

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	45-07479	Waymon Yarbrough	2.00
Full Assignment	45-07479	Harry W Fitzgerald Edith L Fitzgerald	2.00

MICROFILMED

JUN 25 1992

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JUL 09 1992

STATE OF IDAHO

JUL 09 1992

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Department of Water Resources

Southern Region Office

Southern Region Office

ASSIGNMENT OF APPLICATION FOR PERMIT

I, WAYMON HARBROUGH, hereby assign to HARRY W. OR EDITH L. FITZGERALD
of, RT. 3 Box 256 Rupert, Idaho 83350
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 45-7479 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 5th day of JUNE, 1992

Waymon Harbrough
Applicant

State of Idaho)

County of CASSIA)
ss

On this 5th day of JUNE, 1992, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Richard S. Harper
Notary Public

seal

Burley, Idaho

My commission expires: 2/20/98

45-7479

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUN 10 1992

Department of Water Resources
Southeast Region Office

ASSIGNMENT OF APPLICATION FOR PERMIT

I, WAYMON LARBOUGH, hereby assign to Harry W. or Edith L. Fitzgerald
of, Rt. 3 Box 256 Rupert, Idaho 83350
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 45-7479 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

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Applicant

State of Idaho)
County of CASSIA) ss

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Notary Public

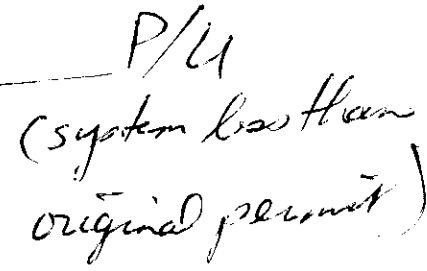
seal

Burley, Idaho

MICROFILMED

My commission expires: 2/20/98

JUN 25 1992



T. 12 S., R. 25 E., B.M.

4/86

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 FEE Received by AS
Date 9/24/90
Receipt # 5012692

SEP 24 1990

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Southern Region OfficeTo provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 45-07479

Name(s) of Permit Holder:

Waymon Garbrough

Post Office Address:

P.O. Box 513, Albion, Ida 83311

Telephone No.

623-6621

Date Proof is Due:

Oct 1, 1990

Describe what work has been completed toward the development of this water right:

Well,

(This must be filled out! If no work has been completed, show "none".)

Costing \$

3500

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

do to illness I have been unable to complete
and do plan to finish development.

Permit holder(s) request an extension to

Oct 1, 1992
(1 yr. minimum)

(Signature)*

Waymon Garbrough

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1992.

Signed this 28th day of November, 19 90.

J. Dan Saxton
Chief, Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT
NO. 45-7479 IN THE NAME
OF WAYMON YARBROUGH

)
)
)
)
)

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. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.

2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.

3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.

4. Permit No. 45-7479 (permit) was issued to Waymon Yarbrough (permit holder) authorizing the diversion of 2.0 cfs of groundwater for irrigation of 100 acres.

5. IDWR records show that 92 acres authorized to be irrigated under Permit No. 45-7479, are irrigated with other water rights protected prior to July 1, 1985.

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AUG 22 1989

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

7. The development and use of groundwater authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 45-7479 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 45-7479 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before October 1, 1990.

2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.

3. The construction of diversion works must be commenced within one (1) year of the date of this order and shall proceed diligently and uninterruptedly to completion unless temporarily interrupted by circumstances over which the permit holder has no control.

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

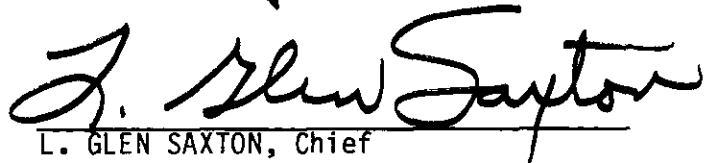
MICROFILMED

AUG 22 1989

5. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

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

Dated this 14th day of August, 1989.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

AUG 22 1989

4/86

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 FEE Received by M. Beldan
Date 10/24/86
Receipt # 38784

OCT 24 1986

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Southern Region OfficeTo provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 46-7479Name(s) of Permit Holder: WAYMON YARBROUZZ 6983361Post Office Address: PO BOX 513 ALBION IDAHO 83311Telephone No. 6736621Date Proof is Due: NOV 1 - 1986

Describe what work has been completed toward the development of this water right: 100' WELL +
(This must be filled out! If no work has been completed, show "none".)

