

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

RECEIVED
APR 19 1999
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) water Dist 45N.
12-31-17 90" - 3-1-80 - 63 1/2" 3-1-00 - 80"
45-482 45-480
Adjudication Claim Number(s) A45-00480 A45-00481 A45-00482 A45-04120 A45-01236
A45-04116 45-10090 45-10091 45-07565
2. The following REQUIRED information must be submitted with this form. T.g.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Betty W. Wagner
862 Veronea ave.
San Jacinto ca. 92583

4. New Owner/Claimant(s) TEdy. MASON
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 3085 E 4500 N

City, State and ZIP Code MURTAUGH IDA. 83344
New Telephone Number (208) 432-5533

5. Date you acquired the property 4/15/99

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 300Ac Number and type of stock _____

Diversion rate in CFS _____ Number of homes 2 Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Tedy Mason Date 4/17/99
Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED
JUN 09 1999

Order No. T981231

WARRANTY DEED

For Value Received

**Betty Ann Wagner,
An Unmarried Woman**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

**Theodore J. Mason And Alberta Mason,
Husband And Wife.**

the grantee(s), whose current address is

3085 E. 4500 N., MURTAUGH, ID 83344

the following described premises, to-wit:

See Exhibit "A" Attached Hereto and Made a Part Hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: April 8, 1999

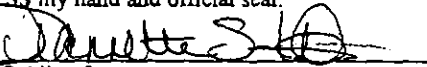

BETTY ANN WAGNER

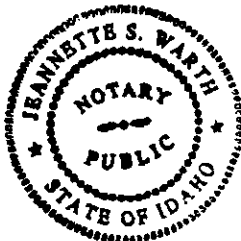
STATE OF Idaho

COUNTY OF JSW JSW

On This 10th day of April in the year 1999, before me, a Notary Public in and for said State, personally appeared **Betty Ann Wagner**, known or identified to me to be the person whose name is subscribed to the within Instrument, and acknowledged to me that she executed the same.

WITNESS my hand and official seal.


Notary Public of
Residing at Gooding, ID
Commission Expires: 7/29/99



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JUN 09 1999

Exhibit A
T981231

PARCEL NO. 1

RP11S20E196000

Township 11 South, Range 20 East of the Boise Meridian, Twin Falls County, Idaho

Section 19: Lot 4

EXCEPT road right of way

PARCEL NO. 2

RP11S19E241801

Township 11 South, Range 19 East of the Boise Meridian, Twin Falls County, Idaho

Section 24: Southeast Quarter of the Northeast Quarter; and the East one-half of the Southeast Quarter,

EXCEPT road right of way

ALSO EXCEPTING THEREFROM

Township 11 South, Range 19 East of the Boise Meridian, Twin Falls County, Idaho

Section 24: A portion of the Southeast Quarter of the Southeast Quarter, more particularly described as follows:

BEGINNING at the Southwest corner of said Southeast Quarter of the Southeast Quarter;
Thence North along the West line of said Southeast Quarter of the Southeast Quarter for
345 feet;

Thence East and parallel to the South line of said Section 24 for 135 feet;

Thence South and parallel to said West line for 345 feet to said South line;

Thence West along said South line for 135 feet to the POINT OF BEGINNING.

PARCEL NO. 3

RP11S20E303000

Township 11 South, Range 20 East of the Boise Meridian, Twin Falls County, Idaho

Section 30: Lots 1 and 2

EXCEPT road right of way

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Crop Report for _____
Farm Service Agency
Twin Falls, Idaho

T3152 HEL
4453

31.8

T3875 HEL
4452

9
34.2

T3178 HEL
3248

3
11.5

3
15.4

5
9.7

6
22.8

5
13.5

31.1

78.3

MICROFILMED SEE Y-18

JUN 09 1999

2419
2530

Crop Report for _____
Farm Service Agency
Twin Falls, Idaho

R19E

T31265 HEL
3026

1
49.2

T2712 NE
3248

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JUN 09 1999

12
11.8

5
27.0

6
16.9

7
5.7

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 45-07565

Priority: November 7, 1977

Maximum Diversion Rate: 2.90 CFS
Maximum Diversion Volume:¹ 1160.0 AF

This is to certify, that BETTY WILLHITE WAGNER
300 MORRISON ST. #624
TWIN FALLS, ID 83301

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated November 7, 1977; and
has submitted Proof of Beneficial Use on May 24, 1988. An examination indicates
that the works have a diversion capacity of 2.900 cfs of water from:

WASTE WATER tributary to MURTAUGH LAKE

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	2.90 CFS	1160.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 24, Township 11S, Range 19E
TWIN FALLS 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	20E	19	LOT 4(SWSW) 35			35
		30	LOT 1(NENW) 77	LOT 2(SWNW) 78		155

Total number of acres irrigated: 190

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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JUN 20 1990

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 45-07565

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Any license, or portion thereof, issued by IDWR for the use of trust water is subject to a term review of twenty (20) years after the right was issued to determine continued availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this license is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction of this license to change, add or remove any requirement as determined to be appropriate.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 19th
day of June, 1990.

Acting for

R. Keith Higginson, Director

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JUN 20 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT
NO. 45-7565 IN THE NAME
OF BETTY WILLHITE WAGNER

)
)
)
)
)
)

CONTINUATION ORDER

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Permit No. 45-7565 (permit) issued to Betty Willhite Wagner (permit holder) authorized the diversion of 4.0 cfs of water from wastewater for the irrigation of 204 acres of land.

2. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, which propose to divert water held in trust by the state of Idaho pursuant to subsection (5) of section 42-203D, Idaho Code, to determine whether they comply with the provisions of Section 42-203C, Idaho Code. The review is not required for permits to the extent beneficial use was complete prior to July 1, 1985.

3. Information submitted by the permit holder shows that 204 acres authorized to be irrigated by Permit No. 45-7565 were not irrigated as proposed prior to July 1, 1985, but that the same 204 acres were irrigated with existing rights prior to July 1, 1985.

4. Water diverted and used on or after July 1, 1985 for the irrigation of land under the terms of this permit is trust water.

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JUN 6 1988

62

5. The permit was readvertised in accordance with Water Appropriation Rule 4,2,3,1. and was not protested.

6. Proposed development of water under the permit satisfies the presumption of Water Appropriation Rule 5,2,1. that it will not cause either an individual or cumulative significant reduction.

CONCLUSIONS OF LAW

1. The permit will appropriate trust water.

2. IDWR has reviewed the permit under Section 42-203D, Idaho Code and has determined that the permit complies with Section 42-203C, Idaho Code since the diversion and use of water under the permit will not individually or cumulatively cause a significant reduction.

3. The 204 acres authorized to be irrigated under Permit No. 45-7565 are irrigated with other water rights perfected prior to July 1, 1985. The 204 acres under Permit NO. 45-7565 should not be classified as "development" for the purpose of compiling total staged development policy acreage under Section 42-203C, Idaho Code.

4. The Director should enter an order reauthorizing development in compliance with the provisions of Section 42-203D, Idaho Code.

ORDER

IT IS, THEREFORE, hereby ORDERED that development under Permit No. 45-7565 is reauthorized and CONTINUED as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review 20 years after the date of this continuation order to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

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JUN 20 1990

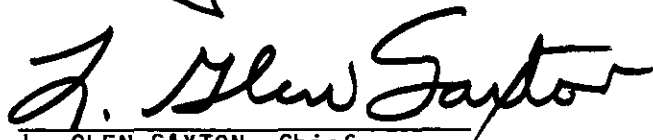
2. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

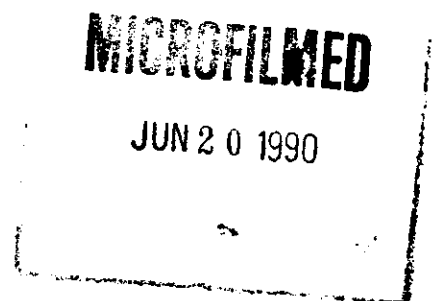
3. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

4. The 204 acres authorized to be irrigated by this permit shall not be classified as "development" for the purpose of compiling total staged development policy acreage under Section 42-203C, Idaho Code.

5. All conditions of approval contained on the original permit are incorporated into and made a part of this order.

Dated this 11th day of May, 1989.


L. GLEN SAXTON, Chief
Water Allocation Bureau



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APR 13 1989

Affidavit of Publication

Department of Water Resources



State of Idaho
County of Twin Falls

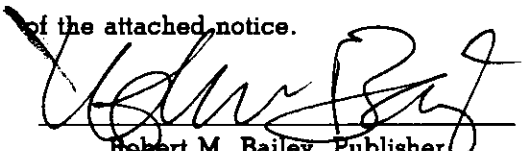
} ss.

I, **Robert M. Bailey**, do solemnly swear that I am the publisher of **The Buhl Herald**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper _____

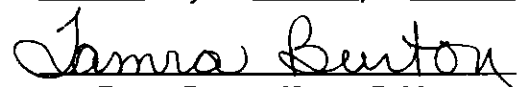
April 5 & 12, 1989

_____;
that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.


Robert M. Bailey, Publisher

Subscribed and sworn to before me this
12th day of April, 1989


Tamra Burton, Notary Public.

Residing at Buhl, Idaho

My Commission Expires

August 1, 1992

MICROFILMED

JUN 20 1990

Affidavit of Publication

State of Idaho

County of Twin Falls

} ss.

Notice of Water Right Reprocessed

NOTICE OF EXISTING
WATER RIGHT PERMIT
PERMIT NO. 45-7565

Presently Recorded as Follows:

Name: BETTY WILLHITE WAGNER

Address: RT. 1, MURTAUGH, ID 83344

Source: WASTE WATER

Diversion Pt.: SENW SEC 24 T11S R19E,
TWIN FALLS CO.

Use: IRRIGATION (4.0 CFS)

Priority: 11/7/1977

Place of Use: SESE SEC 24 T11S R19E;
S1/2SW SEC 19; NW1/4 SEC 30 T11S R20E

Total Acres: 202

This is a supplemental water right permit. Lands under this permit are irrigated with existing rights from Dry Creek. Development of the water source under this permit was not complete by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before April 24, 1989. A protest must overcome the presumption of Water Appropriation Rule 5,2,1.

R. Keith Higginson, Director

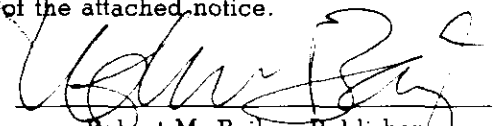
(1612)

I, **Robert M. Bailey**, do solemnly swear that I am the publisher of **The Buhl Herald**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper _____

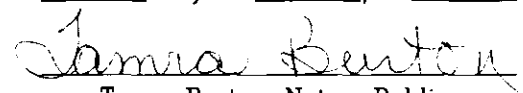
April 5 & 12, 1989

that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.


Robert M. Bailey, Publisher

Subscribed and sworn to before me this
12th day of April, 1989


Tamra Burton, Notary Public.

Residing at Buhl, Idaho

My Commission Expires

~~October~~ 1, 1992

NOTARIAL SEAL

APR 10 1989

For Office Use Only	
Fee Received	15.00
Date	12-14-82
Receipt #	25335

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

RECEIVED

DEC 13 1982

Department of Water Resources

Betty Willhite Wagner of RR#1, Murtaugh
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 45-7565
~~47-7443~~

That under the terms and conditions of said permit, work thereunder was required to be completed on or before 82, 19 82.

That he has heretofore performed the following work described under said permit: A measuring device has been installed and through the summer there is a flow of approximately 150 inches.
(This must be filled out! If no work has been completed put none.)

Idaho Power Company never gave written approval for installation of power lines for pumping the electricity. In addition, the cost of power surged a few years ago.

Milner Low Lift Irrigation Project never gave written approval to drill under their ditch. This is still pending. I will be living there permanently in 20 months at which time I intend to proceed further.

commenced work

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

See above

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to November, 19 87.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Betty Willhite Wagner
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to November 1, 1987.

Signed this 28 day of February, 19 83.

RECORDED

DEC 07 1988

L. Glen Saxton
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 47-7443

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:
"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

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DEC 07 1988

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

Identification No. _____

Application No. 47-7443

45-7565

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriately the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Betty Willhite Wagner Phone: 432-5361 432-5533
post office address Route #1, Murtaugh, ID 83344
2. Source of water supply waste water which is a tributary of Murtaugh Lake
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24 Township 11S
Range 19E., B.M. Twin Falls County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into unnamed drain at a point in NE $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 24 Township 11S Range 19E., B.M. _____
4. Water will be used for the following purposes:
Amount 4.0 cfs for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 4.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Water will be picked up in a small pond and pumped back on described land. Irrigation by a gravity flow system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 80,000.00.
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: _____ hp 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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MAY 10 1965

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

TWP.	RANGE	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	
11S	19E	24															38		38
11S	20E	19											10	10					20
11S	20E	30					40	26	40	40									144) Allow 146 12

Total number of acres to be irrigated 202 Allow 204
12.

c. Describe any other water rights used for the same purposes as described above. 90" 1877, Dry Creek decreed water. 63 1/3" 1880 Dry Creek decreed; 80" 1900 Dry Creek decreed.

