

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 45-7370 Priority January 24, 1979 Amount 0.19 cfs

THIS IS TO CERTIFY, that Ramon &/or Betty Bernad
of Rupert, Idaho, has complied with the terms and conditions of Permit
No. 45-7370 issued pursuant to Application for Permit dated January 24, 1979,
and has submitted proof to the Department of Water Resources on September 15, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.19 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.19</u> cfs and	<u>44.5</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>0.5</u> acre feet
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.19 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
44.5 acre feet per year, said waters to be diverted within the SE1SE1 Section 30,
Twp 9S, Rge 25E in the County of Basia

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	25E	30																11	11

Total number of acres irrigated 11

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CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 8TH day of MAY, 19 85.

Acting for the Director Norman C. Young
DRT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

45-7370
Ident. No.
RECEIVED
APPROVED
JAN 24 1979

Department of Water Resources
Southern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant RAMON AND BETTY BERNARD Phone 436-3679
Post office address Rt 1 Rupert, IDAHO
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30 Township 9S
Range 25E B.M. CASSIA County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .22 for IRRIGATION purposes from MARCH 15 to NOV. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for DOMESTIC purposes from JAN. 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for STOCKWATER 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. .28 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 + SPRINKLER
SYSTEM PIPELINE TO HOUSE + CORRALS

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 8" inches; proposed depth of well is 100 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: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 30 Township 9S
Range 25E 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	
9S	25E	30																11	11

Total number of acres to be irrigated 11

c. Describe any other water rights used for the same purposes as described above. NONE

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

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

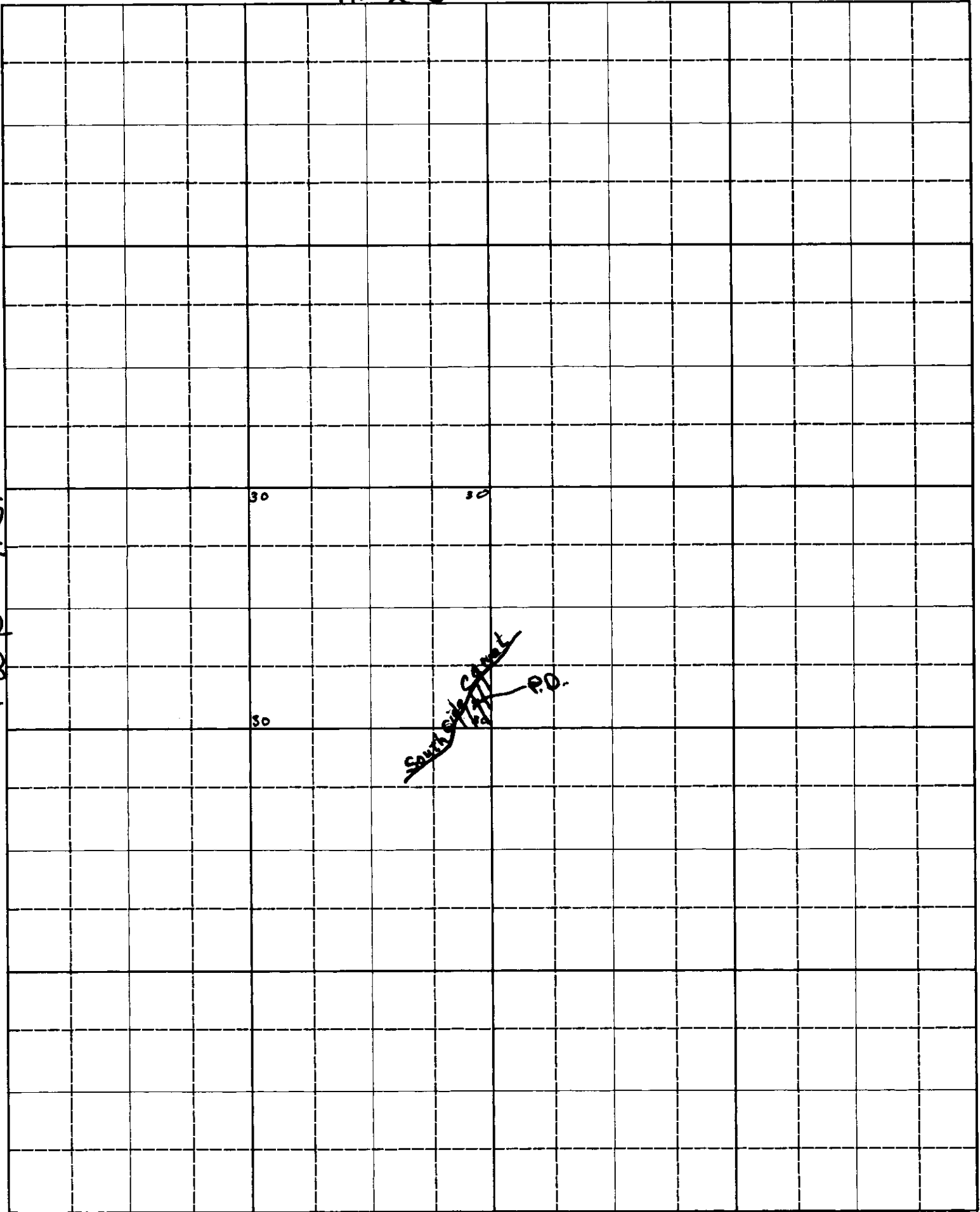
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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