CASE + PUMP 200' 6" PUMPCosting \$ 4200.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

MONEY THE FIRST + TIME FROM OUTSIDE WORK

Permit holder(s) request an extension to 4 NOV 1, 1990
(1 yr. minimum) Waymon Yarbrouzz
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of **MICROFILMED** and the time within which to submit proof of beneficial use is extended to October 1, 1990.

AUG 22 1989

Signed this 14th day of August, 19 89.

J. Glen Saxton
Chief, Water Allocations Bureau

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

... Cheryl Blauer being first
duly sworn, deposes and says that she is the

clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two (2)
consecutive weeks, commencing with the issue

dated July 16, 1989 and ending
with the issue dated July 13, 1989

Water Resources Cheryl Blauer

STATE OF IDAHO

COUNTY OF

On this 25th day of July in the year of 1989, before me,
a Notary Public, personally appeared Cheryl Blauer,
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.

Mary Brundage
Notary Public for Idaho
Residing at Burley, Idaho
My commission expires: 2-1-94

Cost of Publication 29.76
Notary Fee 30
Total Cost 30.26

MICROFILMED

AUG 22 1989

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

..... being first

duly sworn, deposes and says that....he 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.

Notary Public for Idaho

Residing at _____

My commission expires: _____

Cost of Publication

Notary Fee

Total Cost

89-346

**NOTICE OF EXISTING
WATER RIGHT PERMIT
PERMIT NO. 45-7479**

Presently Recorded as Follows:

Name: WAYMON YARBROUGH

Address: BOX 513, ALBION, ID 83311

Source: GROUNDWATER

Diversion Pt.: NENE SEC. 7 T12S R 25E, CASSIA CO.

Use: IRRIGATION (2.0 CFS)

Priority: SEPTEMBER 11, 1981

Place of Use: NENE S1/2 NE1/4 SEC. 7 T12S R25E

Total Acres: 100

Of the 100 acres described, this permit proposes supplemental supply to 92 acres and full supply to 8 new acres. This permit was not developed 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 July 24, 1989. A protest must overcome the presumption of Water Appropriation Rule 5.2.1.

R. Keith Higginson, Director

Published in the South Idaho Press on July 6 and 13, 1989.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Waymon Yarbrough Phone 698-3361

Post office address General Delivery, Stone, ID 83280

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

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 7 Township 12S

Range 25E B.M. Cassia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0 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:

a. 2.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & pump, sprinklers

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

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

c. Proposed well diameter is 16 inches; proposed depth of well is 400 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: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	25E	7	36		34	30													100

Total number of acres to be irrigated 100

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

decreed right from Land Creek

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

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

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

10. Remarks

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

[illegible]

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.

Waymon Garbrough
(Applicant)

[illegible]

Expedited Priority 9/11/81

Received by JS Date 9-11-81 Time 1:43 pm
Preliminary check by JS Fee \$ 65.00
Receipted by JS Date 9-11-81 # 18758
Publication prepared by marja Date 9/6/81
Published in South Idaho Press
Publication dates 9/24 + 10/1/81
Publication approved marja Date 9/22/81
Protests filed by: None

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

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. 45-7479, and said application is hereby APPROVED.

