

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 18 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resource
Southern Region
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Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned. *Wf*

JUN 30 1998

1. Water Right No(s).: 45-07249, 45-07551, 45-07501 Department of Water Resource

Adjudication Claim No(s).: A45-07249, A45-07551, A45-10921, A45-07501

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

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 attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant

Bruce B. Turner

Water Canyon #13

4. New Owner/Claimant(s)

Decko, ID 83323

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

New Mailing Address

Mark L. 9/or Verla Darrington

City, State and ZIP Code

887 E 500 S, Deco, ID 83323

New Telephone Number

() 654-2908

5. Date you acquired the property

12-30-1997

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 you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

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 or Claimant(s)

Mark L Darrington

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

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

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WARRANTY DEED

RECEIVED

252847

JUN 18 1998

For Value Received

Department of Water Resources
Southern Region

TURNER FAMILY TRUST UTA NOVEMBER 10, 1997

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MARK L. DARRINGTON and VERLA DARRINGTON, husband and wife

Address: 887 East 500 South
Declo, Idaho 83323

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$, EXCEPTING THEREFROM the following described tracts:

TRACT NO. I:

Beginning at the Southwest corner of said Section 1, said corner marked by a 5/8 inch rebar with a 3 inch Cassia County Survey cap on top which shall be the Point of Beginning;

Thence North 00°41'45" West along the West section line for a distance of 25.00 feet;

Thence South 89°17'26" East for a distance of 1320.56 feet to a point;

Thence North 88°31'43" East for a distance of 1307.20 feet to a point on the East line of the SW $\frac{1}{4}$;

Thence South 00°40'55" East along said line for a distance of 25.00 feet to a U.S. GLO iron pipe with brass cap at the S $\frac{1}{4}$ corner of Section 1;

Thence South 89°37'29" West along the South line of Section 1 for a distance of 2627.26 feet to the Point of Beginning.

TRACT NO. II:

That part of Lot 3 lying North and West of the centerline of the main canal.

PARCEL NO. 2:

An easement for the installation and maintenance of an irrigation water pipeline over, under and across the following described parcel:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

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Section 1: That part of Lot 3 lying North and West of the centerline of the main canal.

PARCEL NO. 3:

**TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 1: All that portion of Lot 4 and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying South and East of the centerline of the Third Lift Canal, EXCEPTING THEREFROM the following described property:

500' x

Beginning at the W $\frac{1}{4}$ corner of said Section 1;
Thence East along the east-west midsection line of said Section 1 a distance of 453.0 feet;
Thence North a distance of 801 feet to a point on the center line of the Burley Irrigation District Third Lift Canal;
Thence South 49°22' West along the center line of the Third Lift Canal a distance of 592.7 feet to a point on the West section line of Section 1;
Thence South along the West section line of said Section 1 a distance of 415 feet to the Point of Beginning.

PARCEL NO. 4:

**TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 36: Part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 36;
Thence North along section line for 341.95 feet to the True Point of Beginning, said point lying on the South bank of Marsh Creek;
Thence North along section line for 133.73 feet to a point;
Thence East for 147.58 feet to a point;
Thence South for 157.54 feet to a point on the South bank of Marsh Creek;
Thence North 80°50' West along the South bank of Marsh Creek for 149.49 feet to the True Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Water Adjudication Numbers

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

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Taxes subsequent to the year 1997.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

Right of Way Contract from Robert S. Larsen and Georgia Larsen, his wife, to Pacific Northwest pipeline Corporation, a Delaware corporation, dated September 14, 1955 and recorded October 12, 1955, as Instrument No. 187668, in Book 9 of Bills of Sale and Agreements, on pages 243 and 244, records of Cassia County, Idaho.

Transmission Line Easement from Melvin Larson and Melba Larson, husband and wife and Kenneth D. Peterson, also known as Kenneth David Peterson and Shirley J. Peterson, husband and wife to the United States of America, dated April 12, 1968 and recorded June 7, 1969 as Instrument No. 41227 on Film 56, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 29, 1997

TURNER FAMILY TRUST UTA NOVEMBER
10, 1997

By: Bruce B. Turner
Bruce B. Turner, Trustee

By: Jay Darrington
Jay Darrington, Trustee

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 10th day of December, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared **BRUCE B. TURNER** and **JAY DARRINGTON**, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of the Turner Family Trust UTA November 10, 1997, and acknowledged to me that they executed the same as such Trustees.

LARRY ROBERTS
★ NOTARY PUBLIC ★
STATE OF IDAHO

REMOVED BY BURLEY, ID
BY CHANDLER CUPPES

Larry Roberts
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-03

MICROFILMED

MAR 11 1999

On this 29th day of December, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared **BRUCE B. TURNER** and **JAY DARRINGTON**, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of the Turner Family Trust DTA November 10, 1997, and acknowledged to me that they executed the same as such Trustees.

[Signature]
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-03

LARRY ROBERTS
★ NOTARY PUBLIC ★
STATE OF IDAHO

REMOVED AT BURLEY, ID
BY COMMISSION EXPIRES

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILM 294

1997 DEC 30 P 3 40

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

FEE 100 DEPUTY [Signature]

252881

MICROFILMED

MAR 11 1999

**MEMORANDUM AGREEMENT FOR SALE OF REAL
AND PERSONAL PROPERTY, SECURITY AGREEMENT,
LEASE AND OPTION TO PURCHASE**

THIS AGREEMENT entered into this ___ day of September 1997, by and between Bruce B. Turner and Lila H. Turner, as the sole members of B&L Holding, L.L.C., 883 East 500 South, Declo, Idaho 83323, referred to herein as "Seller"; and, Mark L. Darrington and Verla Darrington, husband and wife, 870 East 475 South, Declo, Idaho 83323, herein referred to as "Buyer".

WITNESSETH:

WHEREAS, Seller owns certain real and personal property located in Cassia County, Idaho, and Buyer desires to purchase same; and,

WHEREAS, Seller is also willing to lease certain land to Buyer on certain terms and conditions; and,

WHEREAS, Seller is willing to give Buyer an option to purchase the said leased land under other contingent terms and conditions; and,

WHEREAS, the parties wish to memorialize their understandings.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained and for other good and valuable consideration, receipt of which is acknowledged by all parties, it is agreed as follows:

1. **PURCHASE PRICE.** The purchase price is FIVE HUNDRED AND THIRTY THOUSAND AND SIX HUNDRED DOLLARS (\$530,600.00). All of the purchase price is to be paid to Seller on the terms below set forth.

MEMORANDUM AGREEMENT - 1 MICROFILMED
C:\REAL\EST\Turner-Darrington\AGREEMENT

MAR 11 1999

- B. Warrant marketable or merchantable title to Buyer of any property identified by Buyer to effect any trade or exchange. Any cost associated with such acquisition shall be the sole cost of Buyer.
- C. Be obligated to pay any costs of acquisition of the exchange property by Seller from Seller's own funds, credit or resources.
- D. Warrant that any transactions contemplated by the parties hereunder do in fact qualify for Buyer as a tax free like-kind exchange of properties as contemplated under Section 1031 of the Internal Revenue Code or otherwise.

