

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 45-07672

Proposed Priority: December 29, 1989 Maximum Diversion Rate: 0.50 CFS

This is to certify, that **MARVIN L. BLACKER**
RT. 2 BOX 2176
BURLEY, ID 83318

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.50 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWSNW Sec. 15, Township 11S, Range 22E
CASSIA 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>
11S	22E	15	SENE	25		25

Total number of acres irrigated: 25

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1992.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
5. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. 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.

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

29th day of April, 1991.

RECORDED

08 1991

R. Keith Higginson
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Marvin L. Blacker Phone 678-2852
Post office address Rt. 2 Box 2176, Burley, ID 83318
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 15 Township 11S Range 22E B.M. Cassia County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.50 cfs for Irrigation purposes from Mar 15 to Nov 15 (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) 0.50 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Existing well & pump. Sprinklers to
be installed
 - 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 16 inches; ~~proposed~~ depth of well is 565 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
one years (minimum 1 year).

RECEIVED

MAY 08 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- 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	
11S	22E	15				25													25

Total number of acres to be irrigated 25

10. Describe any other water rights used for the same purposes as described above. _____

None

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

b. Who owns the land to be irrigated or place of use? "

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

12. Remarks: Well was developed under Rt. 45-7141. Existing system will be extended to cover additional land.

MAY 08 1991

-

Marvin Blacker
(Applicant)

Received by J. P. [signature] Date 12-29-89 Time 1:58 pm Preliminary check by A. S.
Fee \$ 45.00 Receipted by J. P. # 5010792 Date 12-29-89
Publication prepared by B. L. M. Date 3-12-91 Published in South Idaho News
Publication approved T. J. L. Date 4-5-91

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:

RECEIVED

MAY 08 1991

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 05 1991

Department of Water Resources

County of Cassia, }
STATE OF IDAHO } ss.

MONIQUE JONES being first
duly sworn, deposes and says that SHE
is the CLERK of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated MARCH 22 19 91, and
ending with the issue dated MARCH 29,
19 91. Monique Jones

OK
JL
4-5-9

STATE OF IDAHO }
COUNTY OF CASSIA }

On this 4 day of April in the year of 1991, before me,
a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name 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 executed
the same.

Drene Sanchez
Notary Public for Idaho
Residing at Burley ID
My commission expires: 10/23/96

Cost of Publication: 24.84
Notary Fee: .50
Total Cost: 25.34

FILED
APR 08 1991

SOUTH IDAHO PRESS
BURLEY, IDAHO

RECEIVED
APR 05 1991
Department of Water Resources

91-114
NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
45-07672

BLACKER, MARVIN L.
RT. 2 BOX 2176
BURLEY, ID 83318
Source: GROUNDWATER
Diversion Pt: SWSWNW Sec 15 T 11S R
22E

Use: IRRIGATION (.500 CFS)
Total Diversion: (.500 CFS)
Date Filed: 12/29/1989
In: T11S R22E S15 SENE
25.0 ACRES TOTAL

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, Statehouse Mail, Boise, Idaho
83720 on or before APRIL 8, 1991.

R. Keith Higginson, Director
Published in the South Idaho Press on
March 22 and 29, 1991.

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

MONIQUE JONES being first
duly sworn, deposes and says that SHE
is the CLERK of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated MARCH 22 19 91, and
ending with the issue dated MARCH 29,
19 91. Monique Jones