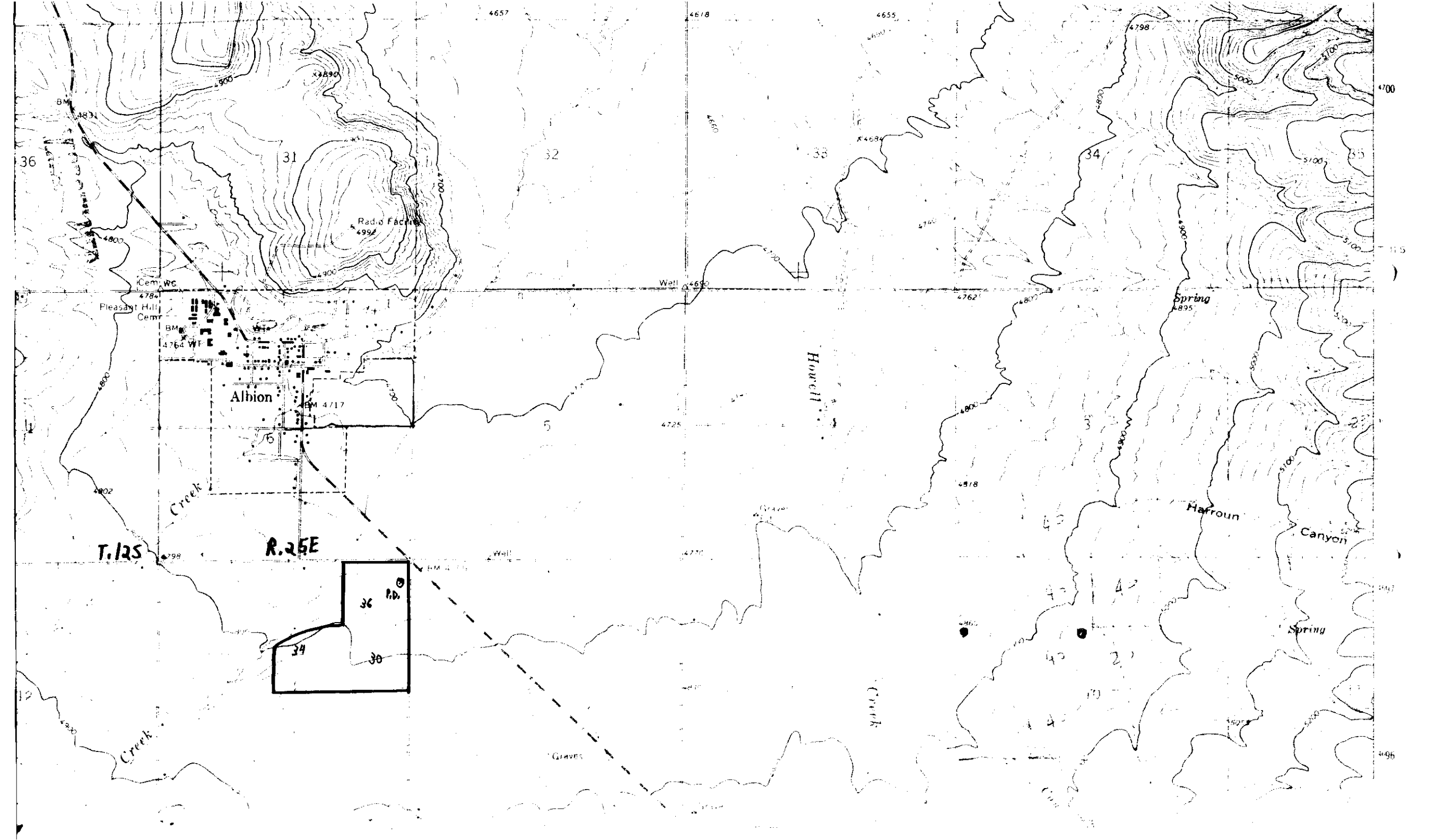
1. Approval of said application is subject to the following limitations and conditions:

- 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 November 1, 19 86.
- 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: 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.

Witness my hand this 4th day of November, 1981.

A. Glen Saylor
Chief Operations Bureau

APPROVED



SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Mary Summer, being first
duly sworn, deposes and says that she is the

Clark of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice 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 Sept 24th 1981, and ending
with the issue dated Oct 1st 1981

Mary Summer
Subscribed and sworn to before me
this 15th day of Oct
1981.

Norma Matheson Notary Public
Cost of Publication 16.90
Notary Fee _____
Total Cost 16.90

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1985.

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OCT 16 1981

Department of Water Resources
Southern District Office

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

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consecutive weeks, commencing with the issue
dated Sept 24th 1981, and ending
with the issue dated Oct 1st, 1981

Mary Summer
Subscribed and sworn to before me
this 15th day of Oct
1981.

W. H. M. [Signature] Notary Public
Cost of Publication 16.90
Notary Fee _____
Total Cost 16.90

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1985.

81-244

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following ap-
plication(s) have been submitted for permit to
appropriate the public waters of the State of
Idaho:

45-7479

YARBROUGH, WAYMON, GENERAL DELIVERY,
STONE, ID. 83280. Source: GROUNDWATER. Date
Filed: 09/11/1981. Amount: 2.00 CFS. Diversion
Point: NENE Sec 07 T 12S R 25E, CASSIA Co. Use:
IRRIGATION (2.00 CFS) from 03/15 to 11/15.
Place of Use: NENE SWNE SENE Sec 07 T 12S R 25E
FOR 100 ACRES. Diversion Means: WELL, PUMP,
SPRINKLERS

If issued, the permit(s) will be subject to all
prior water rights. Protests against the granting of
any permit must be filed with the Director of the
Idaho Department of Water Resources, 1041 Blue
Lakes Blvd. North, Twin Falls, Idaho 83301 and
received on or before OCTOBER 13, 1981.