Should Seller elect to make this sale a portion or all of the subject property as a like-kind exchange pursuant to Section 1031 of the Internal Revenue Code or otherwise, Buyer will also cooperate on the same terms and conditions.

5. WATER RIGHTS AND WELL AND EASEMENTS. Seller does also

Buyer all of the water rights and water licenses for water rights appurtenant to the real property described in Exhibit "B". There is a well located at Marsh Creek on property not contiguous to the real property described on Exhibit "B", but, which provides water for use on such property. The land upon which well is located is described on Exhibit "B-1" and the land and well are also herewith sold as well as the pump and other appurtenances to the well. Seller agrees to also assign Seller's interest in any and all easements that are used to allow water to be carried from the said well to the land acquired hereunder. Such easements are described on Exhibit "B-2". Seller will further assign water licenses 45-07249 (with a priority date of November 8, 1975) and 45-07551 (with a priority date of July 26, 1983) to Buyer and all rights "excess water" for 100 acres to which Seller has a right from the Burley Irrigation District.

MEMORANDUM AGREEMENT - 4

URKALESTTorne-Harr.ACM2.wpd

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MAR 11 1999

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07551

Priority: July 26, 1983

Maximum Diversion Rate: 0.60 CFS
Maximum Diversion Volume: 120.0 AF

This is to certify, that BRUCE B TURNER
WATER CANYON NO 13
DECLO ID 83323

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 19, 1983; and has submitted Proof of Beneficial Use on January 8, 1992. An examination indicates that the works have a diversion capacity of 5.470 cfs of water from a GROUNDWATER 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	04/01 to 10/31	0.60 CFS	120.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 36, Township 10S, Range 24E
CASSIA County

<u>PLACE OF USE:</u> IRRIGATION		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>				
11S	24E	1	Lot 4(NWNW)	7	SWNW 23	30
Total number of acres irrigated:						30

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 authorized by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use to implement accepted standards of diversion and beneficial use.
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.
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. This right uses the same well as Rights 45-07249 and 45-07501 and when combined with those rights shall not exceed a diversion rate of 5.47 cfs.

MINIDOKU
FEB 15 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07551

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 10TH
day of FEBRUARY, 1995.

Acting for


R. Keith Higginson, Director



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FEB 15 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 45-07551)
IN THE NAME OF BRUCE B. TURNER) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before January 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

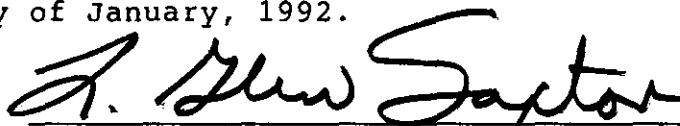
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 8, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 45-07551 be REINSTATED with an advance in priority to July 26, 1983.

Dated this 13th day of January, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

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JAN 23 1992

OFFICE USE ONLY
Amt. of Fee \$ 100
Date 1/8/92
Receipt No. 5014044
Receipt by [Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JAN 08 1992

PROOF OF BENEFICIAL USE

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

1. Permit No. 45-7551 Telephone No. 654-2616
2. Name(s) of Permit Holder(s): Bruce B. Turner
3. Mailing Address: Water Canyon No 13 Declo, ID 83323
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Couch Date Drilled: 1981

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 30 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.6 cfs OR _____ acre/feet

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

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

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

8. Fee Enclosed: \$ 100 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name Same as above or Lament Turner Telephone No. 654-2569

Address _____

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

Date 1/8/91 Signature (and title, if on behalf of a company or organization) Bruce B. Turner

JAN 23 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

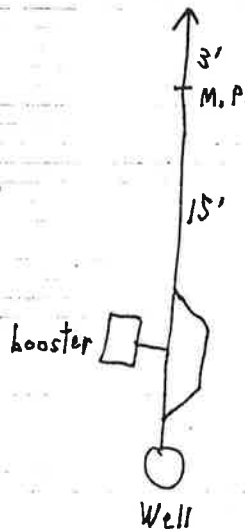
1. Owner: Bruce Turner Permit No. 45-7249
Current Address: Water Canyon #13, Declo, ID 83323 Phone No. 654-2590
2. Accompanied by: Mr. Turner EXAM. DATE: 8-29-89
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: 45-7501 ☐ 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



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

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

Well, motor, pump, booster pump, mainline $\frac{3}{4}$ mile to 2 booster pumps (large booster runs when system is fully on, smaller booster runs when only part of system is in use). Boosters move water to any part of Sec. 1 lands as needed; system can't be separated into 2 separate parts with separate flow rates. Pivot sprinklers & handlines.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Main pump	GE	300	CTJ304147	Aurora	382 70232
Booster at Well	U.S. Motors	60	E211P/2 P329R072M	"	88-C4196
Booster on Land	"	60	R-9420-02-054M	"	1-15073-1
" "	Marathon	100	93219-12/22-3	Cornell	36068

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

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

Ident. No.	Gov't. Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	NW	36	105	24E	Cassia	

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

Indicate Method of Determination

Twp.	Rge.	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
115	24E	36					39		40	40	39	34	35						248 227
							43												

Do not use this space

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D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

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

2. Measurements:

Measured 5.47 cfs, Allow ^{4.54} ~~4.8~~ cfs (²²⁷ ~~240~~ gcs, x .02 cfs/gc.)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 40 psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ ²²⁷ ~~240~~ x 4 = 908 AFA

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ ^{4.54} ~~4.8~~ x 245 x 1.9835 = ~~2333~~ 2206.2

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ 908 AFA

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Mr. Turner purchased 29 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 1 since permit was approved. Parts of original land (pivot corners) are not being watered, so permit can be amended to add the new land. When both permits are amended, 48 acres in NW $\frac{1}{4}$ NW Sec. 1 will still be without a water right. The 4 acres are irrigated with this system. System averages $\frac{3}{4}$ " of water per acre for 260 acres. Not to exceed 5.47 cfs when combined with 45-7501. Since new land is covered by App. for permit 45-7551 & Adjudication Claim A45-10921, recommend license be issued only on the irrigated portion of the original tract.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	~~4.8~~ 4.54	~~260~~ 908
Totals:			~~4.8~~ 4.54	908

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

J. E. Stanton

Signature

J. E. Stanton

Certification Date

~~8-31-88~~ 4-17-90

Field Report Preparation Date

CONSULTANT SEAL

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

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

Measured by: J.E. Stanton Date 8-29-89
Owner: Bruce Turner Permit No. 45-7249, 45-7501

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 = 44 1/4"
T = Pipe Thickness in Inches = 1/4"
ID = 2 [(0.1592 X CIR) - T] = ... 13.59

ANNUBAR DESCRIPTION & CONSTANT (C)
Size Used in Test 13.25
State ID No. 1438

Select C based on size from Table below.