9. a. Who owns the property at the point of diversion Applicant
b. Who owns the land to be irrigated or place of use Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Drought-related filing. Dry Creek decreed water is not sufficient. This filing will be used to supplement decreed water rights.

CONSERVATION PLAN MAP

Owner Betty W. Wagner Operator Ted Mason
County Twin Falls State Idaho
Approximate acres _____ Approximate scale 1" = 1
Cooperating with West Cassia
Plan identification _____ Photo number _____
Assisted by R. J. Baum USDA SCS



Murtaugh Lake

Pond

76 Ac.

Irr. Cropland

Pump
Point of Diversion

R20E

12 Ac.

Irr. Cropland

③ 26 Ac.

Non-Irr. Pasture

Antelope Spring

↓
floodwater

⑤ 20 Ac.

Irr. Cropland

Drain

24 19

25 30

⑥ 14 Ac.

Irr. Cropland

⑦ 23 Ac.

Irr. Cropland

⑩ 48 Ac.

Irr. Cropland

⑧

Irr. Cropland

R10E

T
H
S

R10E

R20E

level

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[illegible]

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.

Betty Hillbrite Wagner
(Applicant)

11/07/77
Proposed Priority _____

Received by TGB Date 11-7-77 Time 4:00
Preliminary check by JS Fee \$ 55.00
Received by TGB Date 11-7-77 Ref # 7422
Publication prepared by Sm Date 11/18/77
Published in Times News
Publication dates 11/24 & 12/1/77
Publication approved Rp Date 12/6/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by mls *with*

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. 47-7443, and said application is hereby APPROVED.

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 January 1, 19 83.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (2) 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.

Witness my hand this 29 day of January 19 78.


DEPUTY Director

PRE-PERMIT SURFACE-WATER EXAMINATION DATA SHEET

Date 11-16-77 Examiner Jim Stanton Application No. 47-7443

Applicant(s) Interviewed Mrs. Wagner

Upstream Users Interviewed None

&/or Upstream Diversions Inspected _____

Downstream Users Interviewed Bob Bell, Idaho Fish & Game Dept; F. C. Goodman (downstream

&/or Downstream Diversions Inspected land owners - do not use waste water)

Legal Description Verified By Map (or give proper description) Yes

Water Flow: Visual Estimate 5 cfs or more Channel Width 10' Average Depth 1'

Water Velocity ? Channel Slope low

Do Additional Inflows Enter Downstream From This Diversion? No

Does This Water Enter Canal-Company Waterways? Yes Canal Co. Approval? See Notes

Source Of Waste Water: Legal Description _____

part of wastewater comes from field east of applicant's land

Proportion Of Water Flow Arising On Applicant's Land 75%

Does There Appear To Be Sufficient Water To Fulfill This Application Without Harming

Downstream Users? Yes _____ No _____ N/A

Do Other Aspects Of The Application Appear To Be As Stated? Yes XX No _____

Notes Channel was dry during exam, but appeared to carry at least 5 cfs when full. There

no downstream users between applicant's land & where water enters Murtaugh Lake.

Diversion point is lowest point on applicant's land, & is fed by general surface

flow (there is no distinct ditch on applicant's land). Channel starts on I F&G

property between applicant & Murtaugh Lake. Twin Falls Canal Co. has no objections

as long as pond is not deep enough to catch
overflow from Murtaugh Lake (lake is owned by
Canal Co.). Applicant notified of TFCC concern.

Signed 

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

No 6584

I, Martine Kulpanek being first duly sworn upon oath, depose and say that I am Print. Clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive Thursdays, commencing with the issue dated November 24, 1977, and ending with the issue dated December 1, 1977.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-106 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Martine Kulpanek
Subscribed and sworn to before me on this 1st day of December, 1977.

Mable L. Clark
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Department of
Southern Resources
Office

DEC 5 1977

RECEIVED

OK 12/6/77

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

N^o 6584

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Betty White Wagner Murtaugh, ID 83344 has on 11/7/77 submitted Application No. 47-7443 for a permit to appropriate 4.0 cubic feet per second of water from waste water, tributary of Murtaugh Lake by means of small pond and pump, gravity flow system within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 11S, Rge. 19E., B.M., Twin Falls County to be used from Mar. 15 to Nov. 15 for irrigation purposes of 202 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp. 11S, Rge. 19E., B.M.; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19; NW $\frac{1}{4}$, Sec. 30, Twp. 11S, 20E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before December 12, 1977.

C. STEPHEN ALLRED
Director

PUBLISH: November 24 & December 1, 1977

I, _____ being first duly sworn upon oath, depose and say that I am _____ of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for _____ consecutive _____, commencing with the issue dated _____, 19____, and ending with the issue dated _____, 19____.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this _____ day of _____, 19____.

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TED J MASON
3085 E 4500 N
MURTAUGH ID 83344

RE: Water Right 45-07565

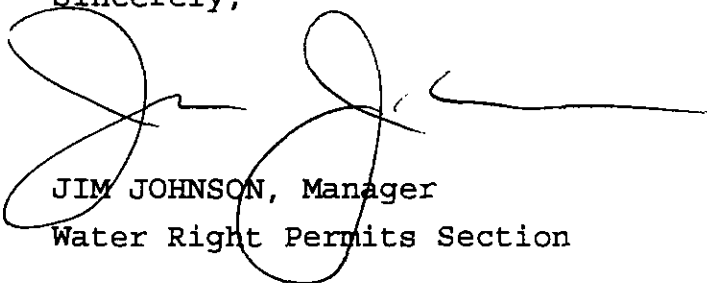
Dear Mr. Mason:

The Department is in receipt of the correspondence changing the ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

JUN 09 1999

June 20, 1990

BETTY WILLHITE WAGNER
300 MORRISON ST. #624
TWIN FALLS, ID 83301

RE: PERMIT NO. 45-07565

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JUN 20 1990

April 9, 1990

BETTY WILLHITE WAGNER
300 MORRISON ST. #624
TWIN FALLS, ID 83301

RE: PERMIT NO. 45-07565

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JUN 20 1990

WR-NUMBER	NE				NW				SW				SE				LOT	+	SUM
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
11S 19E 24																			
11S 20E 19																			
4500463				:		1LX	2LX	:		3LX	4LX	:			:				
4500481				:				:			4LX	:			:				
4500482				:				:			4LX	:			:				
4500508C				:			2LX	:		3LX		:			:				
4502115				:			2L77	:				:			:			77	
4504120				:				:			4L21	:			:			21	

83 MAPPING: 1L52 2L73 3L73 4L76

274

31 MAPPING: 1L60 2L74 3L74 4L73

281

11S 20E 30																		
4500480				:			2L77	:				:			:			77
4500481				:		1LX	2LX	:				:			:			
4500482				:		1LX	2LX	:				:			:			
4500483				:				:		3LX	4LX	:			:			
4500484				:				:		3LX	4LX	:			:			
4502236				:		1L50	2L30	:				:			:			80
4502270				:				:		3L72		:			:			72
4504032				:				:		3L40	4L40	:			:			80
4504120				:			1L77	:				:			:			77
4504121				:				:		3L60		:			:			60

83 MAPPING: 1L74 2L74 3L74 4L75

297

31 MAPPING: 1L73 2L73 3L74 4L74

294

JUN 20 1990

MICROFILMED

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM			
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
0100009	MILNER LOW LIFT IRRIGA	D	SNAKE RIVER	11S	19E	24					:				:				:							
4500463	MILNER LOW LIFT IRRIGA	D	GROUNDWATER	11S	19E	24	X	X	X	X	:	X			X	:			:	X X X X						
4502258	MURPHY	L	GROUNDWATER	11S	19E	24					:					:	20	40	:							
4502435	MURPHY	L	GROUNDWATER	11S	19E	24					:					:	40		:							
4502690	MURPHY	L	GROUNDWATER	11S	19E	24					:					:	37	38	38	37						
4502713	MC LEAN, DEC.	L	UNNAMED STREAMS	11S	19E	24					:	38	29			:			:							
4504052	MC LEAN	S	GROUNDWATER	11S	19E	24					:	40	40			:			:							
4504116	WAGNER	S	SPRING	11S	19E	24					:					:			:	X						
4507565	WAGNER	P	WASTE WATER	11S	19E	24					:					:			:	38						
~~4507565~~	~~WAGNER~~	~~L~~	~~WASTE WATER~~	~~11S~~	~~19E~~	~~24~~					:					:			:	~~38~~						
	1986 MAPPING DATA ---	-	COUNTY 83 QUAD CC 25	11S	19E	24	17	40	42	39	:	40	42	43	40	:	39	42	43	37	:	38	40	37	39	618
0100009	MILNER LOW LIFT IRRIGA	D	SNAKE RIVER	11S	20E	19					:				:				:							
0100017	MILNER LOW LIFT IRRIGA	D	SNAKE RIVER	11S	20E	19					:				:				:							
0100209	TWIN FALLS CANAL CO.	D	SNAKE RIVER	11S	20E	19					:				:				:							
4500463	MILNER LOW LIFT IRRIGA	D	GROUNDWATER	11S	20E	19			X	X	:			X	:	X		X	:	X X X X						
4500481	WILLHITE	D	DRY CREEK	11S	20E	19					:				:				:							
4500482	WILLHITE	D	DRY CREEK	11S	20E	19					:				:				:							
4500485	QUESNELL	D	DRY CREEK	11S	20E	19					:				:				:	X						
4500486	QUESNELL	D	DRY CREEK	11S	20E	19					:				:				:	X						
4500508C	BOLEY	D	DRY CREEK	11S	20E	19					:				:				:							
4502115	MOYES	L	DRY CREEK	11S	20E	19					:				:				:							
4502190	BOLEY	L	DRY CREEK	11S	20E	19	20	20			:	13			:				:							
4504120	WAGNER	S	DRY CREEK	11S	20E	19					:				:				:							
4507565	WAGNER	P	WASTE WATER	11S	20E	19					:				:		10	10	:							
~~4507565~~	~~WAGNER~~	~~L~~	~~WASTE WATER~~	~~11S~~	~~20E~~	~~19~~					:				:		~~10~~	~~10~~	:	~~20~~						
	1986 MAPPING DATA ---	-	COUNTY 83 QUAD CC 25	11S	20E	19	18	14	39	37	:	12		39	:	39		39	:	37	39	39	35	387		
	1986 MAPPING DATA ---	-	COUNTY 31 QUAD CC 25	11S	20E	19	23	20	42	39	:	21		40	:	36		39	:	37	40	40	37	414		
0100009	MILNER LOW LIFT IRRIGA	D	SNAKE RIVER	11S	20E	30					:				:				:							
0100017	MILNER LOW LIFT IRRIGA	D	SNAKE RIVER	11S	20E	30					:				:				:							
4500463	MILNER LOW LIFT IRRIGA	D	GROUNDWATER	11S	20E	30	X	X			:				:				:							
4500480	WAGNER	D	DRY CREEK	11S	20E	30					:				:				:							
4500481	WILLHITE	D	DRY CREEK	11S	20E	30					:				:				:							
4500482	WILLHITE	D	DRY CREEK	11S	20E	30					:				:				:							
4500483	OLIVER	D	DRY CREEK	11S	20E	30					:				:	X		X	:							
4500484	OLIVER	D	DRY CREEK	11S	20E	30					:				:	X		X	:							
4500485	QUESNELL	D	DRY CREEK	11S	20E	30		X	X	:	X			X	:				:	X						
4500486	QUESNELL	D	DRY CREEK	11S	20E	30		X	X	:	X			X	:				:	X						
4500508B	BOLEY	D	DRY CREEK	11S	20E	30					:				:				:	X						
4502200	BOLEY	L	GROUNDWATER	11S	20E	30					:				:				:	40						
4502215	BOLEY	L	GROUNDWATER	11S	20E	30				40	:				:			40	:	40						
4502230	WILLHITE	L	GROUNDWATER	11S	20E	30					:				:				:							
4502237	CIRCLE Q. RANCH	L	GROUNDWATER	11S	20E	30				31	:				:				:	40						
4502230	CIRCLE Q RANCH	L	GROUNDWATER	11S	20E	30					:	35			:	40			:							
4502270	OLIVER	L	GROUNDWATER	11S	20E	30					:				:				:							
4502720	QUESNELL	L	WASTE WATER	11S	20E	30					:				:				:	40						
4504032	MASON CATTLE CO.	S	GROUNDWATER	11S	20E	30					:				:				:							
4504120	WAGNER	S	DRY CREEK	11S	20E	30					:				:				:							
4504121	MASON CATTLE CO.	S	GROUNDWATER	11S	20E	30					:				:				:							
4504132	QUESNELL	S	WASTE WATER	11S	20E	30		5	40	:	35			40	:				:	40						
4507565	WAGNER	P	WASTE WATER	11S	20E	30					:	40	26	40	40	:			:							
~~4507565~~	~~WAGNER~~	~~L~~	~~WASTE WATER~~	~~11S~~	~~20E~~	~~30~~					:	~~40~~	~~26~~	~~40~~	~~40~~	:			:							

1990
FILMED

MEMORANDUM

DATE: 26-Jan-1990

FROM: Loren Holmes *LH*

TO: Roxanne McCarthy

SUBJECT: Licensing of permit No. 45-7565, Wagner

After review of the permit and other water rights, particularly adjudication claims filed by Milner Low Lift Irrigation District (MLLID), I would recommend that only the lands above the MLLID main canal be included in the license. No filing is needed to reapply waste water to lands serviced by the the canal. The lands above the canal are the only new lands put under irrigation by this system so it seems to me these should be the only lands the wastewater is licensed to.

