

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-07730

Priority: June 13, 1983

Maximum Diversion Rate: 0.76 CFS
Maximum Diversion Volume: 133.0 AF

It is hereby certified that FUHRIMAN RANCH INC
19297 MARSH VALLEY RD
DOWNEY ID 83234 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 13, 1983; and has
submitted Proof of Beneficial Use on April 12, 1990. An examination indicates that the works have a
diversion capacity of 1.23 cfs of water from:

SOURCE

MARSH CREEK

Tributary: PORTNEUF RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.76 CFS	133.0 AF

LOCATION OF POINT OF DIVERSION:

MARSH CREEK NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11, Twp 11S, Rge 36E, B.M., BANNOCK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 36E 11	4.0	35.0	24.0					11.0									74.0

Total Acres: 74

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.
2. Rights 29-02295B and 29-07730 when combined shall not exceed the irrigation of 138 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29-H.

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OCT 04 2002

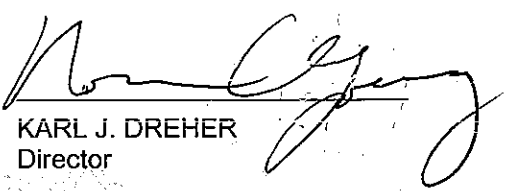
State of Idaho
Department of Water Resources
Water Right License

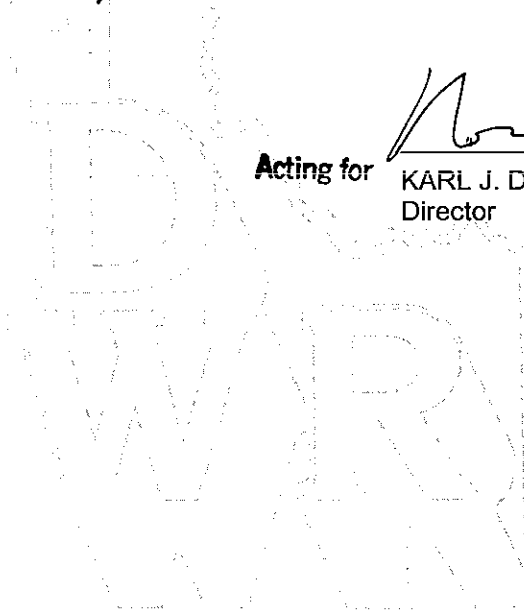
WATER RIGHT NO. 29-07730

5. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 20th day of September, 2002.

Acting for 
KARL J. DREHER
Director



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OCT 04 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 29-07730

RECEIVED

SEP 13 2002

Department of Water Resources

Date of Priority: June 13, 1983

Maximum Diversion Rate: 0.76 CFS
Maximum Diversion Volume: 133.0 AF

Comes now FUHRIMAN RANCH INC
19297 MARSH VALLEY RD

DOWNEY ID 83234 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 29-07730, and requests that the permit be changed as follows:

Source: MARSH CREEK

Tributary: PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.76 CFS	133.0 AF

LOCATION OF POINT OF DIVERSION:

MARSH CREEK NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11, Twp 11S, Rge 36E, B.M., BANNOCK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 36E 11	4.0	35.0	24.0					11.0									74.0

Total Acres: 74

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 9 day of September, 2002.

Rick Fuhrman (Pres)
(Signature)

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OCT 04 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07730

FOR DEPARTMENT USE ONLY

Preliminary check by bw Fee = 50.00 Received by pm #00151581 Date 9-13-02

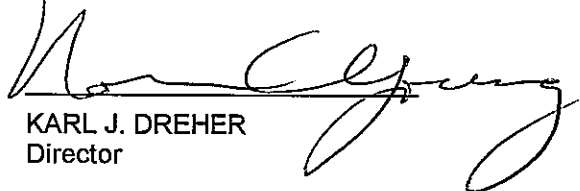
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 29-07730 with the following:

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.
2. Rights 29-02295B and 29-07730 when combined shall not exceed the irrigation of 138 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29-H.
5. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.

Witness my hand this 20TH day of September, 2002.


KARL J. DREHER
Acting for Director

MICROFILMED
OCT 04 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT	)	ORDER TO CHANGE
NO. 29-07730 IN THE NAME OF	)	MEASURING DEVICE
FUHRIMAN RANCH INC.	)	REQUIREMENT
_____	)	

This matter having come before the Department of Water Resources (Department) to remove the measuring device and lockable controlling works requirement, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On July 20, 1989, the Department issued Permit 29-07730 (permit) to Fuhriman Ranch Inc. (permit holder) with a condition of approval requiring a measuring device and lockable controlling works of a type acceptable to the Department be permanently installed and maintained as part of the diverting works.
2. On December 14, 2001, the Department received the beneficial use field report from the Department's examiner that a measuring device and lockable controlling works had not been installed on the diversion.
3. Installation of the measuring device and lockable controlling works is not necessary at this time since Water District No. 29-H has been inactive since 1960.

CONCLUSIONS OF LAW

1. Beneficial Use Examination Rule 35.02.d. (IDAPA 37.03.02.35.02.d.) provides for the waiver of a measuring device and lockable controlling works requirement by the Department.

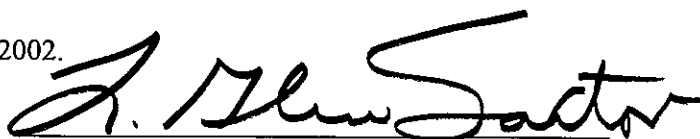
ORDER

IT IS THEREFORE HEREBY ORDERED as follows:

The condition of approval requiring a measuring device and lockable controlling works as part of the diversion works for the permits is **MODIFIED** as follows:

Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

Dated this 15th day of August, 2002.



L. GLEN SAXTON
Chief, Water Allocation Bureau

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OCT 04 2002

RECEIVED
APR 12 1990For Office Use Only
Amt. of Fee \$ 100⁰⁰
Date 4/10/90
Receipt No. E013007
Received by DCSTATE 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.

