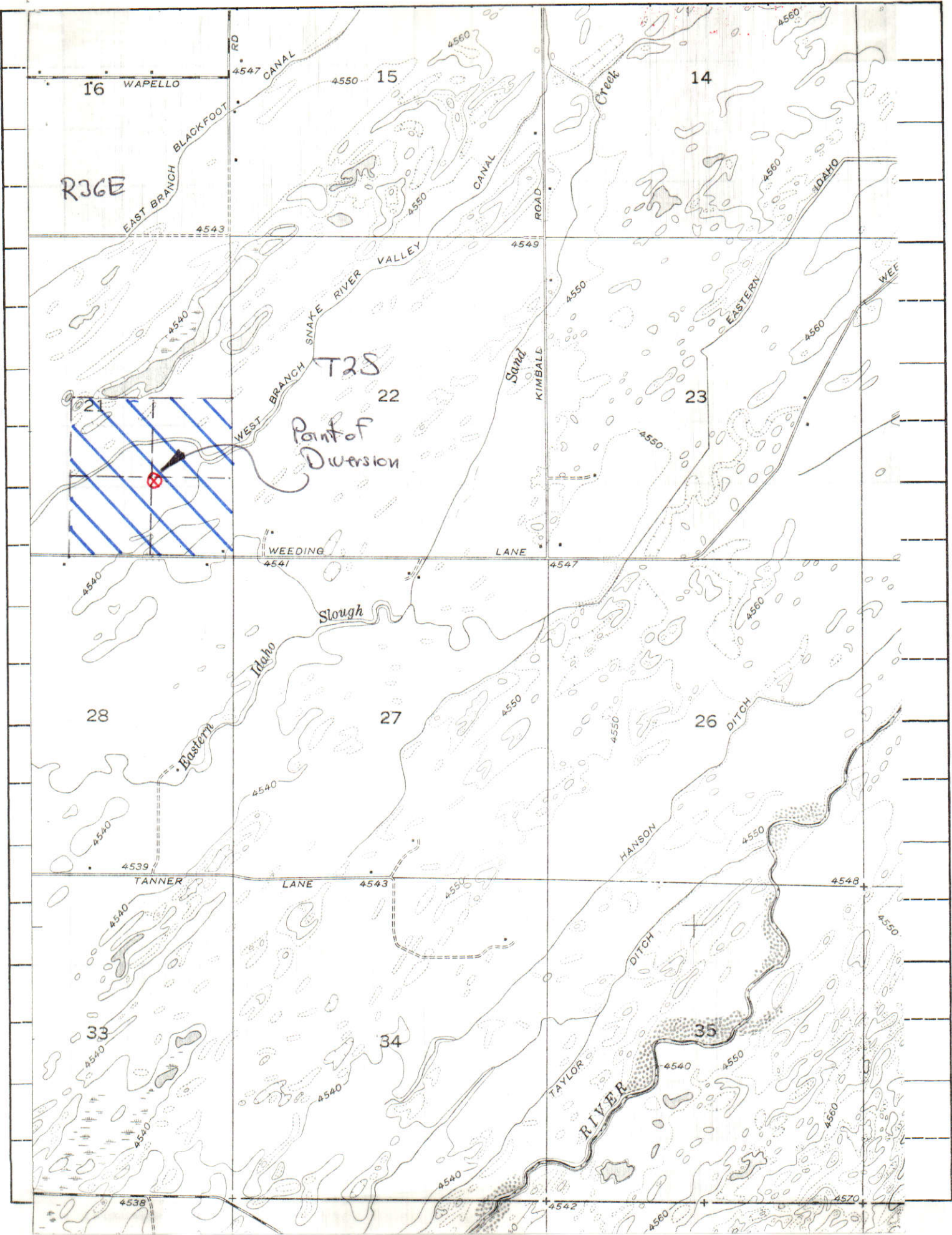


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED
DEC 18 1989

Michael A. Driscoll
(Applicant)

[illegible]

surface of water

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NE NE	NW NE	SE NE	ENE NE	NW NW	SE NW	ENE NW	NW NW	SE NW	ENE NW	NW NW	SE NW	ENE NW	SESE Total
Claim 127 4P		FRANCIS WHITTEN,	BLACKFOOT RIVER	02SSPRE22				26	30									78
Claim 127 22D		EASTERN IDAHO WATER CO.	BLACKFOOT RIVER, MINER CREEK, WOLVERINE CREEK	02SSPRE22														34
Claim 127 35D		EASTERN IDAHO WATER CO.	BLACKFOOT RIVER, MINER CREEK, WOLVERINE CREEK	02SSPRE22														34
Claim 127 7070		ELDON E SCOTT,	GROUND WATER	02SSPRE22														34
Claim 127 7095		FRANCIS WHITTEN,	GROUND WATER	02SSPRE22														75
Right 127 7070		ELDON E SCOTT,	GROUND WATER	02SSPRE22														96
Right 127 7095		FRANCIS WHITTEN,	GROUND WATER	02SSPRE22														96
Right 127 7413		MICHAEL A. DRISCOLL, EDWIN CAPSON,	GROUND WATER	02SSPRE22														96
Claim 1 1J		BLACKFOOT IRRIGATION CO.	SLAKE RIVER	02SSPRE22														2
Claim 1 1R		KARL SEARLE,	SLAKE RIVER	02SSPRE22														40
Claim 1 1S		PETER M CANNON,	SLAKE RIVER	02SSPRE22														40
Claim 1 1V		BRAD SNARR, RUBY SNARR, UNITED STATES OF AMERICA ACTING THROUGH,	SLAKE RIVER	02SSPRE22														40
Claim 1 298		BLACKFOOT IRRIGATION CO.	SLAKE RIVER	02SSPRE22														40
Right 1 298		BLACKFOOT IRRIGATION CO.	SLAKE RIVER	02SSPRE22														0

surface of water

RECEIVED

Form 219
6/86

APR - 9 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 27-07413

1. Owner: Roger Capson

Phone No. 785-1666

Current Address: 263 E 200N Blackfoot Id 8324

2. Accompanied by: NONE

EXAM. DATE: 31 July, 2000

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE

☐ Copies Attached

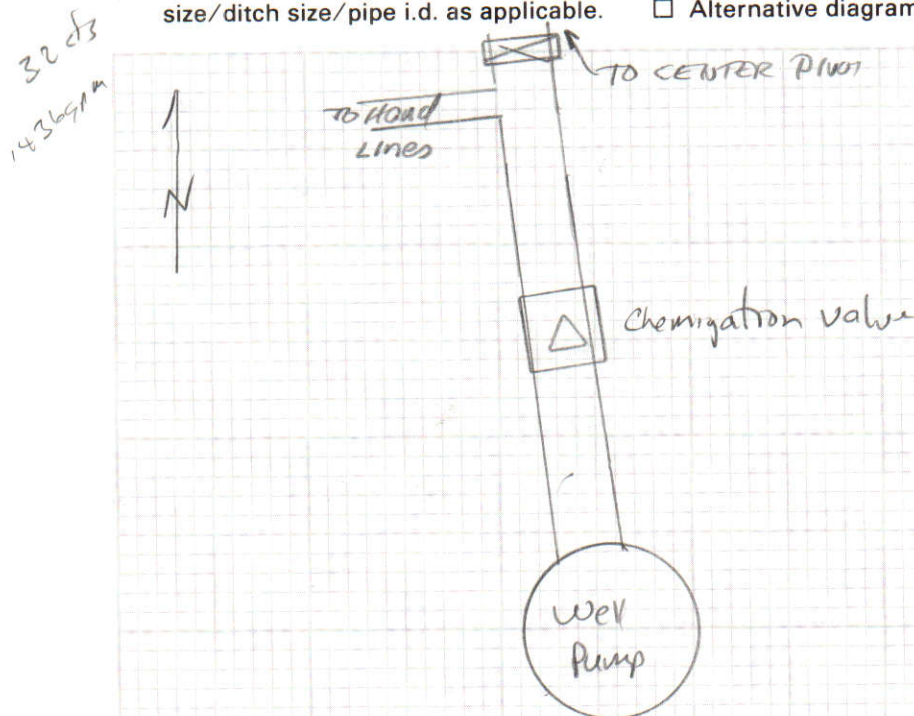
2. Other water rights with same point of diversion: NONE (27-11218 domestic)