A. KENNETH DUNN
Director

Published in the South Idaho Press September 24
and October 1, 1981.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

RECEIVED
MAR 29 1996

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

Department of Water Resources

RECEIVED

MAR 28 1996

Department of Water Resources
Southern Region

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM
IN THE SNAKE RIVER BASIN ADJUDICATION

☒ Water Right Number(s): A45-11304

45-07479 (WR permit)

A 45-00277F

☒ Old Mailing Address: RT3 BOX 256

RUPERT, ID 83350

☒ New Mailing Address: P/O BOX 55

ALBION, ID 83311

☒ New Telephone Number: (208) 673 6280

☒ Signature of Claimant(s): Harry Fitzgerald

Edith L. Fitzgerald

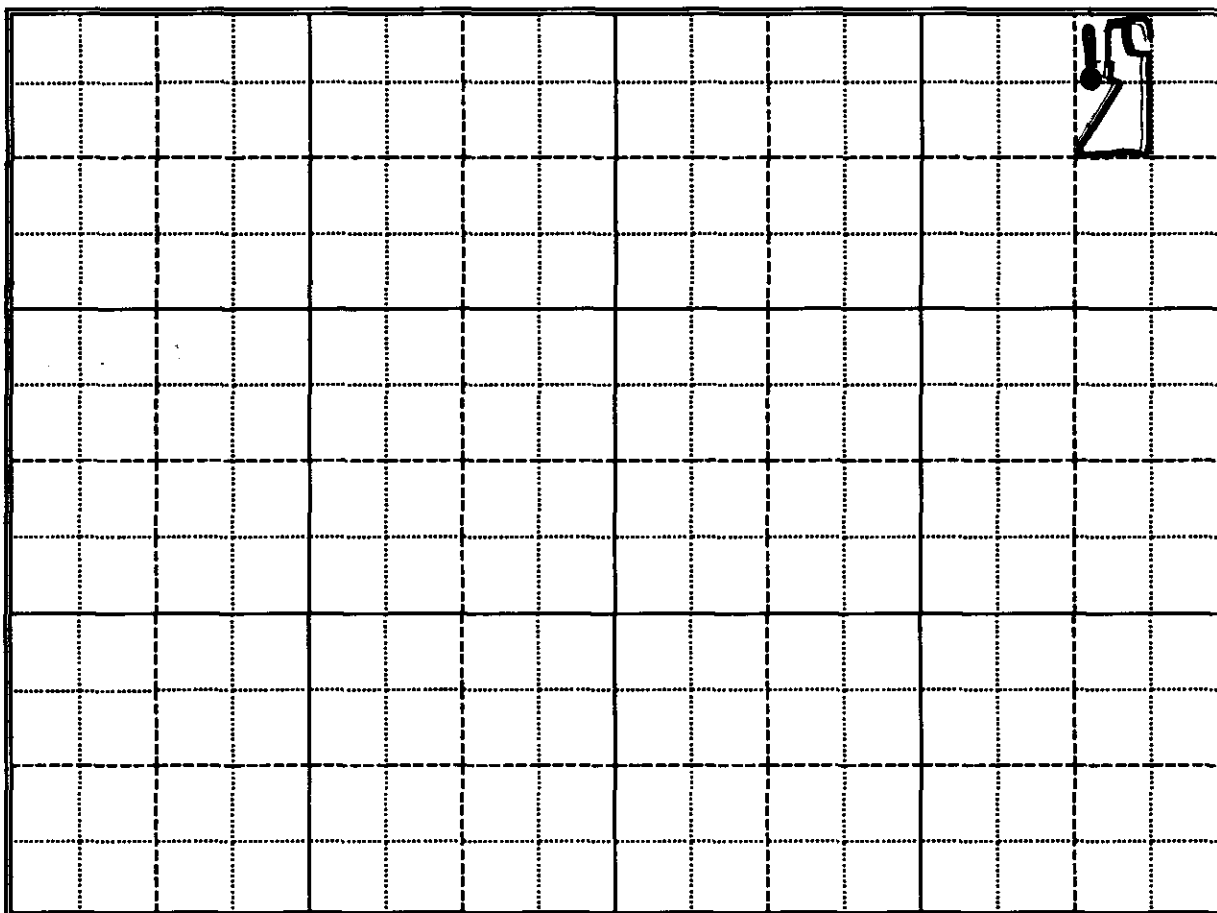
Date: 3/27/96

FOR IDWR USE ONLY	
Initial Review and Data Entry	
Date:	By:
Further Action Needed:	
Further Action Taken	
Date:	By:
Final Review and Data Entry	
Date:	By:

Update done 4-1-96 BC

[illegible]

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	~~Berkeley~~	10		~~Berkeley~~	
	Franklin				

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Rated 150 gpm at 50 psi at 85' lift per Butte Irrigation Co.
of Pqn, ID.