STATE OF IDAHO }
COUNTY OF CASSIA }

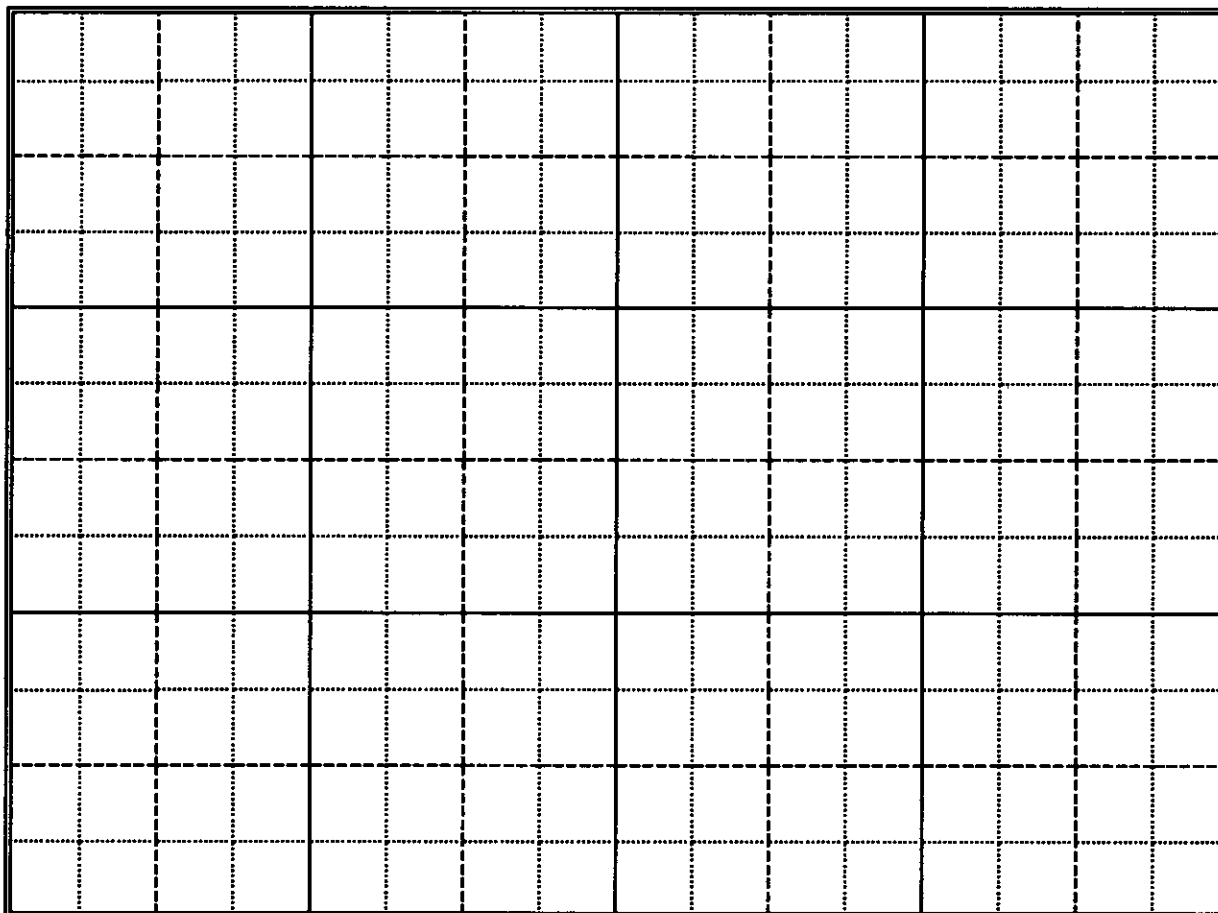
On this 4 day of April in the year of 1991, before me,
a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

[Signature]
Notary Public for Idaho
Residing at [Address]
My commission expires: [Date]

Cost of Publication: 24.84
Notary Fee: .50
Total Cost: 25.34

[illegible]

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 Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	General Elect.	200	EPJ510117		

*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
Fuji						

2. Measurements: Measured with Fuji. Also measured spk heads with PSI Gauge. Fuji showed a 12% difference

No.01
 LOG NAME:BLA1
 START :06-18 11:19
 END :06-18 11:24
 INTERVAL:00:01:00

06-18 11:19:00
 +1.839E+0 ft/s
 +2.725E+2 gal/m
 +TOTAL 0000055 gal
 -TOTAL 0000000 gal
 ABNORMAL

06-18 11:20:00
 +1.839E+0 ft/s
 +2.725E+2 gal/m
 +TOTAL 0000055 gal
 -TOTAL 0000000 gal
 ABNORMAL

06-18 11:21:00
 +1.839E+0 ft/s
 +2.725E+2 gal/m
 +TOTAL 0000055 gal
 -TOTAL 0000000 gal
 ABNORMAL

06-18 11:22:00
 +1.839E+0 ft/s
 +2.725E+2 gal/m
 +TOTAL 0000055 gal
 -TOTAL 0000000 gal
 ABNORMAL

06-18 11:23:00
 +1.839E+0 ft/s
 +2.725E+2 gal/m
 +TOTAL 0000055 gal
 -TOTAL 0000000 gal
 ABNORMAL

06-18 11:24:00
 +1.839E+0 ft/s
 +2.725E+2 gal/m
 +TOTAL 0000055 gal
 -TOTAL 0000000 gal
 ABNORMAL

No.02
 LOG NAME:BLA2
 START :06-18 11:53
 END :06-18 11:58
 INTERVAL:00:01:00

06-18 11:53:00
 +5.197E+0 ft/s
 +1.214E+3 gal/m
 +TOTAL 0011888 gal
 -TOTAL 0000000 gal
 ABNORMAL

06-18 11:54:00
 +5.170E+0 ft/s
 +1.208E+3 gal/m
 +TOTAL 0013095 gal
 -TOTAL 0000000 gal
 ABNORMAL

06-18 11:55:00
 +5.136E+0 ft/s
 +1.200E+3 gal/m
 +TOTAL 0014299 gal
 -TOTAL 0000000 gal
 ABNORMAL

There is a 12% difference
 between the Fuji readings
 and the manual measurement.
 2.37 cfs was calculated for the
 well, and 0.53cfs for the
 2 wheel lines on the 25 acres.