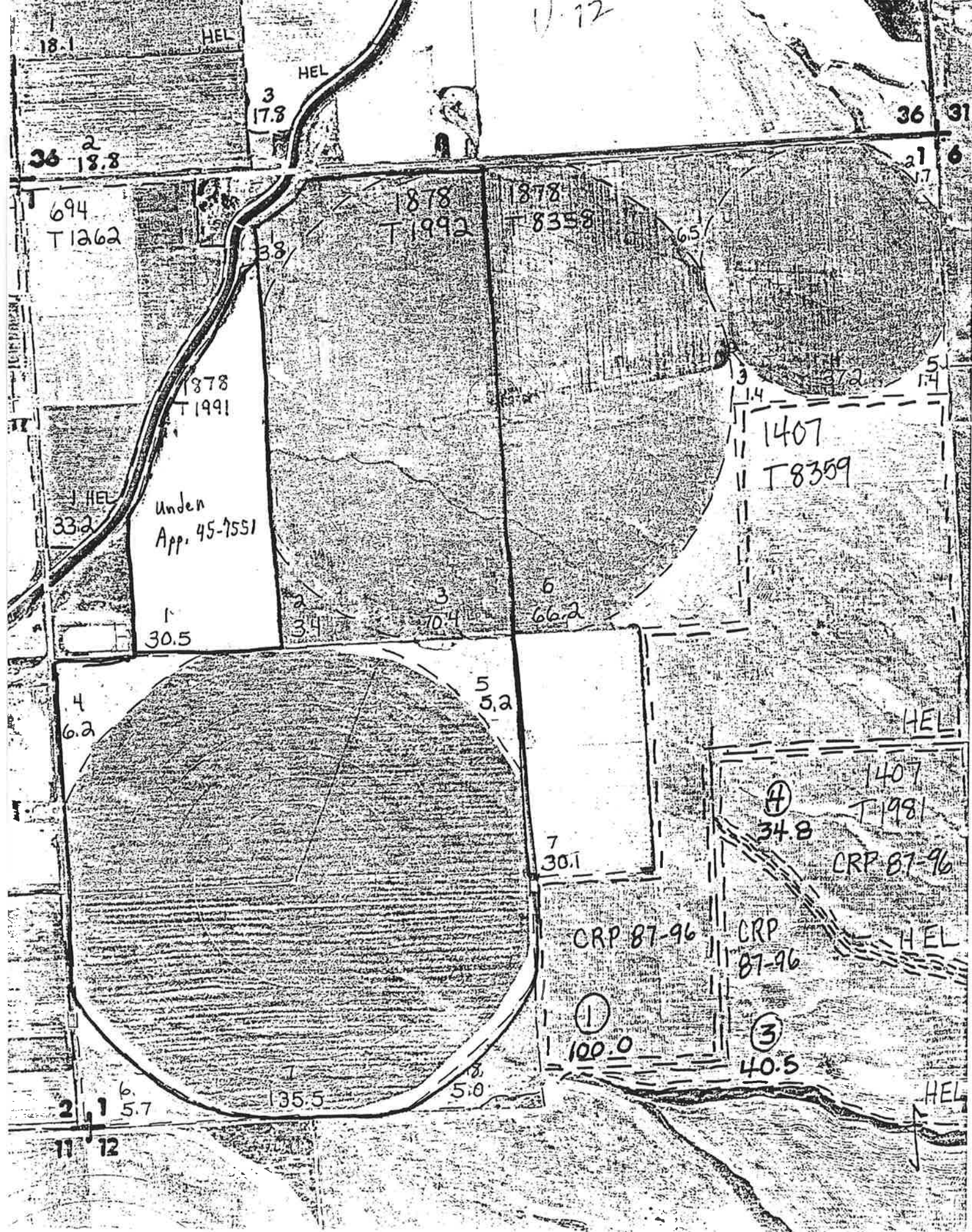
Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

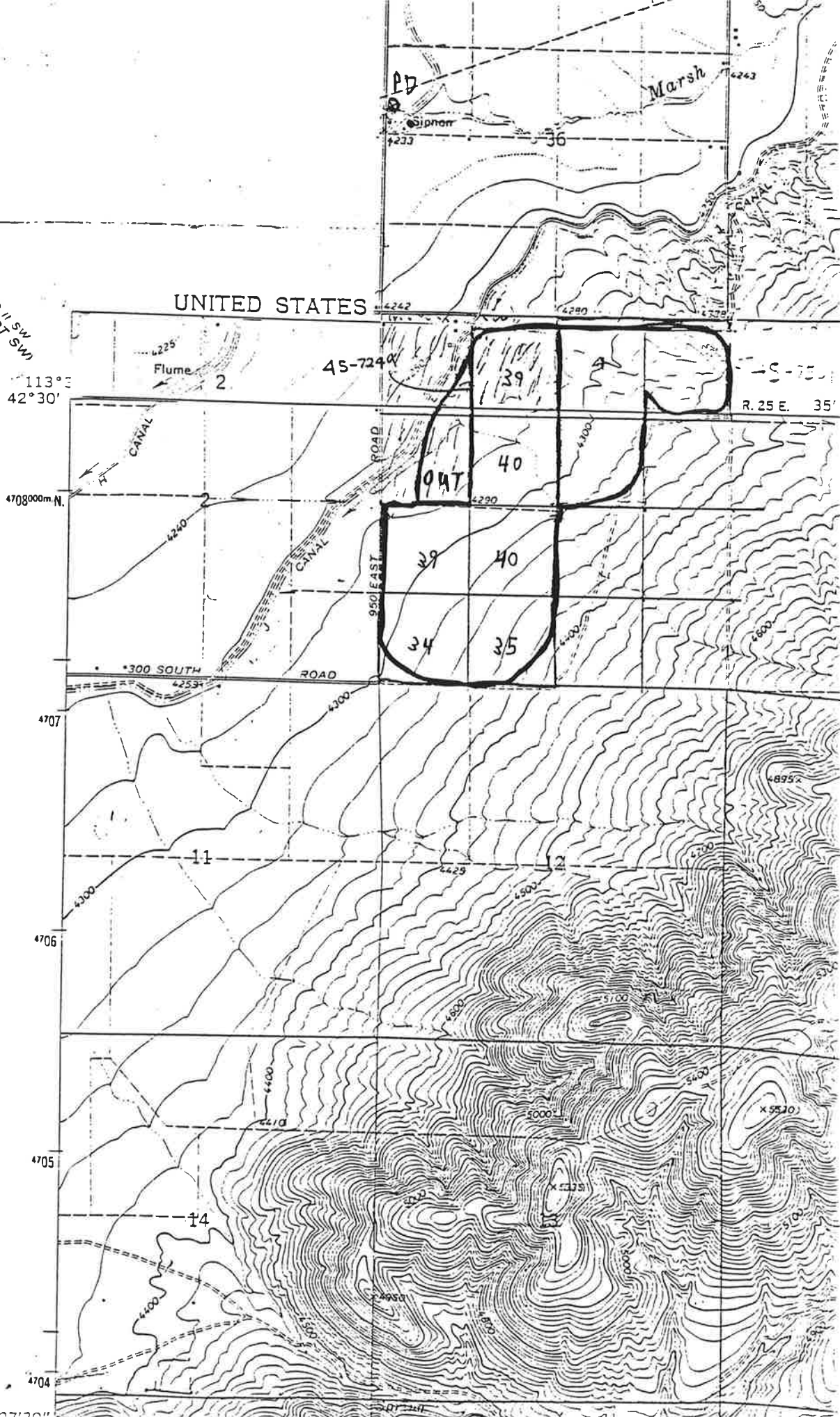
C selected 4.01

DIFFERENTIAL PRESSURE READING IN INCHES OF H2O (H)
High Reading = 2448.0 25.0
Low Reading = 1324.0 14.0
High - Low = H = ... 11.0