E. NARRATIVE/REMARKS/COMMENTS

Well, motor, pump, mainline to handlines with Rainin nozzles.
~~Runs nozzles at a time at 32 psi.~~

Well supplements decreed surface right as needed. Ditches for surface water serve the lower ground. Sprinklers water both the upper and lower areas. Well was on during exam but pumping at a reduced level. Some land was being dried out to facilitate fence installation. So system was not measured. Pump capacity is much greater than needed to water the present P/U. Mr. Fitzgerald owns all of lot 7 (about 40 acres), and had the intention of watering all of it. System has never watered more than 15 acres, however. Well was drilled by previous owner, but no pump was installed until present owner put in the 10 hp about 3 years ago.

Not to exceed 60.0 AFA when combined with Rt. A45-00297F.

Exam fee of \$50. paid on 0.20 cfs. To license the recommended flow of 0.30 cfs, owner owes another \$50.

Owner works at Idaho Youth Ranch north of Rupert, & gets his mail there.

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

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$150 \text{ gpm} = 0.33 \text{ cfs} \cdot \text{Allow } 15 \text{ ac.} \times 0.02 \text{ cfs/ac.} = 0.30 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15 \times 4 = 60.0 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.30 \times 214 \times 1.9835 = 127.3$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = 60.0 \text{ AFA}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	0.30 cfs	60.0
Totals:			0.30	60.0

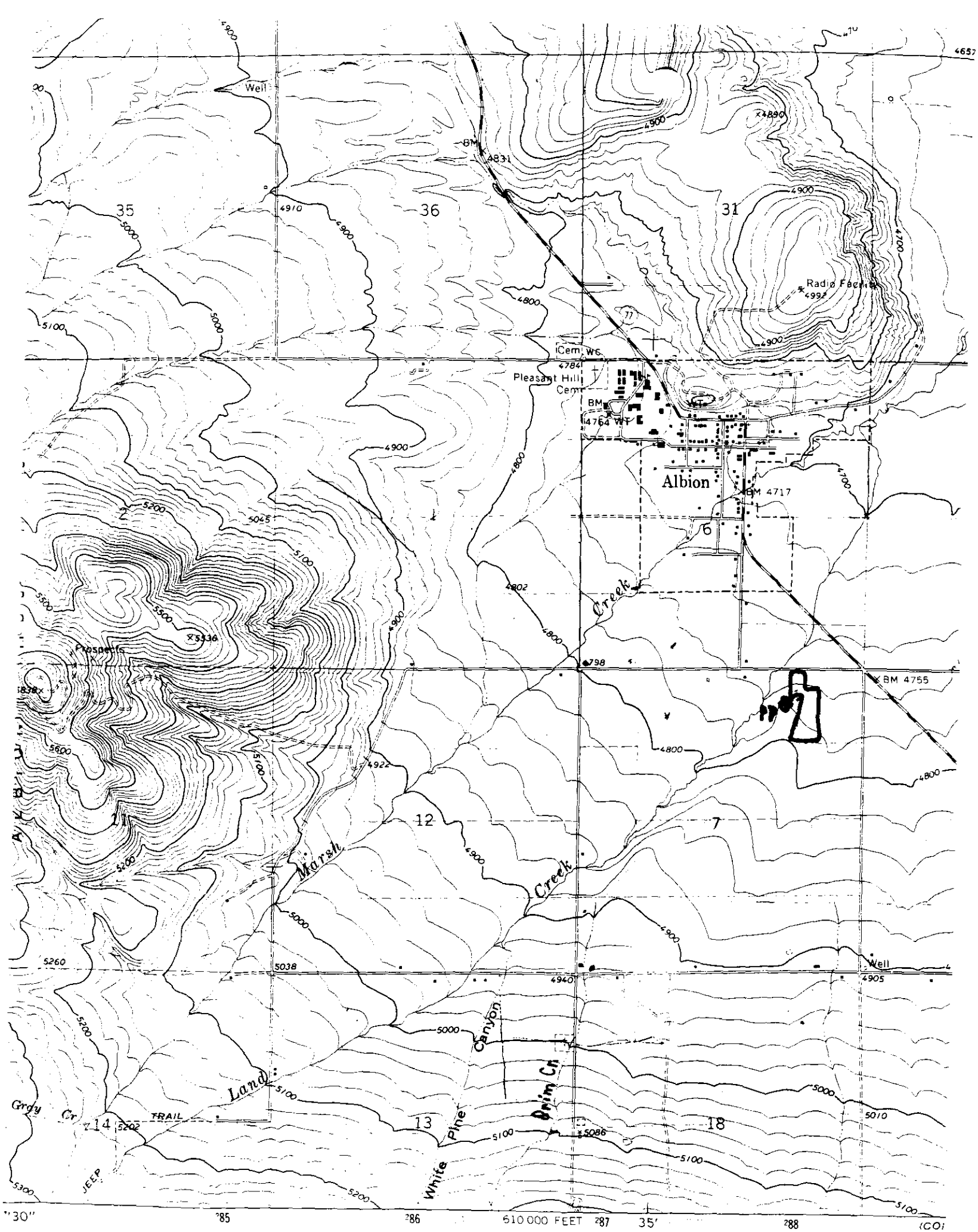
2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name JE Stanton Date 9-2-94