The capacity of the system (2.9 cfs) should be the amount licensed. Although this system can apply water to lands both in and out of the MLLID, the appurtenance of water to lands inside MLLID is not affected by this permit. Therefore the total capacity should be applied to the new lands irrigated.

The usual condition limiting the total diversion rate to the capacity of the system when all rights are combined shouldn't apply here because there is no prohibition on reapplying wastewater to MLLID lands and the MLLID lands could still be gravity irrigated if this system were not used.

It should be noted that these sections are 5 40-acre tracts wide, so the place of use can be described only as Govt. lots.

Suggested land list:

T11S R20E Sec. 19	Lot 4:	35 Acres
T11S R20E Sec. 30	Lot 1:	77 Acres
T11S R20E Sec. 30	Lot 2:	78 Acres
TOTAL		190 Acres

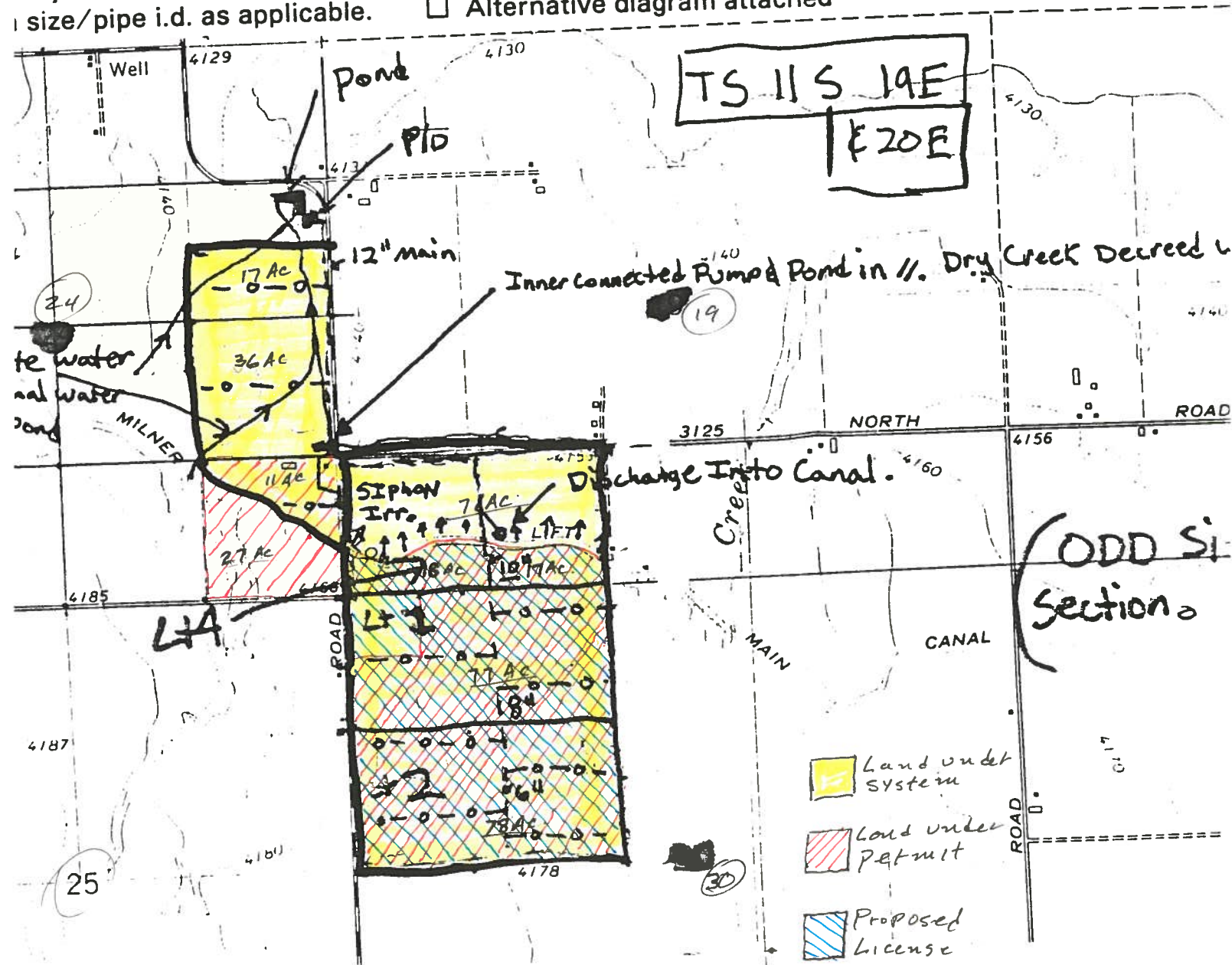
MICROFILMED

JUN 20 1990

☐ Copies of Field Exam's

DESCRIPTION

☐ Alternative diagram attached



of U.S.G.S. Quadrangle Attached
wing location(s) of point(s) of diversion and
e(s) of use (required).

to of Diversion and System Attached

to of Diversion and System Attached
uired for all but single household domestic groundwater, and stockwater.

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

on of 10 acres or
NOT RECORDED

JUN 20 1990

DO NOT SCAN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

45-7565
Permit No.

RECEIVED

DEC 21 1989

Department of Water Resources
Southern Region Office

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index TS 6/1/88 (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index TS 6/1/88 (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed ce 6/4/88 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent DR 2/13/89 (Initial and date)

Exam Reviewed by Manager of Regional Office SR 2/27/89 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

MAR 01 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region Office

RECEIVED

DEC 21 1989

Department of Water Resources

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 45-75651. Owner: Betty Wilhite WagnerPhone No. 734-7591Current Address: 300 Morrison St., #624, Twin Falls, Id. 833012. Accompanied by: Denie MasonEXAM. DATE: 6/9/88Address: Rt. 1 Murtaugh Id.Phone No. 734-0644 432-5361

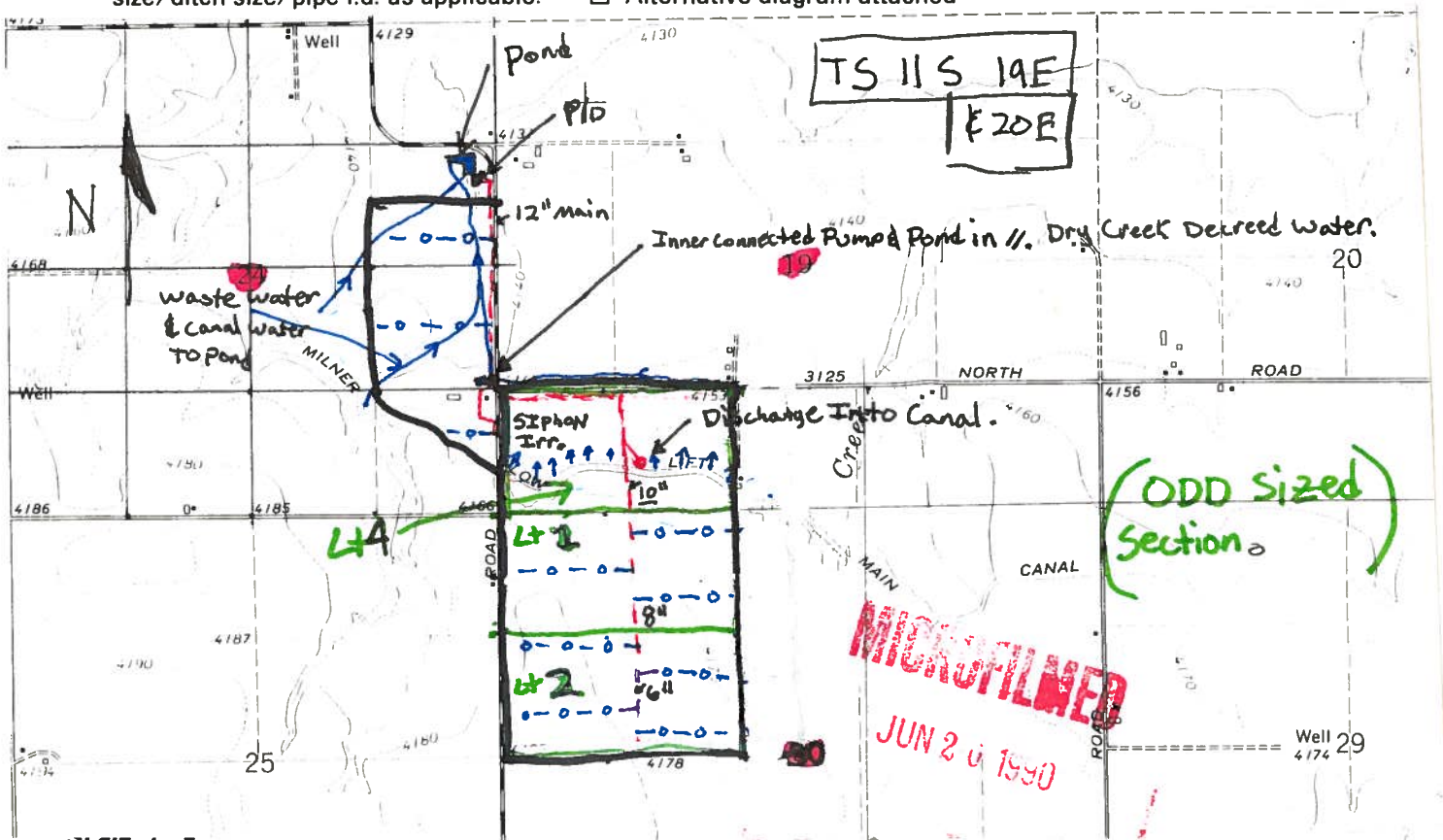
Relationship to Permit Holder: _____

3. Source: waste water tributary to Murtaugh Lake

B. OVERLAP REVIEW

1. Other water rights with same place of use: 45-4116, Dry Creek Decreed Rights☐ Copies Attached2. Other water rights with same point of diversion: _____
☐ 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

10 (per map on page 1) IRS

- Wastewater supplemented with Canal water fills a Pond. A 100 HP centrifugal pump delivers to 4 Lines, and to a ditch for siphon irrigation. Pump operates at 80 psi. Total length of main line is approximately 10,500'. System is tied into a 75 HP centrifugal pump and pond system. This system is not being used and is not under this permit.

☐ See Remarks on page 4 for continuation

- 4.

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

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

6. Place(s) of Use:

Indicate Method of Determination

JUN 20 1990

Do not use this space

7/87

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: CRDate 6/27/88

Owner: _____

Permit No. 49-7565

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 31.5T = Pipe Thickness in Inches = .25ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots$ 9.53

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 10.02State ID No. 091420

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
<u>10"</u>	<u>3.94</u>
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.94DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)High Reading = 45.2Low Reading = 32.1High - Low = H = 13.1

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(\text{ID})^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(9.53)^2 \cdot (\sqrt{13.1}) \cdot (3.94)}{448.8} = \frac{2.9}{\cancel{2.9}} \text{ CFS}$$

SKETCH (If not shown on Field Report)



MICROFILMED
JUN 24 1990

45-7565



Wastewater enters pond



Looking south at ditch running to pond.
Ditch approx 3' x 1' deep

JUN 20 1990

45-7565



Looking South From Pump to Irrigated
Ground,



UNRECORDED
FILMED

JUN 20 1990

45-7565



75-HP Pump and Pond, dry creek Decreed Rights .
This system is Hooke Lin // with P/D

MICROFILMED

JUN 20 1990

45-7565



12" Dia. Main Line
Measured Water At 1 1/4" hose conn.