$$1208 \text{ gpm} (12\%) = 144.96 \quad \begin{array}{r} 1208 \\ -144.96 \\ \hline 1063.04 \end{array}$$

$$\frac{1063.04 \text{ gpm}}{448.83} = \boxed{2.37 \text{ cfs}} \quad \text{Total } \downarrow$$

$$272 \text{ gpm} (12\%) = 32.64 \quad \begin{array}{r} 272 \\ -32.64 \\ \hline 239.36 \end{array}$$

$$\frac{239.36 \text{ gpm}}{448.83} = \boxed{0.53 \text{ cfs}}$$

06-18 11:56:00
+5.169E+0 ft/s
+1.207E+3 gal/m
+TOTAL 0015501 gal
-TOTAL 0000000 gal
ABNORMAL

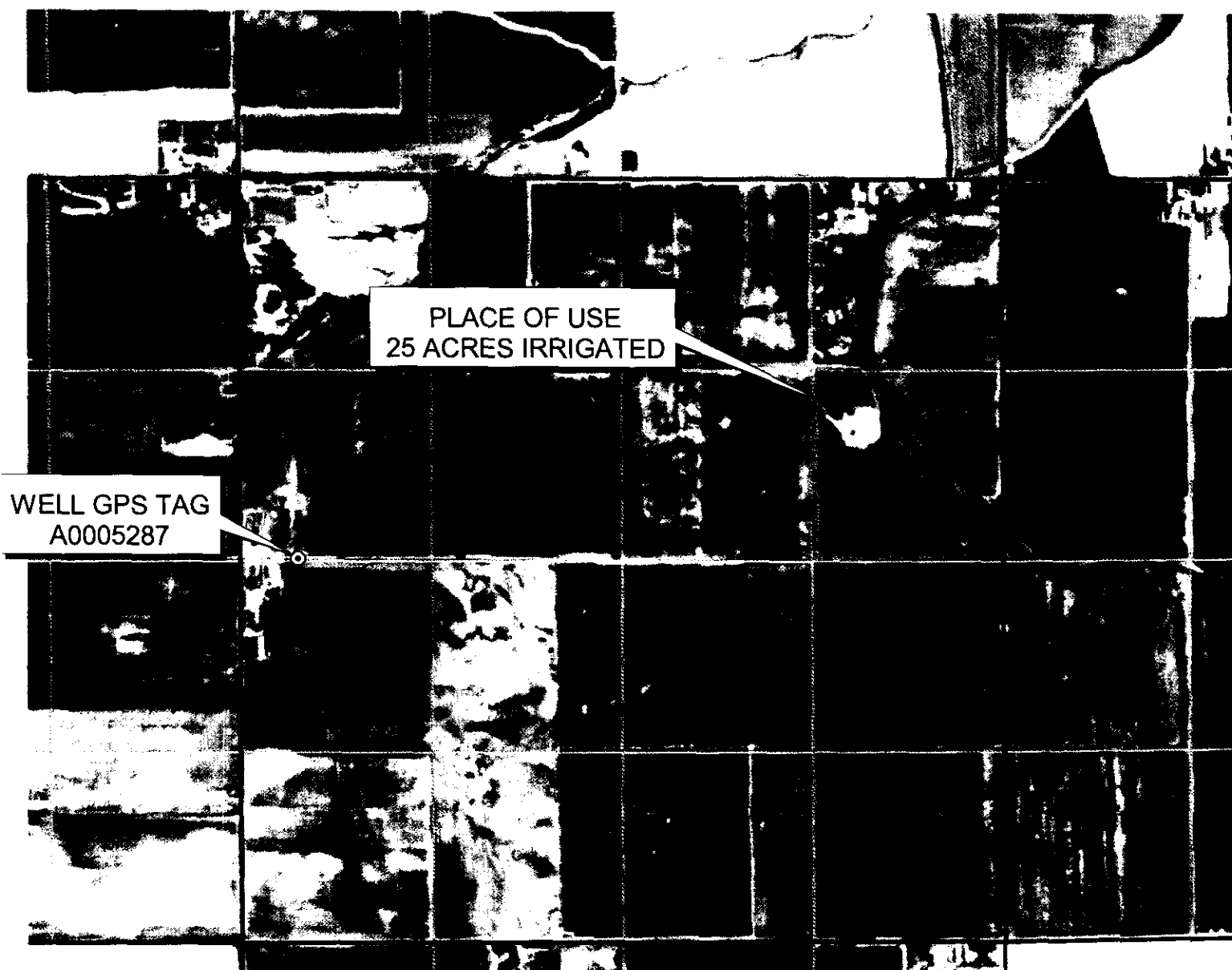
06-18 11:57:00
+5.107E+0 ft/s
+1.193E+3 gal/m
+TOTAL 0016707 gal
-TOTAL 0000000 gal
ABNORMAL

06-18 11:58:00
+5.169E+0 ft/s
+1.208E+3 gal/m
+TOTAL 0017911 gal
-TOTAL 0000000 gal
ABNORMAL