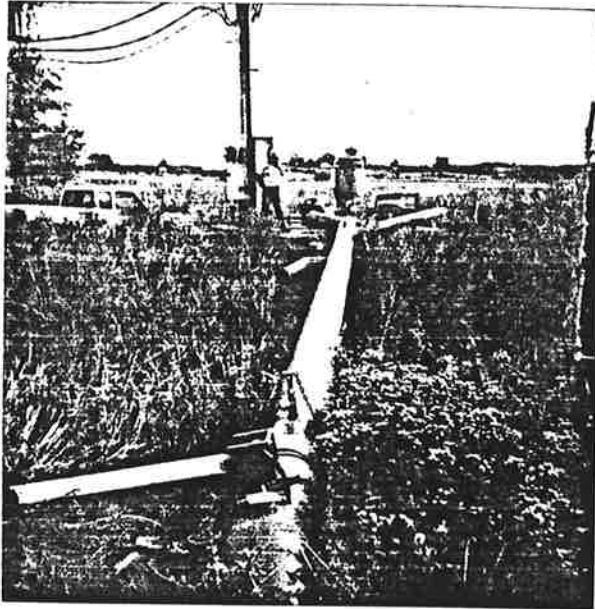
CALCULATION OF DISCHARGE IN CFS (Q)
 $Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$
 $Q = \frac{(13.59)^2 \cdot (\sqrt{11}) \cdot (4.01)}{448.8} = \frac{2456 \text{ gpm}}{5.47 \text{ CFS}}$

SKETCH (If not shown on Field Report)

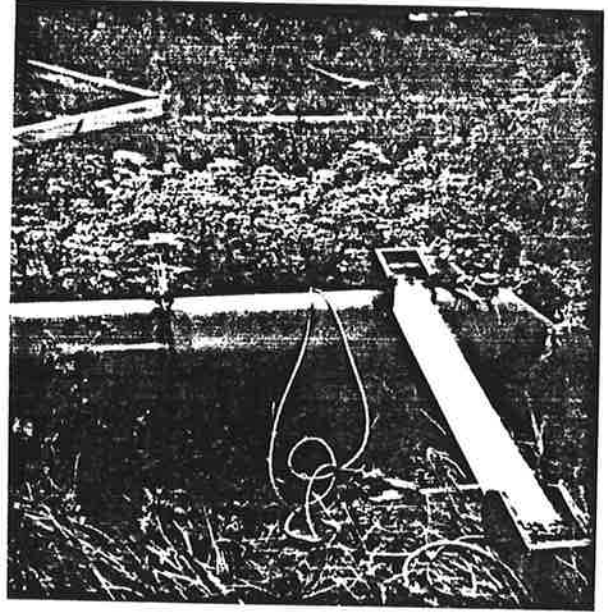




45-7249, 7501

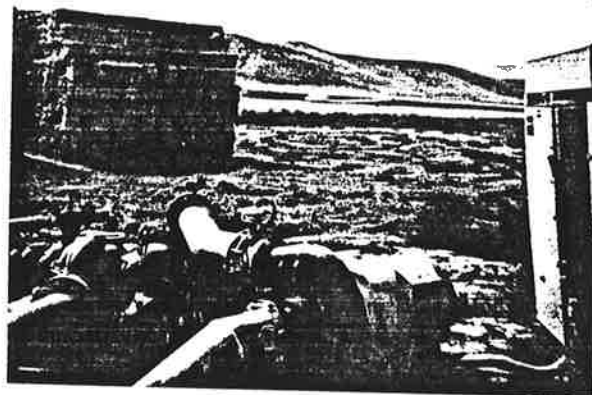
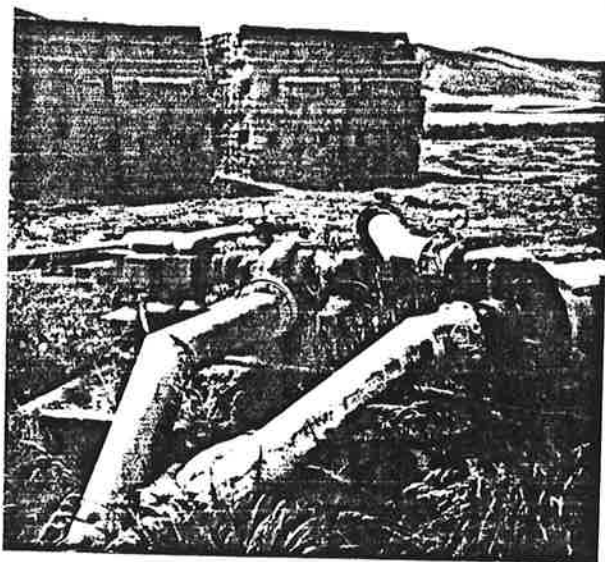


Well pump,
measuring point



Measuring setup

45-7249, 7501



Booster Pump & P/U

NO. 45-07551

Proposed Priority: July 19, 1983 Maximum Diversion Rate: 0.60 CFS
This is to certify, that BRUCE B. TURNER
WATER CANYON NO. 13
DECLO, ID 83323
has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
----------------	---------------	-------------------

IRRIGATION	03/15 to 11/15	0.60 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWNW Sec. 36, Township 10S, Range 24E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	24E	1	7	23		30

Total number of acres irrigated: 30

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1992.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

11 th day of January, 1991

for J. Glen Sauter
R. Keith Higginson, Director

MICROFILMED

JAN 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Bruce B. Turner Phone 654-2616

Post office address Water Canyon #13, Declo, ID 83323

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 10S

Range 24E B.M. Cassia County, additional points of diversion if any: _____

~~NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1 T. 11S R. 24E *~~

4. Water will be used for the following purposes:

* 0.60

Amount 3.0 cfs for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated: * Per telecon w/applicant 9-1-89

a. * 3.0 .60 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. * 1
Two existing wells & pumps

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

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

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is * 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

