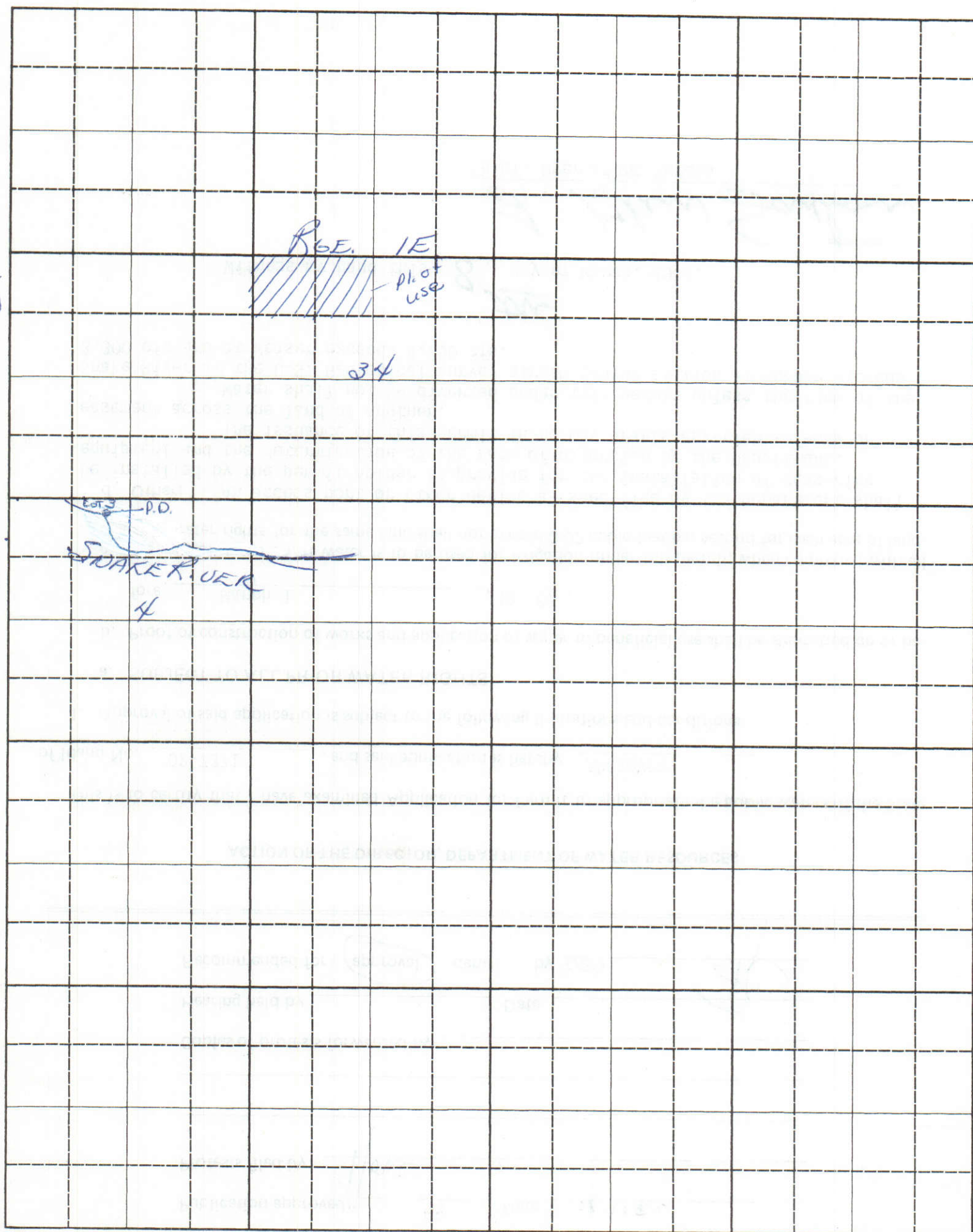


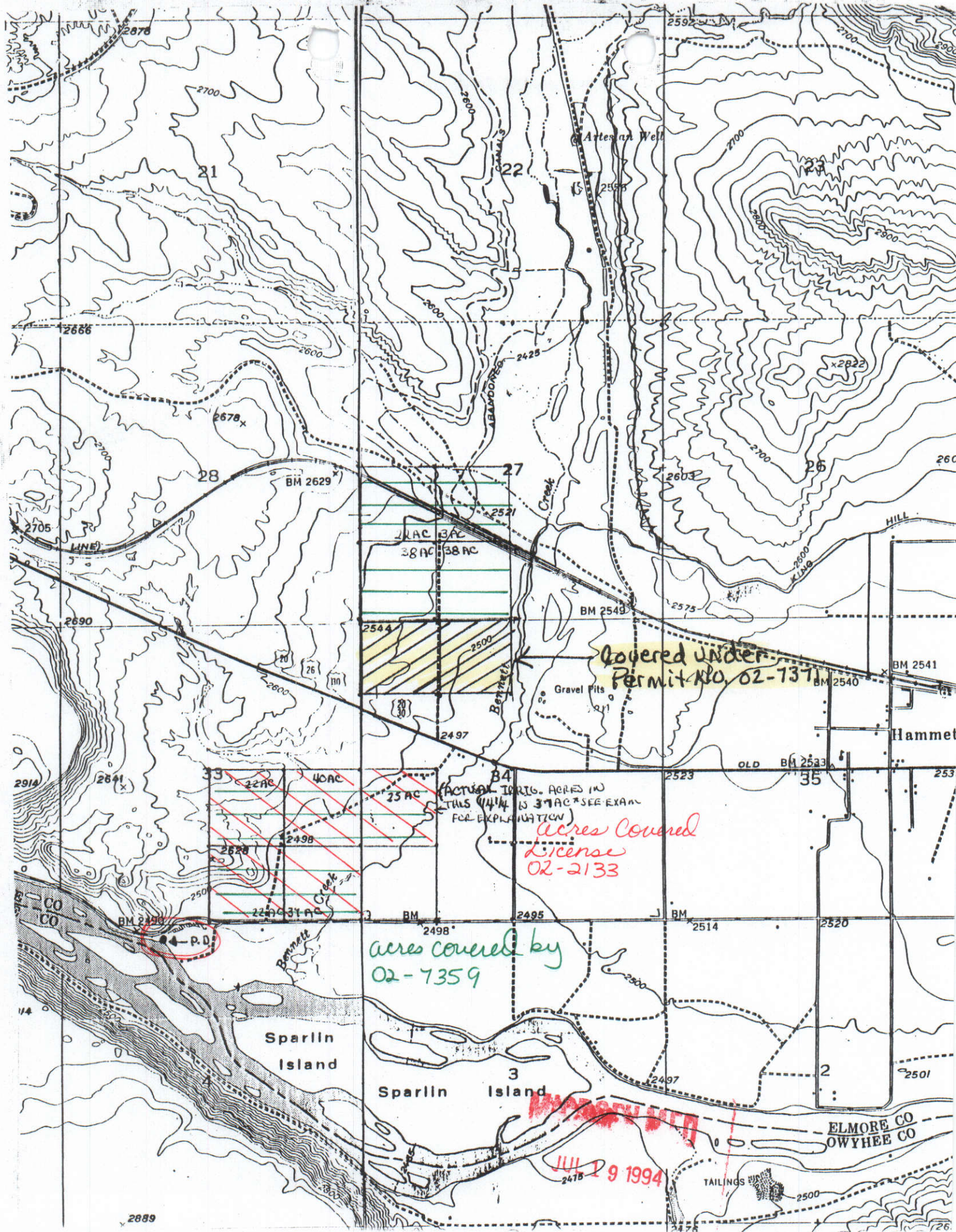
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