IDAHO DEPARTMENT OF WATER RESOURCES

Field Exam for Marvin Blacker
Permit 45-07672

TOWNSHIP 11 SOUTH, RANGE 22 EAST
SECTION 15



- ⊙ Point of Diversions
- Place of Use
- Section Line
- Quarter-Quarter Line

POINT OF DIVERSION PRESENTATION
1987/1988 NAPP PHOTOGRAPHY
DATA ENTRY BY AMANDA FOLSOM

T 11 R 22 S 31
N14



DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R22E

3°52'30"

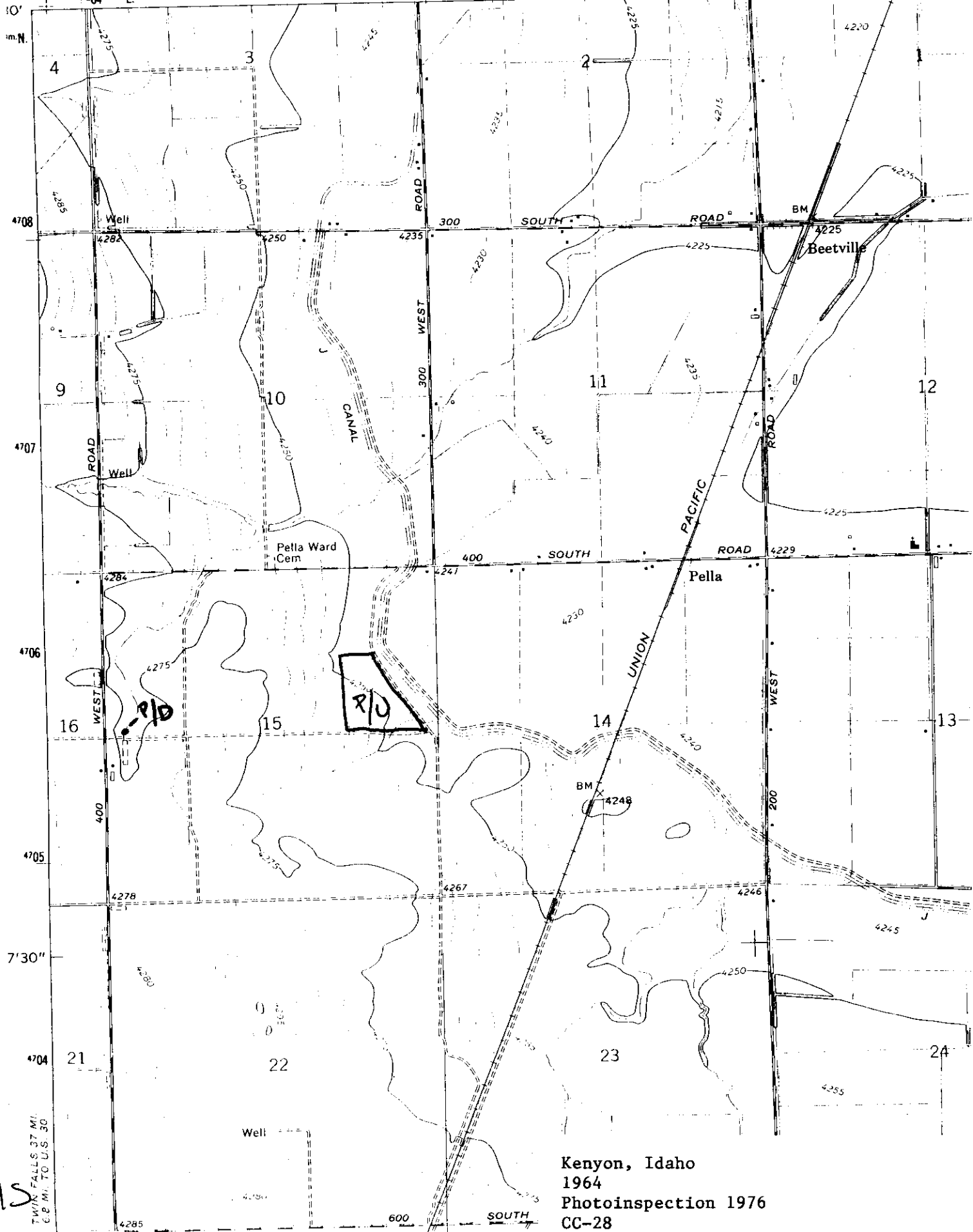
264000m E.

266

267

50'

268



Kenyon, Idaho
1964

Photoinspection 1976
CC-28

T115

TWIN FALLS 37 MI.
C.E. MI. TO U.S. 30

NTS
N
400 W

25 acres

Shop

GPS TAG
A0005287

Well

Relief
Pump

Animal
Pins

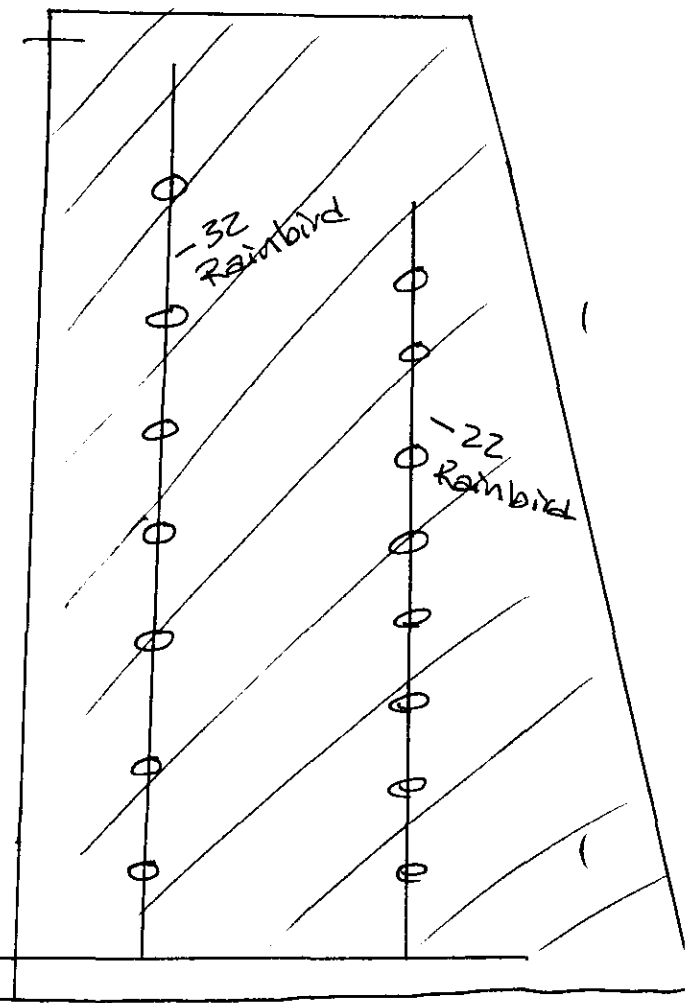
House

Pond

Main line runs 1 mile East
10" - 8" - 6" Aluminum

-32
Rainbird

-22
Rainbird



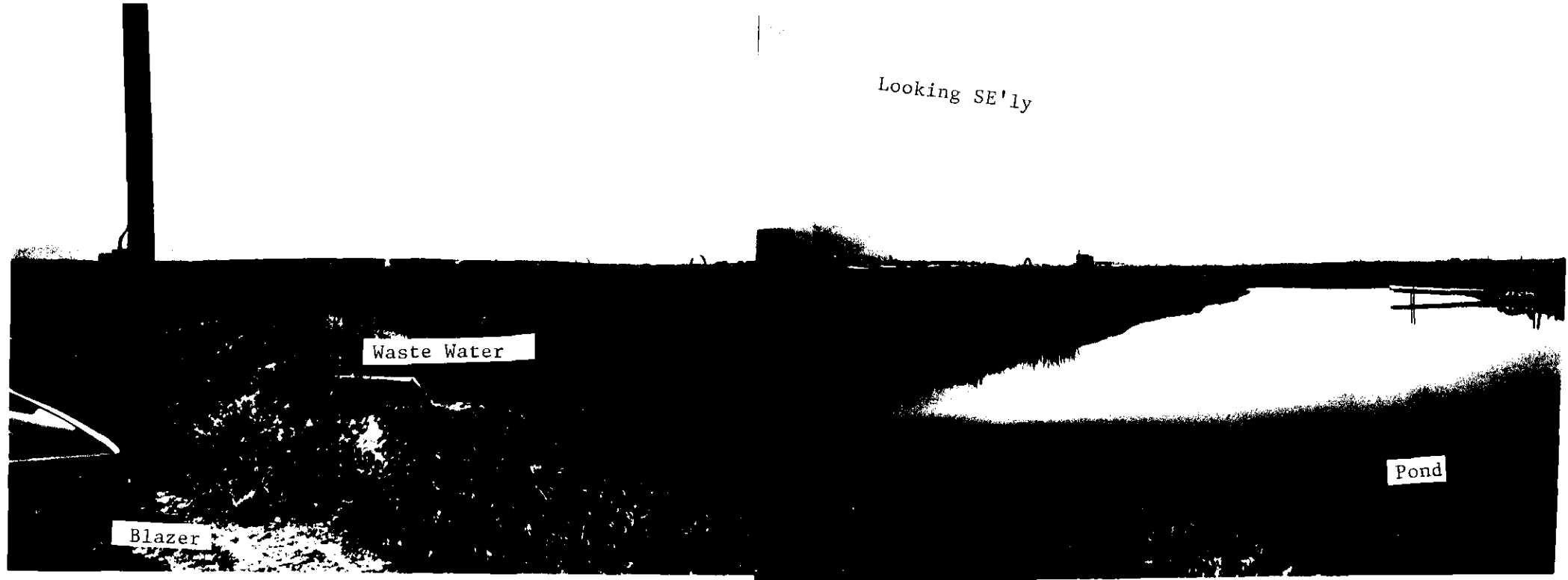
Looking NE'ly



Marvin Blacker
18 June 99
10:00 am
Amanda Folsom

45-07672

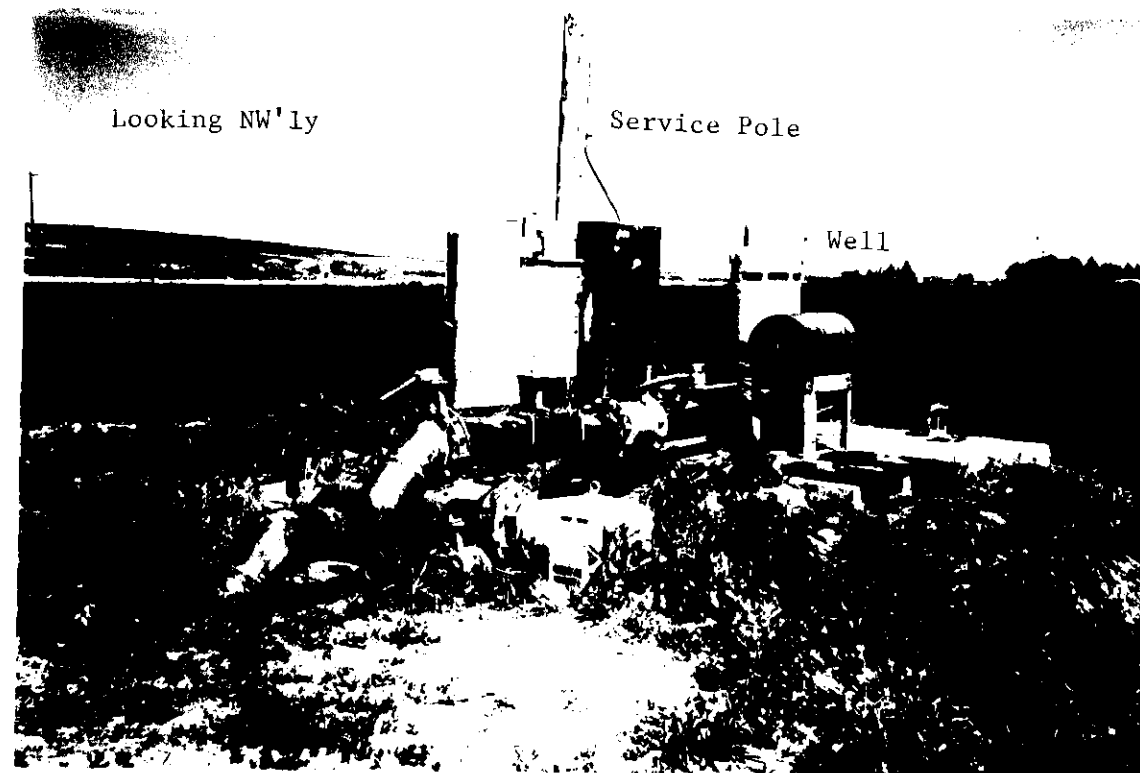
Looking SE'ly





Marvin Blacker
18 June 99
10:00 am
Amanda Folsom

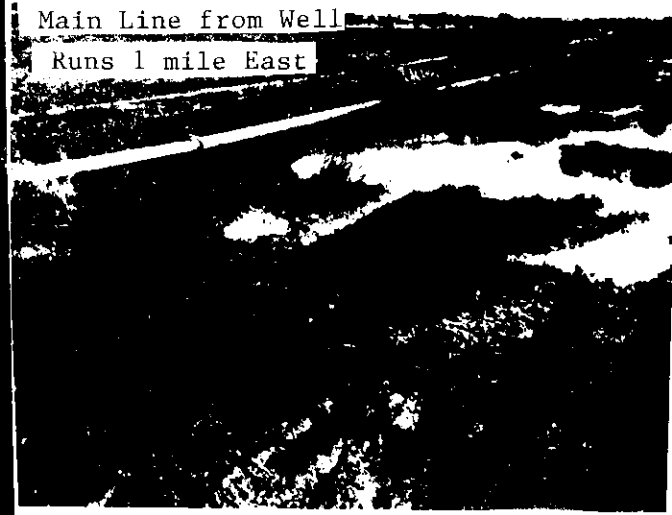
45-07672



Looking East



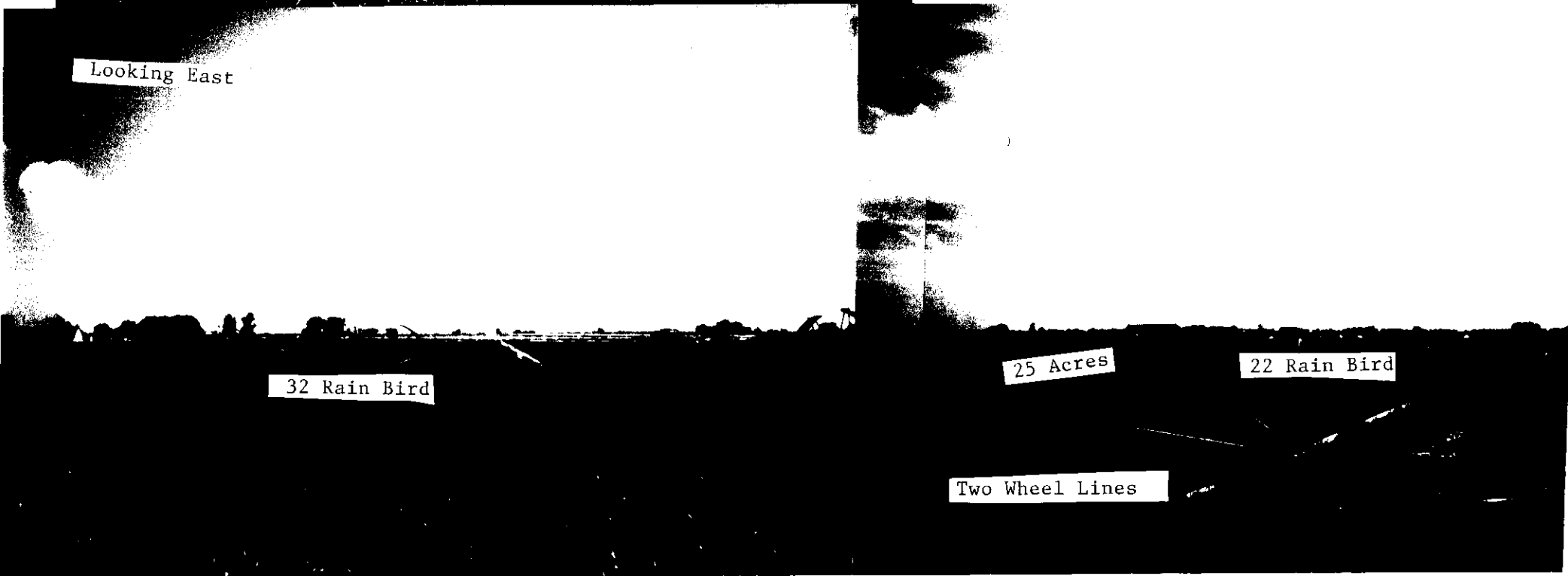
Main Line from Well
Runs 1 mile East



Marvin Balcker
18 June 99
10:00 am
Amanda Folsom

45-07672

Looking East



E. NARRATIVE/REMARKS/COMMENTS

FILE: 45-07672
FROM: AMANDA FOLSOM
DATE: JULY 9, 1999

I performed a field exam for Marvin Blacker on June 18, 1999. The 25 acres that Mr. Blacker is irrigating is located in the SENE 1/4 of Sec 15, Twn 11S, Rng 22E. The well has remained unchanged since the field exam done by Allen Merritt and Jim Stanton in 1982.

