

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-7687

Priority: February 9, 1983 Amount: .04 CFS 1.2 AFA

This is to certify, that MAX SIMONS
RT. 1 BOX 320

AMERICAN FALLS, ID 83211 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 9, 1983, and has submitted proof to the Department of Water Resources on October 23, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .07 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.04 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): SENE , Sec. 12, Township 7S, Range 31E
Power County

PLACE OF USE: Domestic

TWN RGE SEC

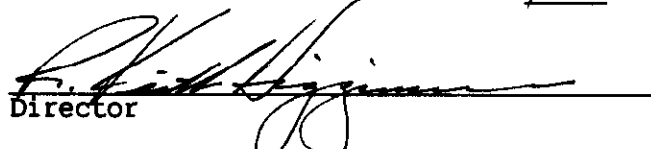
7S 31E 12 SENE

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 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 10th day of February, 1988.

MICROFILMED


Director

FEB 25 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Max Simons Phone 226-2743

Post office address Rt. 1 American Falls, Idaho 83211

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

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

Range 31 E B.M. Power _____ County, additional points of diversion if any: _____

**Changes as per tele-con with Mr. Simons 22 Aug. 1984 KCW

* Changes as per tele-con with Mr. Simons 1-10-1983 HWJ

4. Water will be used for the following purposes:

0.04 *
Amount .02 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

0.20
Amount .05 ** for Irrigation purposes from June 1 - - to Sept. 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)

5. Total quantity to be appropriated:

a. 0.04 ** cubic feet per second and/or b. 0.20 - 0.20 * acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well - pump - pipeline

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

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

c. Proposed well diameter is 8 inches; proposed depth of well is 240 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12 Township 7S

Range 31E 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 one **.

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

APPROVED

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	
7S	31E	12				10													10

Total number of acres to be irrigated 10

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

* Shares in Falls Irrigation System

9. a. Who owns the property at the point of diversion Max Simons

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

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 Well was drilled in 1960

MICROFILMED

Proposed Priority 2/9/83 CW 2-09-83 3:5P
Received by CW Date 1-07-83 Time 3:15P
Preliminary check by HWS Fee \$ 30.00
Receipted by BP Date 2/14/83 # 23395
Publication prepared by CW Date 8-29-84
Published in Power County Press
Publication dates 9-6 & 13-1984
Publication approved CW Date 9-14-84
Protests filed by: _____

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

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. 29-7687, 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 December 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

Witness my hand this 20th day of November, 1984.

L. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF POWER

.Brett.Crompton..... being first duly
sworn on oath, states:

That ...he.. is the ...editor.....
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 pub-
lished in said county uninterruptedly and
continuously for over seventy-eight consec-
utive 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...2... successive weekly issues thereof,
the date of the first publication being the

.....5..... day of ...September.....1984...
and the date of last publication being the

.....12..... day of ...September.....1984...

(Signed) *Brett Crompton*.....

Subscribed and sworn to before me this

...12..... day of ...September.....1984....

Randa Nason.....

Notary Public, residing at
American Falls, Idaho

My commission expires the

.....10.day of *march*.1986..

RECEIVED

SEP 14 1984

Department of Water Resources
Eastern District Office

WRITING

Published in the Power County Press, American Falls, Idaho, on September 12, 1984.

NOTICE OF APPLICATION
FOR WATER RIGHT

For Domestic Use (0.05 CFS)
See DEWE Sec 12 T 07S R 31E

Filed with the Director, Dept. of
Water Resources, 150 South
State St., Idaho Falls, Idaho 83401
on or before SEPTEMBER 15, 1984.

SIMONS, MAX
ROUTE 1, AMERICAN FALLS, IDAHO
117-2321

MICROFILMED

(SEAL)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF POWER

.Brett.Crompton..... being first duly
sworn on oath, states:

That ...he... is the ...editor.....
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 pub-
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continuously for over seventy-eight consec-
utive 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...2... successive weekly issues thereof,
the date of the first publication being the

....5..... day of ...September.....1984...
and the date of last publication being the

....12.... day of ...September.....1984...