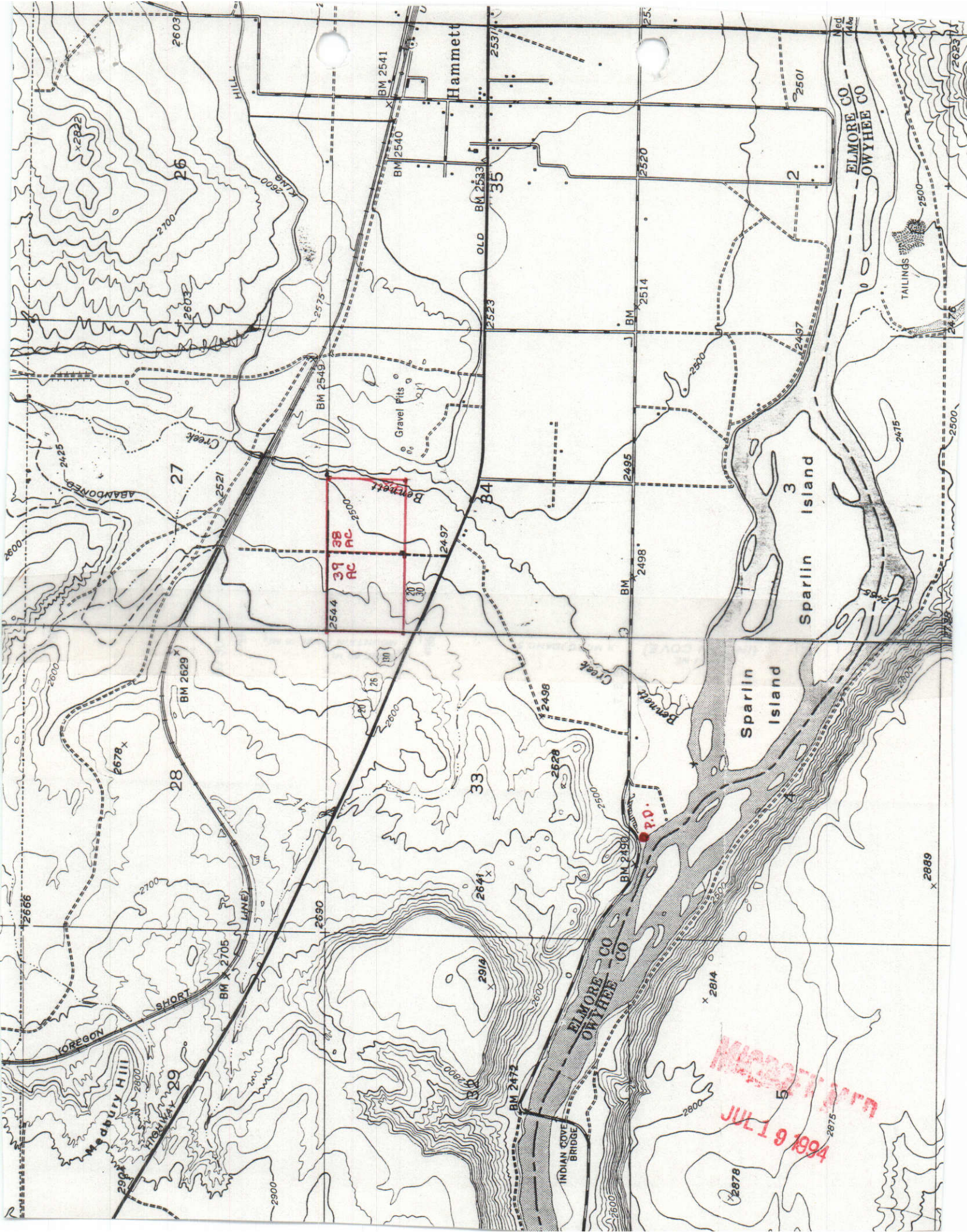


Scale: 2 inches equal 1 mile.