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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JUN 18 2002

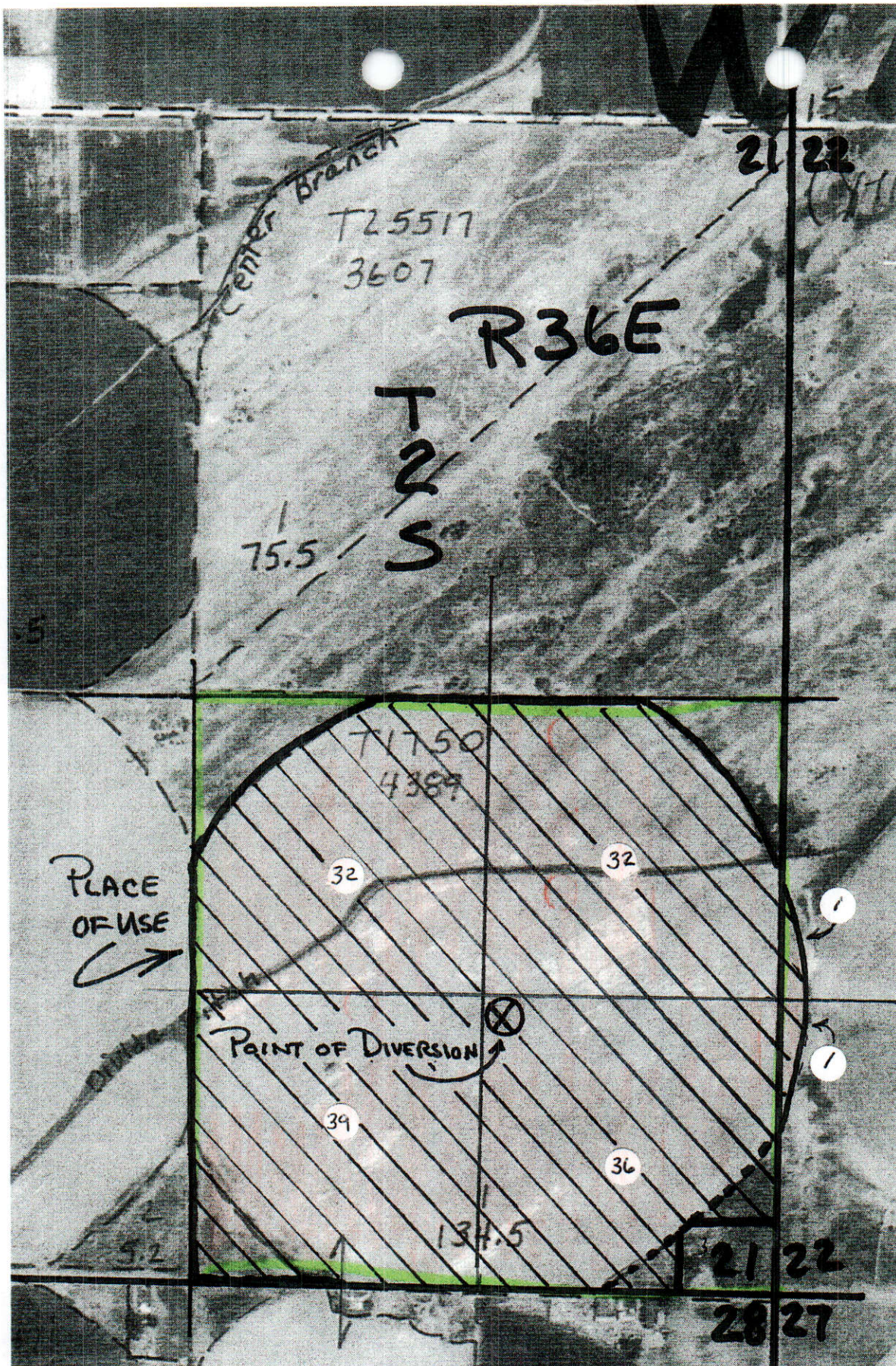
Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).