The main line still branches off from the well to a pond on the south side of the well. From there the water can be redirected to the relift pump and directed to another set of wheel lines. The main branch of the main line travels approximately one mile east from the well. The main line is pieced together with 10", 8", and 6" aluminum with the 10" and 8" underground. The 6" aluminum connects to 2 wheel lines that water the 25 acres. There are 32 Rainbirds on the first wheel line and 22 on the second. Mr. Blacker waters every 5 days.

I measured the 6" aluminum with the Fuji. I also attained the information from Mr. Blacker on the sprinkler heads, wheel lines, and nozzle size. I took a measurement with the PSI gauge along with the Fuji measurement. The Fuji measurement had a 12% difference from the manual measurement. I also measured with the Fuji at the point of diversion. By making the 12% correction on the calculations, the Fuji stayed some what consistent with Allen and Jim's conclusion of 2.25cfs (the Fuji showed 2.31cfs) maximum capacity for the well.

This water right will most likely tie into the other two licenses that have already been issued to Mr. Blacker concerning this well. The water right licenses are 45-07141 and 45-07339B. Both License stipulate that when they are used in conjunction together they cannot exceed pump capacity of 2.25cfs nor will they exceed 4.0afa/ac. I am recommending that Mr. Blacker be restricted under the same stipulations as licenses 45-07141 and 45-0733B.

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

F. FLOW CALCULATIONS

Measured Method:

$$(32+22 \text{ spk})(4.5 \text{ gpm}) = \frac{243 \text{ gpm}}{448.83} = 0.54 \text{ cfs}$$

☒ Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (25)(4) = 100$$

$$V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.5 \text{ cfs})(246)(1.9835) = 243.97$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D,R} = 100 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	0.50	100 or total/ax
Totals:			0.50	100 or total/ax

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

* Please see
Licenses 45-7141+
45-7339B under
Remarks

I. AUTHENTICATION

Field Examiner's Name Amanda Tolson Date July 9, 1999

Reviewer _____ Date _____

SEAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 27, 1999

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

**Marvin L. Blacker
RT. 2 Box 2176
Burley, ID 83318**

FIELD EXAM NOTICE

RE: Permit Number 45-07672

Dear Permit Holder:

We are planning to conduct water right examinations in the vicinity of the above-referenced permit beginning June 28, 1999. An examination is needed to verify your water use in order to issue a water right license.