Reviewer _____ Date _____

SEAL



[illegible]

For 45-7479

P4
(system lost, then
original, present)

55
128
36.4

5.7

10.25

7.6

NHEL

32

32.4

3

7.9

K

19.2

2
10.2

3
36.0

NW
HEL

4
6.3

5
3.9

6
5.7

7
6.2

8
4.1

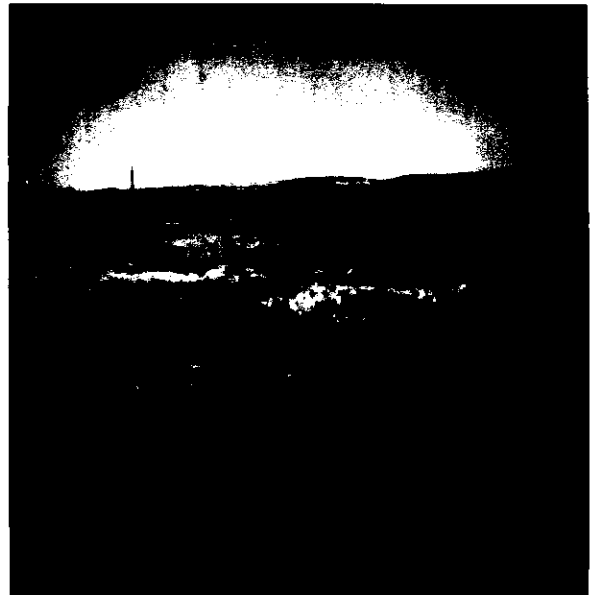
45-07479

AA

P/D



P/U



September 25, 1992

HARRY W FITZGERALD
EDITH L FITZGERALD
RT 3 BOX 256
RUPERT ID 83350

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07479

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
OCT 26 1992

MS

RECEIVED

SEP 16 1992

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 9-16-92
Receipt No. 5014970
Receipt by MTS

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 45-07479 Telephone No. 673 6280
2. Name(s) of Permit Holder(s): HARRY W. AND EDITH L. FITZGERALD
3. Mailing Address: RT3 BOX 256 RUPERT, IDAHO 83350
4. Source of Water: GROUND WATER

If **GROUNDWATER**, Well Driller's Name: WAYMON YARBROUGH Date Drilled: _____

OPTIONAL:

Pump horsepower: 10 Pressure (psi): 60 Dynamic pumping level (ft.): 85 FT

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 35 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.20 cfs OR _____ acre/feet

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

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

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

8. Fee Enclosed: \$ 50.00 (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.

HARRY FITZGERALD 673 6280 OR 532 4117
Name Telephone No.

RT3 BOX 256 RUPERT, IDAHO 83350
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.

9/14/92
Date

Harry Fitzgerald
Edith L. Fitzgerald
Signature (and title, if on behalf of a company or organization)

OCT 26 1992

July 31, 1992

HARRY W FITZGERALD
EDITH L FITZGERALD
RT 3 BOX 256
RUPERT ID 83350

PROOF DUE NOTICE

RE: PERMIT NO. 45-07479

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

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

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

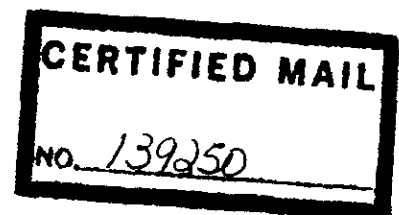
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

MICROFILMED

OCT 26 1992





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 17, 1992

Harry and Edith Fitzgerald
Route 3 Box 256
Rupert, ID 83350

RE: Permit No. 45-07479

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that only one extension of time based on due diligence can be granted. Please note that one extension has already been granted on November 20, 1990 for due diligence.