Permit No. 29-07730 Telephone No. 897-5508Name(s) of Permit Holder(s): Fisherman Ranch, Inc.Post Office Address: 19297 Marsh Valley Rd., Norwoc, Idaho 83234Source of Water: Marsh Creek

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation NO 38 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____Total rate and/or volume for which proof is submitted 0.76 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 6/13/1983

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ NoFee Enclosed: \$ 100⁰⁰ (See License Examination Fee Schedule)

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

Name William D. Fisherman Telephone No. 897-5508Address 19297 Marsh Valley Rd., Norwoc, Idaho 83234**RECORDED**

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.

MAY 18 1990

Date 4-10-90Signature (and title if on behalf of a company or organization)
W. D. Fisherman, President, Fisherman Ranch, Inc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 24, 2002

FUHRIMAN RANCH INC
19297 MARSH VALLEY RD
DOWNEY ID 83234

RE: License No. 29-7730 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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OCT 04 2002

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

29-7730

**FUHRIMAN RANCH INC
19297 MARSH VALLEY RD
DOWNEY ID 83234**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 04 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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OCT 04 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 10, 2002

FUHRIMAN RANCH INC
1927 MARSH VALLEY RD
DOWNEY ID 83234

RE: Water Right Permit 29-07730

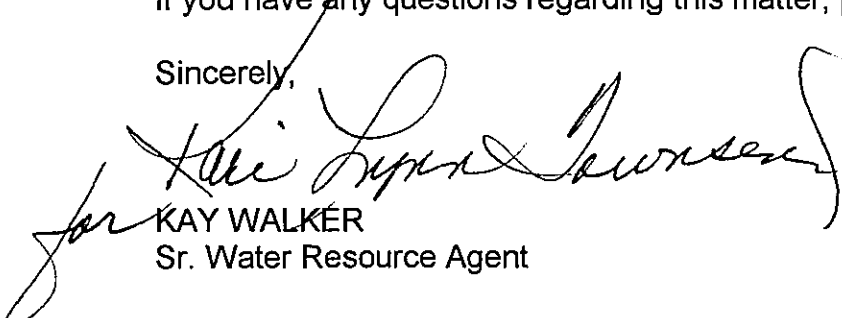
Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received the amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you have been misplaced, a new one is enclosed. Please note that the filing fee for the amendment is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 16, 2002

FUHRIMAN RANCH INC
19297 MARSH VALLEY RD
DOWNEY ID 83234

RE: Water Right Permit No. 29-07730

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

Place of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also enclosed is an Order to Change the Measuring Device Requirement on this permit. If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

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OCT 04 2002

LICENSE REVIEW CHECKLIST

Permit No. 29-7730 Date: 8-13-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

add
add ppu

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): 29-2295B

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.76 cfs

Fee Limit 1.0 cfs

Measured 1.23 cfs

Theoretical 1.10 cfs

Recommended Total Diversion Rate _____

Water Uses

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total _____ cfs _____ af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: W27

Additional Conditions 294

Watermaster Control ☒

_____ GW Measurement/Measuring Device

Other _____

Trust R55 - remove 051)

Non-trust (048)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes
no

If yes, explain why below.

SRBA Claim? yes-pending

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice P44

S06

OL's 29-4381 - still claim
29-2295E - "

Comment Report

29-7730

1. dcarlson 8/7/2002 Field Report Narrative

Comment: 50 hp pump in marsh creek to sprinkler system

2. kwalker 9/13/2002 Place of Use

Comment: The place of use under this proposed license covers the land currently being irrigated by Fuhrman. Claims filed in SRBA split Rt. 29-2295B which we cannot recognize since they are only claims. Claim 29-2295E will be recommended on the same 74 acres as this proposed license. Since the overlap with the proposed license is with Rt. 29-2295B I had to use the land list from that right and what is shown on this ppu. Rt. 29-2295B covers 100 acres, of which 24 are a direct overlap with the lands under this ppu. Together these rights should be limited to 150 acres but proposed license is only for 38 acres within the 74 acre ppu so we are limiting the 2 rights when combined to 138 acres. 100 acres under 29-2295B - 24 acres overlap + 74 acres new land = 150 acres but limited to 138 due to limit of ppu on 29-7730..

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OCT 04 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2295B

WATER RIGHT NUMBER: 29-2295B

Owner Type Name and Address
 Original Owner RAYMOND DAVIS
 , ZZ
 Current Owner FUHRIMAN RANCH INC
 PO BOX 103
 DOWNEY, ID 83234
 Original Owner WILLIAM D FUHRIMAN
 , ZZ

Priority Date: 11/27/1950

Basis: License

Status: Active

Source Tributary
 MARSH CREEK PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

MARSH CREEK
 BANNOCK County

SW1/4NE1/4

Sec. 14, Twp 11S, Rge 36E, B.M.

MARSH CREEK
 BANNOCK County

NW1/4NE1/4

Sec. 11, Twp 11S, Rge 36E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S	36E	11			30.0									20.0					50.0
11S	36E	14					25.0		25.0										50.0

Total Acres: 100

Conditions of Approval:

- 01E A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No.

MISFILED

OCT 04 2002

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 29-2295B

Remarks:

1. General TRANS. 2889.

Comments:

Dates and Other Information:

Licensed Date: 1/17/1984
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 29H
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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OCT 04 2002

MEMORANDUM

TO: File 29-07730

FROM: KAY WALKER *KW*

RE: License Review

Date: August 13, 2002

.....

In the initial review of this permit for licensing, I found that the permit required a measuring device and lockable controlling works because it is located in Water District No. 29-H, Marsh Creek. The examiner stated that no measuring device had been installed. I then did some research of our water district records and found that water district 29-H was inactive. The microfilm we had for this district was for the years of 1920 and 1960. I then talked with Tim Luke about this permit, the water district and what I should do in regard to the condition that was not complied with. Tim said he had not done much with this water district since they have been inactive for years. He said it would not be fair to make the permit holder install a measuring device when no one else within the water district had devices on their diversions. Tim said he believed that the time would come when this district would be combined with all the other water districts in Basin 29 and devices would have to be installed sometime in the future. Tim indicated that we should change the condition that was on the permit to condition 01P, requiring a device be installed upon specific notification by the Department in the future. I have prepared an order that will accomplish the change in condition.

