

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 29-07938

Priority: March 16, 1990

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that POWER COUNTY HIGHWAY DISTRICT  
C/O TED NEW  
PO BOX 513

AMERICAN FALLS ID 83211 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 16, 1990; and has submitted Proof of Beneficial Use on June 6, 1991. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| COMMERCIAL            | 01/01 to 12/31       | 0.02 CFS                 | 0.6 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 0.6 AF               |
|                       | Totals               | 0.04 CFS                 | 1.2 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 11, Township 10S, Range 33E  
POWER County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10S 33E 11 SENE

PLACE OF USE:

DOMESTIC, same as COMMERCIAL use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

DEC 13 1994

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 29-07938

**CONDITIONS/REMARKS:**

6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Commercial use is for a highway district shop.
8. Domestic use is for 1 home.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 8<sup>th</sup> day of DECEMBER, 1994.

Acting for

R. Keith Higginson, Director

DEC 13 1994

**RECEIVED**  
JUN 06 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

**PROOF OF BENEFICIAL USE**

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 29-07938 Telephone No. 226-2661  
2. Name(s) of Permit Holder(s): Power County Highway Dist  
3. Post Office Address: P.O. Box 513 Arbon Falls Id 83211  
4. Source of Water: Well  
a. If ground water, well driller's name: Vallmer Date drilled: 1968  
b. Pump horsepower: 3/4 Pressure (psi): 40. Dynamic pumping level (ft.): 30 est.

5. Extent of Use:

Domestic .02 (No. of households) Irrigation \_\_\_\_\_ (No. of acres)  
Stockwater \_\_\_\_\_ (No. and type of stock) Other Commer. .02

6. Total rate and/or volume for which proof is submitted .04 cfs \_\_\_\_\_ 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: \$ \_\_\_\_\_ (See License Examination Fee Schedule)

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

Steve Hesk 335-2148  
Name Telephone No.  
4361 Arbon Highway Arbon Idaho 83212  
Address

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

6-5-91 Power County Highway Dist By Ted Allen Supervisor  
Date Signature (and title if on behalf of a company or organization)

JUL 01 1991

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 29-07938

Proposed Priority: March 16, 1990 Maximum Diversion Rate: 0.04 CFS

This is to certify, that POWER COUNTY HIGHWAY DISTRICT

C/O TED NEW

P.O. BOX 513

AMERICAN FALLS, ID 83211

has applied for a permit to appropriate water from: GROUNDWATER  
and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| COMMERCIAL            | 01/01 to 12/31       | 0.02 CFS                 |
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 |
|                       | Totals               | 0.04 CFS                 |

LOCATION OF POINT(S) OF DIVERSION: NWSENE Sec. 11, Township 10S, Range 33E  
POWER County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10S 33E 11 SENE

PLACE OF USE: DOMESTIC, same as COMMERCIAL use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Commercial use is for a highway district shop; domestic use is for one home.

**MICROFILMED**

JUL 20 1990

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 29-07938

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

9<sup>th</sup> day of July, 1990.

*R. Keith Higginson*  
for R. Keith Higginson, Director

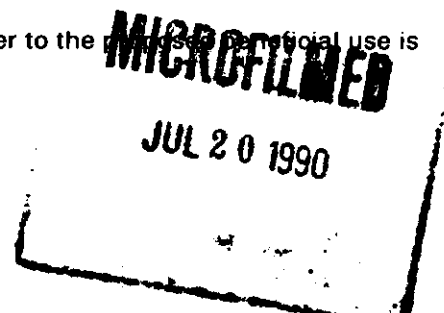
**MICROFILMED**

JUL 20 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant POWER COUNTY HIGHWAY DIST. Phone 226-2661  
Post office address P.O. Box 513, C/O TED NEW, BEAVERHEAD FALLS, ID. 83211
2. Source of water supply GROUNDWATER which is a tributary of \_\_\_\_\_
3. Location of point of diversion is NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 11 Township 10S Range 33E B.M. POWER County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 0.02 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.02 for COMMERCIAL purposes from 1/1 to 12/31 (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 is (a) 0.04 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. 80' X 6" WELL WITH A 3/4 HP SUBMERSIBLE PUMP. PIPED TO TRAILOR HOME AND HIGHWAY DISTRICT SHOP/REST ROOMS, TRUCK WASHING SPRAYERS.
  - b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage: \_\_\_\_\_ to \_\_\_\_\_ inclusive.
  - c. ~~Proposed~~ <sup>EXISTING</sup> well diameter is 8 1/2" inches; ~~proposed~~ <sup>EXISTING</sup> depth of well is 80' feet.
  - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the project for beneficial use is 1 years (minimum 1 year).



8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- Stockwatering; list number and kind of livestock. \_\_\_\_\_
- Municipal; show name of municipality. \_\_\_\_\_
- Domestic; show number of households. ONE
- Other; describe fully. COUNTY HIGHWAY DIST. SHOP. RESTROOMS, WASHING FACILITIES.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 10S | 33E   | 11   |     |     |     | D/C |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated       

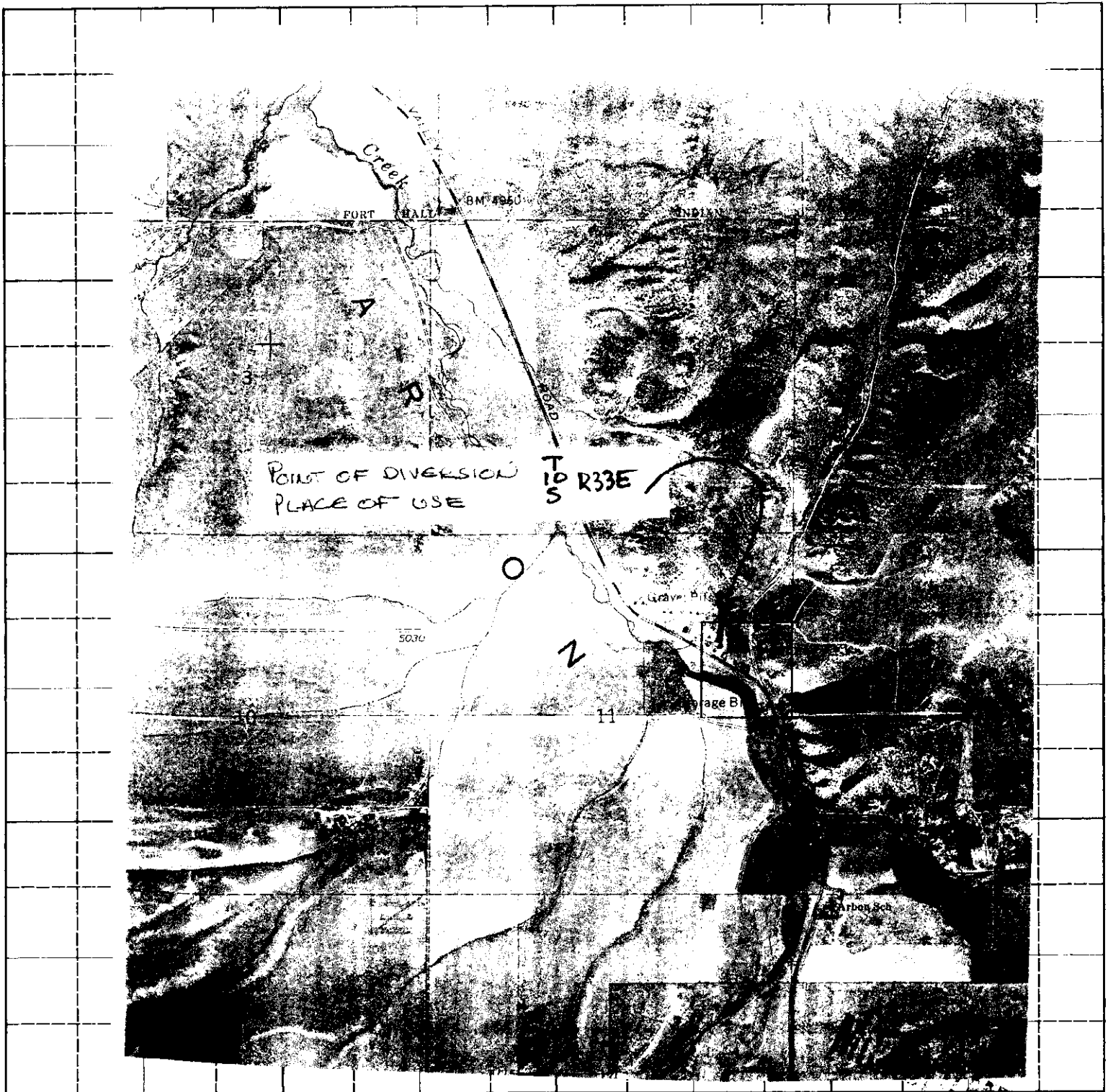
10. Describe any other water rights used for the same purposes as described above. NONE

- Who owns the property at the point of diversion? APPLICANT
- Who owns the land to be irrigated or place of use? APPLICANT
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: WELL HAS BEEN IN PLACE SINCE 1968.

JUL 20 1990

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



Scale: 2 inches equal 1 mile.

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

JUL 20 1900  
2 *[Signature]*  
(Applicant)  
TITLE: *Id.*

ASWST BY FSN 3-13-90

Received by QW Date 3-16-90 Time 12:45p Preliminary check by KW  
Fee \$ 30<sup>00</sup> Receipted by HWT # E012403 Date 3-16-90  
Publication prepared by RB Date 5-17-24-90 Published in Power County Press  
Publication approved RB Date 6-5-90

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if 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 permit 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 permit.

e. Other:

**MICROFILMED**

JUL 20 1990



**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

December 9, 1994

POWER COUNTY HIGHWAY DISTRICT  
C/O TED NEW  
PO BOX 513  
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 29-07938

Dear Water Right Holder(s):

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

Sincerely,

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

Shelley W. Keen  
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED  
DEC 13 1994

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
APR 28 1994  
Department of Water Resources

**A. GENERAL INFORMATION**

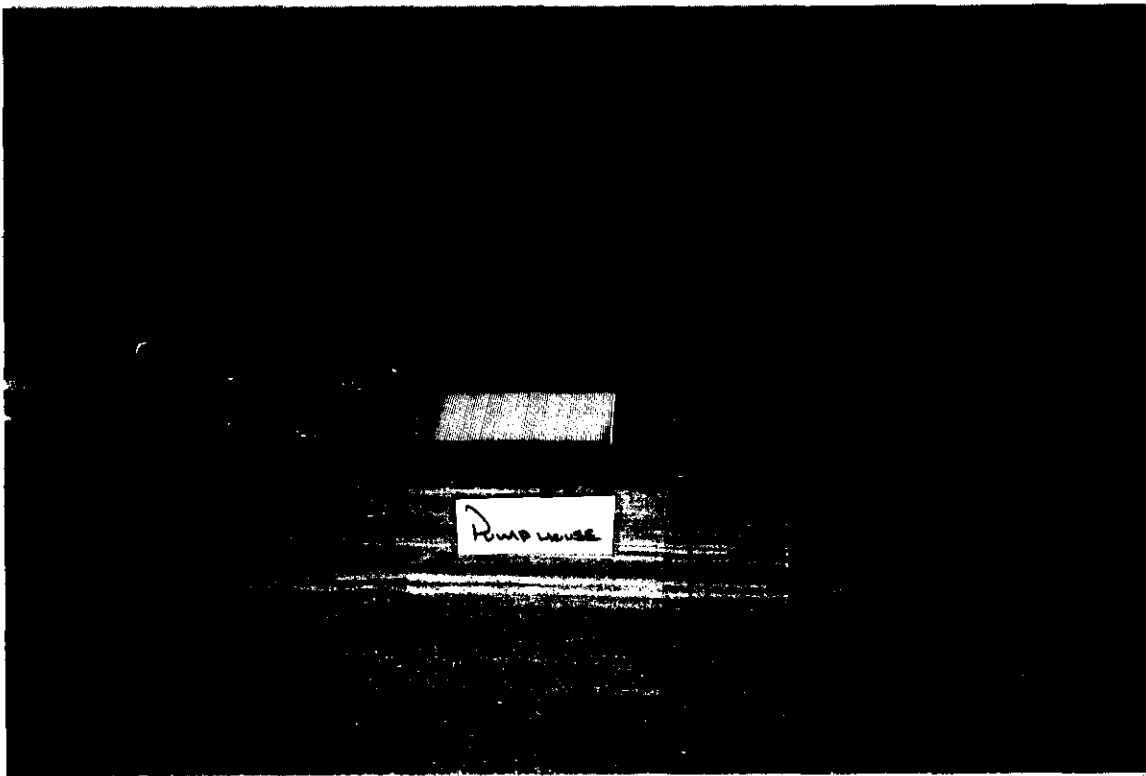
- Permit No. 29-07938  
1. Owner: Boise County Highway District Phone No. 226-2661  
Current Address: P.O. Box 513, American Falls, ID 83211  
2. Accompanied by: — EXAM. DATE: 6-16-1993  
Address: — Phone No. —  
Relationship to Permit Holder: —  
3. Source: Groundwater tributary to —

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: — ☐ Copies Attached  
2. Other water rights with same point of diversion: — ☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = —

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

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APR 28 1994  
Department of Water Resources

### A. GENERAL INFORMATION

Permit No. 29-27988

1. Owner: Robert James Johnson, Jr. Phone No. 725-2661

Current Address: 2015 5th Avenue, Apt 202

2. Accompanied by: \_\_\_\_\_ EXAM. DATE: 6-16-1993

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: Green Bay, WI tributary to \_\_\_\_\_

## B. OVERLAP REVIEW

1. Other water rights with same place of use: \_\_\_\_\_

☐ Copies Attached

2. Other water rights with same point of diversion: \_\_\_\_\_

☐ Copies Attached      ☐ Copies of Field Exam's Attached

### C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



**Scale: 1" =** \_\_\_\_\_

2. ☐ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

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

System Description (continued)

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

WELL, PUMP & PIPELINES TO COUNTY SHOP FOR GENERAL SHOP USE

AND ONE TRAILER FOR DOMESTIC USE

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| UNKNOWN                               |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

5. Point(s) of Diversion:

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|--------|---------------------------------|
|            |            | 100 | SE  | NE  | 11   | 10S  | 33E  | Power  | USGS, Onsite                    |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |

6. Place(s) of Use:

Indicate Method of Determination \_\_\_\_\_

| Twp. | Rge. | Sec. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | Totals |
|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|      |      |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 10S  | 33E  | 11   |       |       |       | 9/10  |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|      |      |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

Do not use this space

DEC 18 1994

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

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#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

DE MINIMUS Commercial = 0.02  
DE MINIMUS DOMESTIC = 0.02

2. Alternate Method for Checking Purposes:

0.04  
Σ cfs

#### F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

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

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

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

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

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

DE MINIMUS Commercial = 0.6

DE MINIMUS DOMESTIC = 0.6

1.2 acA  
Σ

DEC 13 1994

*[The page contains faint horizontal lines, suggesting it was part of a lined notebook or document.]*

## 1. Recommended Amounts

| Beneficial Use | Period of Use |         | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|---------|------------------------------|--------------------------|
|                | From          | To      |                              |                          |
| Domestic       | 1/1           | 12/31   | 0.02                         | 0.6                      |
| Commercial     | 1/1           | 12/31   | 0.02                         | 0.6                      |
|                |               |         |                              |                          |
|                |               |         |                              |                          |
|                |               | Totals: | 0.04                         | 1.2                      |

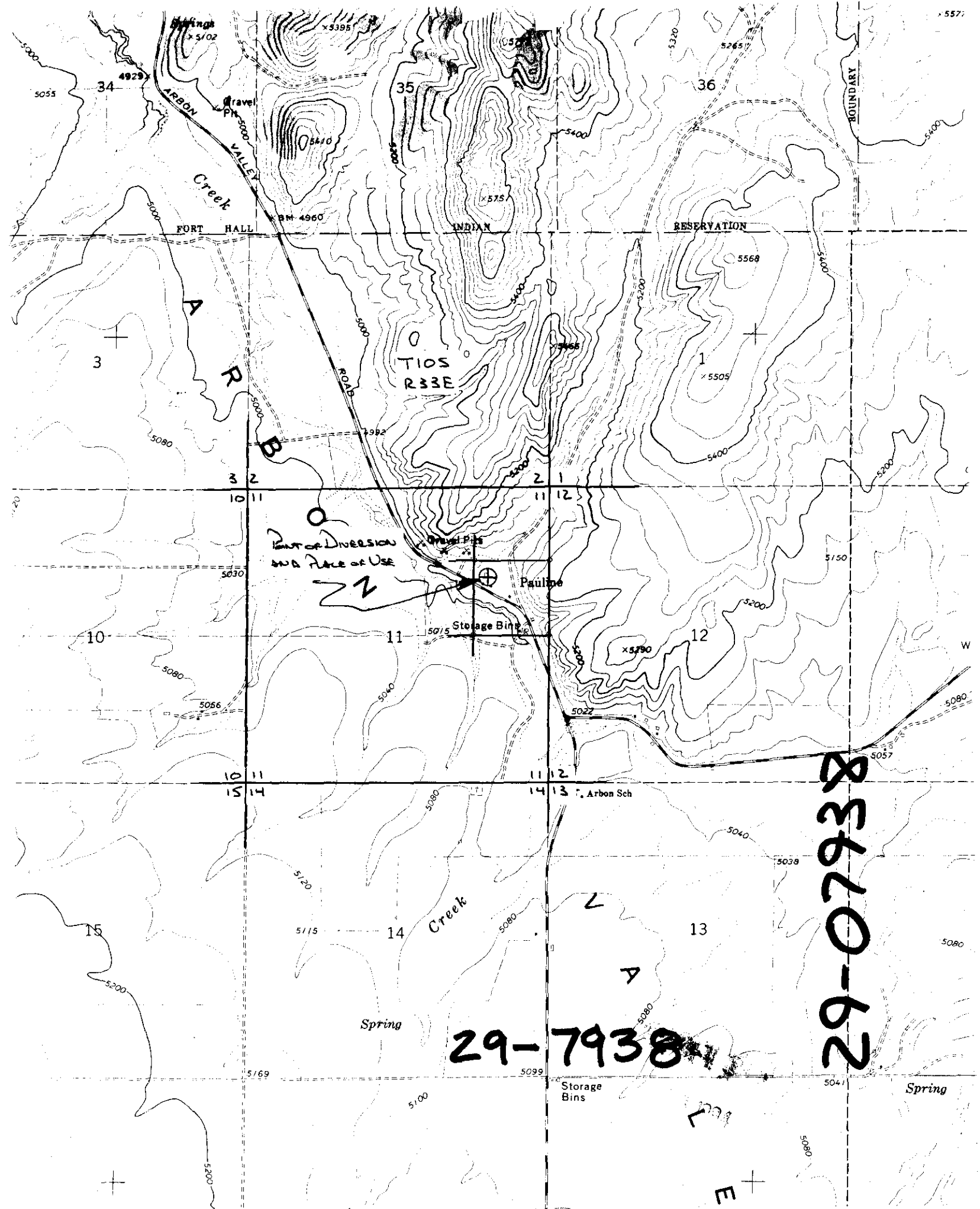
☐ Change P.D. as reflected above      ☐ Add P.D. as reflected above      ☒ None  
☐ Change P.U. as reflected above      ☐ Add P.U. as reflected above      ☐ Other

Field Examiner's Name Ken R. Meyer  
Signature [Signature]  
Certification Date \_\_\_\_\_  
Field Report Preparation Date 1-7-93