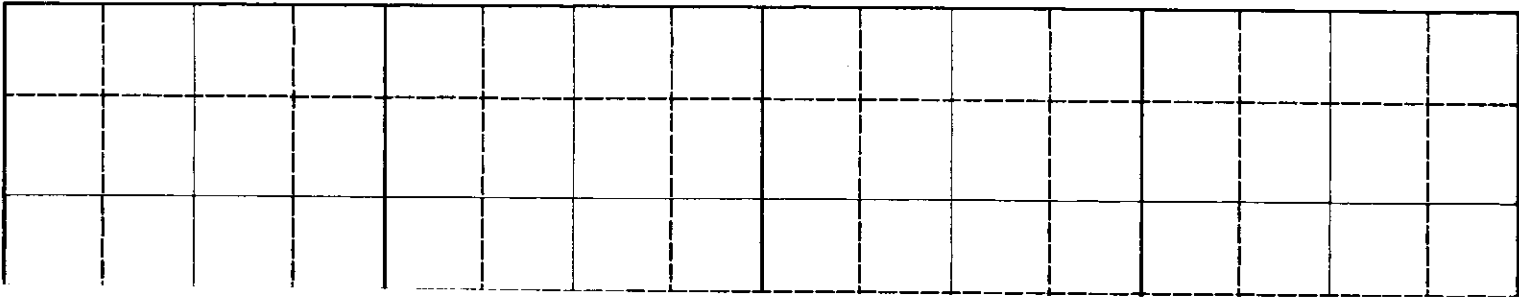
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

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

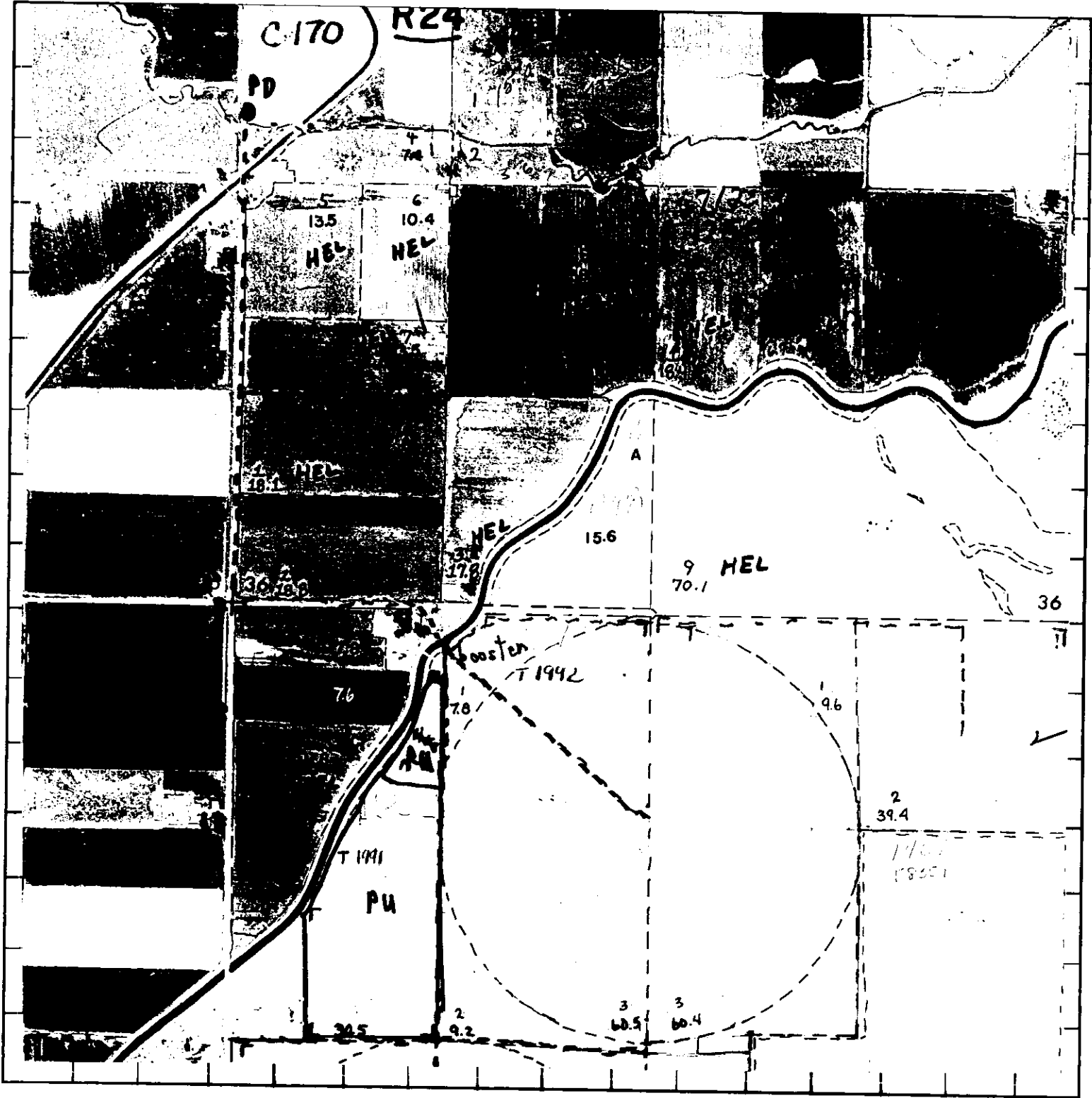
RECORDED

JAN 28 1991

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



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



Scale: 2 inches equal 1 mile.

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

runner
(Applicant)

JAN 28 1931

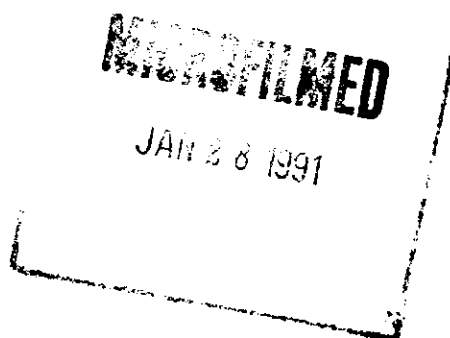
Received by JP Date 7-19-83 Time 11:45 am
Preliminary check by AF Fee \$ 85⁰⁰
Receipted by JP Date 7-19-83 # 32820
Publication prepared by M. Baldwin Date 7/23/90
Published in So. Id. Press
Publication dates 5/3 - 5/10/90
Publication approved M. Baldwin Date 7/16/90
Protests filed by: _____

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. Other:





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 5, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK L DARRINGTON
VERLA DARRINGTON
887 E 500 S
DECLO ID 83323