MICROFILMED

OCT 04 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 14 2001
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-7730

1. Owner: Fuhrman Ranch Inc. Phone No. 897-5568

Current Address: 997 E Richards Rd., Downey, ID 83234

2. Accompanied by: Rick Fuhrman EXAM DATE: 6-28-00

Address: _____ Phone No. _____

Relationship to Permit Holder: Same

3. Source: Marsh Creek tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 29-2295B 29-4381

2. Other water rights with the same point of diversion: 29-2295B 29-4381

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

R062818A

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	NE	11	11S	36E	Bannock	GPS 1 on site

2. Place(s) of Use:

Aerial Photo

Permissible Place of Use

Indicate Method of Determination On Site

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	36E	11	4	35	24					11								74	

MICROFILMED

OCT 04 2002

29-7730

3. **Delivery System Diagram:** Include 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
	Hollaschaff	50	CC1006986	Peerless	224089

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

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D. FLOW MEASUREMENTS

1.

OCT 04 2002

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

2. Measurements: 8" mainline .116 in thick - couldn't get reading <<29-7730>>
 .055 4" Alum. 284 gpm observed 33 birds
 8" mainline Alum .064 in thick 266 gpm 33 birds
 550 gpm birds are rated at 7 1/2 gallons each

E. NARRATIVE/REMARKS/COMMENTS

Overlap 29-2295 B for 30 acres
Water is pumped from Marsh Creek to 8" mainline
to wheel and handlines to approximately 65 acres.
A portion of land has been irrigated from time to time
in the aerial photo labeled with a letter A. This land
is best used in wet years according to Mr. Fuhrman. He
is not irrigating it this year.

The sonic meter wouldn't pick up a signal on the mainline
near the PAD. Two wheel lines were running at the time
with a total of 66 7 1/2 gallon rated birds. The lower
wheel line showed a reading of 284 gallons per min.
The upper line read 266 gpm. Both readings on the sonic
at the wheel line locations were ideal measurements with
stable readings. The logger wouldn't log. Probably
something I was doing wrong.

* NOTE: It appears that Mr Fuhrman outlined only those acres that are
being irrigated this year, not what has historically irrigated.
Therefore recommend Permissible Place of Use 38 acres
within 74 acres

** NO MEASURING DEVICE

* 10/30/2001 Mr Fuhrman came into office & agreed that the area
he outlined was only the acres he was irrigating in 2000 not historical acres

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

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OCT 04 2002

<29-7730>

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q_{\text{theoretical}} = 66 \text{ sprinklers} (7.5 \text{ gpm}) = 495 \text{ gpm}$$

Measured Q

$$Q = 550 \text{ gpm} = 1.23 \text{ cfs}$$

$$Q_{\text{LIMITED BY PERMIT}} = 0.76 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 38(3.5) = 133.0 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.76 \text{ cfs} (214) 1.9835 = 322.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 133.0$$

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	11/1	0.76 cfs	133.0
Totals:			0.76 cfs	133.0

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

Permissible Place of Use

Keith C. Wilson (10-4-2001)

I. AUTHENTICATION

Field Examiner's Name

Steve Mueller

Date

6-28-00

Reviewer

Date

SEAL

MICROFILMED

OCT 04 2002

<29-7730>

SCANNED

MAY 24 2001

Log for claim A29-07730

Spatial Dynamics TWB

6/1/00

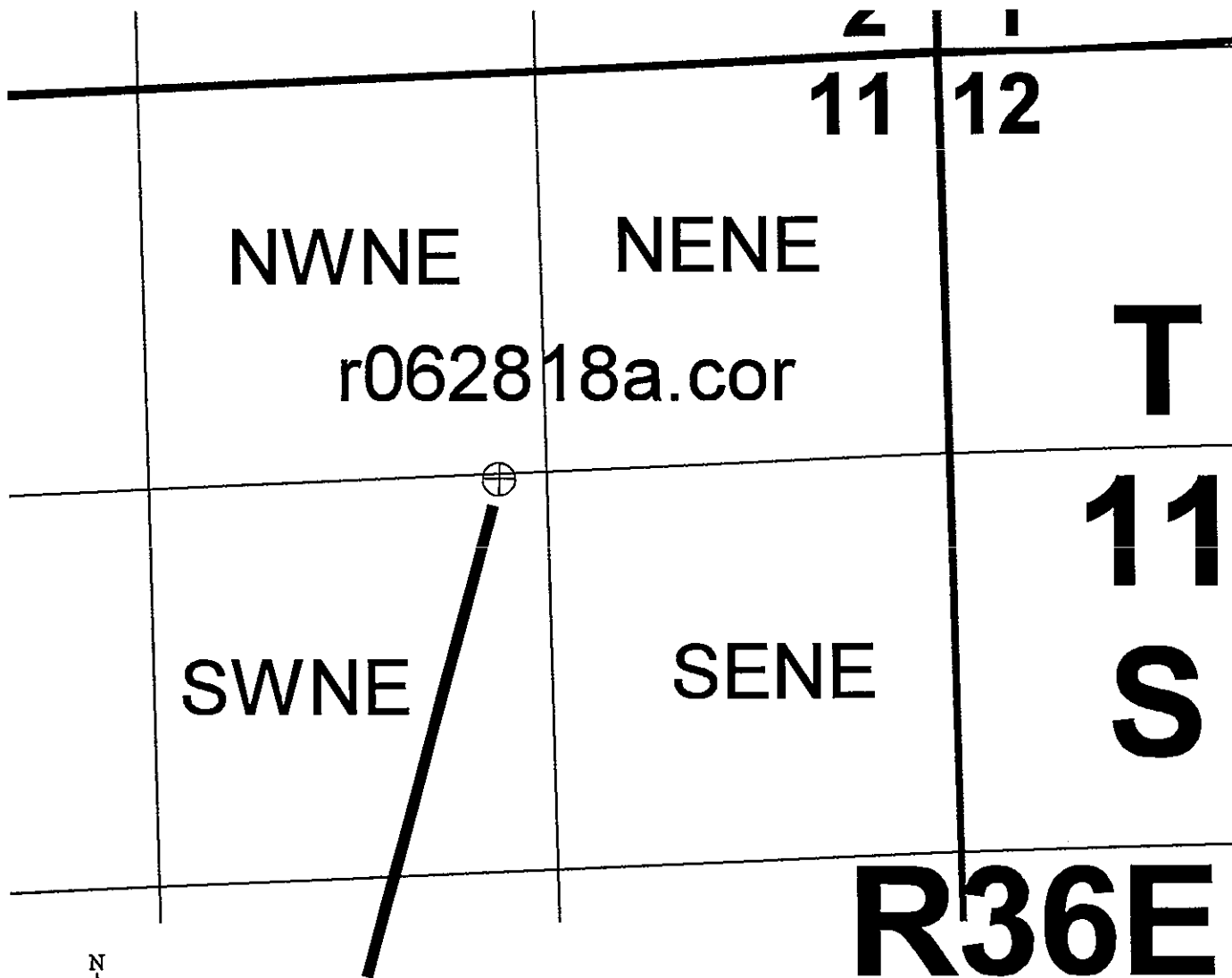
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	11	NENE	4	4.3	> USE TOTAL ACRES = 74.0
11s36e	11	NWNE	31	35	
11s36e	11	SWNE	24	24	
11s36e	11	SENW	6	11	
~~11s36e~~	~~11~~	~~SESW~~	~~21~~	~~24~~	
~~11s36e~~	~~14~~	~~NENW~~	~~20~~	~~22~~	
~~11s36e~~	~~14~~	~~SENW~~	~~24~~	~~28~~	
Totals:			~~130~~	~~148.3~~	

