S, Range 39E
BINGHAM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

04S 39E 4

SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990.**
2. Subject to all prior water rights.
3. 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.
4. 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.

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

19th day of October, 1989.

MICROFILMED

OCT 26 1989

R. Keith Higginson
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

277-7468
Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant EASTERN IDAHO GRAZING ASSOCIATION Phone 785-1560
785-2763
785-7917

Post office address C/O LEAH JONES, P.O. Box 308, BLACKFOOT, ID. 83221

2. Source of water supply TWITCHER LAKE SPRING which is a tributary of SINKS

3. Location of point of diversion is 33 NW 1/4 of 39E SW 1/4 of SE 1/4, Govt. Lot _____

Sec. 4 Township 45 Range 39E B.M. BINGHAM County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for STOCK purposes from 5/10 to 11/10 (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) 0.04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. COLLECTION PIPE IN SPRING
INTD 1 1/2" (250') PVC PIPELINE TO 7 TROUGHS

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

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

d. Is ground water with a temperature of greater than 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
1 years (minimum 1 year).

OCT 2 1985

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. 5000 HEAD ~~CATTLE~~ SHEEP / 1048 CATTLE
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- 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	
<u>4S</u>	<u>39E</u>	<u>4</u>															<u>S</u>		

Total number of acres to be irrigated _____

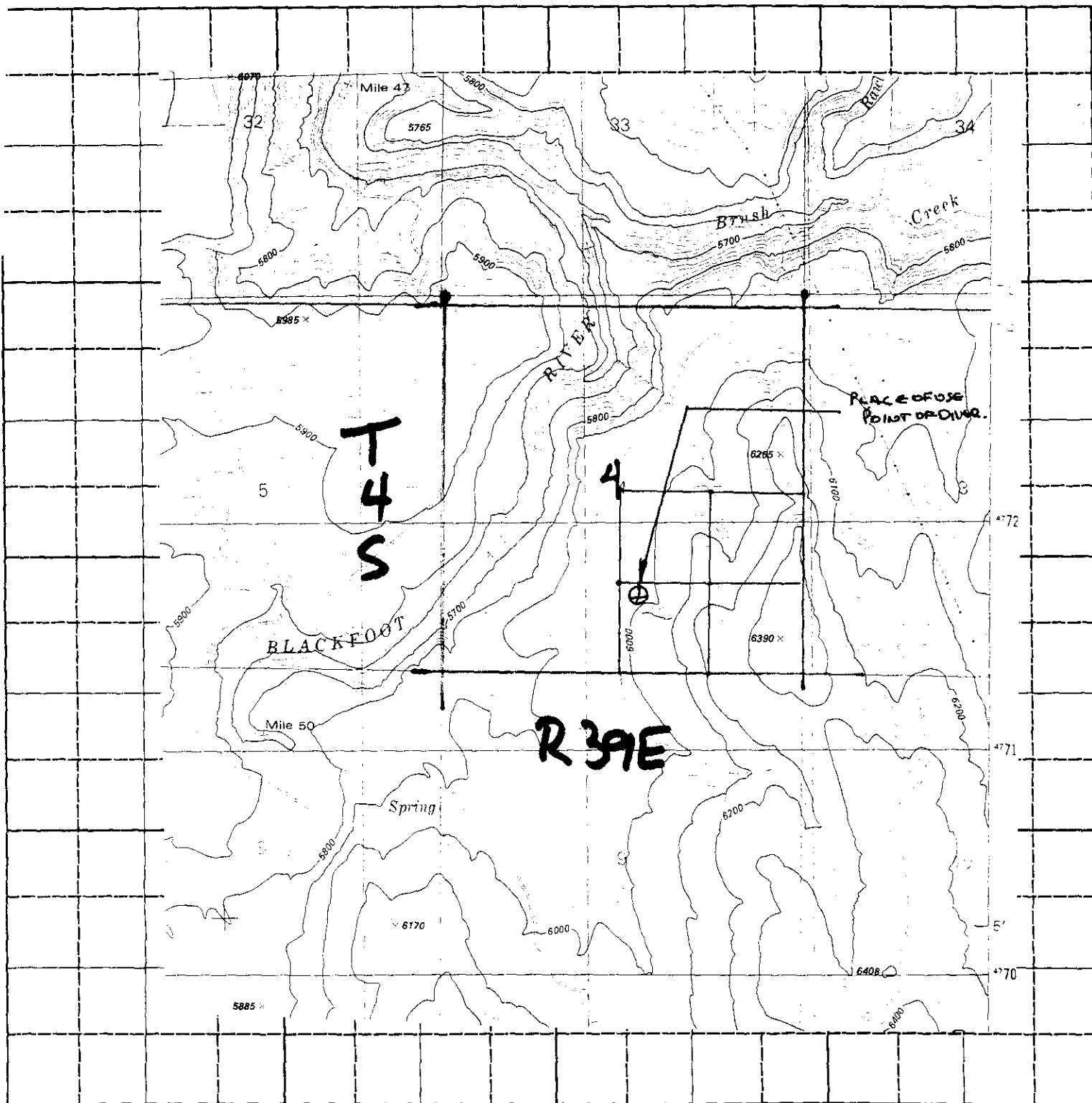
10. Describe any other water rights used for the same purposes as described above. 3 SPRING DEVELOPMENTS, 12 SMALL PONDS, BRUSH CREEK & BLACKFOOT RIVER.
11. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: HAS BEEN IN PLACE SINCE 1982