RE: Water Right 45-07551

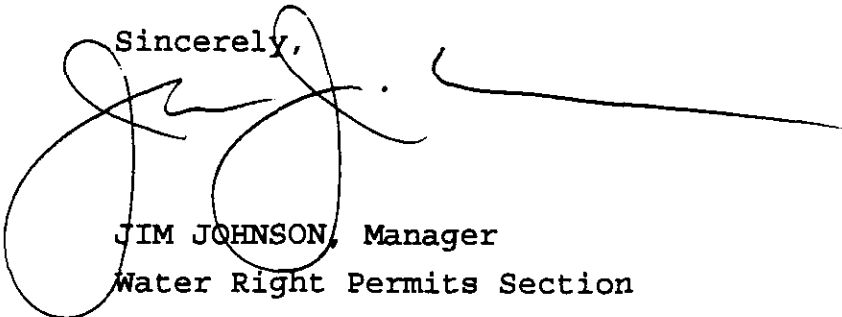
Dear Mr. & Mrs. Darrington:

The Department is in receipt of the correspondence changing 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

Enclosures

MICROFILMED
MAR 11 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 13, 1995

BRUCE B TURNER
WATER CANYON NO 13
DECLO ID 83323

RE: WATER RIGHT NO. 45-07551

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

FEB 15 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 15 1994
Department of Water Resources

A. GENERAL INFORMATION

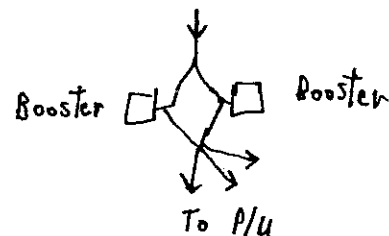
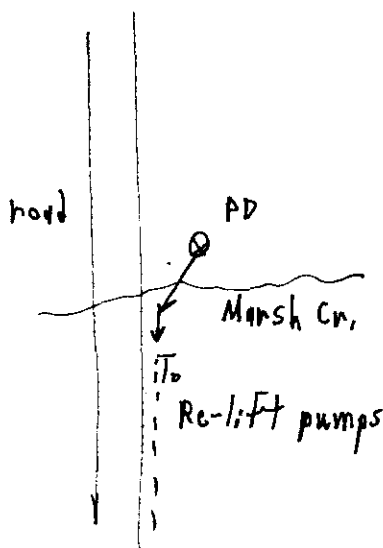
Permit No. 45-07551
1. Owner: Bruce B. Turner Phone No. 654-2616
Current Address: Water Canyon #13, Declo, ID 83323
2. Accompanied by: Mr. Turner EXAM. DATE: 6-2-93
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 45-07501, 7249
_____ ☐ 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



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☒ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

RECEIVED
FEB 15 1995

System Description (continued)

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

Well, motor, pump, mainline $\frac{3}{4}$ mile to two re-lift pumps. One wheel line & two hand-lines (45 $\frac{1}{2}$ " nozzles) at 70 psi. Water level in well $\approx$ 250'.
Booster at well has been disconnected - was not worth the operating cost.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Main Pump	GE	300	CTJ 304147	Aurora	327-0232
Re-lift pump	U.S. Motors	60	R-9420-02-054-M	"	81-15037-1
"	Marathon	125	93219-12/22-3	Cornell	36068

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

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

Ident. No.	Gov't. Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	NW	36	10S	24E	Cassia	

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

Indicate Method of Determination

Twp.	Rge.	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	24E	1						7	23										30
								17											

Do not use this space

FEB 15 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured. For this P/U. Well capacity measured under previous exqm.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

45 nozzles x 6.82 gpm = 306.9 gpm = 0.68 cfs Allow 0.60 cfs permitted

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 30 \times 4 = 120$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 254.7$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 120 \text{ AFA}$

2. Volume Calculations for Other Uses:

RECEIVED
FEB 15 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

System was measured at 5.47 cfs, not to exceed this amount when combined with 45-07249 & 45-07501. Measurement was done in 1989 during licensing exam for these other permits (copy attached).

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	0.60	120
Totals:			0.60	120

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

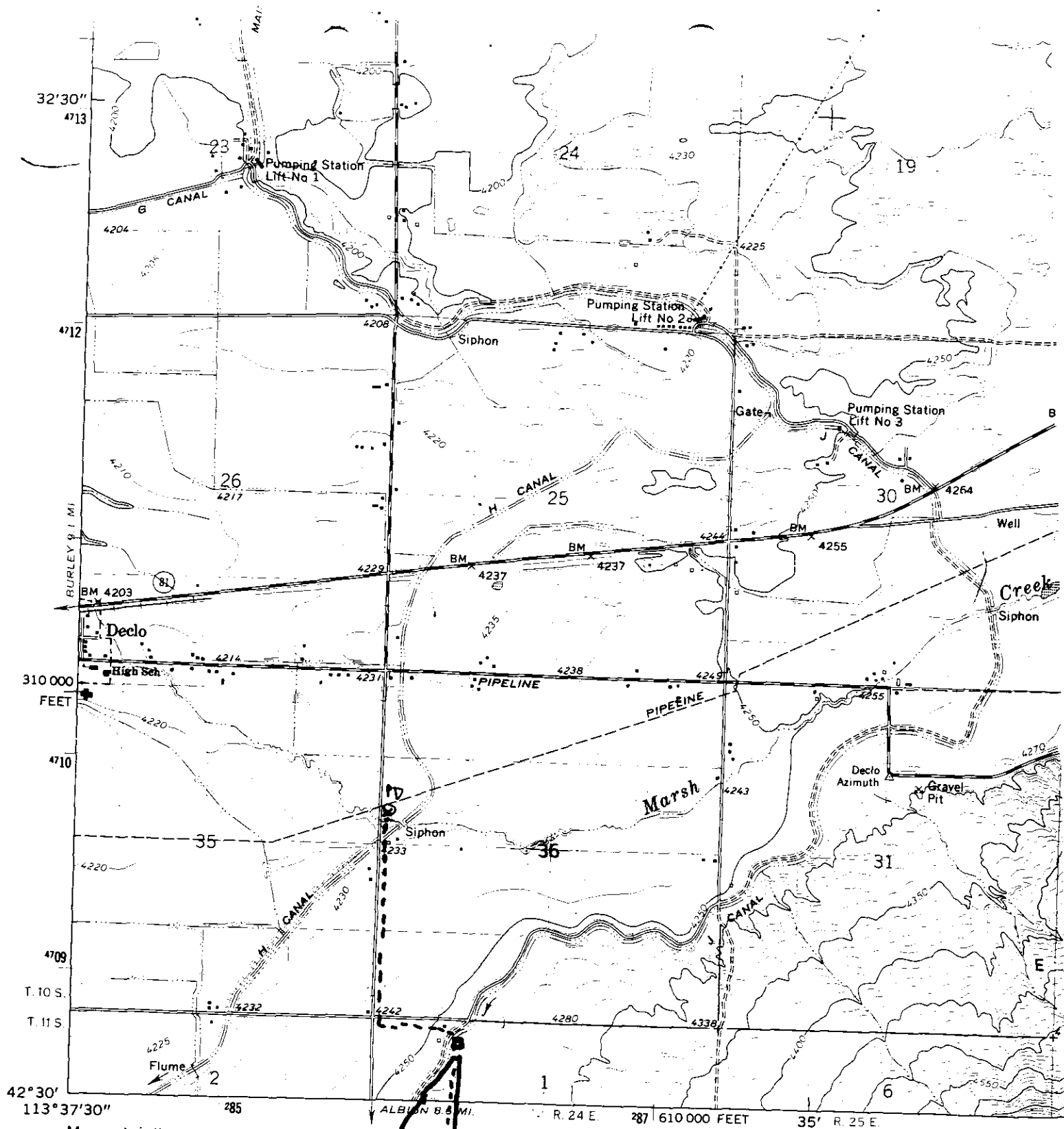
Field Examiner's Name J. E. Stanton
Signature J. E. Stanton
Certification Date _____
Field Report Preparation Date 6-8-93

CONSULTANT SEAL

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

FILED

FEB 15 1995



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1962. Field checked 1964

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system, central zone
1000-meter Universal Transverse Mercator grid ticks, zone 12, shown in blue

Fine red dashed lines indicate selected fence lines

Revisions shown in purple compiled from aerial photographs taken 1976 and other source data. This information not field checked. Map edited 1978

UTM GRID AND 1978 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

THIS MAP COMPILED
FOR SALE BY U. S. GEOLOGICAL SURVEY
A FOLDER DESCRIBING TOPOGRAPHY

45-7551

P/D

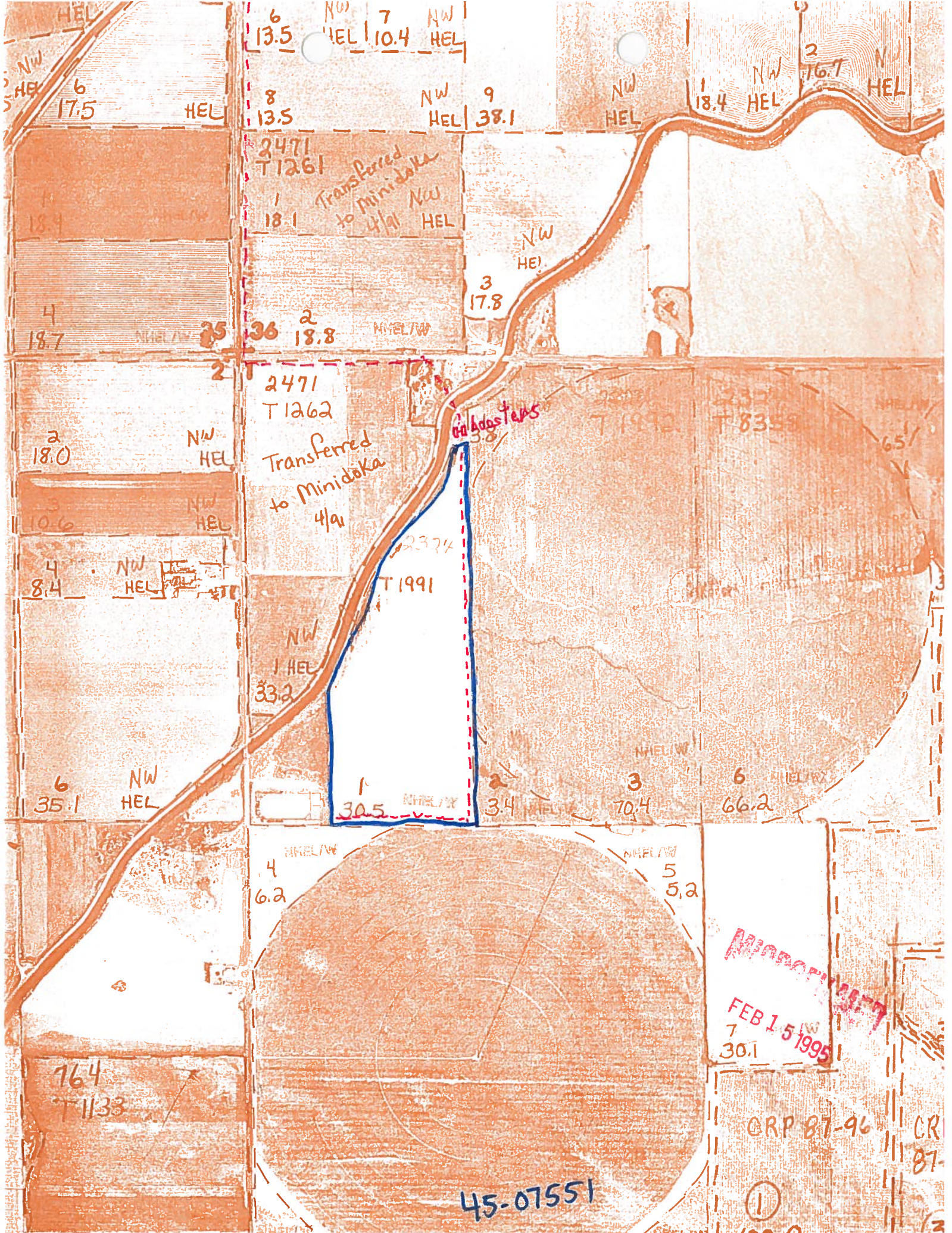


Re-lift Pumps
P/U in Background



Re-lift Pumps
(Different View)

WIPAC
FEB 15 1995



6 NW 13.5
HEL 10.4 NW 1
HEL

8 NW 13.5
HEL 9 NW 38.1
HEL

1 NW 18.4
HEL 2 NW 16.7
HEL

2471
T1261
18.1
Transferred to Minidoka 4/91
NW HEL

2 36 18.8
NW HEL/W

2471
T1262
Transferred to Minidoka 4/91
NW HEL

2324
T1991
NW HEL
332

1 30.5
NW HEL/W

2 3.4
NW HEL/W

3 70.4
NW HEL/W

6 66.2
NW HEL/W

4 6.2
NW HEL/W

5 5.2
NW HEL/W

Minneapolis
FEB 15 1995
7 30.1

CRP 87-96 CR
87

45-07551

①

January 15, 1992

BRUCE B. TURNER
WATER CANYON NO. 13
DECLO ID 83323

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07551

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED
JAN 23 1992

To whom it may concern
When Proof of Beneficial use notice was
sent to my home address my wife & I
were out of town for 3 months plus.
The acreage in question has been watered
since 1984.

Bruce B. Turner

RECEIVED

JAN 08 1992

Department of Water Resources
Southern Region Office

MICROFILMED

JAN 23 1992

Sent to S.O. 2-15-80
ST

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 9-6-89

TO File

SUBJECT Application 45-7551, Bruce Turner

On 8-29-89, I did a licensing exam on the water system represented by this application (the application is the third filing on this system). A total of 365 acres is presently being irrigated with one well. Mr. Turner stated that the system was completely in use before October 1 of 1984. About 30 acres of this permit is irrigated, and Mr. Turner stated that he does not plan to irrigate any more of the 150 acres in this application. So we should be able to process this application under the Swan Falls agreement. Tim Luke has agreed.