CONSULTANT SEAL

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

13 1994



29-7938

29-07938

June 13, 1991

POWER COUNTY HIGHWAY DISTRICT  
C/O TED NEW  
P.O. BOX 513  
AMERICAN FALLS, ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07938

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

**MICROFILMED**  
**JUL 01 1991**

138623

May 31, 1991

POWER COUNTY HIGHWAY DISTRICT  
C/O TED NEW  
P.O. BOX 513  
AMERICAN FALLS, ID 83211

PROOF DUE NOTICE

RE: PERMIT NO. 29-07938

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 August 1, 1991. (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

JUL 01 1991

S T A T E   O F   I D A H O  
D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

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Statehouse  
Boise, Idaho 83720  
(208) 327-7900  
July 11, 1990

POWER COUNTY HIGHWAY DISTRICT  
C/O TED NEW  
P.O. BOX 513  
AMERICAN FALLS, ID 83211

P E R M I T   A P P R O V A L   N O T I C E

RE: PERMIT NO.            29-07938

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

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# Public Notices

## Application for water right

Published in The Power County Press,  
May, 16, 23, 1990.

### NOTICE OF APPLICATION FOR WATER RIGHT

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

29-07929  
CURRY, RICHARD  
CURRY, BILL  
CURRY, DEANNA  
CURRY, REX  
P.O BOX 21  
ARBON, ID 83212

Source: SPRING  
Tributary: SINKS

Diversion Pt: SESWSW Sec 32 T 10S  
R 33E

Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)

Date Filed: 3/8/1990

In: T10S R33E S02 SWSW  
Use: IRRIGATION (.060 CFS)  
STOCKWATER (.050 CFS)  
COMMERCIAL (.020 CFS)  
DOMESTIC (.040 CFS)  
Total Diversion: (.170 CFS)

Date Filed: 3/14/1990

In: T06S R33E S02 NENE  
2.0 ACRES TOTAL

29-07937  
SLIM PICKENS FARM  
2677 KOPP RD.  
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: SWSWSW Sec 14 T 07S  
R 31E

Use: IRRIGATION (.130 CFS)  
Total Diversion: (.130 CFS)

Date Filed: 3/15/1990

In: T07S R31E S14 SWSW  
6.4 ACRES TOTAL

29-07938  
HWY. DIST., POWER COUNTY  
C/O TED NEU  
P.O. BOX 513  
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: NWSENE Sec 11 T 10S  
R 33E

Use: COMMERCIAL (.020 CFS)  
DOMESTIC (.020 CFS)  
Total Diversion: (.040 CFS)

Date Filed: 3/16/1990

In: T10S R33E S11 SENE

35-08885  
BURGEMEISTER FARMS LTD.  
3660 S. PLEASANT VALLEY RD.  
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt. SWNESW Sec 24 T 07S  
R 29E

Use: IRRIGATION (.680 CFS)  
Total Diversion: (.680 CFS)

Date Filed: 3/7/1990

In: T07S R29E S24 SWSW  
34.0 ACRES TOTAL

35-08886  
SIEBEL, WALTER  
3104 LAMB WESTON RD.  
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: SESESW Sec 21 T 08S R  
29E

Use: COMMERCIAL (.040 CFS)  
Total Diversion: (.040 CFS)

Date Filed: 3/14/1990

In: T08S R29E S21 SESW

The permit(s) will be subject to all prior water rights. Protests must be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 4, 1990.

R. Keith Higginson, Director

Erma Crompton being first duly sworn on oath, states:  
That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:  
That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 3 successive weekly issues thereof, the date of the first publication being the 16 day of May 1990 and the date of last publication being the 23 day of May 1990.

(Signed)

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she executed the same.

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29-07938

HWY. DIST., POWER COUNTY  
C/O TED NEW  
P.O. BOX 513  
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: NWSENE Sec 11 T 10S R 33E

Use: COMMERCIAL ( .020 CFS)  
DOMESTIC ( .020 CFS)  
Total Diversion: ( .040 CFS)

Date Filed: 3/16/ 1990

In: T10S R33E S11 SENE

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JUL 20 1990