R. 25E

Twp 9.S.



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.

Betty A. Bernad
(Applicant)

Proposed priority 1-24-79

Received by TGB Date 1-24-79 Time 1:00

Preliminary check by ADM Fee \$ 35.00

Received by TGB Date 1-24-79 # 12675

Publication prepared by ADM Date 1/26/79

Published in South Idaho Press

Publication dates 2/13/79 + 2/20/79

Publication approved manup Date 2/1/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by SL SS.

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. 45-7370, 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 March 1, 19 84.
- 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: _____

Witness my hand this 13th day of March, 1979.

J. Glen Saxton
Chief, Operations Bureau

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Janet Parker being first

duly sworn, deposes and says that she is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for *two* consecutive weeks, commencing with the issue dated *Feb 13* 19 *79*, and ending with the issue dated *Feb 20*, 19 *79*.

Janet Parker

Subscribed and sworn to before me

this *22* day of *Feb*

19 *79*.

Carol Carter Notary Public

Cost of Publication *11.07*

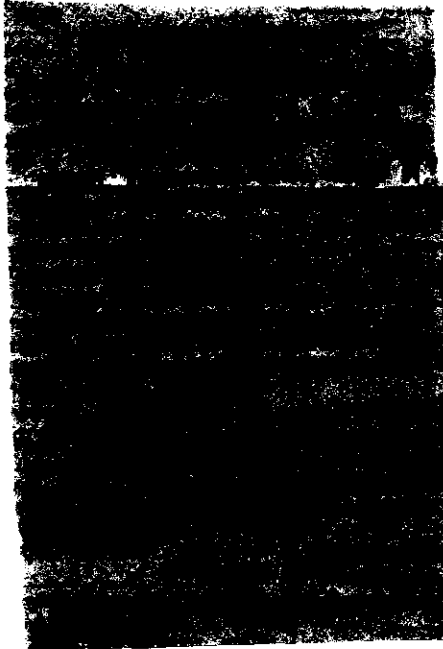
Notary Fee

Total Cost *11.07*

RECEIVED

Department of Social Services
SOUTHERN DISTRICT OFFICE

*ok
mmp
4-2-79*



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SOUTH IDAHO PRESS
TWIN FALLS, IDAHO
AFFIDAVIT OF PUBLICATION

State of Idaho

County of Ada

City of Twin Falls

My name is _____

I am a resident of the County of Ada, State of Idaho, and I am the owner of the following described land, to-wit:

The South 1/4 of Section _____

consequently _____

State of Idaho, County of Ada, _____

with the intent to publish the following notice:

Notary Fee _____

Total Cost _____

*ok myra
Hester*

79-39

**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:

45-7370

BERNAD, RAMON &/or BETTY, ROUTE #1, RUPERT, ID 83350, Source: Groundwater, Date Filed: 01/24/1979, Amount: 0.28 CFS, Diversion Point: SESE Sec 30 T 09S R 25E, Cassia Co., Use: Irrigation (0.22 CFS) from 03/15 to 11/15; Domestic (0.04 CFS) from 01/01 to 12/31, Stockwater (0.02 CFS) from 01/01 to 12/31, Place of Use: SESE Sec 30 T 09S R 25E for 11 acres, Diversion Means: Well, Pump & Sprinkler System & Pipeline to House and Corrals.