MICROFILMED
JUN 18 2002

27-07413

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

NE/4 BLACKFOOT 15' QUADRANGLE

GEOLOGICAL SURVEY

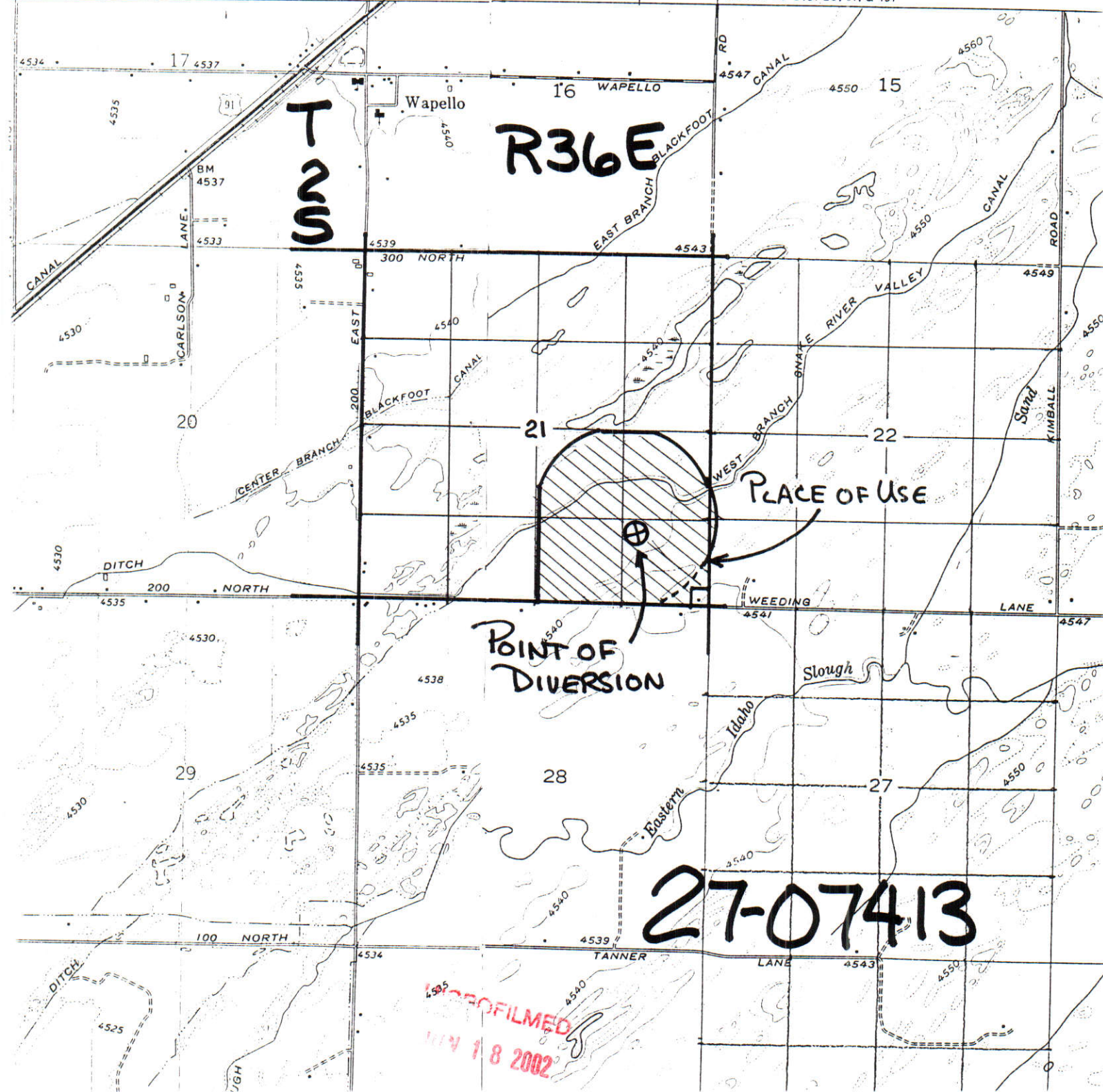
000 FEET

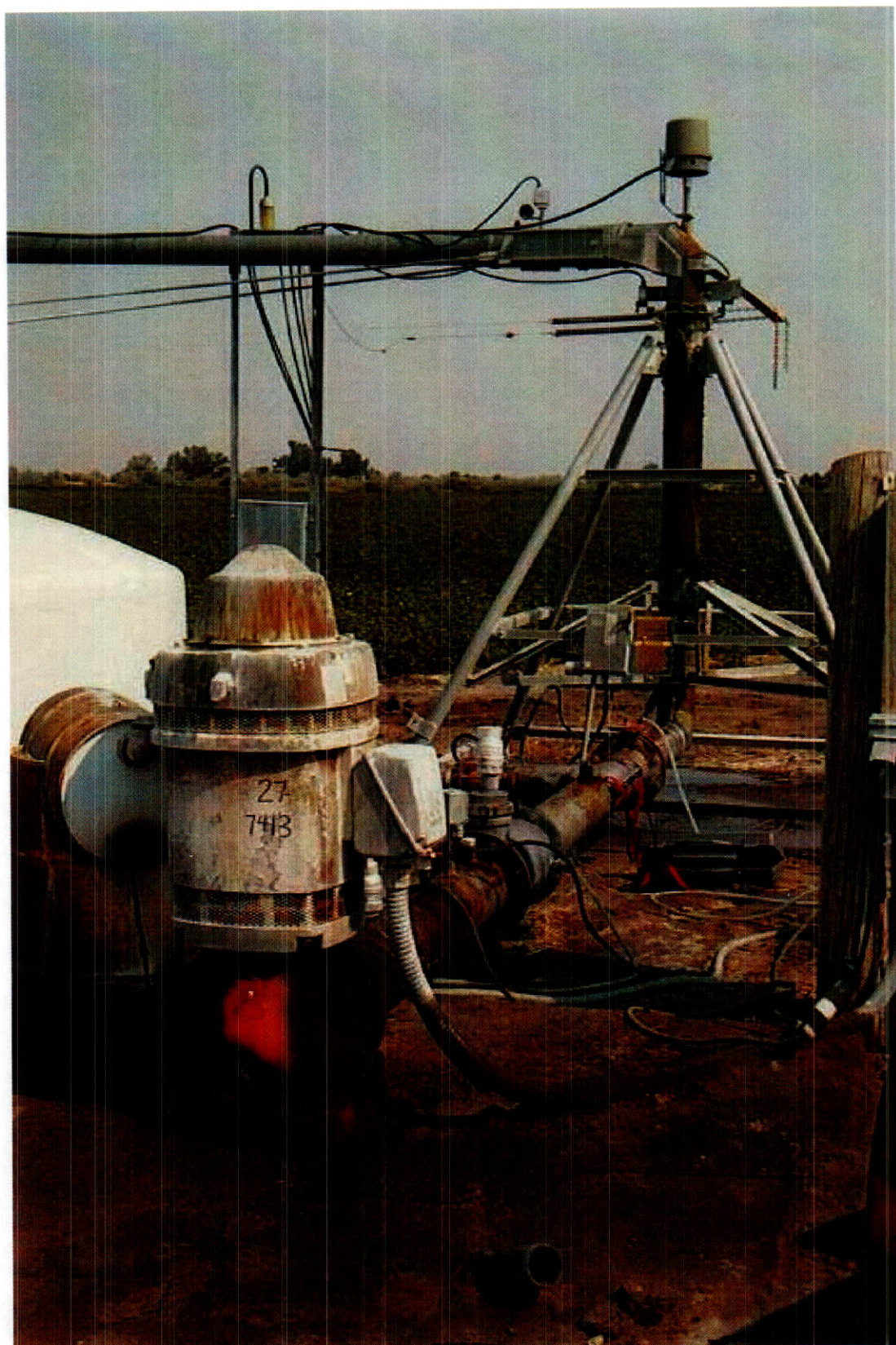
397

SHELLEY 11 MI.
FIRTH 5 MI.

112° 15'

0.9 MI. TO U.S. 26, 91, & 191





MICROFILMED
JUN 18 2002

Point of Diversion

27-07413

RECEIVED
JUL 29 2002
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
27-07413					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Edwin Capson
263 E 200 N Blackfoot, ID 83221

4. New Owner/Claimant(s)

Rodger N Capson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

263 E 200 N

City, State and ZIP Code

Blackfoot, ID 83221

New Telephone Number

(208) 785-1666

5. Date you acquired the property

March 13, 2002

MICROFILMED

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Rodger Capron
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by [Signature] Date SEP - 3 2002 Fee [Signature]
 Receipted by [Signature] Date SEP - 3 2002 Receipt No. 7044311
 Processed by [Signature] AJ Date SEP - 3 2002 WR _____ Date _____

510939

CORRECTION DEED

THIS DEED is made this 13th day of March, 2002, between SYBLE CAPSON, a widow, of Bingham County, Idaho, the Grantors, and RODGER N. CAPSON, of 263 E 200 N, Blackfoot, ID 83221, the Grantee.

WITNESSETH:

That the said Grantor, for and in consideration of LOVE and AFFECTION, does by these presents give, convey and confirm unto the Grantee, and to his heirs and assigns forever, the following described property, lying and being in the County of Bingham, State of Idaho, to-wit:

Township 2 South, Range 36 E.B.M., Bingham County, Idaho,

Section 28: Beginning at the Northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 28, and running thence W 685 feet; thence S 160 feet; thence E 685 feet; thence N 160 feet to the point of beginning. EXCEPTING the east 2 rods.

Section 21: SE $\frac{1}{4}$ EXCEPTING:

Beginning at a point on the North line of a County road that is North along the Section line 21 feet from the SE corner of said Section 21, and running thence N 89°24' W along said North line 392 feet; thence N 300 feet; thence S 89°24' E 392 feet to the E line of said Section 21; thence S 300 feet to the point of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

TO HAVE AND TO HOLD all and singular the said premises together with the appurtenances and privileges thereto belonging unto the said Grantee, his heirs and assigns, forever.

This Correction Gift Deed amends, corrects and supersedes that certain Gift Deed executed by the undersigned on, and recorded as Instrument No. 507840, records of County Recorder, Bingham County, Idaho.

MICROFILMED

6-17-2003

WITNESS the hand and seal of the Grantor the day and year first above written.

Syble Capson
Syble Capson

STATE OF IDAHO)

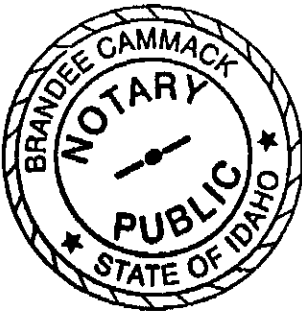
ss:

County of Bingham)

On this 22nd day of March, 2002, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Syble Capson, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.