Within one year of the time you actually intend to develop and beneficially use the water, I suggest that you file a new application. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

Please feel free to contact any of our regional offices if you wish assistance in completion of the new application.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

C: IDWR - Regional Office

RECEIVED

OCT 26 1992

RECEIVED

JUL 07 1992

For Office Use Only
\$15 Fee Received by KKC
Date 7-7-92
Receipt No. 5614710

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

**TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 45-07479

Name(s) of Permit Holder: HARRY W. & EDITH L. FITZGERALD

Mailing Address: RT 3 BOX 256 RUPERT, ID. 83350

Date Proof is Due OCT. 1992 Telephone No. 532 4295

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

NONE The well has been drilled and cased.
Power is accessible. Previous owner has gone
no further. We will be living on property about the
middle of Aug. Costing \$ unknown

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

REQUESTING EXTENSION OF TIME DO TO THE EXPENSE OF
PURCHASING PROPERTY. PROPERTY WAS PURCHASED 6/5/92
ARRANGEMENTS ARE BEING MADE TO COMPLETE SYSTEM, BUT
WILL BE DIFFICULT TO MEET PROOF DATE BECAUSE
OF THE SHORT PERIOD OF TIME TO DUE DATE.

Permit holder(s) request an extension to Oct., 19 93.

FEE: \$15.00

Harry W. Fitzgerald
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED
pursuant to Section 42-204, Idaho Code, which only authorizes one
extension of time based on due diligence.

OCT 26 1992

Signed this 16TH day July, 19 92

L. Van Houten
Chief, Water Allocation Bureau 114



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 24, 1992

HARRY W FITZGERALD
EDITH L FITZGERALD
RT 3 BOX 256
RUPERT ID 83350

Re: Permit No. 45-07479

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Technical Records Specialist

BLM:cz

MICROFILMED

JUN 25 1992

November 27, 1990

Waymon Yarbrough
P O Box 513
Albion, ID 83311

Dear Mr. Yarbrough:

RE: Permit No. 45-7479

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to October 1, 1992.

It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Sincerely,

RITA I. FLECK
Secretary/Record Manager

Enclosure

MICROFILMED

DEC 11 1990

WAYMON YARBROUGH
P.O. BOX 513
ALBION, ID 833110000

138094
July 31, 1990

PROOF DUE NOTICE

RE: PERMIT NO. 45-07479

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 October 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MicroFILMED

DEC 11 1990

August 18, 1989

RE: Permit No. 45-7479

Waymon Yarbrough
Box 513
Albion, ID 83311

Dear Mr. Yarbrough:

Enclosed is an order that authorizes you to continue development under permit to appropriate water no. 45-7479. Please note in condition #1., page two of the order that you must develop your system and beneficially use the water prior to October 1, 1990. Failure to beneficially use the water before October 1, 1990 could result in a loss of your water right permit.

Also enclosed is a copy of the approved Request for Extension of Time submitted in connection with this right.

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,

TIM LUKE
Sr. Water Resource Agent

TL:hm

Enclosure

MICROFILMED

AUG 24 1989



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

June 28, 1989

South Idaho Press
Box 190
Burley, ID 83318

Dear Legal Department:

Enclosed you will find legal notices which we wish to have published on July 6 and July 13 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notices must appear in the issue that is distributed during the weeks of July 3 and July 10. If you cannot publish the notices 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 July 24, 1989.

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

Sincerely,

HEIDI M. MIKEL
Secretary

MICROFILMED

AUG 22 1989

NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT NO. 45-7479
Presently Recorded as Follows:

Name: WAYMON YARBROUGH
Address: BOX 513, ALBION, ID 83311
Source: GROUNDWATER
Diversion Pt.: NENE SEC. 7 T12S R 25E, CASSIA CO.
Use: IRRIGATION (2.0 CFS)
Priority: SEPTEMBER 11, 1981
Place of Use: NENE S1/2 NE1/4 SEC. 7 T12S R25E
Total Acres: 100

Of the 100 acres described, this permit proposes supplemental supply to 92 acres and full supply to 8 new acres. This permit was not developed 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 July 24, 1989. A protest must overcome the presumption of Water Appropriation Rule 5,2,1.