Looking South



Looking North at pump and Pond

NOT FILMED

JUN 20 1990

n Service

n District

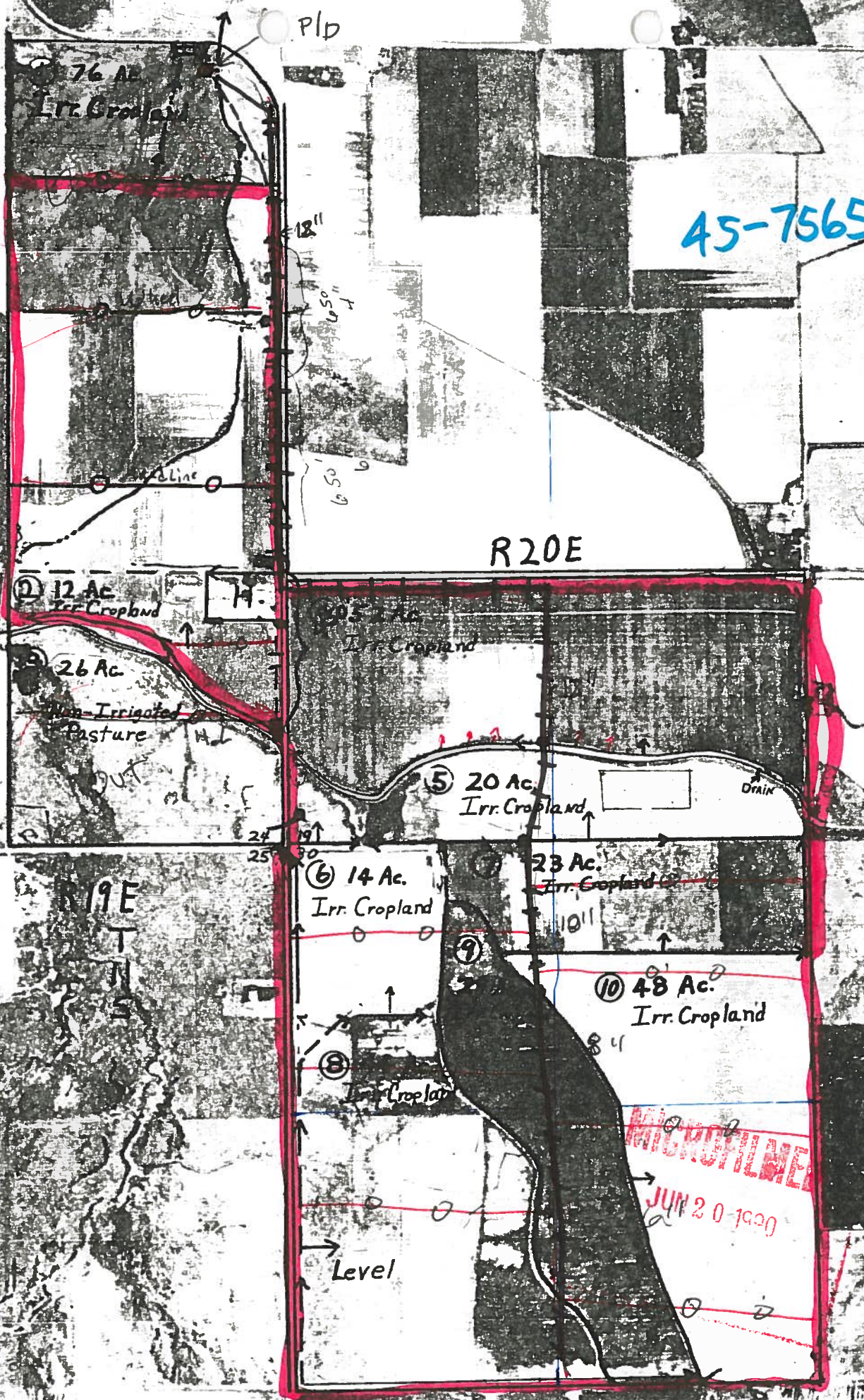
2

RICULTURE
SERVICE

45-7565

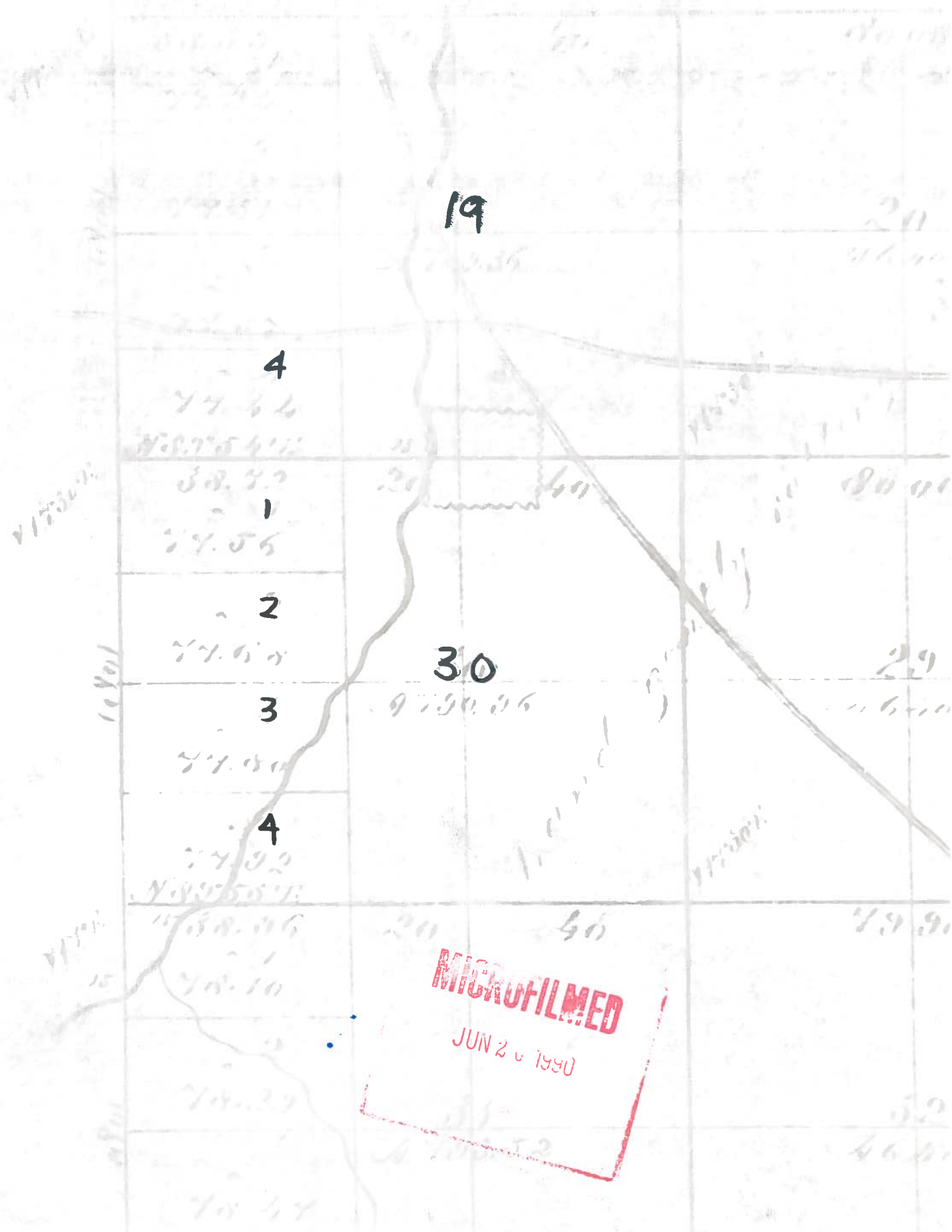
R20E

R19E



45-7565

TIS R20E



MEMORANDUM

TO: LOREN HOLMES

FROM: ROXANNE MCCARTHY

RE: FIELD EXAMINATION OF RIGHT NO. 45-7565

DATE: 18-DEC-1989

During routine pre-license review of this right I noticed some problems that perhaps you can help us resolve:

1. The Permit was written for 202 acres of irrigation. An addition error was detected and the total was changed to 204 acres. The field examiner recommends a total of 290 acres. I have tried to reconcile these two using the maps included with the exam but cannot determine which acres should be covered under this right. Obviously we can't issue a license for more acres than were permitted!

2. The Permit is written for the use of wastewater. The examiner found comingled wastewater and canal water pumped at a rate of 2.9 cfs. What portion of this flow is wastewater?

Thank-you for your help!

MICROFILMED

JUN 20 1990



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

May 15, 1989

RE: Permit No. 45-7565

Betty Willhite Wagner
300 Morrison St. #624
Twin Falls, ID 83301

Dear Ms. Wagner:

Enclosed is an order that authorizes you to proceed with the diversion of trust water under permit to appropriate water no. 45-7565.

Please note the conditions of approval contained in your permit and the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tim Luke'.

TIM LUKE
Sr. Water Resource Agent

TL:hm

Enclosure

MICROFILMED

JUN 26 1990

460" Divided 3 w. 5
iakes

Denved 185
cc 19-20 mcs 45-4520
Sec 30 153 45-0480
5424

RECEIVED

FEB 21 1989

Department of Water Resources

300 Morrison St. #624
Twin Falls, Idaho 83301
February 17, 1989

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Attn: Tim Luke - Water Allocation/Trust Water

Dear Mr. Luke:

Please find enclosed the completed questionnaire as well as the copy you mailed me of the approved permit. Also enclosed is a copy of SCS Certification, a copy of the map as SCS planned the system; and a copy of my cancelled check dated May 25, 1988 for inspection and licensing of the system.

At the time I filed on my other water rights for the adjudication, I was told it was not necessary to refile on this system. I hope that is correct.

→ While I am writing you, Loren Hulse told me I could inquire about the status of an injection well permit beside Dry Creek on the Tugaw property at Murtaugh or Artesian. I have the first right on Dry Creek, so naturally am interested in protecting my rights. If you cannot furnish information on this, will you please inform me as to where I inquire.

My system under Permit No. 45-7565 is totally completed and was operational this past year. The cost is about \$134,000 and I can presume there should be no more difficulties encountered. I actually began installation in November 1987 at which time the excavation for #1 Station pond was completed. If you desire any further information regarding the project, you may contact Terry Race at Soil Conservation Service, Twin Falls or my telephone is 734-7591. I plan on leaving the area on or about March 10 until mid-April, so if there is any other information necessary, please tele me very soon.

I am concerned about having to re-advertise the project since it is completed and operational. Does this mean a protest could be in order? I feel I have followed every

MICROFILMED

JUN 20 1990

step by the book, maintaining close contact with Water Resources here; my plan as drawn by SCS was followed and I have received cost-sharing funds under an LTA. I will be bankrupt if something fails at this point. I would feel greatly relieved to be reassured that everything is in order. If it is not, then I will research at which point and time correct information was not given to me by any of the Government agencies involved and respond accordingly.

Enclosed please find my check in the amount of \$20.00 for any necessary re-advertising.

Thank you very much for any early response to this letter,

Sincerely,

Betty A. Wagner
Betty A. Wagner

cc/file

MICROFILMED

JUN 20 1990

BETTY W. WAGNER

300 MORRISON ST., NO. 624, PH. 734-7591
TWIN FALLS, ID 83301

124

25 May 1988 62-6/1241-101

Pay to the
Order of

Dept of Water Resources

150.00

One Hundred Fifty Dollars

Dollars

**First
Security
Bank**

First Security Bank of Idaho
P.O. Box 1299
Twin Falls, Idaho 83301

Memo

Amount 757.50
5000 255

Betty W. Wagner
Signature

⑆124100064⑆101 12736 36⑈ 0124 ⑈0000015000⑈

MICROFILMED

JUN 20 1990

Department of Water Resources

FEB 21 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
FEB 21 1989

Department of Water Resources

GENERAL INSTRUCTIONS: Please answer all questions thoroughly.
A separate questionnaire must be completed for each permit.

1. Permit number 45-7565.
2. Was the development or a portion of the development complete and water from the source identified under this permit used before July 1, 1985? Yes _____ No X

If yes, the Department requests that you submit evidence showing the extent of your development existing on July 1, 1985. Evidence should at least include aerial photos (for developments of five acres or more) which are signed and dated by a local ASCS representative. Other evidence may include power records, irrigation equipment records or receipts, and affidavits from persons who are knowledgeable of your operation and dates of past water use.

3. Are you still interested in developing or completing the development under your water right filing?
Yes X No _____
If no, please complete and return the attached relinquishment form.
If yes, please submit the required \$20.00 readvertisement fee.
4. If you answered yes to question #3, please indicate the number of acres you intend to develop. _____

5. Remarks: This project began November 1987, Completed and operational now. See attached info w/ transmittal letter

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 or cancellation of the permit by the department.

Betty W. Wagner
Permit holder

Date 2/17/89

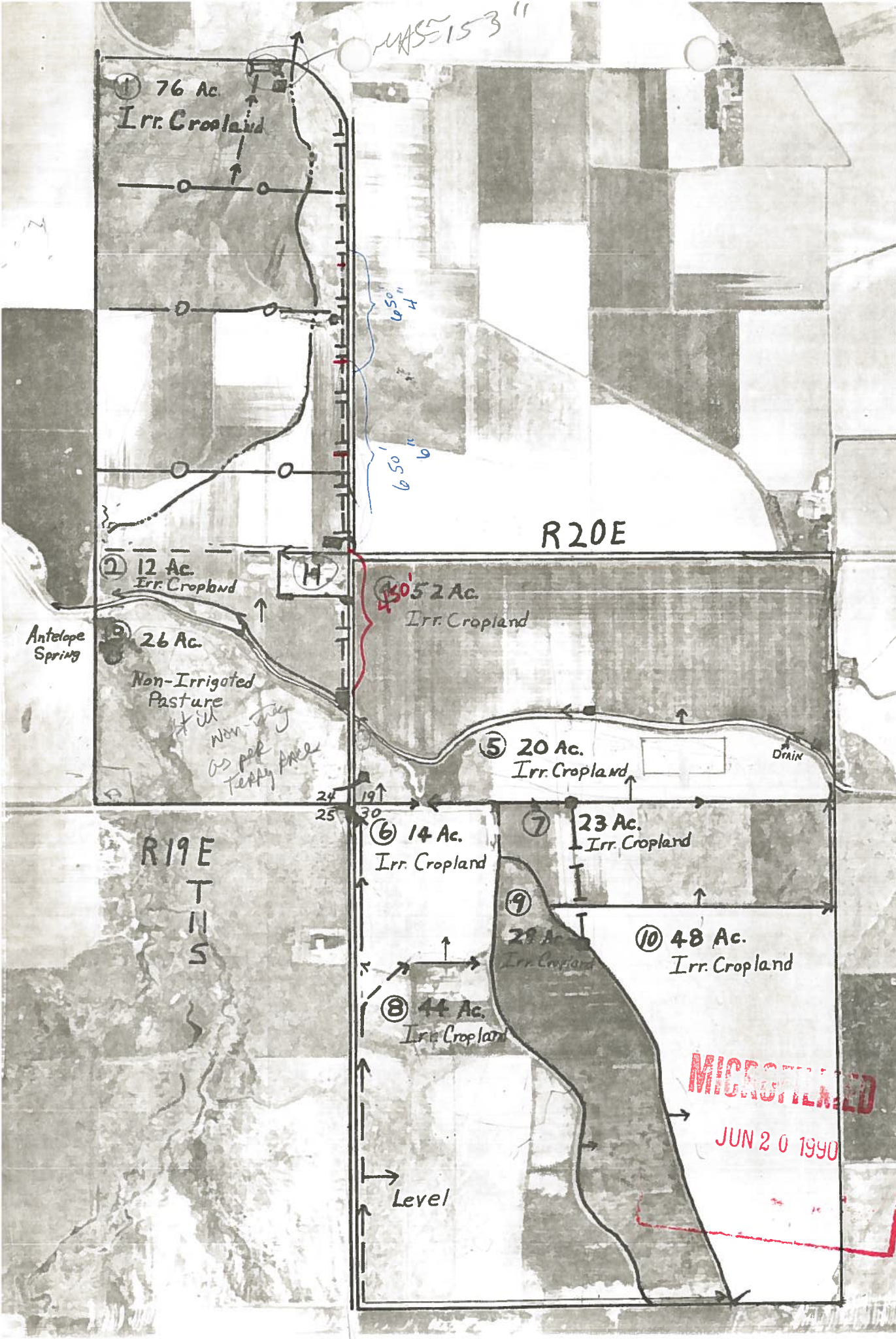
Address:

300 MOYVISON St, #624
TWIN FALLS, ID 83301

Phone (208) 734-7591

MICROFILMED

JUN 20 1990



① 76 Ac.
Irr. Cropland

② 12 Ac.
Irr. Cropland

Antelope Spring
26 Ac.
Non-Irrigated Pasture
Non-irrig
as per Terry Price

④ 52 Ac.
Irr. Cropland

⑤ 20 Ac.
Irr. Cropland

⑥ 14 Ac.
Irr. Cropland

⑦ 23 Ac.
Irr. Cropland

⑨ 28 Ac.
Irr. Cropland

⑩ 48 Ac.
Irr. Cropland

⑧ 44 Ac.
Irr. Cropland

MICROFILMED
JUN 20 1990

Level

R20E

R19E
T11S

455153"

650'
650'

Flow
formulated
by SCS

on Service
in District
7
SERVICE
SARICULTURE

IRRIGATION WATER CONVEYANCE

Low Pressure, Underground, Plastic Pipeline

FEB 2 1989

CERTIFICATION AND GUARANTEE

I, the undersigned contractor, completed the installation of 9320'
feet of low pressure underground plastic irrigation pipe on the _____
Betty Wagner farm at Maurtaugh, Idaho on 4-15-88
(farmer's name) (farm address) (date)

and do certify that the materials and installation comply with requirements of
Soil Conservation Service Practice Standard, dated 7/82, and Construction
Specifications, dated 7/82, for Irrigation Water Conveyance, Low
Pressure Underground Plastic Pipeline.

The pipe used in the installation was manufactured by:

I.M. Mfg. Company 105 Sperry Rd. Stockton, Calif. 95206
(name and address of pipe manufacturer)

and marked as follows:

Manufacturer's Identification: I-M9025-0 Nominal Size: 12" IPS, 6" IPS, 15, 10, 12,
(ex. 10" IPS) PIP
Pipe Material Designation Code: PVC 1120 Spec. Designation: ASTM-D 2241
(ex. PVC 1120) (ex. ASTM D-2241)
Pipe Pressure Rating #125 & #100 psi. SDR No. _____

I guarantee the above installation against defective materials and workmanship
for a period of 1 years from above date.

Agri-Tones Irrigation Co.

Signed: by [Signature] MGR.

Address: 3170 E. Kimberley Rd. P.O. Box 311 Twin Falls, Idaho 83301

Date: 10-26-88

RECORDED

JUN 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 30, 1989

Buhl Herald
P.O. Box 312
Buhl, ID 83316

Dear Legal Department:

Enclosed you will find a legal notice which we wish to have published on April 6 and April 13 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notice must appear in the issue that is distributed during the weeks of April 3 and April 10. 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 billing to the office below before April 17.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Sincerely,

Heidi M. Mikel

HEIDI M. MIKEL
Secretary

MICROFILMED

JUN 20 1990



NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT NO. 45-7565
Presently Recorded as Follows:

Name: BETTY WILLHITE WAGNER
Address: RT. 1, MURTAUGH, ID 83344
Source: WASTE WATER
Diversion Pt.: SENW SEC 24 T11S R19E,
TWIN FALLS CO.
Use: IRRIGATION (4.0 CFS)
Priority: 11/7/1977
Place of Use: SESE SEC 24 T11S R19E;
S1/2SW SEC 19; NW1/4 SEC 30 T11S
R20E
Total Acres: 202

This is a supplemental water right permit. Lands under this permit are irrigated with existing rights from Dry Creek. Development of the water source under this permit was not complete by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before April 24, 1989. A protest must overcome the presumption of Water Appropriation Rule 5,2,1.

R. Keith Higginson, Director

MICROFILMED

JUN 20 1990



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

March 22, 1989

RE: Permit No. 45-7565

Betty Wagner
300 Morrison St., No. 624
Twin Falls, ID 83301

Dear Mrs. Wagner:

The Department has adopted a policy for processing filings such as yours in the Swan Falls Trust Area which propose to supplement an existing source of water for use on lands which had been irrigated by the existing source prior to July of 1985.

The new policy essentially allows the Department to exempt all supplemental filings from any Swan Falls processing if it can be shown that there is not an expansion of the existing system and there is no new depletion of water. The lands under the existing system must have been irrigated prior to July of 1985. Your permit (No. 45-7565) appears to be a supplemental filing for which most or all of the acreage was irrigated prior to July of '85. We have not been able to conclude, however, that this permit does not propose a new depletion.

In your letter of February 21, 1989, you suggested that I call Mr. Terry Race of the Twin Falls SCS office if I had any questions concerning the project proposed by this permit. I spoke with Mr. Race the morning of March 20, 1989 to ask him if he knew if all of the lands under your project had been irrigated in the past. My concern was that the old SCS photo which you sent in and which was already a part of the file shows 26 acres of non-irrigated pasture in the SE1/4SE1/4 of Section 24 (the area west of the road and above, or south, of the canal). In an earlier phone conversation, I believe you mentioned that this land had been irrigated in the past with flood waters from Dry Creek. Mr. Race told me that this land is not presently being irrigated with any spinkler system and that your project does not include irrigating these lands. He further explained that this land is not well suited for sprinkler irrigation. I looked at some 1983 aerial photography here at the Department and have concluded that portions of this land may have been flood irrigated. This same photography shows that other portions of your land in Section 30 may have been irrigated in the same manner. It is not clear, therefore, that all

MICROFILMED

JUN 20 1989

Page 2
Betty Wagner
March 22, 1989

of the land under your permit was entirely irrigated. The Department's Remote Sensing Division recently did an analysis of all irrigated acreage in Twin Falls County based on 1984 photography. This analysis classified all of the land described under your permit as irrigated agriculture. Inspection of the file shows that you have submitted proof on all of the land described under your permit.

Based on the above findings, I am recommending that the acreage under your permit not be counted among the 20,000 Trust Water acres that the Department can annually authorize. Since the permit may cause a new depletion, it will still have to be re-advertised in accordance with Water Appropriation Rule 4,2,3. The readvertising is similar to all advertising done by the Department, except that we inform the public that any protest filed must overcome the presumption of Rule 5,2,1. This rule discusses significant reductions and describes certain criteria which a protest would need to overcome. I know that you had some concerns about re-advertising. I can tell you that anyone filing a protest against your permit would have a difficult time proving that your permit has a potential impact on Snake River flows. Our re-advertising of your permit in this case is done to satisfy the requirements of the statutes and to show that notice has been given.

Upon expiration of the protest period, I will write a memo to the Twin Falls office and inform them that a field examination should be made for this permit. Please note that I have enclosed a receipt for your re-advertisement fee.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

TL:hm
Enclosure

RECORDED

JUN 20 1990

MEMORANDUM

TO: FILE

FROM: JIM JOHNSON

RE: TELEPHONE CONVERSATION WITH BETTY WAGNER

DATE: 8-MAR-1989

I discussed with Ms. Wagner the nature of water used for irrigation. This memo is prepared without the benefit of having the file before me therefore some of the statements told to me may be in conflict with the information contained in the file.

Ms. Wagner stated that the wastewater was only used on the land last year. This was due in part to concern of potential impact of Idaho Power Litigation and cost of converting the flood irrigation system to sprinkler irrigation.

The land receiving wastewater has been irrigated for many years using other water supplied by the Milner Low Lift Canal and water diverted from Dry Creek. This water has been applied by flood irrigation. Dry Creek is diverted early in the season and is used as long as it flows.

Ms. Wagner described the wastewater as water running off of two neighbors property and collected in a pond located in the natural channel of Dry Creek.

Based upon the information provided it appears that:

1. No new acres are being water under this permit.
2. The sprinkler system now in place uses a combination of water sources. Wastewater supplements existing water supplies.
3. No new depletion has occurred from wastewater application.

CONCLUSION

This permit does not appropriate Trust Water and therefore is exempt from further review required under provisions of 42-203C.

Note: I have looked at 1983 photography and the Remote Sensing Analysis done for Adjudication Division - based on 1986 LANDSAT photos. The Department has classified all of the acreage under this permit as irrigated agriculture. Thus, this is evidence that all of the land was developed prior to 7/1/85 & no new acreage is being watered under this permit.

Tim Luke 3-20-89



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 30, 1989

RE: PERMIT NO. _____

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

MICROFILMED

JUN 20 1990

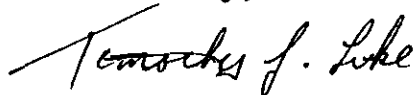
Page 2

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 334-7864. 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
Attn: Tim Luke - Water Allocation/Trust Water

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

JUN 20 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

DO NOT SCAN

Permit No. 45-7565

Date: 11-23-88

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

Extent of Use and Rate of Diversion:

- 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?
N Has one been installed?
N Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A

Priority Calculation:

Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY. DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

MAY 24 1988

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

MAY 25 1988

For Office Use Only
Fee Received \$150.
Date 5-24-88
Receipt # 5000255
Receipt by DR
Reviewed by 94
Sent to region 5/24/88
S.O.

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

Permit No. 45-7565

Name(s) of Permit Holder: Betty Wilhite Wagner

Post Office Address: 300 Morrison St., #624, Twin Falls, ID 83301

Telephone No. 734-7591

Source of Water: Waste Water trib. to Murtaugh Lake

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 202 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 3.0 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: April 15, 1988

Measuring Device: Required? Yes X No
Installed? Yes No Fee enclosed \$150.
(See License Examination Fee Schedule)

Flow Measurement Port: Required? X Yes No
Installed? Yes X No Will be installed

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

Denie Mason 432-5361
(Name) (Telephone Number)

Rt. 1, Murtaugh, ID
(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.

Date 5/25/88 Signature of Betty Wilhite Wagner DEC 07 1988
Signature of Permit Holder (and title, if appropriate)



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 23, 1988

Betty Wilhite Wagner
300 Morison St. #624
Twin Falls, ID 83301

Dear Ms. Wagner:

Re: Permit No. 45-7565

In October 1987, the department received a request for extension of time for this permit. In response, the department sent a letter advising that we would hold the extension request pending review of permit under Sec. 42-203D, Idaho Code.

In May 1988, you submitted a proof of beneficial use form advising the department that the project had been completed. The department accepts the proof in lieu of the request for extension of time. The \$15 extension filing fee will be returned to you under separate cover.

The next step is for the department to notify the regional office to conduct a field inspection. I cannot tell just when this field inspection will take place, but a department representative will contact you to schedule a convenient time.

If you have any questions concerning this matter, please feel free to contact this office or the regional office in Twin Falls.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

NOT RECORDED

DEC 6 1988

Copy

MEMORANDUM

DATE: November 23, 1988

TO: ACCOUNTING SECTION

FROM: RITA I. FLECK

RE: REFUND - PERMIT NO. 45-7565

Please prepare a refund of \$15 (receipt No. 45313). Attached is a copy of a letter to the permit holder which explains why a refund is necessary. The return address is indicated on the attached letter.

Attachments: Letter

INDEXED

DEC 07 1988

MEMORANDUM

TO: File 45-7565

FROM: Rita Fleck 

Re: Request for Extension of Time

Previously, Betty Willhite Wagner submitted a request for extension of time. The department reviewed the extension and postponed action until the permit would be reviewed under the provisions of Sec. 42-218a, Idaho Code. Since the submittal of the extension request, the land has been developed and the water put to a beneficial use. As a result, the permit holder submitted the proof of beneficial use form in lieu of the pending request for extension of time.

Now comes the time for the department to review the proof of beneficial use form and return the request for extension of time form and fee. Unfortunately, the request for extension has been misplaced. I can attest to the fact that I have seen one and that the department wrote a receipt for one, but I cannot locate it.

I intend to accept the proof and request a refund. And if in the future the extension of time form is found, it should be returned to the permit holder or voided per this memo.

MICROFILMED

DEC 07 1988

October 22, 1987

Betty Willhite Wagner
300 Morrison St. #624
Twin Falls, ID 83301

Dear Mr. Wagner:

Re: Permit No. 45-7565

The department has reviewed the request for extension of time submitted in connection with the above referenced permit. The department will hold the request without action until the permit is reprocessed in compliance with the provisions of Sec. 42-203D, Idaho Code. Upon completion of reprocessing, an appropriate development period will be granted if the permit is to be continued.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: region

NOT RECORDED

DEC 07 1988

DO NOT SCAN

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 45-1565

Reviewed by J

Date 10-20-1987

BASIC INFORMATION

yes Date stamp received
yes Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
yes Fee received and receipted
yes Name and signature same as permit
yes Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- Has adequate work been completed to demonstrate due diligence?
- Has the cost incurred been adequate to demonstrate an intent to complete the project?
y Has the permit been involved in litigation?
a. Swan Falls yes Dismissed from Swan Falls No
Other Identify
b. Is supporting documentation needed to complete the file? Requested
c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

N/A Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?

ACTION TAKEN - Held action on the extension request until permit has been reviewed under #2-203 D.

Special conditions or remarks:

N/A Reinstatement Date extension received _____ = _____
Proof due date _____ = _____
No. of days late _____ = _____
Priority date _____ = + _____
ADJUSTED PRIORITY DATE _____ = _____

- Prepare coding sheet
- Change rolodex cardf



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN R. Keith Higginson
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

October 7, 1987

Betty Willhite Wagner
300 Morrison St. #624
Twin Falls, ID 83301

PERMIT NO. 45-7565

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 45313.

Roberta Garrett
Records Supervisor

Enclosure

RECEIVED

DEC 07 1988

300 Morrison St. #624
Twin Falls, Idaho 83301
28 September 1987

RECEIVED
OCT 01 1987

State of Idaho
Dept. of Water Resources, State Office
450 W. State St.
Boise, Idaho 83720
Attn: Rita Fleck, Secretary/Records Manager

Department of Water Resources

Re: Permit No. 45-7565

Dear Ms. Fleck:

I am in receipt of your certified letter and enclosures dated 31 Aug. 1987. My correct address is as shown at top of letter--please up-date my records.

On 3 March 1986 (18 months ago) I began coordinating a firm plan for use of my water permit with Mr. Burke Sodholer of the Soil Conservation Service here in Twin Falls. Then he transferred to Burley, Idaho; there was a shortage of personnel and I was told to wait until after 1 March of this year. Finally, personnel was hired and there was time to survey the farm and draw me some VERY preliminary plans for an extensive irrigation system.

Meanwhile I have also been coordinating with A.S.C.S. in order to receive funding on a cost-share Long Term Agreement. In June I also had a plan drawn by Ron Haffner of Farmore Pump & Irrigation in Jerome, Idaho.

Finally, there was a real bottleneck in my cost-sharing plan. Soil Conservation would not draw a scale plan unless funds were available through A.S.C.S. and A.S.C.S. could not give the financial consent or a federal approval.

On 17 September I was advised by A.S.C.S. to see S.C.S. on 21 Sept and I was given informal verbage that a Long Term Agreement had been approved. From there I went to A.S.C.S. where they said it would be awhile before funds would come through, but they wanted to obligate the funds at that moment for FY87 which, as you well know, ends 30 September.

I have met with Idaho Power Company regarding pump poles, Milner Low Lift Irrigation to receive permission to place pipeline over their irrigation canal and have submitted a ten-year rotation plan for farm crops to the S.C.S.

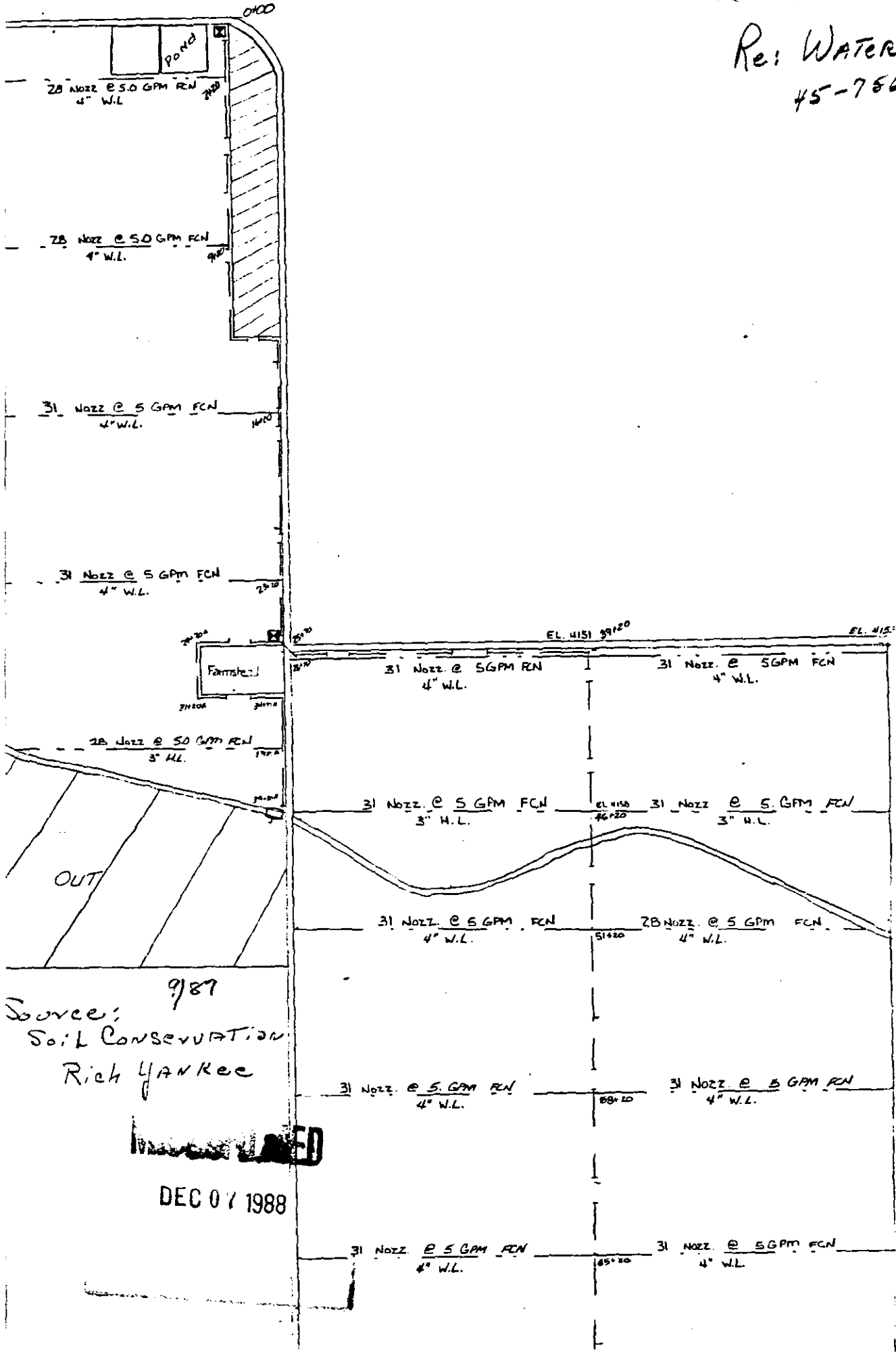
On 30 September I have Farmore giving a bid on building the sump. It