Brandee Cammack
Notary Public for Idaho
Residing at Blackfoot
My Commission Expires 6/5/2003



510939

MINCHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 10.00 DEP 04/11/2002
2002 MAR 25 PM 4:46
RECORDED AT THE REQUEST OF
Baker & Harbo
PO Box 597
Blackfoot ID 83322

MICROFILMED

APR 1 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 27-07413

Priority: June 27, 1985

Maximum Diversion Rate: 2.78 CFS

It is hereby certified that MICHAEL A DRISCOLL
273 S 1300 W
PINGREE ID 83262

And/Or

EDWIN CAPSON
294 E 200 N

BLACKFOOT ID 83221 have complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated June 27, 1985; and have submitted Proof of Beneficial Use on February 27, 1990. An examination indicates that the works have a diversion capacity of 2.82 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

DIVERSION RATE

2.78 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW¼SE¼SE¼ Sec. 21, Twp 02S, Rge 36E, B.M., BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	36E	21													32.0	32.0	39.0	36.0	139.0

Total Acres: 139

CONDITIONS OF APPROVAL

1. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 556.0 af at the field headgate for the lands above.

MICROFILMED

JUN 14 1987

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 27-07413

4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. 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.

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 used in accordance with Idaho law and applicable rules of the Department of Water Resources.

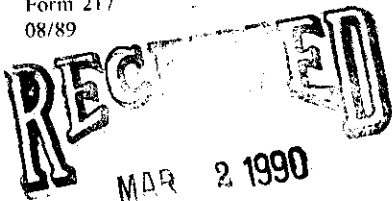
Signed and sealed this 13th day of June, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

JUN 18 2002



For Office Use Only
Amt. of Fee \$ 175.00
Date 2-27-90
Receipt No. EO12175
Received by HWS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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

Permit No. P27-07413 Telephone No. 785-1666

Name(s) of Permit Holder(s): Edwin Capron

Post Office Address: 294 E. 200 N. Blackfoot Idaho 83221

Source of Water: SE 1/4 SE 1/4 Sec 21 T2S R36E g.w.

If ground water, well driller's name: Gary Volmer Date drilled: 4/1982

Extent of Use:
Domestic _____ (No. of households) Irrigation 160 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 3.2 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: June 27, 1985

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

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

OR

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

Fee Enclosed: \$ 175.00 (See License Examination Fee Schedule)

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

Mike Driscoll 208-684-4125
Name Telephone No.
290 S. 1300 W. Panguitch Idaho 83262
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.

3/1/1990 Michael A. Driscoll
Date Signature (and title if on behalf of a company or organization)

MICROFILMED
APR 17 1990

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 27-07413

Proposed Priority: June 27, 1985

Maximum Diversion Rate:

3.20 CFS

This is to certify, that **MICHAEL A. DRISCOLL**
EDWIN CAPSON
273 S. 1300 W.
PINGREE, ID 83262

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

3.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESE Sec. 21, Township 02S, Range 36E
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>
02S	36E	21	NESE 40	NWSE 40	SWSE 40	160
			SESE 40			

Total number of acres irrigated: 160

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1991.
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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
7. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
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.

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DEC 18 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07413

CONDITIONS/REMARKS:

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

14th day of December, 1989.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

DEC 16 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant MICHAEL A. DRISCOLL and/or EDWIN CAPSON Phone 684-4125
Post office address 273 S. 1300 West, Pingree, ID 83262
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 Section 21 Township 2S
Range 36E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.20 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.20 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 and pivot

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

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

c. Proposed well diameter is 16 inches; proposed depth of well is 115 feet.

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 — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

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

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

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

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

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DEC 18 1989

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	36E	21													40	40	40	40	160

Total number of acres to be irrigated 160

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

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

b. Who owns the land to be irrigated or place of use Applicant - Capson

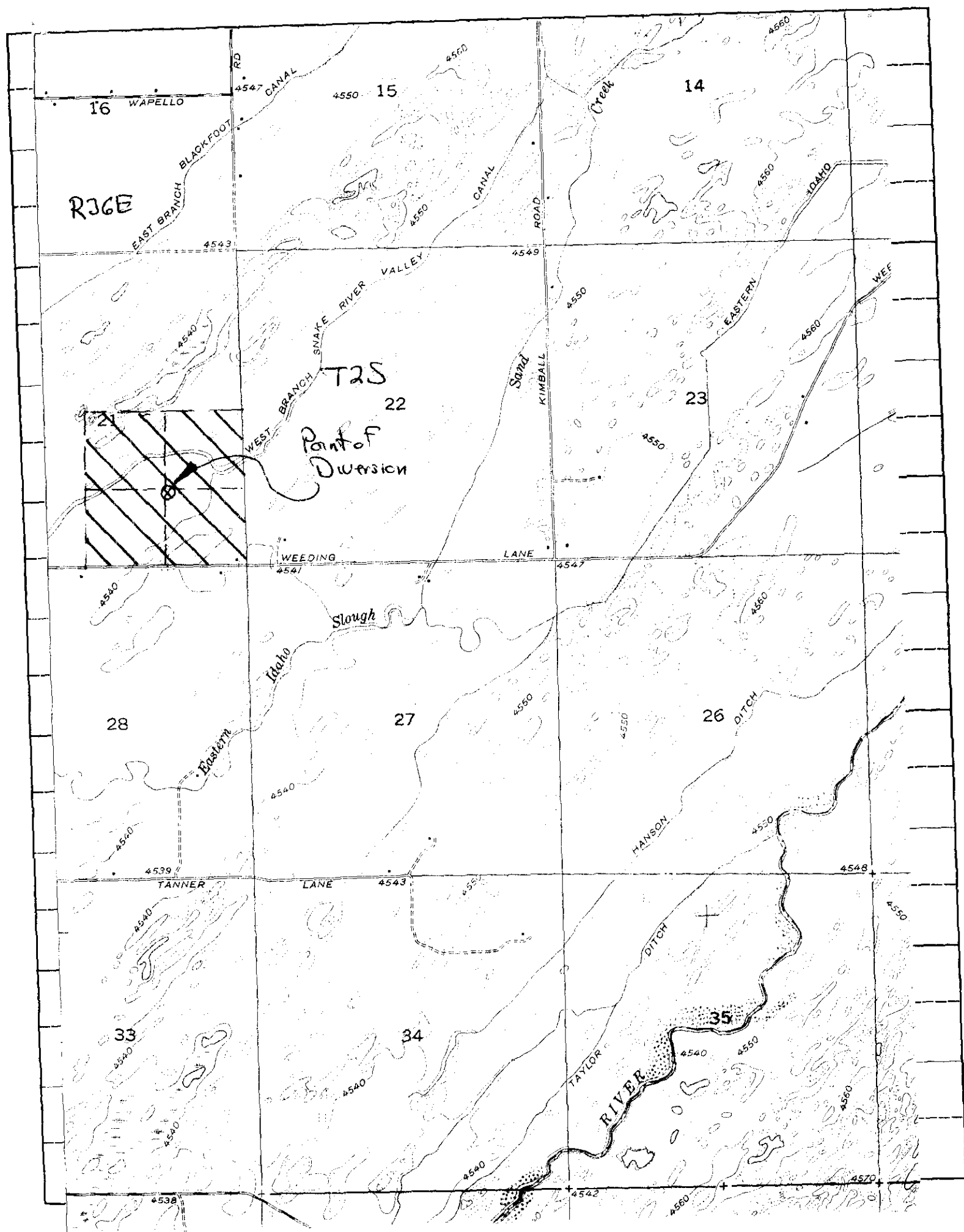
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Mr. Driscoll has a written agreement to lease and farm Mr. Capson's property

10. Remarks This system was in place and pumping as of June 1982.

RECORDED

DEC 18 1989

11. 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.

MICROFILMED

DEC 18 1989

Michael A. Driscoll
(Applicant)

Asst. by HUN
Received by CT Date 6-27-85 Time 4:20 pm
Preliminary check by [Signature] Fee \$ 105.00 #33387
Receipted by CT Date 6-27-85
Publication prepared by [Signature] Date 8-1-85
Published in Morning News
Publication dates 10-19th & 26-89
Publication approved OW Date 11-06-89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by HUN

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. Other:

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DEC 18 1989

27-07408
JOLLEY, C. Boyd
607 N. 600 E
Firth, Id.
Source: GROUNDWATER
Diversion Pt: SWSW, Sec. 1, T. 02S, R.
36E.
Use: IRRIGATION (.720 CFS).
Date Filed: 5/28/1985.
In: T02S, R36E, S01, SWSW.
36.0 ACRES TOTAL.