R. Keith Higginson, Director

MICROFILMED

AUG 22 1989

RECEIVED

JUN 21 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

PERMIT NO. 45-7479

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes _____ No NO

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. _____

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete. 60 acres

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

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

flood water rights

Use the reverse side of this form if you wish to add any comments.

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.

Permit Holder Waymon Jacobson

Date 6/15/89

MICROFILMED

AUG 22 1989

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

5. REMARKS/COMMENTS:

During 1987-1988 we had no water on this property at all. We would appreciate you renewing this permit to supplement our flood water when we do have a good wet year or for when there is no flood water at all.

Sincerely,

Waymon Jackbrought

INDEXED

AUG 22 1989

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING
PERMIT NO. 45-7479

DATE: 6-22-89

The department has received the trust water questionnaire and appropriate advertisement fee. The permittee has noted on the questionnaire that the groundwater source has not yet been developed and that he intends to irrigate only 60 of the permitted 100 acres. He also mentions that the proposed source is supplemental to existing surface water rights.

Our overlap analysis shows most of the land described under the permit is covered by an existing decreed right. The overlap indicates that there is an expansion of 8 acres. Review of the department's 1976 7.5 min orthophoto quad shows irrigated acreage and appears to match the location and number of ~~acres~~ irrigated acres listed in the earlier decreed right. The ortho shows some undeveloped land in the quarter-quarter section where there is proposed expansion.

I recomend that we advertise the permit to show supplemental supply to 92 acres and new supply to 8 acres.

MicroFILMED

AUG 22 1989



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 24, 1989

RE: PERMIT NO. 45-7479

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.

MICROFILMED

AUG 22 1989

Page 2

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

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
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

AUG 22 1989

November 23, 1986

Waymon Yarbrough
P. O. Box 513
Albion, ID 83311

Dear Mr. Yarbrough:

Re: Permit No. 45-7479

The department has received and reviewed the request for extension of time submitted in connection with the above referenced permit.

The department's records show that the permit has been included in the Idaho Power Company lawsuit relative to the Swan Falls matter and has not been dismissed. The permit is also subject to the public interest review requirements of Sec. 42-203D, Idaho Code. For these reasons, the department will hold the request for extension of time without action until the review under the provisions of Sec. 42-203D, Idaho Code is conducted.

Please feel free to contact the department if you have questions or wish to periodically check the status of the extension request.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: Region

ED
AUG 22 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
AUGUST 31, 1986

138245

YARBROUGH, WAYMON
GENERAL DELIVERY
STONE, ID 83280

PROOF DUE NOTICE

RE: PERMIT NO. 45-7479

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, 1986. (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. 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

AUG 22 1989



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

Minneapolis

AUG 22 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

YARBROUGH, WAYMON
GENERAL DELIVERY
STONE, ID 83280

NOVEMBER 12, 1981

RE: PERMIT NO. 45-7479

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

REGISTERED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

45-7479-

YARBROUGH, WAYMON

GENERAL DELIVERY, STONE, ID 83280

Source: GROUNDWATER

Date Filed: 09/11/1981

Amount: 2.00 CFS

Diversion Point: NENE Sec 07 T 12S R 25E, CASSIA Co.

Use: IRRIGATION (2.00 CFS) from 03/15 to 11/15

Place of Use: NENE SWNE SENE Sec 07 T 12S R 25E FOR 100 ACRES

Diversion Means: WELL, PUMP, SPRINKLERS

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before OCTOBER 13, 1981.

A. KENNETH DUNN

Director

Published 9/24 & 10/1/81.

MICROFILMED

81-244

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

45-7479

YARBROUGH, WAYMON, GENERAL DELIVERY, STONE, ID. 83280. Source: GROUNDWATER. Date Filed: 09/11/1981. Amount: 2.00 CFS. Diversion Point: NENE Sec 07 T 12S R 25E, CASSIA Co. Use: IRRIGATION (2.00 CFS) from 03/15 to 11/15. Place of Use: NENE SWNE SENE Sec 07 T 12S R 25E FOR 100 ACRES. Diversion Means: WELL, PUMP, SPRINKLERS

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before OCTOBER 13, 1981.

A. KENNETH DUNN
Director

Published in the South Idaho Press September 24 and October 1, 1981.

*ab
merge
9/22/81*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 16, 1981

South Idaho Press
P.O. Box 190
Burley, Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 OCTOBER 13, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED