

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 45-7322 Priority August 18, 1977 Amount 0.88 cfs

THIS IS TO CERTIFY, that Harry DeNaughe1
of Albion, Idaho, has complied with the terms and conditions of Permit
No. 45-7322 issued pursuant to Application for Permit dated August 18, 1977,
and has submitted proof to the Department of Water Resources on August 30, 1979,
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 0.88 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
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.88</u> cfs and	<u>288.0</u> acre feet
<u>Stockwater</u>	from <u>January 1</u> to <u>December 1</u>	at <u>0.02</u> cfs and	<u>1.3</u> acre feet
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.88 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
289.3 acre feet per-year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12,
Twp. 12S, Rge. 24E in the County of Cassia

Description and location of place of use:

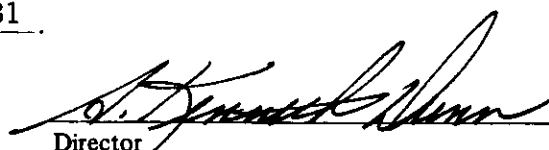
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	24E	12	36			36									72

Total number of acres irrigated 72

NOTE: 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.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
September, 19 81.


Director

Identification No. _____

Application No. 45-7322

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant Harry DeNaughe Phone: 673-6677
post office address Albion, Ida
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12 Township 12S
Range 24E B.M. Cassia County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .03 cfs for Livestock purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.6 for Irr purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.63 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, Motor, Pump.
& Watering Troughs.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 7500.
8. Description of proposed uses:
a. If water is **not** for irrigation: NE NE
SE NE
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12 Township 12S
Range 24E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 100 Hd. Range Cattle.

(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: _____

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

[illegible]

Total number of acres to be irrigated 80

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

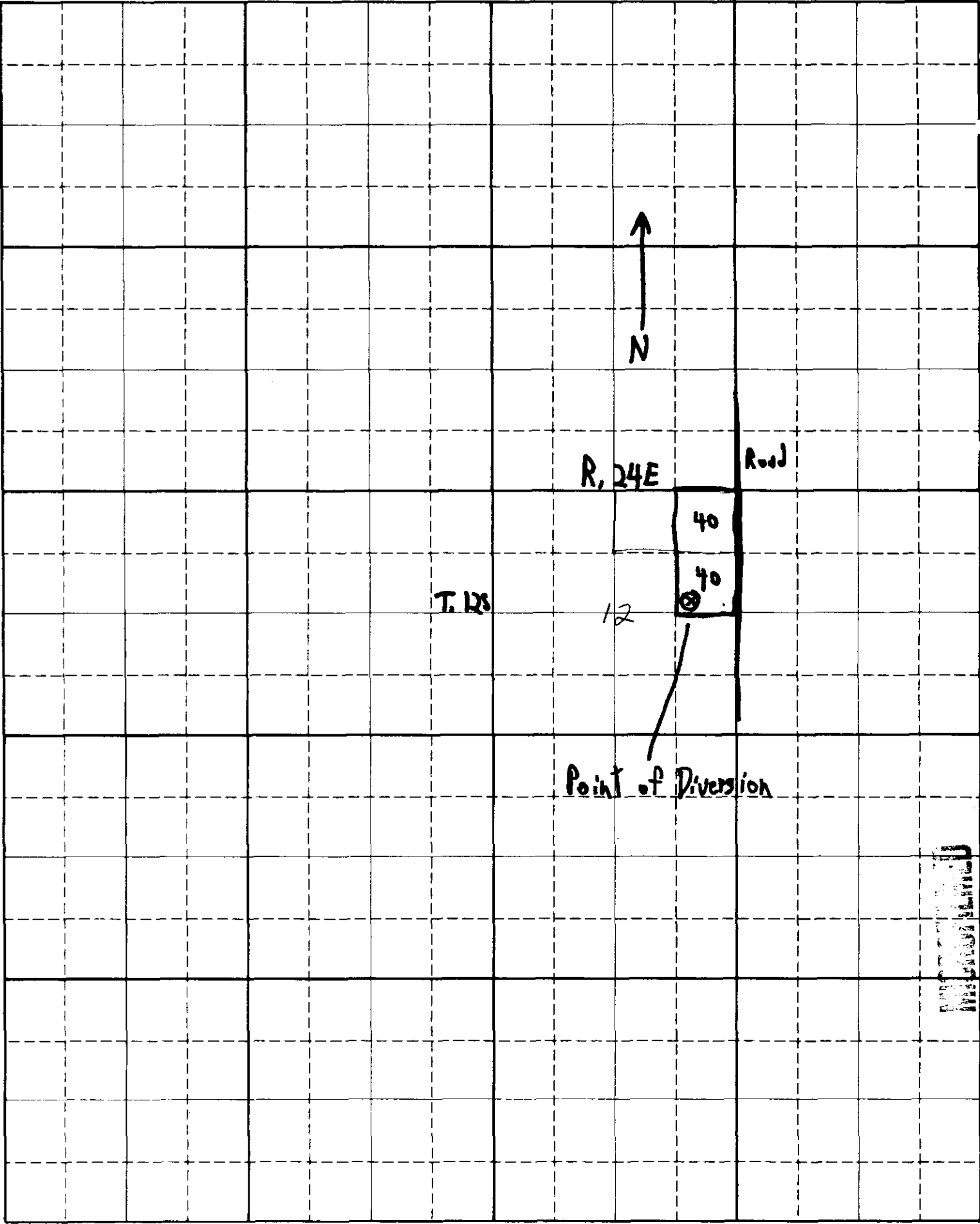
9. a. Who owns the property at the point of diversion Applicant

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 Drought-related filing.

11. 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.

Harry DeNaughel
(Applicant)

Proposed Priority 8/18/77

Received by JA Date 8-18-77 Time 2pm
Preliminary check by TGB Fee \$ 35.00
Received by JA Date 8-18-77 # 8717
Publication prepared by JA Date 8/31/77
Published in South Idaho Press
Publication dates 9/13 - 9/20
Publication approved JA Date 9/28/77
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ms JP

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. 45-7322, 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, 1982.
 - c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.
2. Denial of said application is for the following reasons: _____

Witness my hand this 14 day of November, 1977.


Deputy Director

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

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

..... Brenda Eagle being first

duly sworn, deposes and says that she is the

Book keeper 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 times

consecutive weeks, commencing with the issue

dated Sept. 13 19 77, and ending

with the issue dated Sept. 20 19 77

..... Brenda Eagle

Subscribed and sworn to before me

this 26th day of Sept.

1977
..... Notary Public

Cost of Publication

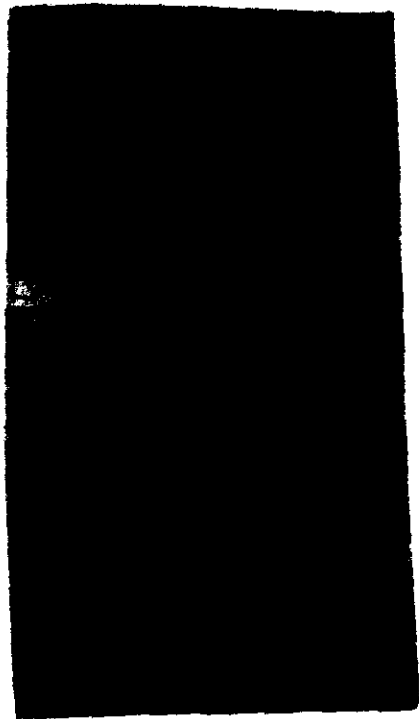
Notary Fee

Total Cost 9.80

RECEIVED

SEP 28 1977

Department of Water Resources
Southern District Office



MICROFILMED

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

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Brenda Eagle

Subscribed and sworn to before me

this 26th day of Sept.

1977

Notary Public

Cost of Publication

Notary Fee

Total Cost 9.50

77-399

NOTICE OF APPLICATION FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that Harry DeNaughtel, Albion, Idaho 83311 has on 8/18/77 submitted Application No. 45-7322 for a permit to appropriate 1.63 cubic feet per second of water from groundwater by means of well, motor, pump and watering troughs within the SE 1/4 NE 1/4, Sec. 12, Twp. 12S, Rge. 24E., B.M., Cassia County to be used from Jan. 1 to Dec 31 for livestock and from Mar. 15 to Nov. 15 for irrigation purposes of 80 acres within the E 1/4 NE 1/4, Sec. 12, Twp. 12S., Rge. 24E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301, on or before September 30, 1977.

C. Stephen Altred
Director

Published in the South Idaho Press on
September 13 & 20, 1977.



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

October 2, 1981

RE: Permit No. 45-7322

Harry DeNaughe1
Albion,
Idaho 83311

Dear Mr. DeNaughe1:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

September 11, 1981

Re: Permit No. 45-7322

Harry DeNaughe
Albion,
Idaho 83311

Dear Mr. DeNaughe:

A representative of this Department has made an examination of the works covered by your Permit No. 45-7322, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.88 cfs Source: a groundwater source

The maximum quantity diverted shall not exceed 289.3 acre feet per year.

Point(s) of diversion: SE 1/4, Sec. 12, T. 12S, R. 24E, Cassia County

Beneficial use: Irrigation 66 72 acres and stockwater purposes within the SE 1/4, Sec. 12, T. 12S, R. 24E

Priority date established: August 18, 1977

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

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FIELD REPORT

REVIEWS

NOV 3 1980

Person to contact

Department of Water Resource

Phone

OCT 22 1979

Tributary to

(name spring, stream, etc.)
Department of Water Resources
Southern District Office

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

County

County

County

[illegible]**TOTAL ACREAGE**

80

Permit No. 45-7322
Examination for b/a

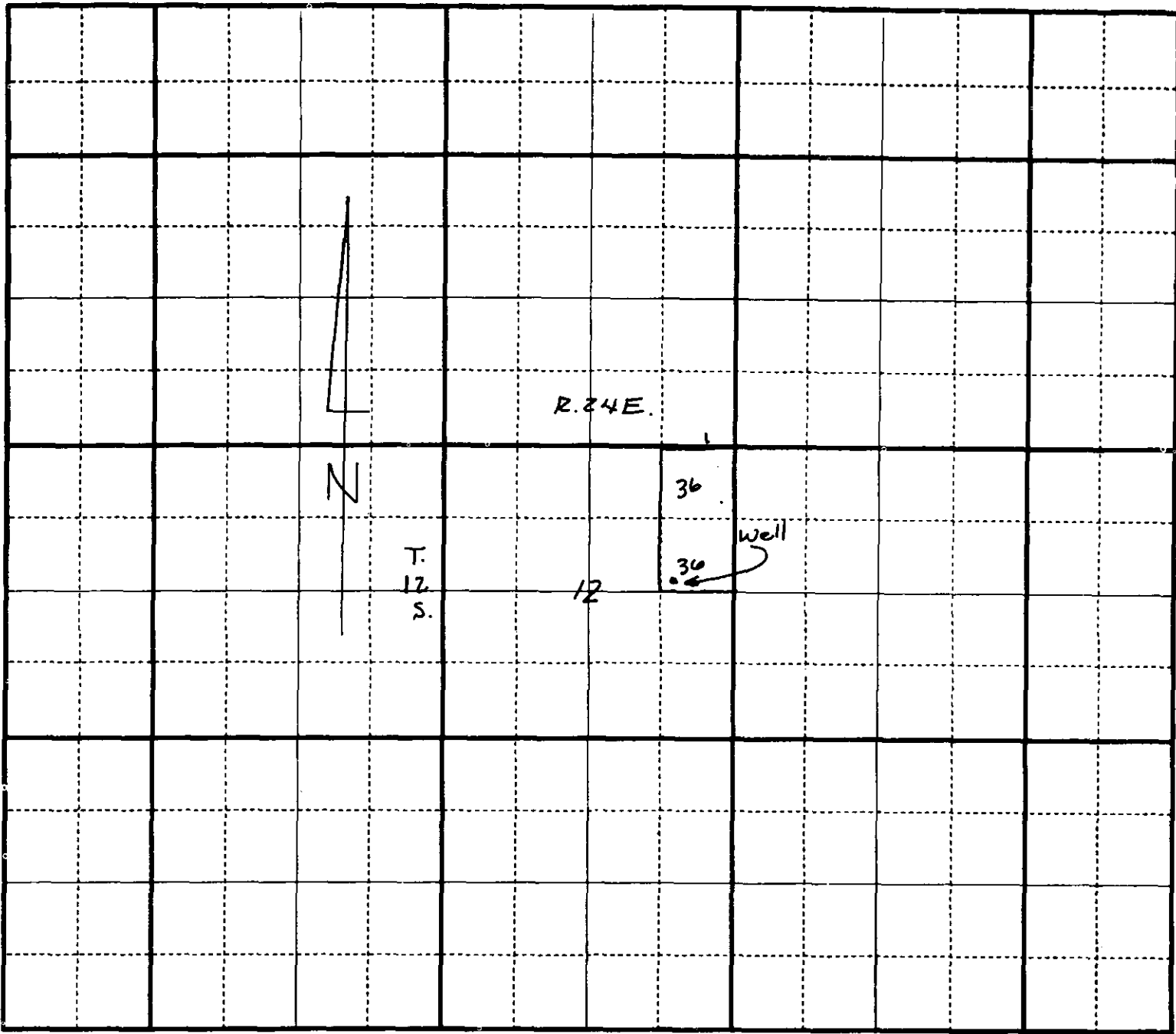
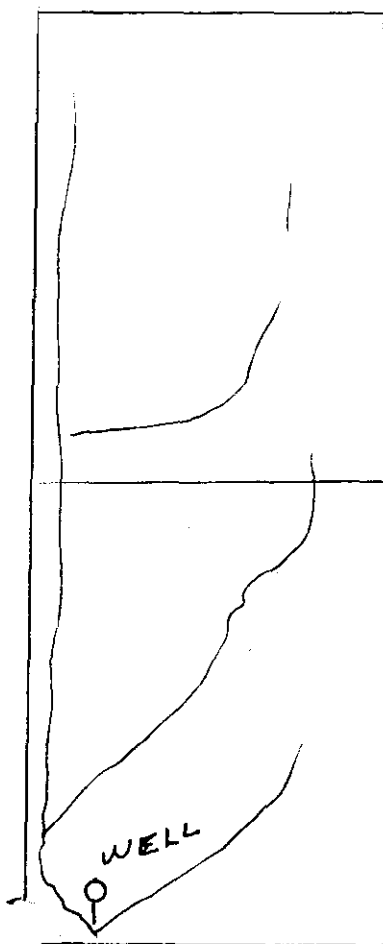


Diagram of System



UNCLASSIFIED

DATE OF EXAM 8-21-79

ACREAGE

Found 72 ✓
Recommended 72 ✓

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = .88 c.f.s. V = 288.0 AF/Ann. from MARCH 15 to Nov 15
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = .022 c.f.s. V = 1.34 AF/Ann. from JAN 1 to Dec 31

TOTAL .88 289.3

Is water co-mingled? yes no ✓

Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Exchange? yes no ✓

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Total Q measured 395.0 gal/min = .88 C.F.S. Method of measurement SPARKING METER

Total Q recommended .88 C.F.S. Meter No. 61015 Type Condition

Total V recommended 289.34 ACFT/ANN.

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

$(.001 / \text{ACFT} / 49.4 \text{ Sec}) (325900 \text{ gal} / \text{ACFT}) (60 \text{ Sec} / \text{min}) = (395.0 \text{ gal} / \text{min} \div 448.8 \text{ gal} / \text{min} \div .88 \text{ C.F.S.})$
 $\text{IRR } .88 \text{ C.F.S. LIVESTOCK } (100 \text{ Hd RANGE CATTLE}) = .022 \text{ C.F.S.}$
 $\text{VOLUME IRR} = (72 \text{ Acres}) (4.0 \text{ ACFT/AC}) = 288 \text{ ACFT/ANN}$
 $\text{LIVESTOCK } (100 \text{ Hd RANGE CATTLE}) (.0134 \text{ ACFT/ANN}) = 1.34 \text{ ACFT/ANN}$

SYSTEM DESCRIPTION:

U.S. MOTOR 40 Hp. Serial # 1032177
LAYNE & BOWLER Pump, GRAVITY FLOW SYSTEM
CATTLE DRINK OUT OF THE DITCHES USED FOR IRR.

REMARKS:

HARRY DENAUGH WAS PRESENT DURING THE FIELD EXAM.

Examiner's Signature Larry Funderburg Date 12-10-79

Checked by Larry Funderburg Date 8-28-80

Approved by Larry Funderburg Date 9/8/81

No Overlapping Rights

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

RECEIVED
AUG 30 1979

Department of Water Resources
Southern District Office

1. a) Name of permit holder Harry De Naughel
b) Post office address Albion Idaho, Box 176-

2. Permit number 457322

3. Date of priority that you are prepared to establish _____

4. a) Source from which water was appropriated _____

b) Location of the point of diversion: S.E. 1/4 NE 1/4, Section 12

Township 12 South, Range 24 East Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 44 for 4-1- purposes from 11-1- to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated _____ cfs and/or acre-feet per annum.

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:

Idaho water department

6. If the means of diversion and conveyance are owned by someone other than the permit holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement of understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):

span ditch 40 H.P. 10 in casing 400 ft

b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

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Gary Yarbrough Albion Idaho

[illegible]

Total number of acres irrigated 80

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

8-21-79
(Date)

Harry DeNaughef
(Signature)

State of _____)
County of 625512) ss.

On this 21st day of August, 19 79, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public
Residing at _____

My commission expires 1-7-81

Lizabeth E. Clock
Miss. Va.

November 16, 1977

Re: Permit No. 45-7322

Harry DeNaughel
Albion, ID 83311

Dear Mr. DeNaughel:

Enclosed is a copy of your approved Application for Permit No. 45-7322. We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

NOV 20 1977

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that

Harry DeNaughei

Albion, Idaho 83311

has on 8/18/77 submitted Application No. 45-7322

for a permit to appropriate 1.63 cubic feet per second ~~acre feet per annum~~

of water from ground water

by means of well, motor, pump and watering troughs

within the SE1/4, Sec. 12, Twp. 12S, Rge. 24E, B. M. Cassia County

to be used from Jan. 1 to Dec. 31 for livestock and from Mar. 15 to Nov. 15
~~for~~ for irrigation purposes of 80 acres

within the E1/4, Sec. 12, Twp. 12S, Rge. 24E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before September 30, 1977.

C. Stephen Allred

Director

Published in the South Idaho Press

on 9/13 and 9/20/77

MICROFILMED

August 31, 1977

South Idaho Press
Box 190
Burley, Idaho 83318

Re: Application for Permit No. 45-7323 - Robert L. &/or Beth R. Turner
45-7322 - Harry DeNaughel

Gentlemen:

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

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

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS/dj

Bill submitted: _____

NOT FILMED