JS

SIGNATURE

JAN 23 1992

January 6, 1992

BRUCE B. TURNER
WATER CANYON NO. 13
DECLO ID 83323

LAPSE NOTICE

RE: PERMIT NO. 45-07551

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated October 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1/6/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

LGS

JAN 23 1992

BRUCE B. TURNER
WATER CANYON NO. 13
DECLO ID 83323

138175
October 31, 1991

PROOF DUE NOTICE

RE: PERMIT NO. 45-07551

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 January 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Nina Shields
Secretary/Records Manager

Enclosures

RECEIVED

JAN 23 1992



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

January 16, 1991

BRUCE B. TURNER
WATER CANYON NO. 13
DECLO, ID 83323

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 45-07551

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

FILED

JAN 16 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED

MAY 18 1981

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

Jody Johnson being first
duly sworn, deposes and says that she
is the owner of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated may 3 19 90, and
ending with the issue dated may 10,
19 90. Jody Johnson

STATE OF IDAHO
COUNTY OF Cassia }

On this 10 day of July in the year of 1990, before me,
a Notary Public, personally appeared Jody Johnson,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Dolores Mahoney
Notary Public for Idaho
Residing at Burley ID
My commission expires: 2/4/93

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

OK
mb
7/14/90
FILMED

JAN 20 1991

RECEIVED

JUL 16 1990

Department of Water Resources
Southern Region Office

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

45-07551

TURNER, BRUCE B.

WATER CANYON NO. 13

DECLD, ID 83323

Source: GROUNDWATER

Diversion Pt: SWNW Sec 36 T 10S R 24E

Use: IRRIGATION (.600 CFS)

Total Diversion: (.600 CFS)

Date Filed: 7/19/1983

In: T11S R24E S01 NWNW SWNW

30.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests must be filled with
the Director, Dept. of Water Resources,
Southern Region, 222 Shoshone Street East,
Twin Falls, Idaho 83301 on or before MAY
21, 1990.

/s/ R. KEITH HIGGINSON, Director
Published in the South Idaho Press on May
3 and 10, 1990.

SOUTH IDAHO PRESS**BURLEY, IDAHO****AFFIDAVIT OF PUBLICATION**

County of Cassia, }
STATE OF IDAHO }

ss.

2000 / 7 / 1990 being first
duly sworn, deposes and says that
is the of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for
consecutive weeks, commencing with the
issue dated 19 , and
ending with the issue dated ,
19 .

STATE OF IDAHO }
COUNTY OF }

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

Dolores Mahony
Notary Public for Idaho

Residing at Burley IDMy commission expires: 7/4/93Cost of Publication: Notary Fee: Total Cost:

OK
MB
7/16/90

RECEIVED

JUL 16 1990

Department of Water Resources
Southern Region Office

45-07551

TURNER, BRUCE B.
WATER CANYON NO. 13
DECLO, ID 83323

Source: GROUNDWATER

Diversion Pt: SWNW Sec 36 T 10S R 24E

Use: IRRIGATION (.600 CFS)
 Total Diversion: (.600 CFS)

Date Filed: 7/19/ 1983

In: T11S R24E S01 NWNW SWNW

30.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before MAY 21, 1990.

R. KEITH HIGGINSON, Director

Published 5/ 3/1990 & 5/10/1990

5/10/1990

24-Apr-1990

BRUCE B. TURNER
WATER CANYON #13
DECLO ID 83323

Re: Application for Permit No. 45-07551

Dear Applicant (s):

On March 25, 1988 the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application.

This office will be advertising the application in the South Idaho Press on 5/3 & 5/10/90. A period of ten days after the last publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

MICROFILMED

JAN 8 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)734-3578

APRIL 23, 1990

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 21, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED

FROM *Tim Luke*
 TO *Southern/ MARY B*
 SUBJECT *App 45-7551*

RECEIVED

DATE *3-22-90*

MAR 22 1990

Southern Region Office

*Application is exempt from first water processing water
 on evidence of prior development. P/L Adjusted
 as routine filing.*

RECEIVED

Thank -

MAR 26 1990

Department of Water Resources
 Southern Region Office

MAR 27 1990

Tim

SIGNATURE

MEMORANDUM

TO: FILE/APPLICATION NO. 45-7551

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 3-22-90

=====

The applicant, Bruse Turner, phoned me today in response to the questionnaire he recently received. Mr. Turner informed me that the 30 acres described under the amended application have been irrigated since 1983, the same year he filed the application.

The Department's remote sensing report has the land under this application classified as irrigated in 1986. The only other available data at the Department is a 1976 orthophoto. The 30 acres do not appear to be irrigated at that time.

Based on the available data at the Department and the applicant's statement that the lands were irrigated in 1983, I recommend that the Department accept the applicants claim of prior development and exempt the application from the review requirements of Section 42-203C. The application will be returned to the region for advertising and routine processing. Trust conditions are not applicable.

RECEIVED
MAR 23 1991

PLACE OF USE 1/4 1/4 OVERLAP REPORT

03/22/90

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	
4507551																							
0100219	U.S. DEPT. OF INTERIOR	D	SNAKE RIVER	11S	24E	1																	
4507249	TURNER	P	GROUNDWATER	11S	24E	1						40		40		40	40	40	40		240		
4507501	TURNER	P	GROUNDWATER	11S	24E	1	40	40	40												120		
4507551	TURNER	A	GROUNDWATER	11S	24E	1			40			20	20							40-40	150-200		
4507581	TURNER	A	MARSH CREEK	11S	24E	1			40	40			22	40		40	39	39	40		380		
	1986 MAPPING DATA	---	COUNTY 31 QUAD BB 80	11S	24E	1			38	39			37	37		40	38	39	39		462		

↓
Lot 4

PAGE: 1

PLACE OF USE LOTS OVERLAP REPORT

03/22/90

WR-NUMBER	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	LOT	+	SUM
4507551	T11S	R24E	S 1																
4507581	1L40	2L40			:	3L38	4L8		:				:						126
31 MAPPING:	1L38	2L39	3L41	4L42															160

JAN 28 1991

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 20, 1990

RE: APPLICATION FOR PERMIT NO. 45-7551

Dear APPLICANT:

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

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

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

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

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

MICROFILMED

JAN 28 1991

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 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

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

cc: Region

RECEIVED

JAN 16 1991

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 9-6-89

TO File

SUBJECT Application 45-7551, Bruce Turner

On 8-29-89, I did a licensing exam on the water system represented by this application (the application is the third filing on this system). A total of 365 acres is presently being irrigated with one well. Mr. Turner stated that the system was completely in use before October 1 of 1984. About 30 acres of this permit is irrigated, and Mr. Turner stated that he does not plan to irrigate any more of the 150 acres in this application. So we should be able to process this application under the Swan Falls agreement. Tim Luke has agreed.

INDEXED

JAN 28 1991



SIGNATURE