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 on or before March 2, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on February 13 and 20, 1979.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

April 16, 1985

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

RE: Permit No. 45-7370

Ramon &/or Betty Bernad
Rt. 1, Box 385
Rupert, ID 83350

Dear Mr. and Mrs. Bernad:

A representative of this Department has made an examination of the works covered by your Permit No. 45-7370, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.19 cfs Source: groundwater

The maximum quantity diverted shall not exceed 44.5 acre feet
per year.

Point(s) of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Twp 9S, Rge 25E

Beneficial Use: Stockwater and Irrigation of 11 acres within SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 30, Twp 9S, Rge 25E

Priority date established: January 24, 1979

Conditions (if any):

-If you do not concur with these findings, please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

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Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

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RECEIVED

APR 12 1984

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

45-7370

Permit No.

Department of Water Resources

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made (List Telephone No. used)			
☒ Appointment scheduled for: (Date, time, location)	8-31-83	TB	Go to SCOE on Baseline Turn SO. 1 mile go across canal 2 nd house Look for large granary House is painted green

EXAMINATION

Date 8-31-83 Accompanied by Ramon + Betty Bernat Total Q measured 0.19 cfs ✓
Source Ground water Tributary to _____ Supp. annubar measurement sheet used? _____
If source is surface water, estimate total flow of source _____
Methods of measurement Nozzle - Pressure Meets permit requirements? _____

Measurement calculations: <u>Allow .02 cfs</u> <u>for livestock (min allowable)</u>	Noz. Size <u>9/64</u> <u>1/8</u> <u>5/32</u> <u>1/64</u> <u>1/64</u> <u>1/8</u> <u>1/64</u> <u>1/64</u> <u>3/32</u>
<u>for Vol. Allow 4.6 AF/Acre/Inch = 44 AF/Acre ✓</u>	Pressure <u>42</u> <u>43</u> <u>44</u> <u>45</u> <u>43</u> <u>40</u> <u>39</u> <u>40</u> <u>41</u>
<u>480 GPD x 365 d = 325,920 = .54 AF/Acre ✓</u>	Flow <u>gm</u> <u>3.72</u> <u>2.98</u> <u>4.65</u> <u>3.84</u> <u>3.76</u> <u>2.87</u> <u>3.59</u> <u>3.63</u> <u>4.49</u>
<u>Q Allow 0.19 cfs ✓</u> <u>.54 ≈ 0.5 AF</u>	X # <u>1</u> <u>1</u> <u>1</u> <u>1</u> <u>1</u> <u>1</u> <u>1</u> <u>1</u> <u>1</u> <u>1</u>
<u>Q 11 acres x .02 = 0.22 cfs</u>	Total <u>3.72</u> <u>2.98</u> <u>4.65</u> <u>3.84</u> <u>3.76</u> <u>2.87</u> <u>3.59</u> <u>3.63</u> <u>4.49</u>
<u>V = 0.19 x 245 x 1.9835 = 92.3 AF</u>	Grand total = <u>83.19 gpm = 0.185 cfs ≈ 0.19</u>

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SER. NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
	7.5	FRANKLIN	282-2019202	Berkley	no pump			

System Description Well, pump and hand move sprinkler systemno overlapping rights per. micro-fische
4/11/85 - kw

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement = Q (cfs)	V (afa)	FROM 245 days	TO
Irrigation ✓	0.19 cfs ✓	44 AFA ✓	3-15 ✓	11-15 ✓
Stockwater ✓	0.02 cfs ✓	0.6 AFA allow 0.5	1-1 ✓	12-31 ✓
		44.5 AFA		
		44.6 AFA		
Total	0.19 ✓			

Remarks No well log available

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Livestock use 150 Sheep, 13 Range cattle, 2 horses ✓ = 480 gpd.What about domestic use? per. phone con. w/ Terry Blau
4/11/85 - no home on property - only corral for
stock & irrigation use. kw

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 SE 1/4, Sec. 30 Twp 9S Rge 25E

Place(s) of Use no good lots for this land description

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	25E	30																11X	11

X = stock use

Recommended Amendments:

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

Examiner's Signature Terry A. Blau
 Checked by J. Stanton
 Approved by Ray Walker

Date 3-6-84
 Date 3-7-84
 Date 4-11-85

11.0

C296

B

3.7

29

17.6

K

9.2

9.2

C50

F

14.4

R

4.0

C353

B

41.9

C54

7.5

C

8.2

E

6.6

E

21.9

4.2

6.2

11A

PD 30

29

32

PD

WILLIAM T. GOODMAN
LARRY R. DUFF
ALAN GOODMAN
STEVEN A. TUFT

LAW OFFICE
Goodman and Duff

CHARTERED
717 7TH STREET
BOX 61
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774

March 5, 1985

RECEIVED
MAR 11 1985

Department of Water Resources

Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Attention: Jim Johnson

Re: Ramon and Betty Bernad
Permit #45-7370

Dear Mr. Johnson:

Mr. & Mrs. Bernad requested that I write to you concerning the issuance of their license. It is their understanding that a written request is needed before the license may be issued. Therefore, this letter will serve as the written request. Kindly send the license to:

Mr. & Mrs. Ramon Bernad
Route # 1, Box 385
Rupert, Idaho 83350

If I can be of any assistance to you, please contact me.
Thank you for your courtesy and cooperation in this matter.

Very truly yours,

GOODMAN & DUFF

Alan Goodman
Alan Goodman

AG:KH
cc: Mr. Ramon Bernad

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

October 29, 1982

Ramon and/or Betty Bernad
Rt. 1 box 385
Rupert, Idaho 83350

Re: Permit No. 45-7370

Dear Mr. & Mrs. Bernad:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Sr. Water Resource Agent

LGH:GLF:maria

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 45-7370

Name(s) of Permit Holder: Ramon and/or Betty Bernad

Post Office Address: Rt. 1 Box 385

Rupert, Idaho 83350 Tel. No. 436-3679

Source of Water: groundwater

Extent of Use: ☒ Domestic _____ (number of households)
☒ Stockwater _____ (number and type of stock)
☒ Irrigation 11 _____ (acres)
☐ Other _____

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

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

5-7-80
Date

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Betty A. Bernad
Signature of Permit Holder

RECEIVED

SEP 20 1982



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

RECEIVED

SEP 15 1982

Department of Water Resources
Southwest District Office

PLACE
TEN CENT
STAMP
HERE

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

March 14, 1979

Re: Permit No. 45-7370

Ramon &/or Betty Bernad
Route 1
Rupert, Idaho 83350

Dear Mr. or Mrs. Bernad:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

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

DRT:lr

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

JANUARY 26, 1979

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 MARCH 2, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

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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:

45-2320

BERNAD, RAMON &/or BETTY

ROUTE #1, RUPERT, ID 83350

Source: GROUNDWATER

Date Filed: 01/24/1979

Amount: 0.28 CFS

Diversion Point: SESE Sec 30 T 09S R 25E, CASSIA Co.

Use: IRRIGATION	(0.22 CFS)	from 03/15 to 11/15
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SESE Sec 30 T 09S R 25E FOR 11 ACRES

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM & PIPELINE TO HOUSE AND CORRALS

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 on or before

C. STEPHEN ALLRED MARCH 2, 1979.

Director

Published 2/13 & 2/20/79.

MICROFILMED

79-39

**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:

45-7370

*ok
may
2/1/79*

BERNAD, RAMON &/or BETTY, ROUTE #1, RUPERT, ID 83350, Source: Groundwater, Date Filed: 01/24/1979, Amount: 0.28 CFS, Diversion Point: SESE Sec 30 T 09S R 25E, Cassia Co., Use: Irrigation (0.22 CFS) from 03/15 to 11/15; Domestic (0.04 CFS) from 01/01 to 12/31, Stockwater (0.02 CFS) from 01/01 to 12/31, Place of Use: SESE Sec 30 T 09S R 25E for 11 acres, Diversion Means: Well, Pump & Sprinkler System & Pipeline to House and Corrals.

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 on or before March 2, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on February 13 and 20, 1979.