MICROFILMED

OCT 26 1989

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.

COPIED
JUL 26 1989

Eastern Idaho Grazing Assoc.
(Applicant)
by Woodrow Butler (Director)

Received by Date 5-22-89 Time 2:10 P Preliminary check by
Fee \$ 30 Receipted by # E 007766 Date 5-22-89
Publication prepared by RB Date 7-13-89 Published in Morning News 7-20 & 27, 89
Publication approved Date 8-24-89 8-3; 10-89

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:

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OCT 26 1989

EASTERN IDAHO GRAZING ASSOCIATION
P.O. Box 308
Blackfoot, Idaho 83221

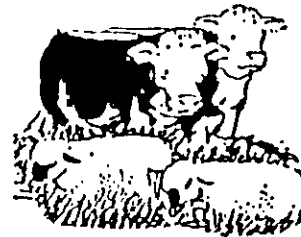
ROBERT BRADLEY, President
Blackfoot, Idaho

JAMES MAYS, Vice-President
Howe, Idaho

LEAH JONES, Sec-Treasurer
Blackfoot, Idaho

DIRECTORS

Duane Bitton, Grace
Robert Bradley, Blackfoot
Woodrow Butler, Blackfoot
Larry Garro, Rupert
James Mays, Howe
Gary Pratt, Blackfoot
Tom Rich, Burley
Ken Wixom, Blackfoot



RECEIVED

JUL 26 1989

Department of Water Resources
Eastern District Office

July 26, 1989

DENNIS M. DUNN
Water Resource Agent
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401

Dear Mr. Dunn:

As you requested in your letter of July 10, listed below are the officers of the Eastern Idaho Grazing Association.

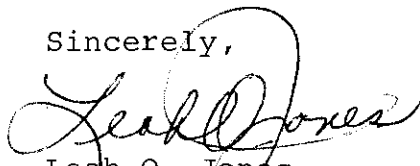
President: Robert V. Bradley Route 3 Box 297; Blackfoot, ID
Vice-Pres.: James Mays P. O. Box 1, Howe, ID
Sec.-Treas: Leah O. Jones P. O. Box 308, Blackfoot, ID
(Sec. Treas. position in not elected from the membership)

Members of Board of Directors in addition to President and Vice-President:

Duane Bitton	Star Route Box 340, Grace, Idaho
Woodrow Butler	126 East Rich Lane, Blackfoot, Idaho
Larry Garro	Route 1 Box 225, Rupert, Idaho
Gary Pratt	486 E Weeding Lane, Blackfoot, Idaho
Tom Rich	Box 369, Burley, Idaho
Ken Wixom	260 West 300 North, Blackfoot, Idaho

If there is further information that you need, please let me know.

Sincerely,


Leah O. Jones
Secretary-Treasurer

ACTION REQUIRED

FROM: H.W. Jones

TO: E.T.G.A. File

Robt. Bradley - Pres

Jim Max's - V.P.

Woodrow Butler

Larry Garro

Kenneth Wixom

Gary Pratt

Duane Bitton

Tom Rich

} Directors

RECEIVED

OCT 26 1939

27-07468

EASTERN IDAHO GRAZING ASSN.
C/O LEAH JONES
P.O. Box 308
Blackfoot, ID 83221
Source: TWITCHELL LAKE SPRING,
Tributary: SINKS
Diversion Pt: NWSWSE
Sec 4 T 04S R 39E
Use: STOCKWATER, (.040 CFS)
Date Filed: 5/22/1989
In: T04S R39E S04, SWSE

27-07469

EASTERN IDAHO GRAZING ASSN.
C/O LEAH JONES
P.O. Box 308
Blackfoot, ID 83221
Source: SPRINGS,
Tributary: SINKS
Diversion Pt: SESENE
Sec 12 T 03S R 39E
Use: STOCKWATER, (.040 CFS)
Date Filed: 5/22/1989
In: T03S R39E S12 SENE

27-07470

CHURCH OF JESUS CHRIST,
LATTER DAY SAINTS
REAL ESTATE DIVISION
Twelfth Floor
50 East North Temple St.
Salt Lake City, UT 84150
Source: GROUNDWATER
Diversion Pt: NWNENE
Sec 26 T 01S R 37E
Use: IRRIGATION, (.040 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/22/1989
In: T01S R37E S26 NENE
2.0 ACRES TOTAL

27-07471

CROFTS INC.
P.O. Box 296
Firth, ID 83236
Source: GROUNDWATER
Diversion Pt: SWSENE
Sec 25, T 01S R 36E
Use: INDUSTRIAL, (.250 CFS)
Date Filed: 6/01/1989
In: T01S R36E S25 SENE

27-07472

WREN, DEWANE
817 W. Riverton Rd.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: SENE
Sec 22 T 03S R 34E
Use: IRRIGATION, (.040 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/31/1989
In: T03S R34E S22 SENE
2.0 ACRES TOTAL

35-08722

MATSUURA BROTHERS, PARTNERSHIP
C/O GLENN MATSUURA
426 N. 150 W.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NWSWNW
Sec 28 T 01N R 35E
Use: INDUSTRIAL, (.040 CFS)
Date Filed: 4/21/1989
In: T01N R35E S28 SWNW

RECORDED

OCT 26 1989

RECEIVED

AUG 22 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho Michael Bell

I, 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

3rd day of August, 19 89;

and the last publication having been made on the
10th day of August, 19 89;

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 21st day of August, in
the year 1989 before me a Notary Public of said State,
personally appeared

Michael Bell
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.

David L. Taylor
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00



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

May 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTERN IDAHO GRAZING ASSN
PO BOX 308
BLACKFOOT ID 83221

RE: WATER RIGHTS 25-07504/27-07370/27-07468/27-07469

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed copies of your Applications for Amendment of Permit, which were approved.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

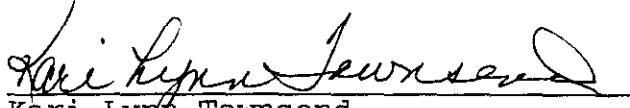
MAY 21 1999

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of **May, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

Water Rights 25-07504/27-07370/27-07468/27-07469

EASTERN IDAHO GRAZING ASSN
PO BOX 308
BLACKFOOT ID 83221


Kari Lynn Townsend
Secretary

MICROFILMED

MAY 27 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

MAY 27 1999



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

April 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTERN IDAHO GRAZING ASSN
PO BOX 308
BLACKFOOT ID 83221

RE: WATER RIGHTS 27-07370/27-07468

Dear Permit Holder(s):

I previously forwarded to you Applications for Amendment so that you could amend your permits to depict your water rights as they have been actually developed. I have not yet received the amendments. If I do not receive them within 14 days, I will assume you no longer have any interest in the permits and cancellation proceedings will begin.

Enclosed for your convenience are new amendment forms. Please note that the filing fee for these amendments is \$50.00 each. If you have any questions, please call me at (208) 327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

MAY 27 1999



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

March 30, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTERN IDAHO GRAZING ASSN
PO BOX 308
BLACKFOOT ID 83221

RE: WATER RIGHTS 27-07370/27-07468

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permits referenced above prior to issuing water right licenses. By issuing licenses, the Department confirms that water rights have been established in compliance with the terms of the permits. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permits. Therefore, before licenses can be issued, your permits must be amended to depict your water rights as they were actually developed.

The enclosed Application for Amendment forms depict the point(s) of diversion and place(s) of use and other information as they will appear on the licenses when they are issued. Please review the amendment forms carefully. If you concur with the information presented, please sign the forms and return them with the \$50.00 filing fee (each) within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosures

MICROFILMED

MAY 27 1999

MEMORANDUM

TO: File 27-07468

FROM: Sharla

DATE: March 25, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 27-07468 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

2. Point(s) of Diversion :
SESWNW, S9, T4S, R39E

H. RECOMMENDATIONS

Stockwater	1/1 – 12/31	0.04 cfs	5.7 afa
------------	-------------	----------	---------

The source of water is a spring which requires a ten-acre tract description.

The season of use can be licensed as year-round with the volume calculated on the shortened season identified on the permit and field exam.

Stockwater volume was determined as follows:

$$500 \text{ range cattle} \times 12 \text{ gpd} \times 184 \text{ days} / 325,850 = 3.4 \text{ af}$$

$$2000 \text{ sheep} \times 2 \text{ gpd} \times 184 \text{ days} / 325,850 = 2.3 \text{ af}$$

$$3.4 + 2.3 = 5.7 \text{ af}$$

Exam Date: August 5, 1998

Examiner: Lee Simmons

MICROFILMED

MAY 27 1999

LICENSE REVIEW CHECKLIST

PERMIT NO.

27-07468

DATE

3/17/99

REVIEWER: SHARLA

NAME

Address

Change/OK

OK
OK

SOURCE

OK

Does change clarify orig. intended source? If no, Void permit

POINT OF DIV

Chg

☒ Change (P39 /P47)

☐ Add (P45/P42)

Feds - P40

W32 (multiple in 1/4)

W36 (overlap)

W59 (subd. desc)

Overlaps:

Right(s):

File reviewed

Profile reports printed

PLACE OF USE

Chg

☒ Change (P41/P47)

☐ Add (P41/P42)

Feds - P43

W60 (subd. desc)

W27 (ppu acre limit)

Overlaps:

Right(s):

File reviewed

Profile reports printed

PD & PU amend (P37)

Feds - P48

RATE OF DIV

Permitted Rate .04 cfs

Fee limit

.04 cfs

fee N/A

Measured

--- cfs

Theoretical

--- cfs

Recommended Total Div Rate .04 cfs

WATER USES

stock

OK
.04

cfs

Change (P46)

5.7 af

Irrig -

overlap (R58-R61, R62-R65, R66-R69)

supp. gw (WB7/065/079)

overlap spec. combined rts (W35)

<1acre (W31)

(W01/WB5/070/071/075)

Domestic

Power

(W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Wtr Quality (081/R07)

TOTALS

.04 cfs

5.7 af

Flow rate .04 cfs X 184 days X 1.98 = 14.6 af

REMARKS

Comment 5/500 range cattle 2000 sheep.

$500 \times 12 \times 184 / 325,850 = 3.4 \text{ af}$
 $2000 \times 2 \times 184 / 325,850 = 2.3 \text{ af}$
 $3.4 + 2.3 = 5.7$

ADD'L CONDITIONS

☐ Watermaster Control WD#

☐ GW Measurement/Measuring Device

☐ Others Trust (052/R55 - remove 051)

Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo 10 ac pld desc.

Amend letters

volume
137 P34
P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 16 1999
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 27-07468

1. Owner: Eastern Idaho Grazing Assoc. Phone No. (208) 785-6597

Current Address: P.O. Box 308, Blackfoot, Idaho, 83221

2. Accompanied by: Terry Mc Neely EXAM DATE: 8/5/98

Address: 220 Garfield, Firth, Idaho 83236 Phone No. (208) 346-4297

Relationship to Permit Holder: Spring Developer

3. Source: Twitchell Lake Spring tributary to Sinks

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	9	4S	39E	Bingham	USGS and NOAA/NOAA maps

2. Place(s) of Use:

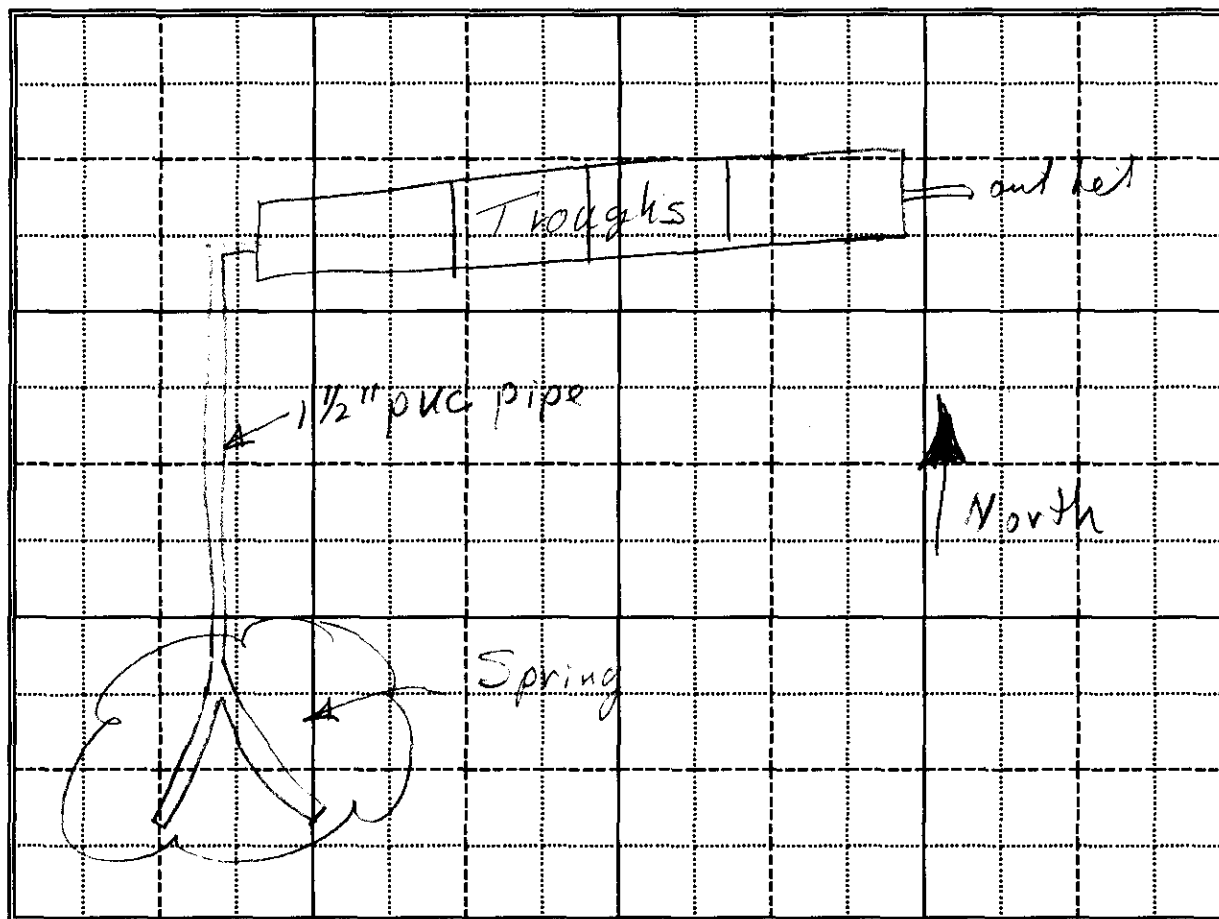
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	39E	9							S										

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FEB 27 1999

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

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MAY 27 1999

E. NARRATIVE/REMARKS/COMMENTS

The Spring was developed with 4" perf pipe inbedded in gravel bed. The water is piped to the troughs through a 1 1/2" PVC pipe. A overflow is located at the east end of the troughs.

Note: The location of the spring is in section 9 and not in section 4. Location determined by a GPS unit and data is in package.

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

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MAY 27 1999

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

Proof of Beneficial Use

Say 500 cattle } 833 large Animal units
2000 sheep }

$$833 \text{ LAU} \times 0.0134 = 11.16 \text{ afa} = 5.6 \text{ afa} \text{ (since use for 1/2 year)}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwatering	5/10	11/10	0.04	5.6
Totals:			0.04	5.6

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 Lee L. Simmons Date 10-6-98

Reviewer [Signature] Date 2-5-99

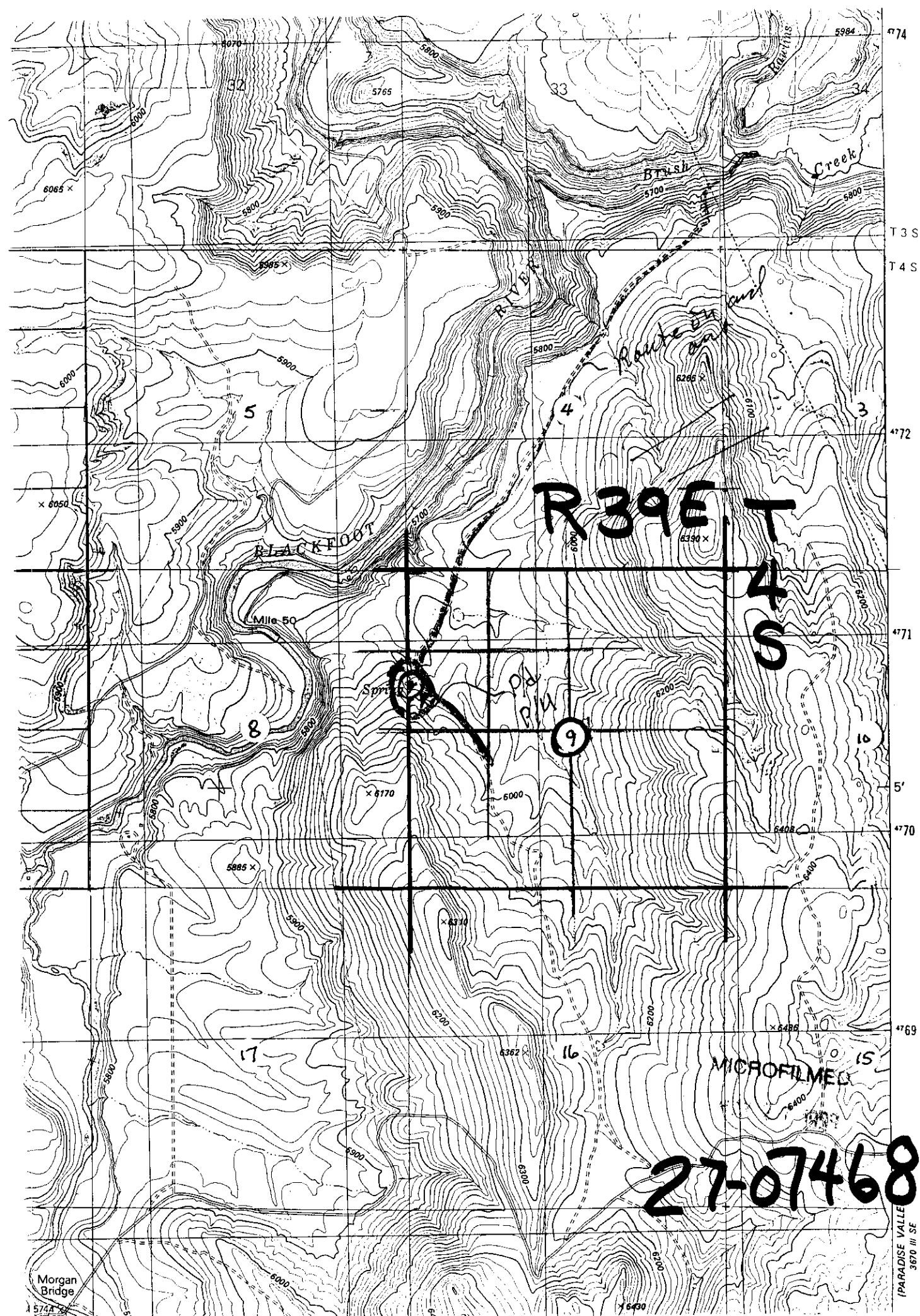
SEAL

MICROFILMED

A hand-drawn map on a grid showing a route. The route is marked with a thick line and includes a point labeled "RO80601A". The route starts at a point labeled "4" and ends at a point labeled "10". The route passes through a point labeled "9" and a point labeled "16". The route is labeled "4S" in the top right corner.

MICROFILMED 27-07468

May 21 1939



Permit #
27-07468



Look South a Spring



Looking South a Spring Baggin Has dug up some of 4th pips

MICROFILMED

MAY 2 / 1969



looking North a Wastening Trough.

Permit #
27-07468

MICROFILMED

MAY 21 1994

December 17, 1990

EASTERN IDAHO GRAZING ASSN.
C/O LEAH JONES
P.O. BOX 308
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07468

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 03 1991

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 27-7468

Date: 12-13-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☒ Proof received timely
☒ Reinstated

Source of Water:

☒ Surface water
☐ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
☒ N/A Is rate or volume and fee appropriate?
_____ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
_____ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

proof acceptable

N/A Priority Calculation:
Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE _____

SB
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KETH HIGGINSON

DIRECTOR

November 16, 1990

Eastern Idaho Grazing Assn.
c/o Leah Jones
P. O. Box 308
Blackfoot, ID 83221

Gentlemen:

Re: Permit No. 27-7468

Returned is the proof of beneficial use form submitted to this office on June 8, 1990 at the Eastern Regional Office.

Please sign and designate the office you hold with the association and return the form to this office soon.

If I can be of further assistance, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Rita I. Fleck".

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

JAN 03 1991

COPY.

November 16, 1990

Eastern Idaho Grazing Assn.
c/o Leah Jones
P. O. Box 308
Blackfoot, ID 83221

Gentlemen:

Re: Permit No. 27-7468

Returned is the proof of beneficial use form submitted to this office on June 8, 1990 at the Eastern Regional Office.

Please sign and designate the office you hold with the association and return the form to this office soon.

If I can be of further assistance, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

JAN 03 1991

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 20, 1989

EASTERN IDAHO GRAZING ASSN.
C/O LEAH JONES
P.O. BOX 308
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P27-07468

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.

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. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
OCT 26 1989

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Dennis Dunn DATE 10 July 1989 APPLICATION NUMBER 27-7468

REQUIRED INFORMATION

Eastern Idaho Grazing Association
CP Leah Jones

- ☒ 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 municipality, 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.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
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 Names of the officers
and addresses

Date Requested 10 July 89

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 8-7-89 8-21-89
☐ 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. 27
☐ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 5-22-89
By HWS Date 8-31-89

STATE OFFICE REVIEW

See below for additional information
By KW Date 10-12-89

ADDITIONAL INFORMATION

App. in NON-TRUST area -

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 26, 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 AUGUST 21, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

OCT 26 1989



NOTICE OF APPLICATION FOR WATER RIGHT

The Following appl tion(s) have been filed t appropriate the public
waters of the State of Idaho:

MICROFILMED

OCT 26 1989

27-07468

EASTERN IDAHO GRAZING ASSN.
C/O LEAH JONES
P.O. BOX 308
BLACKFOOT, ID 83221

Source: TWITCHELL LAKE SPRING Tributary: SINKS

Diversion Pt: NWSWSE Sec 4 T 04S R 39E

Use: STOCKWATER (.040 CFS)

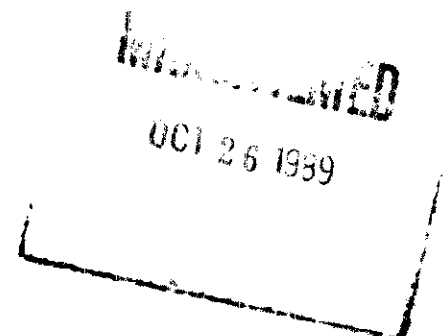
Date Filed: 5/22/1989

In: T04S R39E S04 SWSE

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-2 , 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 AUGUST 21, 1989.

R. Keith Higginson, Director

Published 8/03/1989 & 8/10/1989



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

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 17, 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 AUGUST 7, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

OCT 26 1989

Did not run

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

OCT 26 1989

27-07468

EASTERN IDAHO GRAZING ASSN.
C/O LEAH JONES
P.O. BOX 308
BLACKFOOT, ID 83221

Source: TWITCHELL LAKE SPRING Tributary: SINKS

Diversion Pt: NWSWSE Sec 4 T 04S R 39E

Use: STOCKWATER (.040 CFS)

Date Filed: 5/22/1989

In: T04S R39E S04 SWSE

MICROFILMED

OCT 26 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, 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 AUGUST 7, 1989.

R. Keith Higginson, Director

Published 7/20/1989 & 7/27/1989

MICROFILMED

OCT 26 1989

18-July-1989

Eastern Idaho Grazing Assn.
c/o Leah Jones
P.O. Box 308
Blackfoot, ID 83221

RE: Applications for Permit No.'s 27-7469, 27-768, & 25-7504

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News. The advertisement will be published 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 permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

OCT 26 1989