Please be advised that you will need to operate your system under normal conditions during the examination.

In order to conduct your exam as efficiently as possible, we ask that you call this office to schedule a day and time convenient for you.

If there is a problem with scheduling or conducting the examination at this time, please call and other arrangements can be made.

Sincerely,

A handwritten signature in cursive script that reads 'Amanda Folsom'.

**Amanda Folsom
Summer Field Aid**

enclosure



April 3, 1992

MARVIN L. BLACKER
RT. 2 BOX 2176
BURLEY ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07672

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 SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

APR 08 1992

RECEIVED

MAR 30 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 100.00
Date 3-30-92
Receipt No. 5614325
Received by g.f. Stanton

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.

1. Permit No. 45-07672 Telephone No. (208) 678-2852
2. Name(s) of Permit Holder(s): Marvin L. Blacket
3. Post Office Address: Rte. 2, Box 2176 Burley, Idaho - 83318
4. Source of Water: ground water
- a. If ground water, well driller's name: Sherman Couch Date drilled: 1973
- b. Pump horsepower: 200 Pressure (psi): 60 Dynamic pumping level (ft.): 380
5. Extent of Use:

Domestic _____ (No. of households) Irrigation 25 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted .5 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

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

8. Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

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

Marvin Blacket (208) 678-2852
Name Telephone No.

Rte 2 Box 2176 Burley, Idaho 83318
Address

400 W - 450 S Burley.

10. 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.

3/30/92
Date

Marvin Blacket
Signature (and title if on behalf of a company or organization)

PROFILMED
APR 08 1992

February 28, 1992

MARVIN L. BLACKER
RT. 2 BOX 2176
BURLEY ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 45-07672

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1992.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

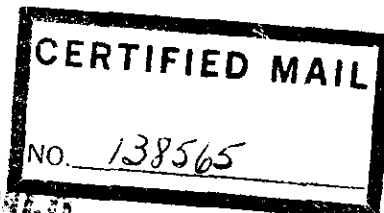
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



MICROFILMED

APR 08 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 3, 1991

MARVIN L. BLACKER
RT. 2 BOX 2176
BURLEY, ID 83318

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 45-07672

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.

Enclosed is 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 is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of

MICROFILMED

MAY 08 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

MAY 08 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 11, 1991

South Idaho Press
Box 190
Burley, ID 83318

Dear Legal Dept.:

Enclosed you will find legal notices 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 APRIL 8, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

MICROFILMED

MAY 08 1991

45-07672

BLACKER, MARVIN L.
RT. 2 BOX 2176
BURLEY, ID 83318

Source: GROUNDWATER

Diversion Pt: SWSWNW Sec 15 T 11S R 22E

Use: IRRIGATION (.500 CFS)
Total Diversion: (.500 CFS)

Date Filed: 12/29/ 1989

In: T11S R22E S15 SENE

25.0 ACRES TOTAL

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, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 8, 1991.

R. Keith Higginson, Director

Published 3/22/1991 & 3/29/1991

MICROFILMED

MAY 08 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
MAR 01 1991

Department of Water Resources

Application No. 45-7672

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes X No

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes X No

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984.

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete.

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

45-7141

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Maurin Blucher

Date 2/27/91

(1973)
* This well has been used for many years to irrigate under RT. 45-7141.
This application was to irrigate and additional 25 acres adjoining ground.
to the original 150 acres this well has been irrigating 1991
Land is cleared -
TRISTACOS = 25 ACRES
TJZ 3-1-91



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 26, 1991

RE: APPLICATION FOR PERMIT NO. _____

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if greater than 200 acres. If necessary, the rule 4,5. information will be sent to you after you return the questionnaire.

MICROFILMED

MAY 08 1991.

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Spec.

Enclosures

MICROFILMED

MAY 08 1991

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

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

<u> </u>	Yes	<u> </u>	No	Publication dates & paper, recorded on application
<u> </u>	Yes	<u> </u>	No	Protests received
				Final date for protest <u> </u>
<u> </u>	Yes	<u> </u>	No	Protests, dates, resolution of protest, recorded on application
<u> </u>	Yes	<u> </u>	No	Recommendations attached
<u> </u>	Yes	<u> </u>	No	Measuring device required
<u> </u>	Yes	<u> </u>	No	Access port required
<u> </u>	Yes	<u> </u>	No	Will water be delivered by watermaster? If yes, what Dist. <u> </u>
<u> </u>	Yes	<u> </u>	No	Special conditions of approval or cover letter below.

_____ See below for additional information

Date of priority recommended _____
By _____ Date _____

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from:

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other <u> </u>

Project impacts/implications report

COMMENTS

19-Apr-1990

MARVIN L. BLACKER
RT. 2 BOX 2176
BURLEY ID 83318

Re: Application for permit No. 45-07672

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

MICROFILMED
MAY 08 1991