 SPATIAL
DYNAMICS

29-07730

MICROFILMED

OCT 04 2002

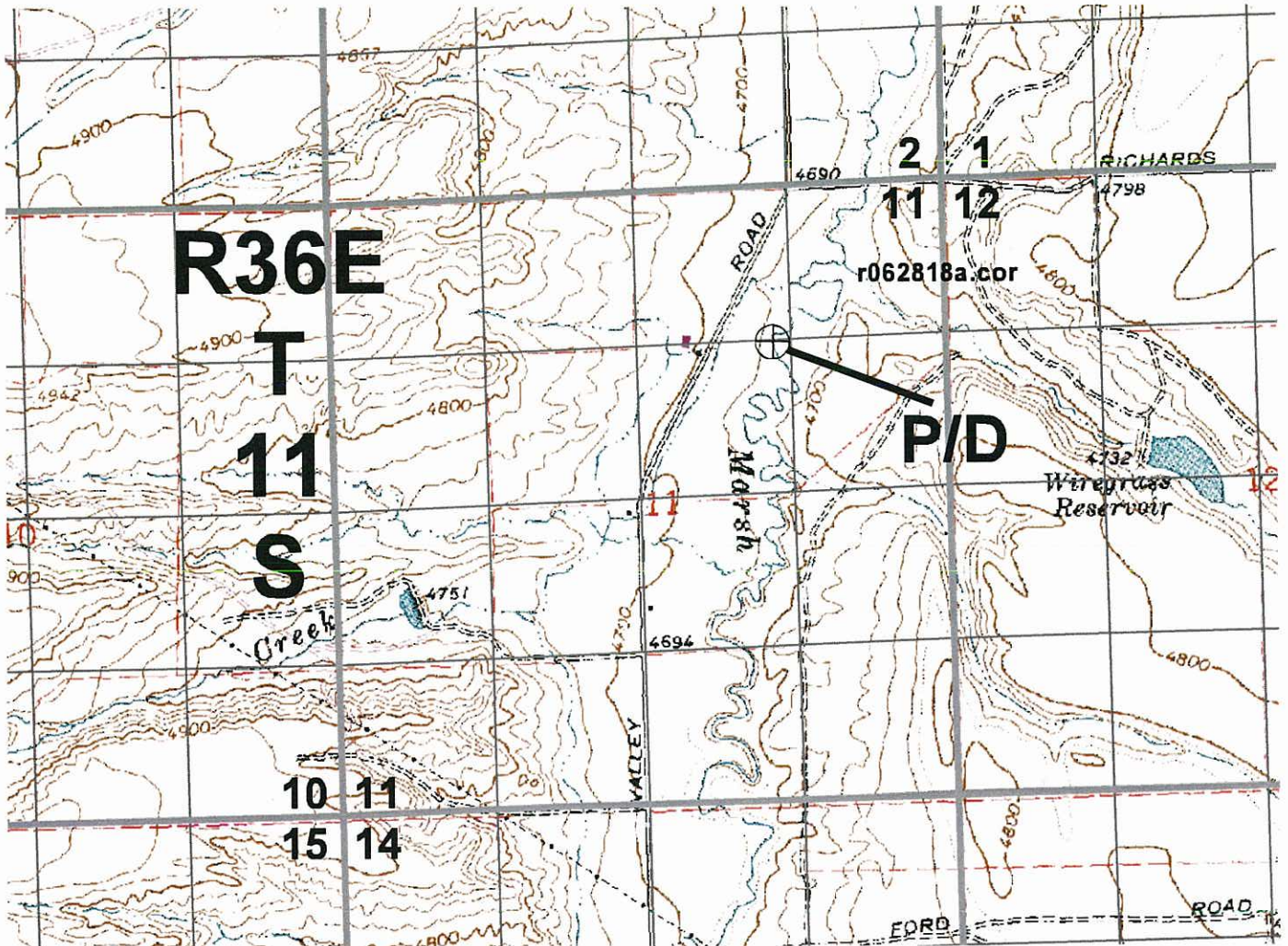


POINT OF DIVERSION
SW1/4 NE1/4 Sec 11, T11S, R36E



29-07730

MICROFILMED
OCT 04 2002



POINT OF DIVERSION