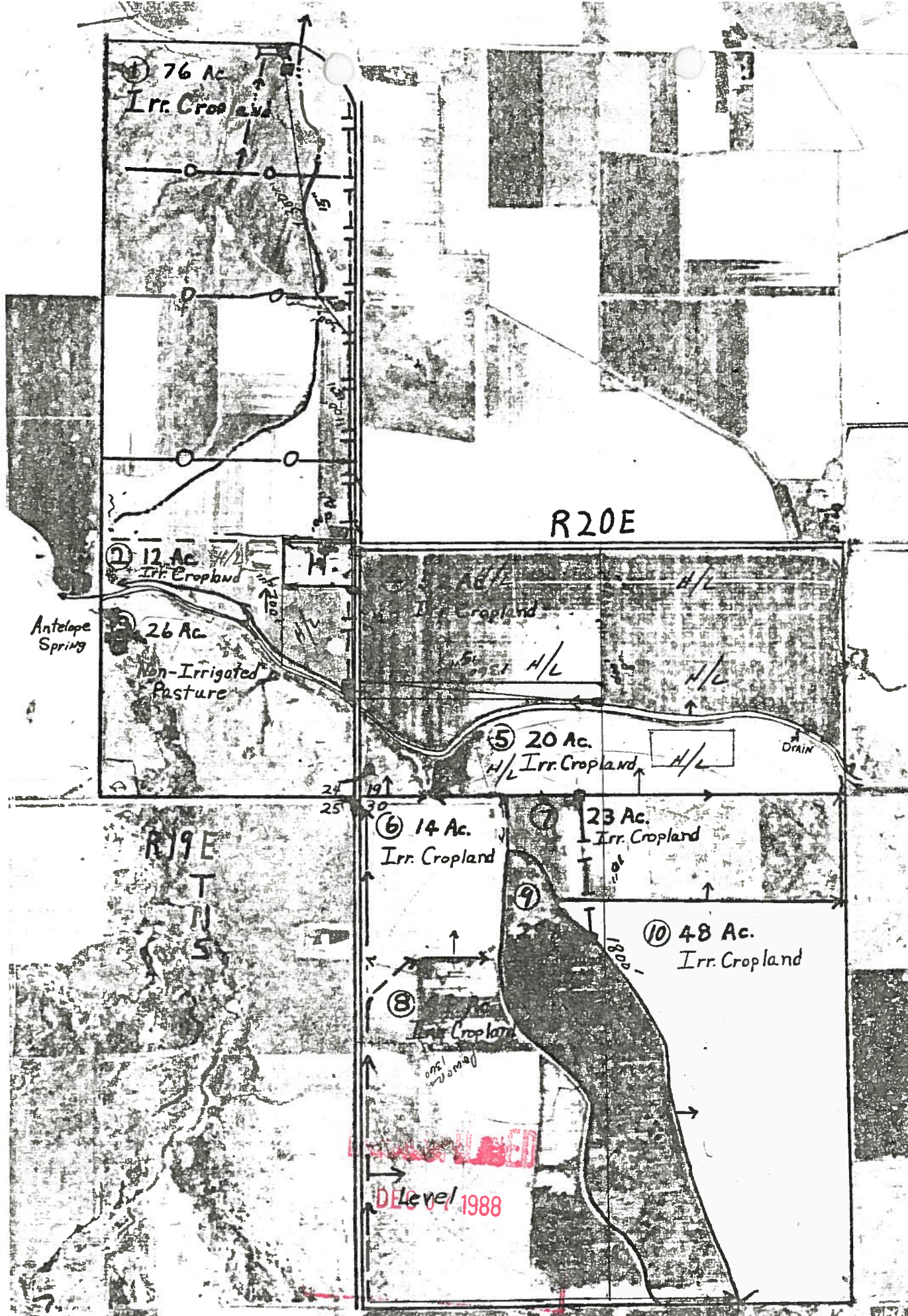
RECEIVED

DEC 07 1988

Betty W. WAGNER

Re: WATER PERMIT
45-7865 (47-2443)





on Service
in District
SERVICE
AGRICULTURE

144,000
344 ACES
418 A

137
SHARES

762
135
2112
9/17

Sec 30 = 158
Dry Creek

Sec 19 = 20
Dry Creek
Dry Creek 178

Sec 19
Milner 52

Sec 24
Antelope 55
Milner 55

Minor 137A

DECEMBER 1988

43
51.6 A

MANURE IRRIGATION

P.O. BOX 396
JEROME, IDAHO
83338
Ph. 208-324-31

CUSTOMER: BETTY WAGNER

DATE: 6-16-87

FEET	PIECES	DESCRIPTION	UNIT PRICE	TOTAL PRICE
4960'		15" 125# PVC	8.35	41,416
4960'		Trench - Backfill - Lay 15" PVC (per ft.)	1.60	7,936.
	14	15" Risers	150.00	2,100.
	5	Thrust Blocks	70.00	350.
1800'		10" 125# PVC	4.00	7,200.
400'		8" 125# PVC	2.60	1,040.
400'		6" 125# PVC	1.53	612.
1100'		4" 125# PVC	.70	770.
1800'		Trench - Backfill - Lay 10" PVC	.85	1,530.
400'		8" PVC Installed	.80	320.
400'		6" PVC Installed	.67	268.
	1	6" Outdive		225.
	1	6 X 8 Reducer		40.
	8	6" Tees	70.00	560.
	8	8" Tees	80.00	640.
	14	4" Tees	60.00	840.
1100'		Trench - Backfill - Lay 4" PVC	.61	671.
	1	4" 90°		45.
	1	4" Outdive		140.
	26	15" Risers	150.00	3,900.
	1	15 X 10 X 8 Wye Tee		200.
	1	10" Outdive		150.
	1	Swing Arm Center Pivot		48,000.
1320'		#4/4 Wire w/Trench - Backfill	1.03	1,360.
	7	Used 3 X 40 Handlines	1,100.00	7,700.
	1	125 H.P. Pump, Panel & Wiring		11,000.
		Road Crossing - Elbows - Pump Sump - Misc.		5,000.

BY: _____

7614 = PVC
3750 = Alum
3864 difference

TOTAL: \$ 144,013.0

Betty's Farm

Betty W. Wagner

300 Morrison Street, #624
Twin Falls, Idaho 83301

Residence
208-734-7591

IDAHO CUSTOMER ELECTRIC SERVICE REQUEST

Work Order Number

Customer Account Number

Recorded Date

CUSTOMER REQUEST	Customer	WAGNER + BETTY		Phone Number	734-7591		District	TF						
	Billing Address	300 MORRISON ST #624		City	TF		State	ID	Zip Code	83301				
	Person Contacted	BETTY WAGNER		Address			Phone							
	Service Address	4500 E 3175N		Location		Sec.		Twp.		Range				
REMARKS	Service For	50 HP	Date Service Needed		Temporary Date		Permanent Date	OCT 25		Type of Load	☐ Commercial ☒ Irrigation			
										☐ Residential ☐ Industrial ☐ Other				
	Rate Schedule	24	New Load		10 (Phase)		30 (Phase)	50	Exist. Demand	40	Voltage	480	Service	☒ OH ☐ UG ☒ OH ☐ UG
	LX TO SERVE 50HP FOR PRESSURIZATION SERVICE FOR EXISTING IRRIGATION DIVERSION WITH NO INCREASE IN IRRIGATED ACREAGE													
OTHER	RON HAFNER - FARMORE 324-3341													
	Right of Way Required	☒ Yes ☐ No		Service Request	☒ Line Extension ☐ Upgrade ☐ Additional Applicant ☐ Customer		Customer Cost Determined By ☒ Average Unit Cost ☐ Work Order Cost							

REQUEST ACCEPTANCE	Customer Acceptance On Above Request	Date	Request Prepared By
	X Betty W. Wagner	9/23/87	[Signature]

See Reverse For Detail On Line Extension Cost Total

SERVICE COSTS	1. Line Extension Cost	\$		9. Line Ext. Construction Credit	(\$	)
	2. Unusual Conditions	\$		10. 1/4 Common Share Portion (NSR)	\$	
	3. Up to 1,000 Allowance	(\$	)	11. Right-of-Way Permit (NSR)	\$	
	4. Net Extension Cost (1+2-3)	\$		12. Svc. OH/UG Difference (NSR)	\$	
	5. Line Extension Upgrade (See Schedule 71 paragraph III.5)	~~\$~~		13. Svc. OH/UG Construction Credit	(\$	)
	6. Company Betterments	(\$	)	14. Relocation Costs (NSR)	\$	
	7. Net Line Ext. Upgrade (5-6)	\$		15. NSR Cash (10+11+12-13+14)	\$	
	8. Construction Contribution (4+7)	\$		16. Cash on Existing Agreement	\$	
				17. Total Customer Pmt. (8-9+15+16)	\$	

NOTICE	The undersigned acknowledges that this written quotation will be binding for 60 days and is subject to acceptance of any and all service request information provided by the Customer, Company's ability to obtain required labor, materials, equipment, satisfactory rights-of-way, to comply with governmental regulations and in accordance with and subject to the Company's standard Rules and Regulations, Line Extension Schedule No. 71 and applicable Rate Schedule, as now or hereinafter in effect and on file with the Idaho Public Utilities Commission. Customer payment due thirty (30) days prior to start of construction.
--------	---

QUOTATION ACCEPTANCE	Customer's Signature	Date	Idaho Power Company
	X Betty W. Wagner		
	Quotation Date		Authorized Signature
			[Signature]
			Title

DEC 07 1988

INSTRUCTIONS	District Office Cashier: Monies Collected from Customer should be distributed on the DCR as shown in the adjacent block.	Line 10 Assign To M1.2 (Original WO)	\$
		Lines 8 - 9 Assign To M1.2 (New WO)	\$
		Lines 11 + 14 Assign To WO	\$
		Lines 12 - 13 Assign To M5.2	\$
		Line 16 Assign To A/C 252	\$
	Prepare Journal Entries for lines 9 and 13 as shown in the adjacent block.	Line 9 As Shown In G.I. Book, Page 1040-3D (Top Half)	\$
		Line 13 As Shown in G.I. Book, Page 1040-7	\$

CONSERVATION PLAN
SCHEDULE OF OPERATIONS

(3-86)

8 of 8

NOTE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 522a). The authorities for requesting the information to be supplied on this form are: 16 U.S.C. 590a-f (Soil and Water Conservation); 16 U.S.C. 590h(b) (Agriculture Conservation); 16 U.S.C. 590p(b) (Great Plains); 30 U.S.C. 1236 et seq. (Rural Abandoned Mine Reclamation); 33 U.S.C. 1288 et seq. (Rural Clean Water); The Food Security Act of 1985, Public Law 99-198, and the regulations promulgated thereunder. The information requested is necessary for the development and implementation of a conservation, reclamation or water quality plan as the basis for satisfying program eligibility and compliance requirements, and for providing technical assistance and/or cost-sharing under the previously mentioned authorities. Furnishing this information is voluntary; however, failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other State or Federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

1. NAME Betty Wagner		2. COUNTY Twin Falls		3. STATE Idaho		4. CONTRACT OR AGREEMENT NO. 28		5. TOTAL ACRES UNDER CONTRACT 289			
ITEM NO.	FIELD	PLANNED CONSERVATION TREATMENT (Record of Decisions)	ESTIMATED AMOUNT (UNITS)	COST BASIS	COST-SHARE RATE %	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE BY YEAR (For Noncost Share Items Show Units)					REF. NO.
						19 93 12	19 94 13	19 95 14	19 96 15	19 97 16	
6	7	8	9	10	11	12	13	14	15	16	17
		Total Cost-Share by Year:				\$ 3,244.	\$ * 374.00	\$	\$	\$	
		Total Contract Cost-Share: \$ 30,477.00									

- NOTES:
- A. All items numbered in column 6 must be carried out as a part of this contract to prevent violation.
 - B. When established, the conservation practices listed in column 8 must be maintained by the participant at no cost to the government.
 - C. Enter total cost per unit in column 10 unless the method of cost-share is flat rate. When flat rate, enter the amount per unit to be paid to the participant.
 - D. All cost share rates in column 11 are based on average cost with the following exceptions:
 - AA = Actual costs not to exceed average cost.
 - FR = Flat rate.
 - NC = Non cost-shared.
 - AM = Actual cost not to exceed a specified maximum.
 - E. Modifications will be referenced by number in column 17.
 - F. By signing, the participant acknowledges receipt of this conservation plan including the SCS-CPA-11 and SCS-CPA-11B and agrees to comply with the terms and conditions hereof.

* In 1994, only \$374.00 is available for cost share, because maximum ASCS money available for this contract is \$30,477.00.

DEC 07 1988

18. CERTIFICATION OF PARTICIPANTS

SIGNATURE <i>Betty H. Wagner</i>	DATE 9/29/87	SIGNATURE <i>Dennis J. Mason</i>	DATE 9-29-87
-------------------------------------	-----------------	-------------------------------------	-----------------

19. REVIEWING OFFICIALS SIGNATURES

DISTRICT CONSERVATIONIST-TECHNICAL ADEQUACY CERTIFICATION <i>Michael J. Neubauer (D.C. - Acting)</i>	DATE 9-29-87	APPROVED BY (Signature of Conservation District Representative)	DATE
---	-----------------	---	------

CONSERVATION PLAN
SCHEDULE OF OPERATIONS

3 (3-86) 110

7 of 8

NOTE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 522a). The authorities for requesting the information to be supplied on this form are: 16 U.S.C. 590a-f (Soil and Water Conservation); 16 U.S.C. 590h(b) (Agriculture Conservation); 16 U.S.C. 590p(b) (Great Plains); 30 U.S.C. 1236 et seq. (Rural Abandoned Mine Reclamation); 33 U.S.C. 1288 et seq. (Rural Clean Water); The Food Security Act of 1985, Public Law 99-198; and the regulations promulgated thereunder. The information requested is necessary for the development and implementation of a conservation, reclamation or water quality plan as the basis for satisfying program eligibility and compliance requirements, and for providing technical assistance and/or cost-sharing under the previously mentioned authorities. Furnishing this information is voluntary; however, failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other State or Federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

1. NAME		2. COUNTY		3. STATE		4. CONTRACT OR AGREEMENT NO.		5. TOTAL ACRES UNDER CONTRACT	
Betty Wagner		Twin Falls		Idaho		28		289	

ITEM NO.	FIELD	PLANNED CONSERVATION TREATMENT (Record of Decisions)	ESTIMATED AMOUNT (UNITS)	COST BASIS	COST-SHARE RATE %	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE BY YEAR (For Noncost-Share Items Show Units)					REF. NO.
						19 88 12	19 89 13	19 90 14	19 91 15	19 92 16	
		Total Cost-Share by Year:				\$ 4,812.	\$ 4,600.	\$ 3,587.	\$ 4,561.	\$ 9,299.	
		Total Contract Cost-Share: \$									

NOTES:

- A. All items numbered in column 6 must be carried out as a part of this contract to prevent violation.
- B. When established, the conservation practices listed in column 8 must be maintained by the participant at no cost to the government.
- C. Enter total cost per unit in column 10 unless the method of cost-share is flat rate. When flat rate, enter the amount per unit to be paid to the participant.
- D. All cost share rates in column 11 are based on average cost with the following exceptions:
AA = Actual costs not to exceed average cost.
FR = Flat rate.
NC = Non cost-shared.
AM = Actual cost not to exceed a specified maximum.
- E. Modifications will be referenced by number in column 17.
- F. By signing, the participant acknowledges receipt of this conservation plan including the SCS-CPA-11 and SCS-CPA-11B and agrees to comply with the terms and conditions hereof.