27-07412
THOMPSON FARMS
493 South 1200 West
Pingree, Id. 83262
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 21, T. 03S, R.
34E.
Use: IRRIGATION (3.060 CFS).
Date Filed: 6/20/1985.
In: T03S, R34E, S21, NESE, SWSE, SESE,
S22, NWSW, SWSW, S28, NENW.
153.0 ACRES TOTAL.

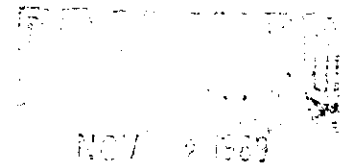
27-07413
CAPSON, Edwin
DRISCOLL, Michael A.
273 S. 1300 West
Pingree, Id. 83262
Source: GROUNDWATER
Diversion Pt: SESE, Sec. 21, T. 02S, R.
36E.
Use: IRRIGATION (3.200 CFS).
Date Filed: 6/27/1985.
In: T02S, R36E, S21, NESE, NWSE, SWSE,
SESE.
160.0 ACRES TOTAL.

27-07446
IDAHO SUPREME POTATOES, Inc.
P.O. Box 246
Firth, Idaho 83236
Source: GROUNDWATER
Diversion Pt: Lot 9 (SWSE), Sec. 6, T. 01S,
R. 37E; SESE, Sec. 7, T. 01S, R. 37E.
Use: IRRIGATION (4.340 CFS).
Date Filed: 11/07/1988.
In: T01S, R37E, S06, Lot 9 (SESW), Lot 13
(SESW), Lot 10, (NWSE), Lot 9 (SWSE), Lot
13 (SWSE); S07, NWNE, SWNE, SENE, Lot 8
(NENW); Lot 9 (NENW), Lot 7 (SENW), Lot 12
(SENW), Lot 6 (NESW); Lot 12 (NESW),
NESE, Lot 6 (NWSE), Lot 5 (SWSE), SESE.
217.0 ACRES TOTAL.

27-07447
IDAHO SUPREME POTATOES, Inc.
P.O. Box 246
Firth, Id. 83236
Source: GROUNDWATER
Diversion Pt: Lot 2 (NENW), Sec. 19, T.
01S, R. 37E.
Use: IRRIGATION (2.940 CFS).
Date Filed: 11/07/1988.
In: T01S, R37E, S18, NENE, Lot 8 (NWNE),
SWNE, Lot 7 (SENW); NESW, Lot 6, (NESW),
Lot 14, (NESW), Lot 5, (SESW); Lot 18
(SESW); NWSE, SWSE; S19, NWNE, SWNE,
NENW, Lot 2 (NENW); Lot 7 (NENW), SENW,
Lot 3 (SENW), Lot 10, (SENW); NESW, Lot 4
(NESW), Lot 11 (NESW).
147.0 ACRES TOTAL.

27-07480
COUSIN, David L.
920 9th St.
Idaho Falls, Id. 83404
Source: SPRING Tributary: SINKS.
Diversion Pt: SESWNW, Sec. 9, T. 04S, R.
40E.
Use: STOCKWATER (.040 CFS).
Date Filed: 9/21/1989.
In: T04S, R40E, S09, SWNW.

35-08820
FELD FARMS
c/o Jeff or Todd Feld
P.O. Box 2



Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho)
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

19th day of October, 1989;

and the last publication having been made on the
27th day of October, 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 27th day of October, 1989, in
the year 1989, before me a Notary Public of said State,
personally appeared

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.

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

November 10, 1994

APR 9 1994

Affidavit Processing Fee \$5.00

MICROFILMED

DEC 18 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 23, 2002

RODGER N CAPSON
263 E 200 N
BLACKFOOT ID 83201

RE: Change of Ownership for Water Right 27-7413

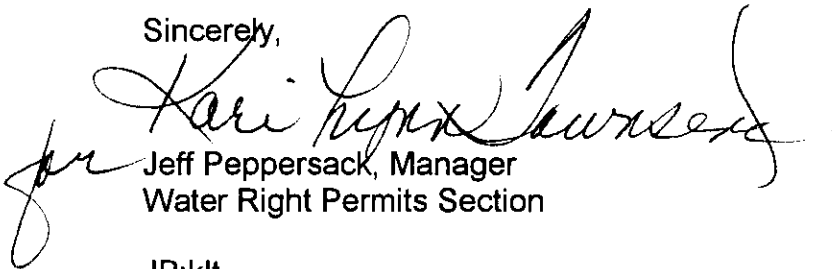
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

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 of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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SEP 24 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 7, 2002

RODGER N CAPSON
263 E 200 N
BLACKFOOT ID 83221

RE: Change in Ownership of Water Right 27-07413

Dear Mr. Capson:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

☒ **Filing Fee of \$25** per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is **\$25** per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be **\$25.00**.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to 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 or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

MICROFILMED
AUG 14 2002

Enclosure (copy of Instructions for Filing Change in Water Right Ownership-see item 8)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 17, 2002

MICHAEL A DRISCOLL
273 S 1300 W
PINGREE ID 83262

EDWIN CAPSON
294 E 200 N
BLACKFOOT ID 83221

RE: License No. 27-7413 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to 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 or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

JUN 18 2002

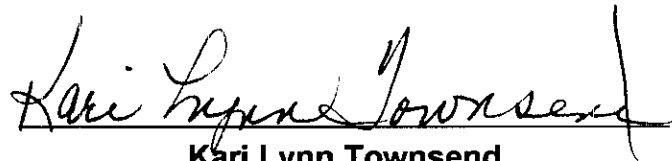
CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 27-7413

**MICHAEL A DRISCOLL
273 S 1300 W
PINGREE ID 83262**

**EDWIN CAPSON
294 E 200 N
BLACKFOOT ID 83221**

A handwritten signature in black ink, reading "Kari Lynn Townsend". The signature is written in a cursive style with a horizontal line underneath the name.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUN 18 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

Comment Report

27-7413

1. kwalker 6/12/2002 No License Amendment

Comment: Since permit holders did not submit licensing amendment, I have reduced recommended license to what can be licensed without an amendment. They only lost 2 acres, 0.04 cfs, and 8.0 acre feet under this recommendation.

MICROFILMED
JUN 16 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 15, 2002

MICHAEL A DRISCOLL
273 S 1300 W
PINGREE ID 83262

EDWIN CAPSON
294 E 200 N
BLACKFOOT ID 83221

RE: Water Right Permit 27-07413

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received the amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you have been misplaced, a new one is enclosed. Please note that the filing fee for the amendment is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED
JUN 13 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 23, 2002

MICHAEL A DRISCOLL
273 S 1300 W
PINGREE ID 83262

&/or

EDWIN CAPSON
294 E 200 N
BLACKFOOT ID 83221

RE: Water Right Permit No. 27-07413

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ **Place of Use – Adding 2 acres in W1/2SW1/4, S22**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

JUN 13 2002

LICENSE REVIEW CHECKLIST

Permit No. 27-7413

Date: 4-22-02 Reviewer: Kay Walker

Change/OK

Name/Address

fix Capson's address

Source

OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

Point of Diversion:

OK

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

add
2 acres in
W1/2SW, S22

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): Snake River rights
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 3.2 cfs
Fee Limit 4.0 cfs
Measured 2.76 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 2.82

Season of Use per new Standards

4-1 10-31

Water Uses

2.82

OK Change (P46)

Irrigation 2.76 cfs 564.0 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
Total 2.76 cfs 564.0 af

2.82

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

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

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

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

2.76 cfs x 1.9835 x 214 days = 1171.5 af (vs) 141 acres x 4.0 (FHR) = 564 af
3.0 (con)

Remarks:

048,

Additional Conditions

_____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim?

NO

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

P44

S06

*see attached
POU comparison
(see examiner's
note on
page 3, part
E)*

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	27 7413	MICHAEL A. DRISCOLL, EDWIN CARSON,	GROUND WATER	02S36E21													40	40	40	40	160
Claim	27 7436	STEPHEN COOPER,	GROUND WATER	02S36E21									33	33	33	33					132
Right	27 11912	GENEAL COOPER,	GROUND WATER	02S36E21						12	28										37
Right	27 7397	STEPHEN C COOPER, MARGY COOPER, IDAHO AGRICULTURAL CREDIT ASSOCIATION,	GROUND WATER	02S36E21	19.5	33	17.5														70
Right	27 7413	MICHAEL A DRISCOLL, EDWIN CARSON,	GROUND WATER	02S36E21													32	32	38	36	138
Claim	1 1J	BLACKFOOT IRRIGATION CO,	SNAKE RIVER	02S36E21	25	25			9	10	37	40	30	34	35	33	40	40	40	40	438
Claim	1 1R	KARL SEARLE,	SNAKE RIVER	02S36E21	25	25			9	10	37	40	30	34	35	33	40	40	40	40	438
Claim	1 1S	PETER M CANNON,	SNAKE RIVER	02S36E21	25	25			9	10	37	40	30	34	35	33	40	40	40	40	438
Claim	1 1V	BRAD SNARR, RUBY SNARR, UNITED STATES OF AMERICA ACTING THROUGH,	SNAKE RIVER	02S36E21	25	25			9	10	37	40	30	34	35	33	40	40	40	40	438
Claim	1 298	BLACKFOOT IRRIGATION CO,	SNAKE RIVER	02S36E21	25	25			9	10	37	40	30	34	35	33	40	40	40	40	438
Right	1 298	BLACKFOOT IRRIGATION CO,	SNAKE RIVER	02S36E21																	0

surface
water OK

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	27 4P	FRANCIS WHITTEN,	BLACKFOOT RIVER	02S30E22				26	30									22			78
Claim	27 220	EASTERN IDAHO WATER CO.	BLACKFOOT RIVER, MINER CREEK, WOLVERINE CREEK	02S30E22															34		34
Claim	27 350	EASTERN IDAHO WATER CO.	BLACKFOOT RIVER, MINER CREEK, WOLVERINE CREEK	02S30E22															34		34
Claim	27 7070	ELDON E SCOTT,	GROUND WATER	02S30E22		36	36														75
Claim	27 7095	FRANCIS WHITTEN,	GROUND WATER	02S30E22				32	32												96
Right	27 7070	ELDON E SCOTT,	GROUND WATER	02S30E22		36	36														75
Right	27 7095	FRANCIS WHITTEN,	GROUND WATER	02S30E22				32	32												96
Right	27 7413	MICHAEL A DRISCOLL, EDWIN CAPSON,	GROUND WATER	02S30E22										1	1						2
Claim	1 1J	BLACKFOOT IRRIGATION CO.	SNAKE RIVER	02S30E22		40	40						40		40	40	40	40	40	48	360
Claim	1 1R	KARL BEARLE,	SNAKE RIVER	02S30E22		40	40						40		40	40	40	40	40	40	360
Claim	1 1S	PETER M CANNON,	SNAKE RIVER	02S30E22		40	40						40		40	40	40	40	40	40	360
Claim	1 1V	BRAD SNARR, RUBY SNARR, UNITED STATES OF AMERICA ACTING THROUGH,	SNAKE RIVER	02S30E22		40	40						40		40	40	40	40	40	40	360
Claim	1 298	BLACKFOOT IRRIGATION CO.	SNAKE RIVER	02S30E22		40	40						40		40	40	40	40	40	40	360
Right	1 298	BLACKFOOT IRRIGATION CO.	SNAKE RIVER	02S30E22																	0

↑
surface
water OL

RECEIVED

Form 219
6/86

APR - 9 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

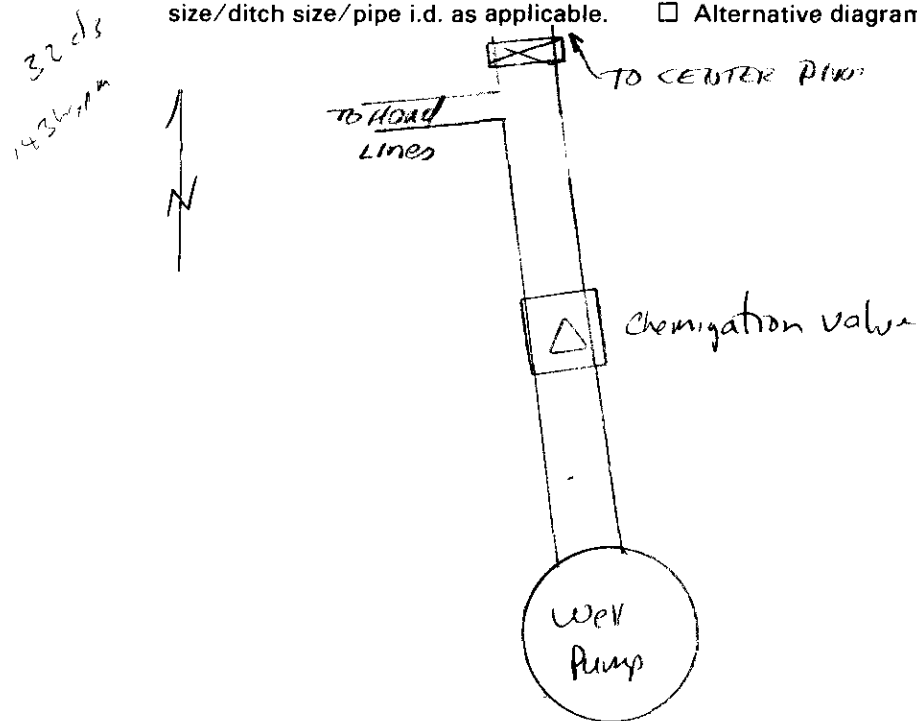
Permit No. 27-07413
Phone No. 785-1666
1. Owner: Roger Capser
Current Address: 263 E 200N Blackfoot Id 83221
2. Accompanied by: NONE EXAM. DATE: 31 July 2000
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE (27-11218 domestic) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = _____

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

*well pump maint. to control prod; hand line
End year not on during exam*

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Electric	60	R-6235-04-150 R2147368	Aurora Verti-Line	8"

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SE	SE	21	2S	36E	Bingham	onsite/FSA AERIAL

6. **Place(s) of Use:**

Indicate Method of Determination *ON SITE/FSA Aerial*

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	36E	21													32	32	39	36	139.0
		22									1	1							2.0

27-7413

MICROFILMED

APR 12 1982

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow meter	Sonic	Fuji	FLC-S1011	7K0089TB		STATE TAG 240333

2. Measurements:

$Q = 2.76 \text{ cfs}$ (END GUN NOT ON)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$Q = 2.76 \text{ cfs}$ $Q_{0.02 \text{ cfs/ac}} = 141 \text{ ac} \times 0.02 \text{ cfs/ac} = 2.82 \text{ cfs}$

$Q_{\text{without END GUN}} = 2.76 \text{ cfs}$ RECOMMEND Licensing @ 0.02 cfs/ac $Q = 2.82 \text{ cfs}$

2. Alternate Method for Checking Purposes:

SEE ATTACHED PAGE $Q = 2.55 \text{ cfs}$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 141 (3) = 423 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.82 \text{ cfs} (214) 1.9835 = 1197.0$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 423 \text{ afa}$

2. Volume Calculations for Other Uses:

MICROFILMED

1998 8/28/98

27-7413

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Since endgun was off recommend licensing at maximum $0.02 \text{ cfs/acre} = 2.82 \text{ cfs}$

NOTE: AERIAL PHOTO INDICATES 2 acres of IRRIGATION IN SEC 22, T2S R36E. The irrigation of these 2 acres may be caused by wind drift. If applicant indicates he does not own land in Sec 22 recommend reducing acres to 139ac and licensing @ 2.78 cfs.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	2.82 cfs	423.0
Totals:			2.82 cfs	423.0

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

J. AUTHENTICATION

Field Examiner's Name KENT C WILSON
Signature Kent C Wilson
Certification Date _____
Field Report Preparation Date 7-31-2001

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

JUN 13 2002

27-7413

LOG NAME: 27-7413
START: 07-31-2000 10:35
END: 07-31-2000 10:45
INTERVAL: 00:01:00

07-31-2000 10:35:00
+8.186E+0 ft/s
+1.219E+3 gal/m
+2.716E+0 ft3/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:36:00
+8.237E+0 ft/s
+1.226E+3 gal/m
+2.733E+0 ft3/s
+TOTAL 0001206 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:37:00
+8.250E+0 ft/s
+1.228E+3 gal/m
+2.737E+0 ft3/s
+TOTAL 0002436 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:38:00
+8.236E+0 ft/s
+1.226E+3 gal/m
+2.733E+0 ft3/s
+TOTAL 0003666 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:39:00
+8.333E+0 ft/s
+1.241E+3 gal/m
→ +2.765E+0 ft3/s
+TOTAL 0004895 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:40:00
+8.213E+0 ft/s
+1.223E+3 gal/m
+2.725E+0 ft3/s
+TOTAL 0006125 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:41:00
+8.243E+0 ft/s
+1.227E+3 gal/m
+2.735E+0 ft3/s
+TOTAL 0007351 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:42:00
+8.245E+0 ft/s
+1.228E+3 gal/m
+2.736E+0 ft3/s
+TOTAL 0008578 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:43:00
+8.225E+0 ft/s
+1.225E+3 gal/m
+2.729E+0 ft3/s
+TOTAL 0009805 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:44:00
+8.195E+0 ft/s
+1.220E+3 gal/m
+2.719E+0 ft3/s
+TOTAL 0011031 gal
-TOTAL 0000000 gal
NORMAL

07-31-2000 10:45:00
+8.295E+0 ft/s
+1.235E+3 gal/m
+2.752E+0 ft3/s
+TOTAL 0012258 gal
-TOTAL 0000000 gal
NORMAL

$$\text{Avg flow} = 12250 \text{ gal}/10 \text{ m} = 1225.8 \text{ gpm} = 2.73 \text{ cfs}$$

Maximum Flow rate = 2.76 cfs

MICROFILMED

1998-11-20

27-07413

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

$$Hp = \text{Horsepower} = \underline{60}$$

$$Eff = \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%)$$

$$\text{Lift: } (\text{Static Level} + \text{Assumed Draw down})$$

$$\text{Static Water Level} = \underline{18} \text{ ft. well log}$$

$$\text{Assumed Draw down} = + \underline{12} \text{ ft.}$$

$$\text{Lift} = \underline{30}$$

OR

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

$$psi = \text{Operating Pressure} = \underline{50} \text{ psi}$$

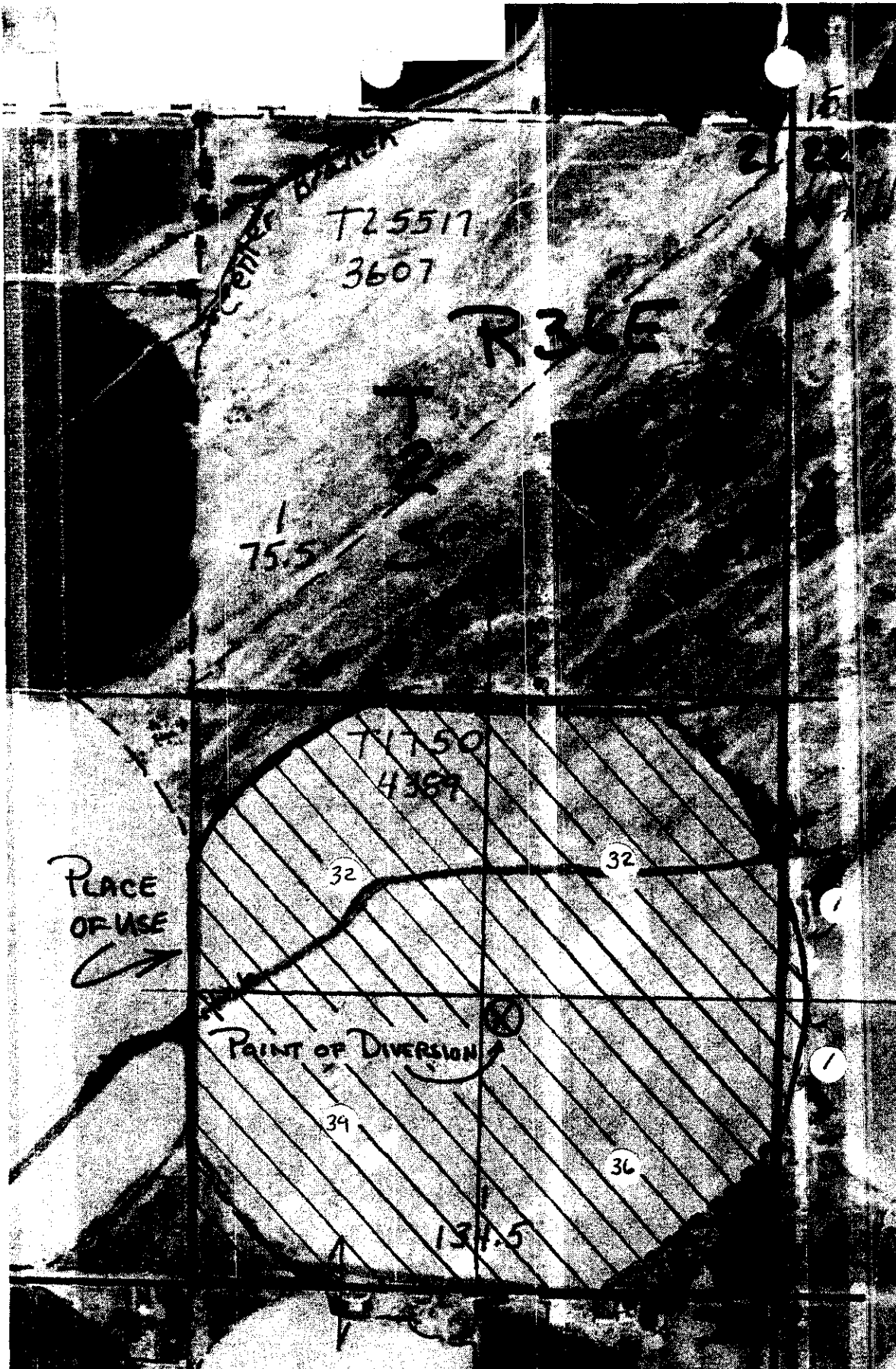
$$Q_{cfs} = \left[\frac{60}{Hp} \times 8.814 \times \frac{0.7}{Eff} \right] \div \left[\frac{30}{Lift} + \left(\frac{50}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{376.188} \right] \div \left[\underline{145.4} \right]$$

$$Q_{cfs} = \underline{2.55} \text{ cfs}$$

MICROFILM PERMIT NO. 27- 7413

10-10-2002

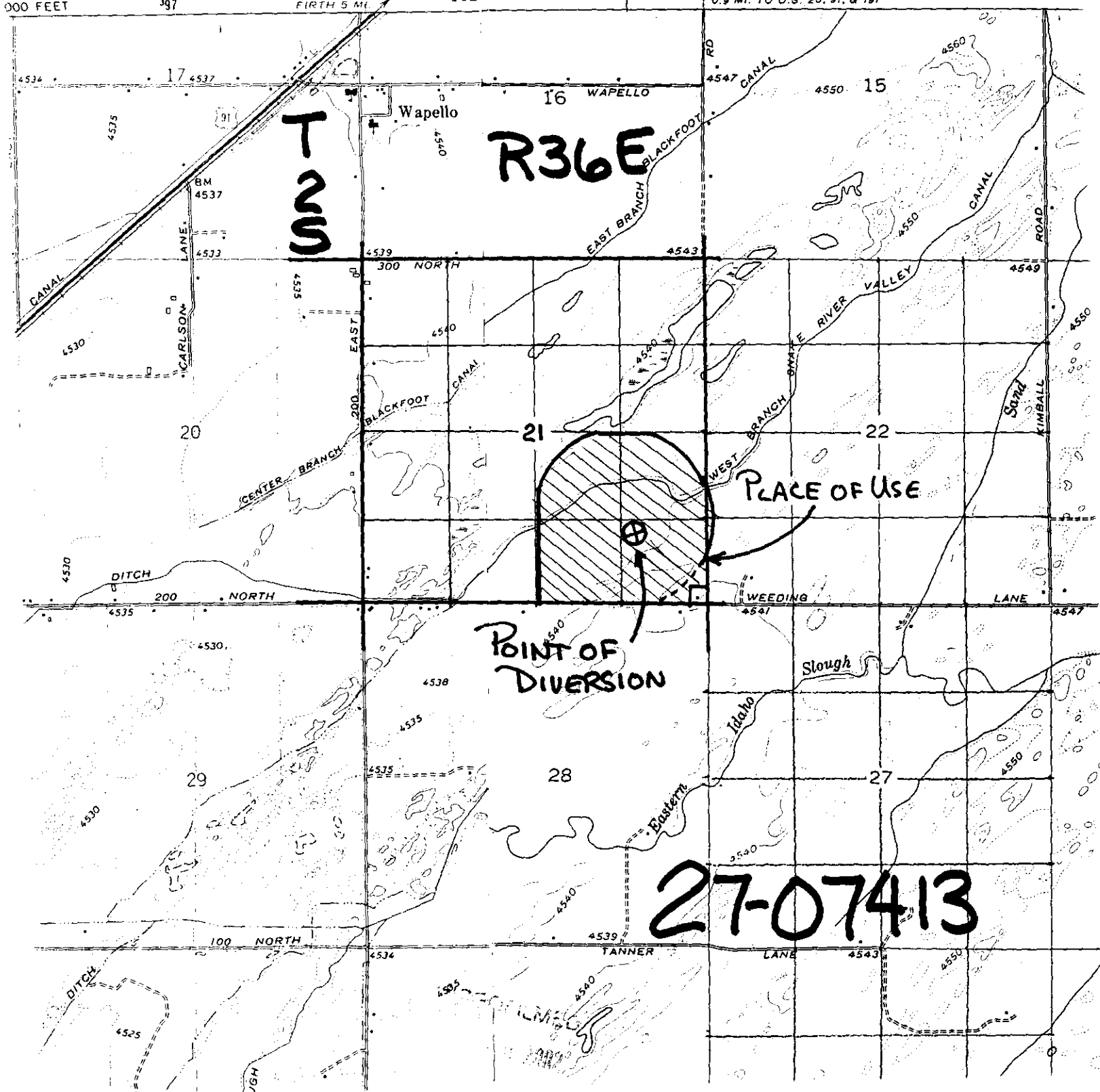


MICROFILMED
JAN 1987

27-07413

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

000 FEET 397 SHELLEY 11 MI.
FIRTH 5 MI. 112° 15' 0.9 MI. TO U.S. 26, 91, & 191





MICROFILMED Point of Diversion

SEP 11 1967

27-07413

April 13, 1990

EDWIN CAPSON
MICHAEL A. DRISCOLL
273 S. 1300 W.
PINGREE, ID 83262

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07413

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

RECORDED

APR 17 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 27-17413

Date: 4 11 1990

General Considerations:

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

Source of Water:

y Surface water
y Groundwater
_____ 1. well log in file
27/42 drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks: Proof acceptable

27/42 Priority Calculation:
Date proof received _____
Date proof due _____ -
No. of days late _____ =
Priority date _____ +
NEW PRIORITY DATE _____ =

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

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
December 15, 1989

EDWIN CAPSON
MICHAEL A. DRISCOLL
273 S. 1300 W.
PINGREE, ID 83262

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

RE: PERMIT NO. P27-07413

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.

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

RECEIVED

DEC 18 1989

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

DEC 18 1965

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY APPLICATION NUMBER: 27-7413

CHECK: JUL 1 1985

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

Field check by: _____

Date: _____

Comments: _____

- ☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.

Final date for protests: 11-6-89

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11-02-89
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 27-P05
6-27-85 Date of priority recommended.
Special conditions of approval or cover letter. <016>

App. in NON-TRUST area-

By: HWS Date: 11-7-89

STATE OFFICE REVIEW:

P05, P23, P03, P16 48 49 46 04 013

- ☐ See attached sheet for more information.

By: KW Date: 12-4-89

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

27-Sep-1989

Edwin Capson
273 S. 1300 W.
Pingree, ID 83262

RE: Application for Permit No. 27-7413

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

DEC 18 1989

27-Sep-1989

Michael A. Driscoll
273 S. 1300 W.
Pingree, ID 83262

RE: Application for Permit No. 27-7413

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.

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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

DEC 18 1989

27-07413

CAPSON, EDWIN
DRISCOLL, MICHAEL A.
273 S. 1300 WEST
PINGREE, ID 83262

Source: GROUNDWATER

Diversion Pt: SESE Sec 21 T 02S R 36E

Use: IRRIGATION (3.200 CFS)

Date Filed: 6/27/1985

In: T02S R36E S21 NESE NWSE SWSE SESE
160.0 ACRES TOTAL

NOTED

DEC 18 1989

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

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUN 10 1985

Department of Water Resources
Boise, Idaho 83720

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 27-7413

Name(s) of Permit Holder: Mike Driscoll and/or Edwin Capson

Post Office Address: 273 S. 1300 W. Pingree, ID. 83262

Telephone No. 684-4125

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 160 (acres)

Other/Remarks _____

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

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

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

Person to contact to accompany the Department representative during the field exam _____

Mike Driscoll
(Name)

(See above)
(Address)

(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-27-85
Date

Michael A. Driscoll
Signature of Permit Holder (and Title, if appropriate)

Statement of development for exemption
from Swan Falls processing. Not acceptable
as proof of beneficial use

MICROFILMED

DEC 18 1989

IN THE MATTER OF:)
securing of a well)
permit for ag-)
irrigation —)

AFFIDAVIT

RECEIVED

JUN 27 1985

Department of Water Resources
Eastern District Office

State of Idaho)
County of Bonanza)

Michael A. Driscoll being first duly sworn,
deposes and says: in June, 1982 I began
using sub-surface water for the
purpose of agricultural irrigation from
a new well drilled in May of 1982
on rented ground belonging to Edwin
Capron, owner. I have used that same
water for the same use to this day.
The well sets in the very center of SE 1/4
Section 21 of Township 2 South, Range
36 East and water that same quarter
section of land.

Michael A. Driscoll
(Signature)

Subscribed and sworn to before me this 27th day of June, 1985.

Valerie Wray
(Notary Public)

Residing at Idaho Falls
My Commission Expires 5-29-1992

MICROFILMED

DEC 18 1989

27-7413..

DRISCOLL, MICHAEL A.
CAPSON, EDWIN

273 S. 1300 WEST, PINGREE, ID 83262

Source: GROUNDWATER

Date Filed: 06/27/1985

Diversion Pt: SESE Sec 21 T 02S R 36E

Use: IRRIGATION (3.20 CFS)

In: NESE NWSE SWSE SESE Sec 21 T 02S R 36E FOR 160 ACRES

MICROFILMED

DEC 18 1989