(Signed) *Brett Crompton*

Subscribed and sworn to before me this

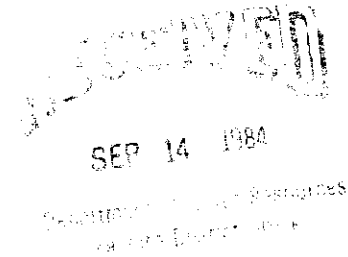
...12..... day of ...September.....1984....

Paul A. Naber

Notary Public, residing at
American Falls, Idaho

My commission expires the

.....10 day of March 1986..



**Application for
water right**

Published in The Power County
Press September 5 & 12, 1984.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

29-7687
SIMONS, MAX
ROUTE 1, AMERICAN FALLS,
ID 83211

Source: GROUNDWATER
Date Filed: 02/09/1983
Diversion Pt: SENE Sec 12 T 07S R
31E
Use: DOMESTIC (0.04 CFS)
In: SENE Sec 12 T 07S R 31E

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402
on or before SEPTEMBER 24,
1984.

KEN DUNN, Dir.

(SEAL)

February 10, 1988

MAX SIMONS
RT. 1 BOX 320
AMERICAN FALLS, ID 83211

RE: Permit No. 29-7687

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

FEB 25 1988

January 14, 1988

MAX SIMONS
RT. 1 BOX 320
AMERICAN FALLS, ID 83211

RE: Permit No. 29-7687

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

FEB 25 1988

RECEIVED

SEP 19 1986

29-7687

Department of Water Resources

Permit No. 29-1681

Phone No: 226-2743

2. Accompanied by: applicant EXAM. DATE: 8-4-86
Address: _____ Phone No. _____
Relationship to Permit Holder: _____

3. Source: groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
—	~~SE~~	1.5	—	FRANKLIN	—
	FRANKLIN				

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well pump - submersible - to house.
irrigation system is diverted from Canal.
not applicable to lowering 105' water
line

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

7. Measurements *Theoretical calculation* ☐ Additional data/computation sheets attached

8. Point(s) of Diversion:

Indicate Method of Determination *USGS*

[illegible]

9.

Irrigation - give acres served by system at time of exam.

Place(s) of Use:

Indicate Method of Determination USGS

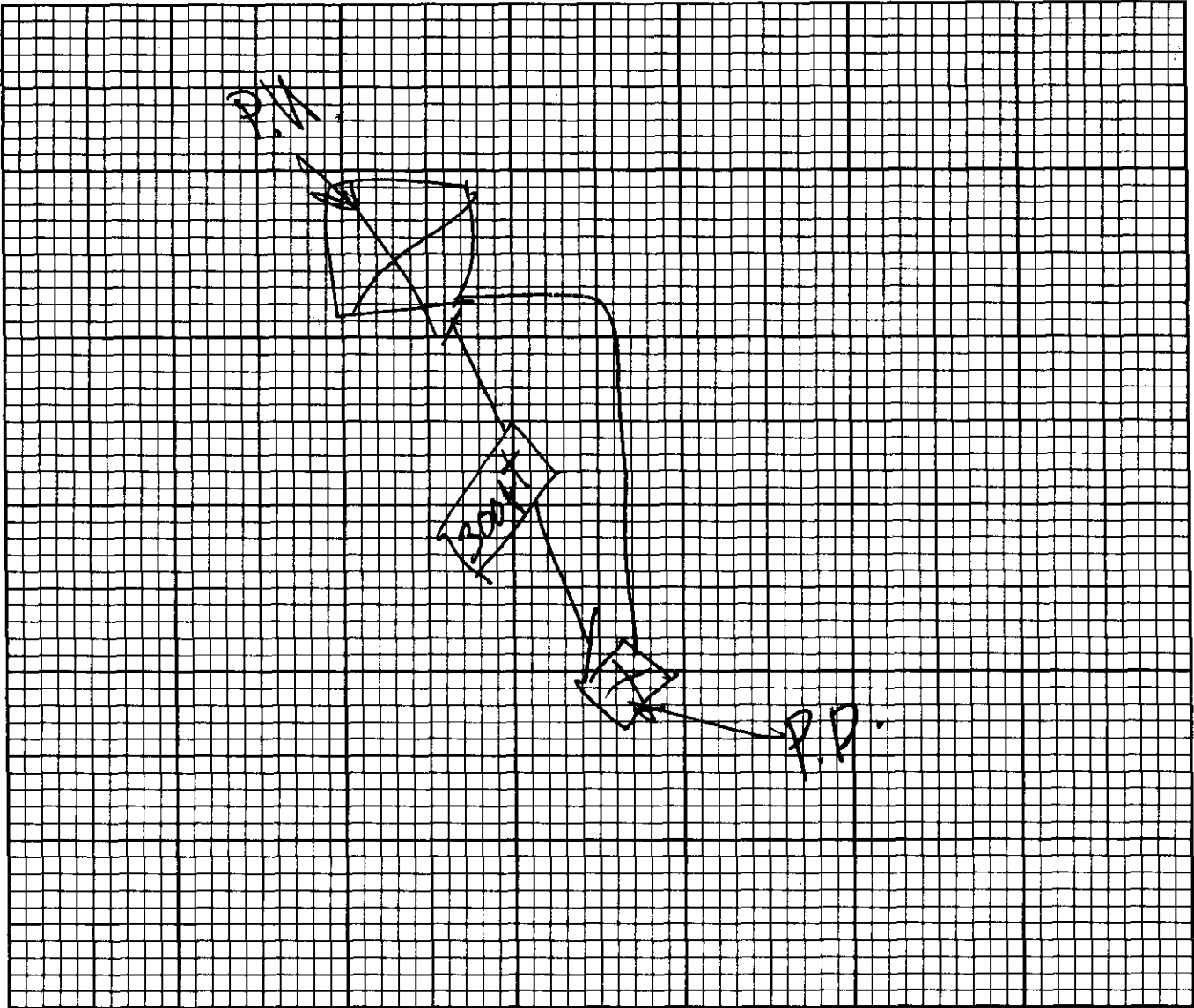
[illegible]

10. Other water rights on these lands

N.A.
11. Other water right diverted from same p.d.

N.A.
12. Diversion and Delivery System Diagram:

Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



4

13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks
15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

☐ Other
16. Examiner's/Consultant's Signature

Date 8-4-86

Consultant's License Number

IDWR Director's Authorization to Conduct Beneficial Use Examination

Date

MICROFILMED

FEB 25 1988

CONSULTANT SEAL

Handwritten scribbles and initials in the top left corner.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

29-7681
Permit No.

SEP 19 1986

1. Measurement Calculations

Department of Water Resources

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

THEORETICAL

$$\frac{1.5 \times 8814 \times .8}{105 + (2.31 \times 60)} = .07 \text{ cfs} \leftarrow \text{sys. cap.}$$

allotment for 1 house w/ yard - .04 cfs. and 1.2 afa
there is no irrigation from this system
all irrigation is from canal. therefore
right applicable to only domestic use.

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\text{NA}}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\text{NA}}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: NA

b) Other water rights with same point of diversion: NA

c) Analysis:

MICROFILMED

FEB 25 1988

RECOMMENDED AMOUNTS

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: _____

Address: _____

5. Source: _____ tributary to _____

6. Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
-------------------	---------------	-------------------	---------------

Period of Use
From To

**Rate of Diversion
Q (cfs)**

Annual Volume
V (afa)

DOMESTIC

$$\frac{1}{1}$$

12/13

0.04

1.2

Allowable Maximums:

04 c/p

1.2.2.2

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: _____

IMPROVED

~~1115 23 1988~~

10. 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 _____

11. Examiner's Signature D. Lino Carl

Date 07-04-86

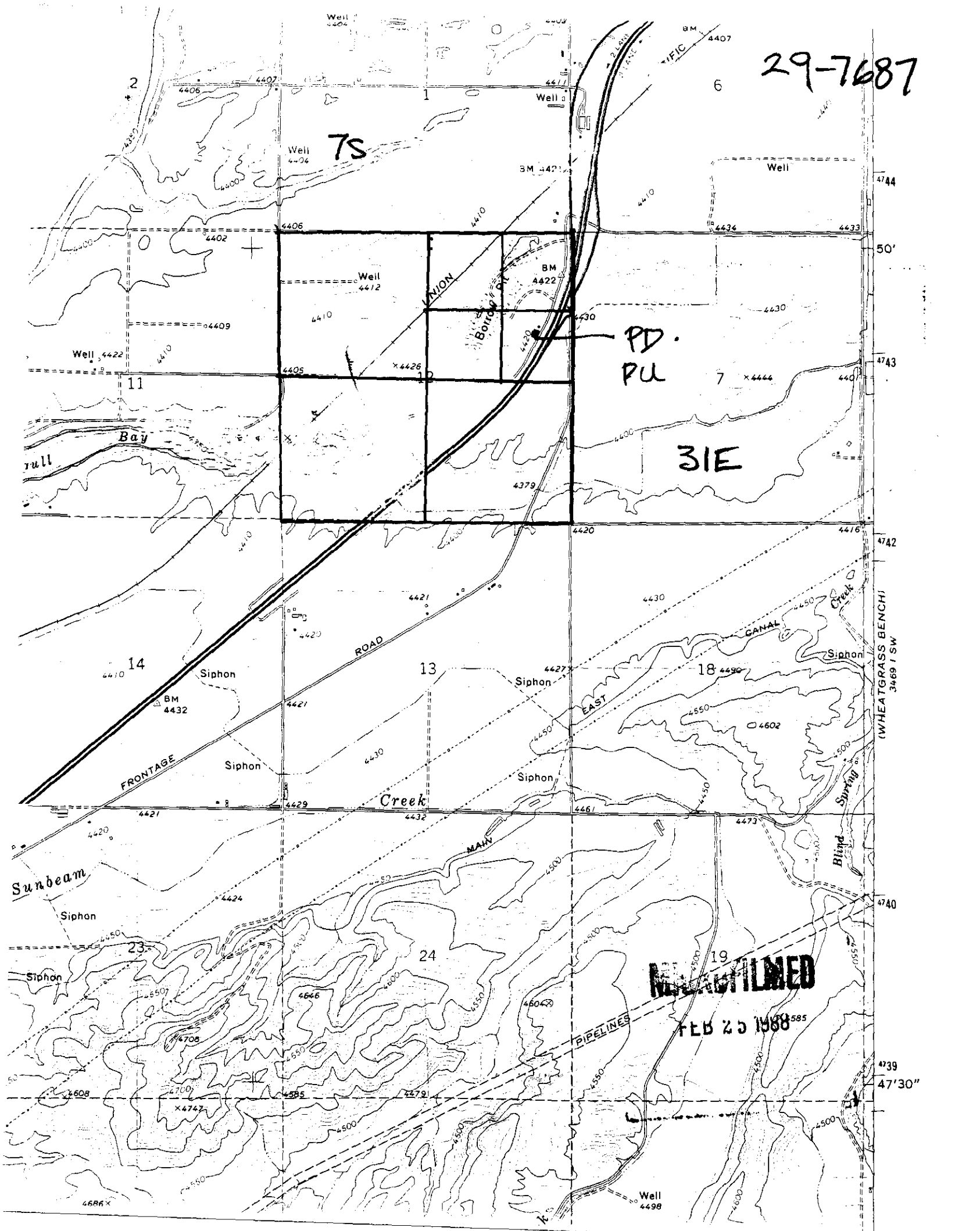
Checked in Regional Office by D. W. Jones

Date 9-2-86

Approved in State Office by _____

Date 1-10-88

29-7687



29-7687

SWNH	03		35-7145	BAISCH	L	04-22-1970	GROUNDWATER
SENH	06	01	35-2701	WEST FAIRVIEW IRR	L	01-26-1962	GROUNDWATER
SENH	37	01	35-7145	SCHROEDER	L	04-22-1970	GROUNDWATER
				BAISCH	L		
NESH	26	01	35-2701	WEST FAIRVIEW IRR	L	01-26-1962	GROUNDWATER
NESH	05	01	01-00238	SCHROEDER	D	02-06-1895	SNAKE RIVER
				AMERICAN FALLS CAN			
NHSH	10	01	35-2701	BOTHWELL	L	01-26-1962	GROUNDWATER
NHSH	04	01	01-00238	SCHROEDER	D	02-06-1895	SNAKE RIVER
				AMERICAN FALLS CAN			
NESE	2	01	35-2701	BOTHWELL	L	01-26-1962	GROUNDWATER
NHSE	28	01	35-2701	SCHROEDER	L	01-26-1962	GROUNDWATER
NHSE	06	01	01-00238	SCHROEDER	D	02-06-1895	SNAKE RIVER
				AMERICAN FALLS CAN			
				BOTHWELL			
08		01	01-0297	ABERDEEN SPRINGFIE	D	04-01-1939	SNAKE RIVER
10		01,43	29-2380	U.S. DEPT. OF INTE	L	06-11-1956	GROUNDWATER
11		01,43	29-2380	U.S. DEPT. OF INTE	L	06-11-1956	GROUNDWATER
		40	29-2307	TAYLOR	L	07-02-1951	GROUNDWATER
NENE	40	01,43	29-2307	TAYLOR	L	07-02-1951	GROUNDWATER
NHNE	40	01,43	29-2307	TAYLOR	L	07-02-1951	GROUNDWATER
SWNE	40	01,43	29-2307	TAYLOR	L	07-02-1951	GROUNDWATER
SENE	40	01,43	29-2307	TAYLOR	L	07-02-1951	GROUNDWATER
NENH		01,43	29-2288	PARIS	L	05-19-1950	GROUNDWATER
				TAYLOR			
NHSH		01,43	29-2288	PARIS	L	05-19-1950	GROUNDWATER
				TAYLOR			
SWNH		01,43	29-2288	PARIS	L	05-19-1950	GROUNDWATER
				TAYLOR			
SENH		01,43	29-2288	PARIS	L	05-19-1950	GROUNDWATER
				TAYLOR			
NESH		01,43	29-4416	SEAGULL BAY YACHT	S	05-01-1958	GROUNDWATER
NHSH		01,43	29-4416	SEAGULL BAY YACHT	S	05-01-1958	GROUNDWATER
SESH	02	01,43	29-4416	SEAGULL BAY YACHT	S	05-01-1958	GROUNDWATER
NHSE		01,43	29-4416	SEAGULL BAY YACHT	S	05-01-1958	GROUNDWATER
SESE	08	01	29-7595	KOPP	D	05-04-1981	GROUNDWATER

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PU

HRR156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

PAGE 753
06/24/1986

TOWNSHIP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
(POU CONTINUED FROM PREVIOUS PAGE)												
075	31E	11	SESE	08	01		29-7595	KOPP				
		12			01		01-0013	KOPP				
					01,43		29-2380	FALLS IRR. DISTRICT	D		04-01-1939	SNAKE RIVER
					01,04,43		29-7248	U.S. DEPT. OF INTE	L		06-11-1956	GROUNDWATER
NENE		02			01,43		29-7248	KIRK	L		02-12-1975	GROUNDWATER
SENE		02			01,43		29-7248	WHITEHILL	L		07-02-1973	GROUNDWATER
								WHITEHILL				
SENE		10			01,43		29-7687	SIMONS	D		02-05-1983	GROUNDWATER
SESH		17			01		29-7595	KOPP	D		05-04-1981	GROUNDWATER
								KOPP				
								KOPP				
13					01		01-0013	FALLS IRR. DISTRICT	D		04-01-1939	SNAKE RIVER
					01,43		29-2380	U.S. DEPT. OF INTE	L		06-11-1956	GROUNDWATER
NESH		02			01,43		29-7711	PRESTWICH	P		05-18-1983	GROUNDWATER
								PRESTWICH				
14					01		01-0013	FALLS IRR. DISTRICT	D		04-01-1939	SNAKE RIVER
					01,43		29-2380	U.S. DEPT. OF INTE	L		06-11-1956	GROUNDWATER
NENE		38			01		29-7595	KOPP	P		05-04-1981	GROUNDWATER
								KOPP				
								KOPP				
NHNE		17			01		29-7595	KOPP	P		05-04-1981	GROUNDWATER
								KOPP				
								KOPP				
SWNA		35			01		29-7595	KOPP	P		05-04-1981	GROUNDWATER
								KOPP				
SENH		30			01		29-7595	KOPP	P		05-04-1981	GROUNDWATER
								KOPP				
NESH		34			01		29-7595	KOPP	P		05-04-1981	GROUNDWATER
								KOPP				
								KOPP				
NHSH		02			01,04,43		29-7595	KOPP	S		05-20-1950	GROUNDWATER
NHSH					04,43		29-7595	KOPP	P		04-28-1981	GROUNDWATER
								KOPP				
NHSH		40			01		29-7595	KOPP	P		05-04-1981	GROUNDWATER
								KOPP				
								KOPP				
SWSH		40			01,43		29-7595	KOPP	L		10-16-1949	GROUNDWATER
SWSH		02			01,04,43		29-7595	KOPP, SR.	S		10-25-1919	GROUNDWATER
								KOPP, SR.				
SWSH		06			01		29-7595	KOPP	P		04-28-1981	GROUNDWATER
								KOPP				
SWSH		30			01		29-7595	KOPP	P		05-04-1981	GROUNDWATER
								KOPP				
SESH		03			01		29-7595	KOPP	P		05-04-1981	GROUNDWATER
								KOPP				
								KOPP				
15					01		01-0013	FALLS IRR. DISTRICT	D		04-01-1939	SNAKE RIVER

MICROFILMED
FEB 25 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 20, 1986

MAX F. SIMMONS
RT. 1, BOX 320
AMERICAN FALLS ID 83211

RE: Permit No. 29-7687

Dear Permit Holder:

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

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

RECEIVED

FEB 25 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
OCT 23 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 29-7687

Name(s) of Permit Holder: Max J. Simone

Post Office Address: Rt 1 Box 320 American Falls Idaho
83211

Telephone No. 226-2743

Source of Water: Well

Extent of Use:

Domestic 1 (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: _____

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

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

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

Max J. Simone

(Name)

Rt 1 Box 320 American Falls Idaho

(Address)

83211 226-2743

(Telephone Number)

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

Oct 9-1985
Date

Max J. Simone
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138360

SIMONS, MAX
RT. 1
AMERICAN FALLS, ID 83211

PROOF DUE NOTICE

SEPTEMBER 30, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 29-7687 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

November 28, 1984

RE: Permit No. 29-7687

Max Simons
Route 1
American Falls, ID 83211

Dear Permit Holder:

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

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.

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 the statement of beneficial use postcard that must be submitted when your project is completed.

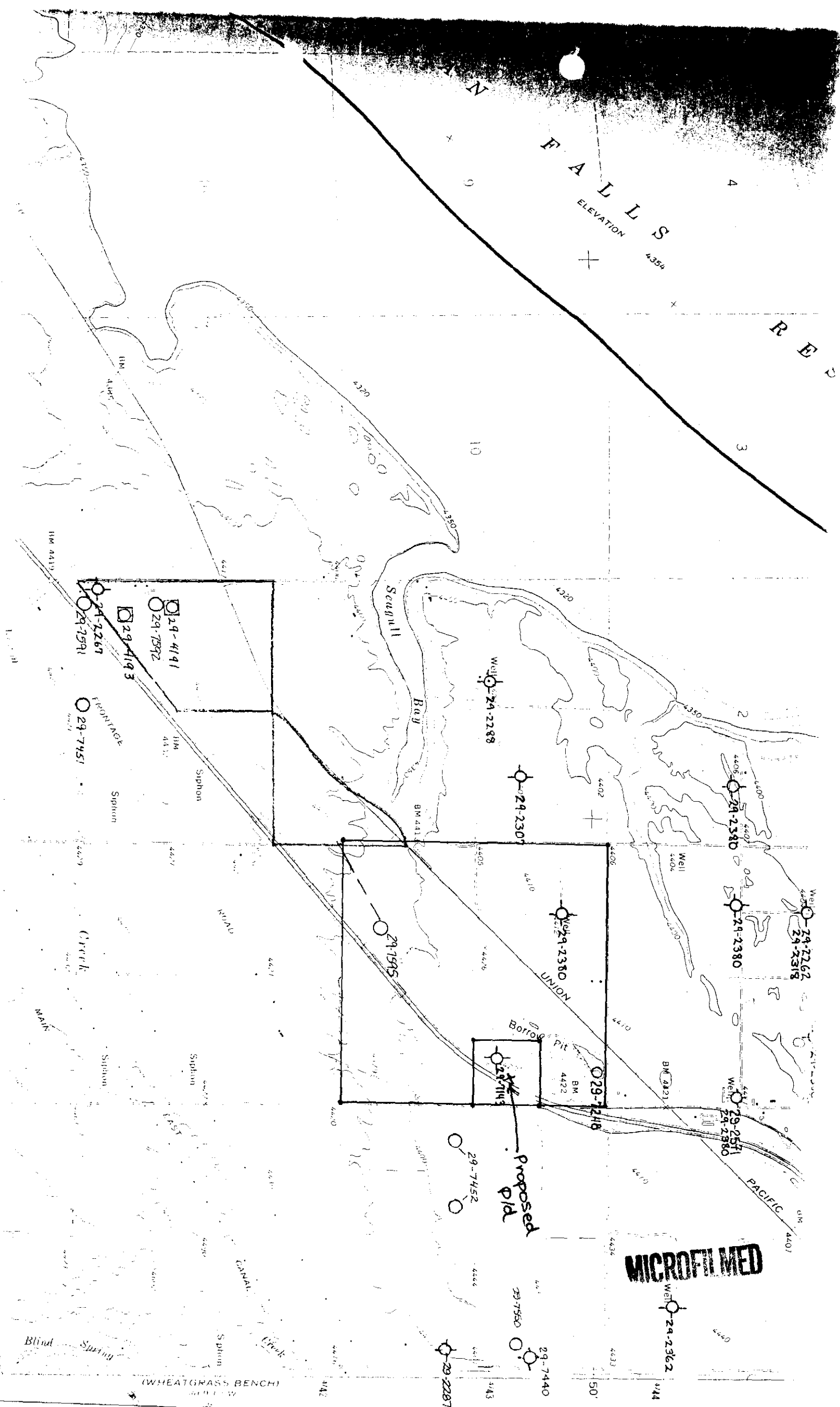
Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc
Enclosures

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4
F A L L S
ELEVATION 4354
R E C



CONVERSATION MEMORANDUM

DATE Oct 30, 1984

FILE 29-7687

NAME OF PARTY Max Simons.

EMPLOYEE Ernest C.

RE: Mr. Simons advised me the wall is over 20 years
old and is used exclusively in-house. He has no objection
to the Dept. conditioning the permit for in-house use only.

RECEIVED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS APPLICATION NUMBER: 29 7687

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.

Field check by: _____

Date: _____

Comments: _____

☐ 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.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No Platted by: _____ Map No. _____

☐ Yes ☒ No Other rights on same place of use. Shans in Falls Irrigation Camp

☒ Yes ☐ No* In form for advertising.

Final date for protests: 9-24-84

☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 9-14-84

☒ 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? 01

2-9-1983 Date of priority recommended.

#21 Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: Oct 30, 1984

STATE OFFICE REVIEW:

105, Little 21

☐ See attached sheet for more information.

By: KW Date: 11-2-84

NOV 01 1984

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 29, 1984

Power County Press
174 Idaho Street
American Falls, Idaho 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billings to this office before SEPTEMBER 24, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before SEPTEMBER 24, 1984.

KEN DUNN, Dir.

Published 9/6 & 9/13/84.

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29-7687

SIMONS, MAX

ROUTE 1, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 02/09/1983

Diversion Pt: SENE Sec 12 T 07S R 31E

Use: DOMESTIC (0.04 CFS)

In: SENE Sec 12 T 07S R 31E

Application for water right

Published in The Power County
Press September 5 & 12, 1984.

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Suite 15, Idaho Falls, Idaho 83402
on or before SEPTEMBER 24,
1984.

KEN DUNN, Dir.

MICROFILMED

January 10, 1983

Max Simons
Rt. 1
American Falls, ID 83211

Dear Mr. Simons:

Enclosed is your application for permit with the changes we discussed. Please review them. If everything is correct you must send the application back with a fee of \$30.00 to this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosure

RECEIVED