DEC 07 1988

18. CERTIFICATION OF PARTICIPANTS

SIGNATURE	DATE	SIGNATURE	DATE	SIGNATURE	DATE
Betty Wagner	9/29/87			Denise J. Mason	9-29-87

19. REVIEWING OFFICIALS SIGNATURES

DISTRICT CONSERVATIONIST-TECHNICAL ADEQUACY CERTIFICATION	DATE	APPROVED BY (Signature of Conservation District Representative)	DATE
		Brian Olmstead for Snake River SCD	9-29-87

WAGNER, BETTY WILLHITE
RT. 1
MURTAUGH, ID 83344

CERTIFIED MAIL
August 31, 1987

138888

PROOF DUE NOTICE

RE: Permit No. 45-7565

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 November 1, 1987. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

RECEIVED

DEC 07 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECEIVED

DEC 07 1988

RECEIVED

MAR 8 1983

Department of Water Resources

14142 Paseo Verde
Tustin, Ca. 92680
2 March 1983

CERTIFIED - RETURN RECEIPT REQUESTED

Mr. Jim Johnson
Water Distribution Supervisor
Department of Water Resources
Statehouse, Boise, Idaho 83720

Re: Permit No. 47-7443

Dear Mr. Johnson:

I was quite horrified when I only received your letter dated 15 December a couple of days ago. My daughter forwarded it to me. I was there until 3 January 1983, so there was a delay in it's being mailed to Murtaugh and another delay in her forwarding it to me.

In answer to paragraph 1, I do not have the Soil Conservation Plan that was drawn up for me at this time. Attached is a rough draft of the approximate plan.

In answer to paragraph 2, Idaho Power was not installing utility poles necessary for pumps to life the water in the ditch to a higher elevation. This request was made by my renter and I do not have a copy of a denial notice. It was NOT for drilling, only pumping.

In answer to paragraph 3, my renter installed a weir (one we had on another ditch) so there was no cost involved in this. I presume the cost estimate you are requesting is for complete system installation which was quoted as \$80,000 including a sprinkler system. It probably has about doubled since that time.

As I stated in my request for extension, I will be there permanently in about 17 months and intend to proceed further with these plans. It is very necessary that I be there to supervise the installation.

I will be in Idaho this summer. Would you rather I drive to Boise and see you personally, bringing my Soil Conservation Plan and further statements from Idaho Power and Milner Low Lift Irrigation? It is very difficult to have someone request information for you when it is not in their best interest.

Sincerely,

Betty W. Wagner

Betty W. Wagner

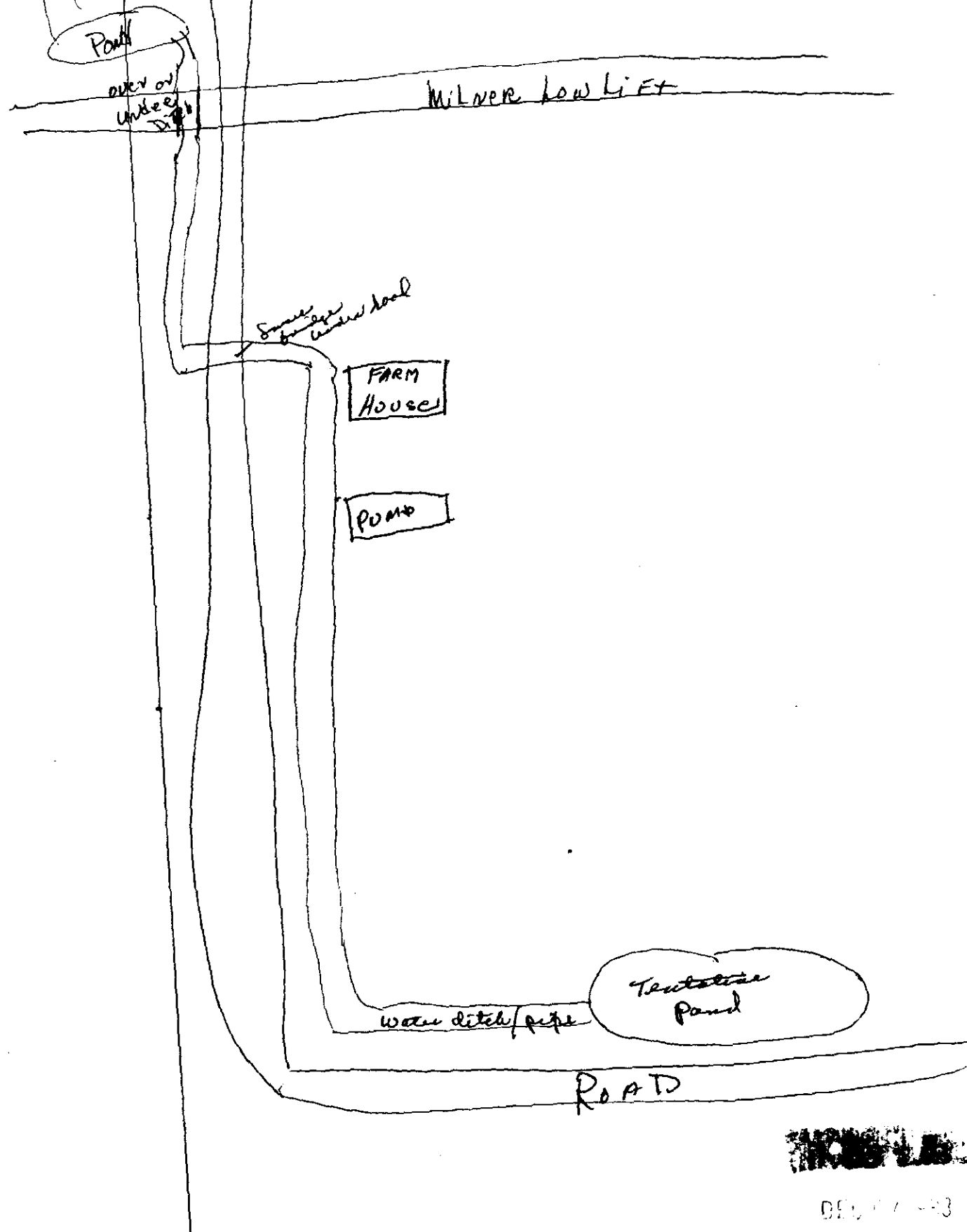
RECEIVED

cc/file

DEC 07 1988

Integration

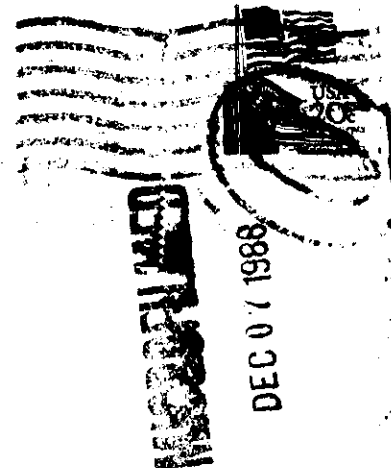
3/2/83
Betty Hooper



11-25-83

09/07/83

Betty W. Wagner
14142 Paseo Verde
Park Tustin
Tustin, California 92680



CERTIFIED - RETURN RECEIPT REQUESTED

Mr. Jim Johnson
Water Distribution Supervisor
Department of Water Resources
Statehouse, Boise, Idaho 83720

MAIL

March 1, 1983

Betty Willhite Wagner
Rt. 1
Murtaugh, ID 83344

Dear Ms. Wagner:

Re: Permit No. 47-7443

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to November 1, 1987.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later in time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enc: Ext. of Time

MICROFILMED

DEC 07 1988

December 15, 1982

RE: Permit No. 47-7443

Betty Willhite Wagner
RR #1
Murtaugh, ID 83344

Dear Ms. Wagner:

Thank you for sending your request for extension of time in which to submit proof to beneficial use of water under Permit No. 47-7443. In reviewing the reasons for requesting additional time I am somewhat confused as to the meaning of some of your comments. Perhaps you could provide additional information on the following items:

1. You state that "Milner Low Lift Irrigation Project never gave written approval to drill (emphasis added) under their ditch. Question: Your permit does not indicate that you plan to drill; (I assume for groundwater) however, your permit is for irrigation by using wastewater. What is the relationship between Milner Low Lift Irrigation Project approval for drilling and developing wastewater for irrigation?
2. You said "Idaho Power Company never gave written approval for installation of power line for pumping the electricity". I don't understand what you mean. Will Idaho Power provide you electrical service to your pump? If they have denied you hook-up please provide a copy of the denial notice.
3. Please explain further if you have done any other work besides installing a measuring device. Be sure to include a cost estimate.

Enclosed is a copy of your extension request for your reference. Please return the requested information on or before January 25, 1983. If you have any questions please let me know. My number is 334-4162.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:jw
Enclosure

RECEIVED

DEC 07 1982



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

EXTENSION OF TIME

December 14, 1982

Betty W. Wagner or Lisa W. Mason
300 Morrison St.
Rook Garden Condominiums No. 624
Twin Falls, ID 83301

PERMIT NO. 47-7443 - Betty Willhite Wagner

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 25335.

Robertta Garrett
Records Supervisor

Enclosure

RECEIVED

DEC 07 1988

MS BETTY W. WAGNER
1414 PASO VERDE
TUSTIN, CAL.
92680

DEC 6 1982

CERTIFIED
RETURN RECEIPT REQUESTED

RETURN RECEIPT
REQUESTED

ATTN:
Rita Fleck

CERTIFIED

MAIL

State of Idaho
Department of Water Resources
Statehouse, Boise, Idaho 83720



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138855

WAGNER, BETTY WILLHITE
RT. 1
MURTAUGH, ID 83344

OCTOBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7443 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

RECEIVED

DEC 07 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 28, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

INDEXED

DEC 6 1982

January 30, 1978

Re: Permit No. 47-7443

Betty Willhite Wagner
Route #1
Murtaugh, ID 83344

Dear Ms. Wagner:

Enclosed is a copy of your approved Application for Permit No. 47-7443 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Betty Willhite Wagner

Murtaugh, ID 83344

has on 11/7/77 submitted Application No. 47-7443

for a permit to appropriate 4.0 cubic feet per second ~~acres feet per annum~~

of water from waste water, tributary of Murtaugh Lake

by means of small pond and pump, gravity flow system

within the SE1/4 Sec. 24, Twp. 11S, Rge. 19E., B.M., Twin Falls County

to be used from Mar. 15 to Nov. 15

for irrigation purposes of 202 acres

within the SE1/4 Sec. 24, Twp. 11S, Rge. 19E., B.M.; SW1/4, Sec 19; NW1/4, Sec. 30,
Twp. 11S, Rge. 20E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before December 12, 1977.

C. STEPHEN ALLRED

Director

Published in the Times News

on 11/24

and

12/1/77

MICROFILMED

DO NOT SCAN

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 47-7443 - Betty Willhite Wagner

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) JS 11-9-77

In form to receipt

(2) JS 11-9-77

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) JS 11-9-77

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(4) ADM 11-18-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: none known

(11) 101 12/6/77

Affidavit of Publication received (date) 12/5/77

(12) Am 11/18/77

Final date for protests 12/12/77
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) MLS 12-12-77

Action recommended:

☒ Approve _____ Deny

11-7-77 Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District Southern By Michael Steele Date 12-12-77

copy to Boise 11-10-77

MICROFILMED

Supplemental



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3570

November 18, 1977

Times News
P. O. Box 548
Twin Falls, ID 83301

Re: Application for Permit No. 47-7444 - David &/or Mattie Higgins
" " " No. 47-7443 - Betty Wilhite Wagner

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

LS:sm

Encs.

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