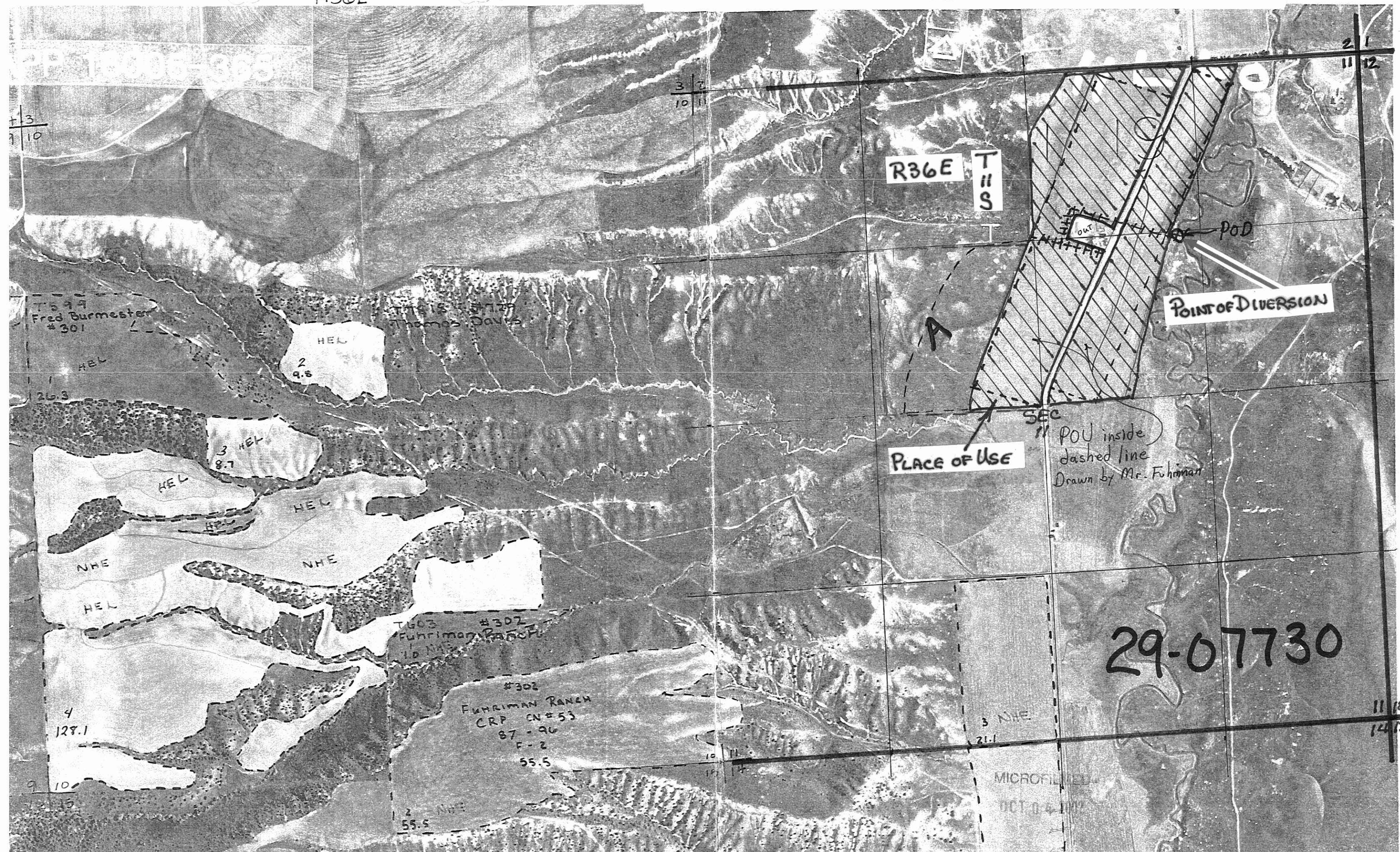
29-07730

MICROFILMED

OCT 04 2002

29-67730

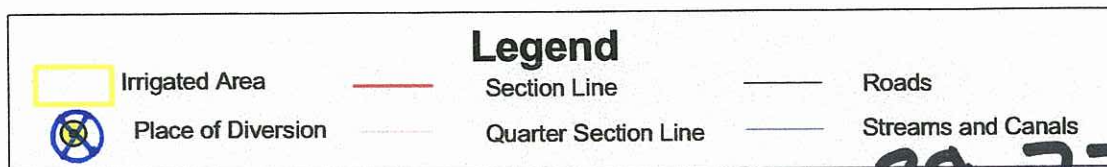
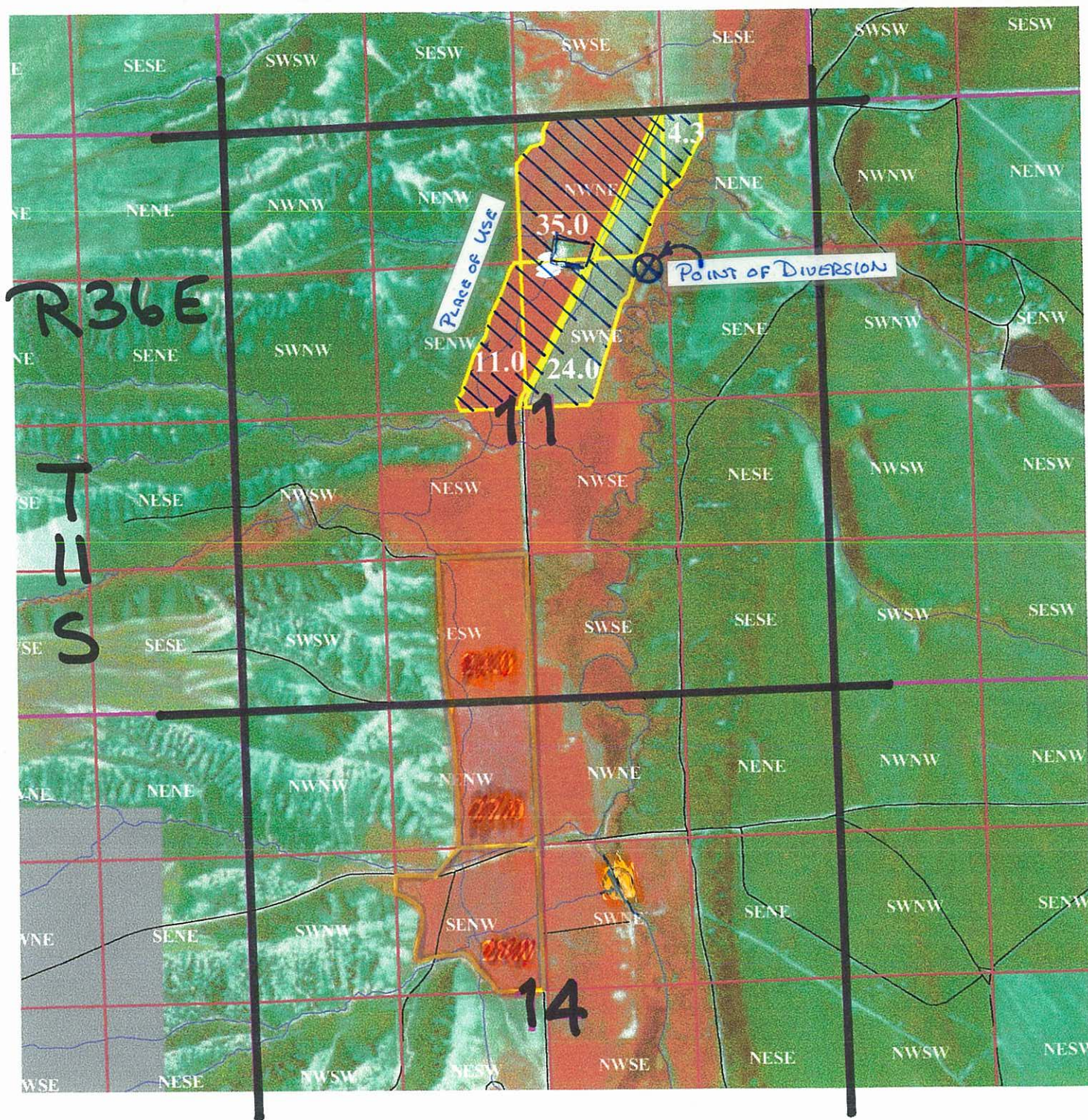
MICROFILMED
OCT 04 1982



Water Right Claim Number A29-07730

06/01/2000

Township , 11S36E



1000

0

1000

2000 Feet

MICROFILMED
OCT 04 2002

29-7730



POD

29-07730

MICROFILMED
OCT 04 2002

LICENSE REVIEW CHECKLIST

Permit No. 29-7730

Date: 8-13-02

Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

add
add ppu

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 29-2295B
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.76 cfs
Fee Limit 1.0 cfs
Measured 1.23 cfs
Theoretical 1.10 cfs

Recommended Total Diversion Rate _____

Water Uses

_____ Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total _____ cfs _____ af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks:

W27

Additional Conditions

29H Watermaster Control ☒
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? ☐ yes ☒ no

If yes, explain why below.

SRBA Claim?

yes - pending

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

P44

S06

OL's 29-4381 - still claim
29-2295E- "

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 Fuhriman Ranch, Inc. Phone 897-5508

Post office address Box 103, Downey, ID 83423

2. Source of water supply Marsh Creek which is a tributary of Portneuf River

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11 Township 11S

Range 36E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.76 cfs for irrigation purposes from 4/1 to 11/1 (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. 0.76 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump, pipeline and sprinkler system

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

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

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

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AUG 17 1989

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	
11S	36E	11		10						28									38

Total number of acres to be irrigated 38

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

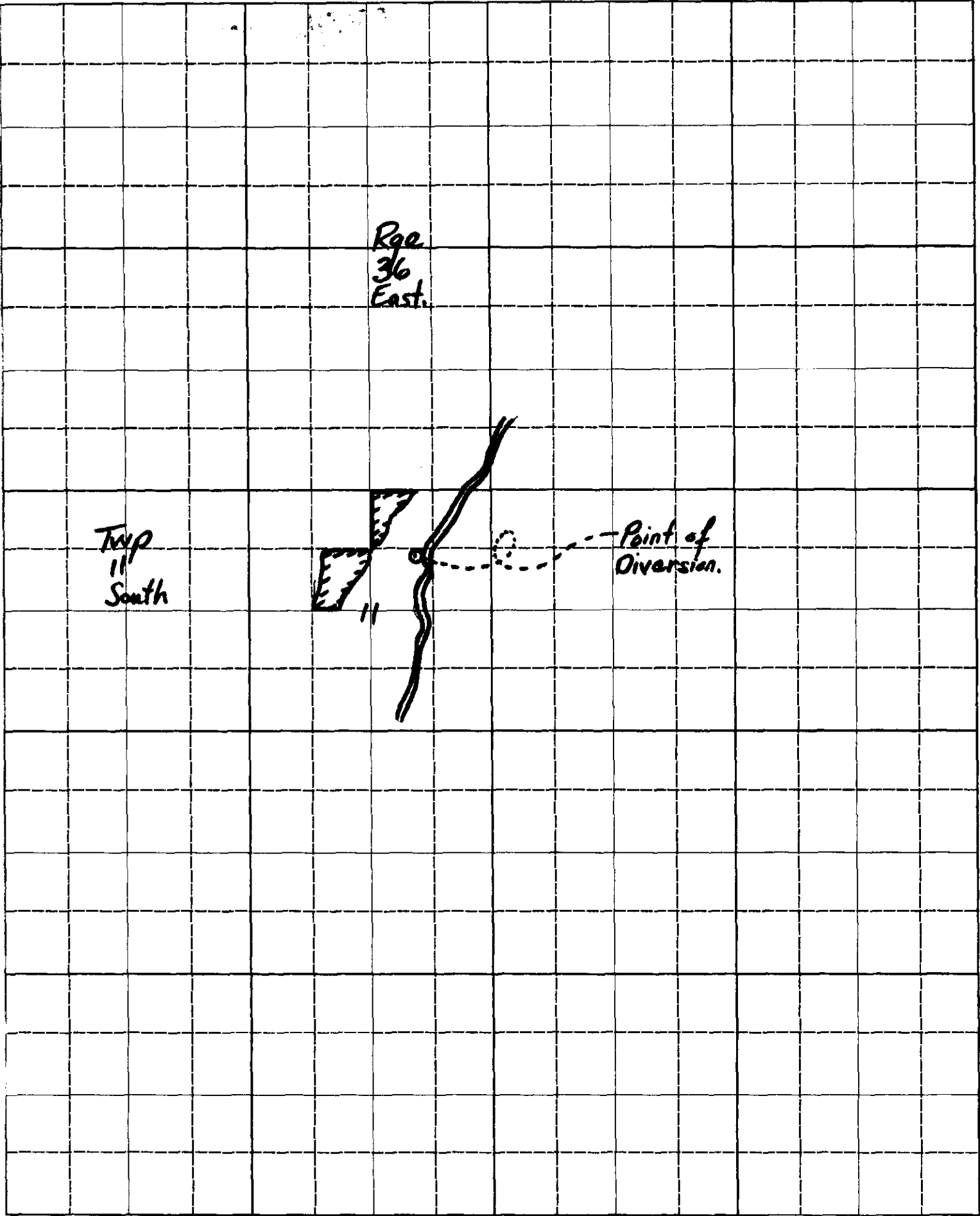
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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AUG 17 1989

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.

MICROFILMED

AUG 17 1989

Fuhrman Ranch, Inc.
(Applicant)
William D. Fuhrman, President.

Received by EMC Date 6/13/83 Time _____
 Preliminary check by HWT Fee \$ 45.00
 Receipted by BP Date 6/16/83 # 30884
 Publication prepared by GB Date 6-6-89
 Published in Idaho State Journal
 Publication dates 6-15 & 22, 89
 Publication approved HW Date 7-25-89
 Protests filed by: none

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for (approval) denial by HWT

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. 29-7730, 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 August 1, 19 91.
- 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: 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.

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.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.

Use of water under this permit is subject to control by the watermaster of State Water District No. 29-H, Marsh Creek.

Witness my hand this 20th day of July, 1989.

RECORDED

AUG 17 1989

D. Shaw Saxon

Date Filed: 4-27-1983
In: T06S R34E S23 NWNW SESW
S35 NESE
S36 NESW NWSW
T07S R34E S01 NWNE SWNE
NENW NESE
40.0 ACRES TOTAL

29-07705

DAVIS, GLADE H.
DAVIS, JANE P.

RT. 1,

DOWNEY, ID 83234

Source: SPRING

Tributary: SINKS

Diversion Pt:

NWNE Sec 34 T 11S R 36E

Use: IRRIGATION (.120 CFS)

STOCKWATER (.030 CFS)

Date Filed: 5-16-1983

In: T11S R36E S34 NWNE

4.0 ACRES TOTAL

29-07706

HATHAWAY, KENNETH

4330 BANNOCK HWY.

POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt:

LOT 2 (SWNW) Sec 7 T 07S R 35E

Use: IRRIGATION (.100 CFS)

Date Filed: 5-09-1983

In: T07S R35E S07 SWNW

5.0 ACRES TOTAL

29-07712

BANNOCK COUNTY

P.O. BOX 4777

POCATELLO, ID 83201

Source: GROUNDWATER

Diversion Pt:

SWNW Sec 12 T 06S R 34E

Use: IRRIGATION (.080 CFS)

DOMESTIC (.080 CFS)

RECREATION (.080 CFS)

FIRE PROTECTION (.080 CFS)

Date Filed: 5-19-1983

In: T06S R34E S12 SWNW SENW

NESW NWSW

4.0 ACRES TOTAL

29-07729

SPRAKER, IRVIN L.

INKOM, ID 83245

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

Diversion Pt:

SENE Sec 34 T 07S R 36E

Use: IRRIGATION (.200 CFS)

Date Filed: 6-14-1983

In: T07S R36E S34 SENE

S35 SWNW

14.0 ACRES TOTAL

29-07730

FUHRMAN RANCH, INC.

BOX 103

DOWNEY, ID 83423

Source: MARSH CREEK

Tributary: PORTNEUF RIVER

Diversion Pt:

SWNE Sec 11 T 11S R 36E

Use: IRRIGATION (.760 CFS)

Date Filed: 6-13-1983

In: T11S R36E S11 NWNE SENW

38.0 ACRES TOTAL

29-07731

FUHRMAN RANCH, INC.

BOX 103

DOWNEY, ID 83234

Source: GROUNDWATER

Diversion Pt:

SESE Sec 35 T 10S R 36E

Use: IRRIGATION (3.750 CFS)

Date Filed: 6-13-1983

In: T10S R36E S35 NESE NWSE

SWSE SESE

T11S R36E S02 NENE NWNE SWNE

SENE

NWSE

288.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may 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 JULY 3, 1989.

S/R. Keith Higginson, Director

June 15, 22, 1989

No. 157

OF OF PUBLICATION

Sandra K. Wann

Department of Resources
Eastern District Office

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

<u>15 June</u>	<u>1989</u>	<u>19</u>
<u>22 June</u>	<u>19 89</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>	<u>19</u>

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 22nd day of June in the year of 1989, before me,
a Notary Public, personally appeared Sandra K. Wann,
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.

John L. Lisen
Notary Public for Idaho

Residing at Pocatello

My commission expires: July, 1989

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AUG 17 1989

May 2, 1990

FUHRIMAN RANCH INC.
19297 MARSH VALLEY RD.
DOWNEY, ID 83423

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07730

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

MAY 18 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 29-7730

Date: 4-18-70

General Considerations:

y Name same as permit
y Signature the same as permit holder
2/ Address change _____ If yes, prepare a data entry
3 Proof received timely _____
_____ Reinstated

Source of Water:

y Surface water
_____ Groundwater
_____ 1. well log in file
WA 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

y Rate of diversion appropriate for uses
y Is rate or volume and fee appropriate?
y Has permit holder indicated when water was first put to a beneficial use?

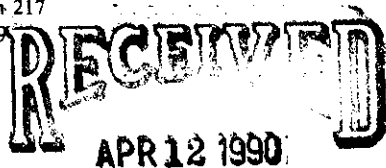
Measuring Device:

y Is a measuring device or access port required?
3 Has one been installed?
2/18 Waiver or modification of measuring device requested

Remarks: Proof acceptable

2/18 Priority Calculation:
Date proof received _____
Date proof due _____ -
No. of days late _____ =
Priority date _____ +
NEW PRIORITY DATE _____ =

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



For Office Use Only
Amt. of Fee \$ 100.00
Date 4/10/90
Receipt No. E013007
Received by DC

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.

Permit No. 29-07730 Telephone No. 897-5508

Name(s) of Permit Holder(s): Fuhrman Ranch, Inc.

Post Office Address: 19297 Marsh Valley Rd., Arroyo, Idaho 83234

Source of Water: Marsh Creek

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation note 38 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.76 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 6/13/1983

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? ___ Yes ___ No Installed? ___ Yes ___ No

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

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

William D. Fuhrman 897-5508
Name Telephone No.

19297 Marsh Valley Rd., Arroyo, Idaho 83234
Address

MICROFILMED

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.

MAY 18 1990

4-10-90 W. D. Fuhrman, President, Fuhrman Ranch, Inc.
Date Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 29-07730
Name(s) of Permit Holder(s): Eubank Ranch
Post Office Address: ~~2424~~ Box 103, Emery, ID 83234
Tel. No. 897-5508

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____, I understand that I must
(date)
continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

I am fixing the water & pump, sprinkler system is not installed

*Note: A financing difficulty is not an acceptable reason.

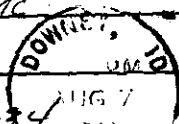
Date

Signature of Permit Holder

Fulmer & Co Inc

Box 103

Dorsey, ID 83234



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RECEIVED

AUG 17 1989

AUG 08 1989



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720



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

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 20, 1989

FUHRIMAN RANCH INC.
BOX 103
DOWNEY, ID 83423

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

RE: PERMIT NO. 29-07730

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.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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AUG 17 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

APPLICATION NUMBER: 29 7730

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by _____ Date: _____
☒ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

PROCESSING:

- ☒ Yes ☒ No Plotted by: _____ Map for _____
☒ Yes ☒ No Other rights on same piece of land: _____
☒ Yes ☒ No* In form for advertising.
Final date for protests: 7-3-89
☒ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW

- ☒ Affidavit of publication received. Date 6-23-89
☒ Application published correctly. If not, record action taken.
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☒ No Measuring device required.
☒ Yes ☒ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 29-H
6-13-83 Date of priority recommended.
Special conditions of approval or cover letter.
<OIG>

App. in NON-TRUST area -
allow 2 yrs. to develop

By: HLW

Date: 7-6-89

STATE OFFICE REVIEW.

P08, P17 2605(29-H, Marsh Creek), OIJ 48 49

See attached sheet for more information.

By: KW

Date: 7/18/89

JUL 07 1989

Department of Water Resources

June 12, 1989

Department of Fish & Game
1515 E. Lincoln
Idaho Falls, ID 83401

RE: Application for Permit No. 29-7730

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received as soon as possible. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

MICROFILMED
AUG 17 1989

07-Jun-1989
Fuhriman Ranch, Inc.
Box 103
Downey, ID 83234

RE: Application for Permit No. 29-7731

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho State Journal. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED
AUG 17 1989

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
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 6, 1989

IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before JULY 3, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

AUG 17 1989

29-2230-

FUHRIMAN RANCH, INC.

BOX 103, DOWNEY, ID 83423

Source: MARSH CREEK trib. to PORTNEUF RIVER

Date Filed: 06/13/1983

Diversion Pt: SWNE Sec 11 T 11S R 36E

Use: IRRIGATION (0.76 CFS)

In: NWNE SENW Sec 11 T 11S R 36E FOR 38 ACRES

MICROFILMED

AUG 17 1989

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

RECORDED

AUG 17 1989

29-07730

FUHRIMAN RANCH, INC.
BOX 103
DOWNEY, ID 83423

Source: MARSH CREEK

Tributary: PORTNEUF RIVER

Diversion Pt: SWNE Sec 11 T 11S R 36E

Use: IRRIGATION (.760 CFS)

Date Filed: 6/13/1983

In: T11S R36E S11 NWNE SENW

38.0 ACRES TOTAL

MICROFILMED

AUG 17 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based 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 JULY 3, 1989.

R. Keith Higginson, Director

Published 6/15/1989 & 6/22/1989

Microfilm
AUG 17 1989

August 16, 1985

I hereby certify and swear that prior to October 1, 1984, the source of water listed on application for permit No. 29-7730, was being diverted and put to beneficial use as represented by the application.

William D. Fuhrman
WILLIAM D. FUHRMAN, President
Fuhrman Ranch, Inc.,
Box 103,
Downey, Idaho 83234

Morgan Christman
Notary

Residing in Downey, Idaho
My commission expires 12-1-85

RECORDED

AUG 17 1985

08/85

DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE SURVEY

RECEIVED
SEP 3 1985
Department of Water Resources
Eastern District Office

29-7730-

FUHRIMAN RANCH, INC.

BOX 103, DOWNEY, ID 83423

Source: MARSH CREEK trib. to PORTNEUF RIVER

Date Filed: 06/13/1983

Diversion Pt: SWNE Sec 11 T 115 R 36E

Use: IRRIGATION (0.76 CFS)

In: NWNE SENW Sec 11 T 115 R 36E FOR 38 ACRES

Check the box to the left of the paragraph which accurately describes the status of the project described by the application and then sign on the line at the bottom of the page.

- A. ☐ Prior to October 1, 1984, the source of water listed on application for permit No. _____ was not being diverted and put to beneficial use as represented by the application.
- B. ☒ Prior to October 1, 1984, the source of water listed on application for permit No. 29-7730 was being diverted and put to beneficial use as represented by the application.

If paragraph "B" was selected return the form with documentation confirming beneficial use occurred prior to October 1, 1984. This documentation should include a sworn statement from you as applicant, plus other evidence that will substantiate beneficial use.

Additional information is not required for paragraph "A".

MAILED
AUG 17 1984

Fuhriman Ranch, Inc., by William N. Fuhriman, President
(Signature)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

August 13, 1985

RE: Application for Permit No. 29-7730

Fuhriman Ranch, Inc.
Box 103
Downey, Idaho 83423

Gentlemen:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

AUG 17 1985