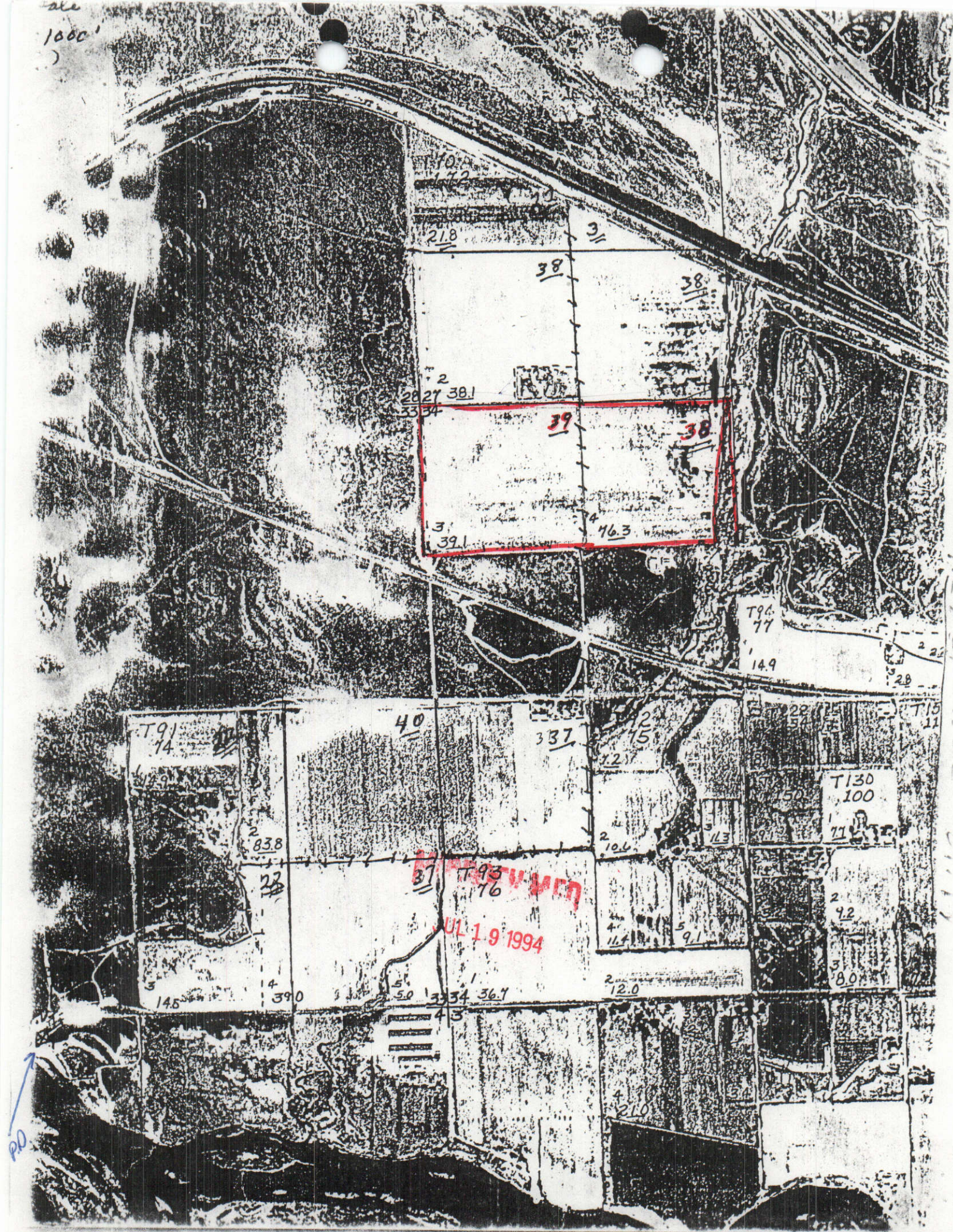
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Dwain L. Fay
(Applicant)





200
1000
)



T10
172

21.8

38

38

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2827 38.1
3334

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T96
77

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T93
76

JUL 19 1994

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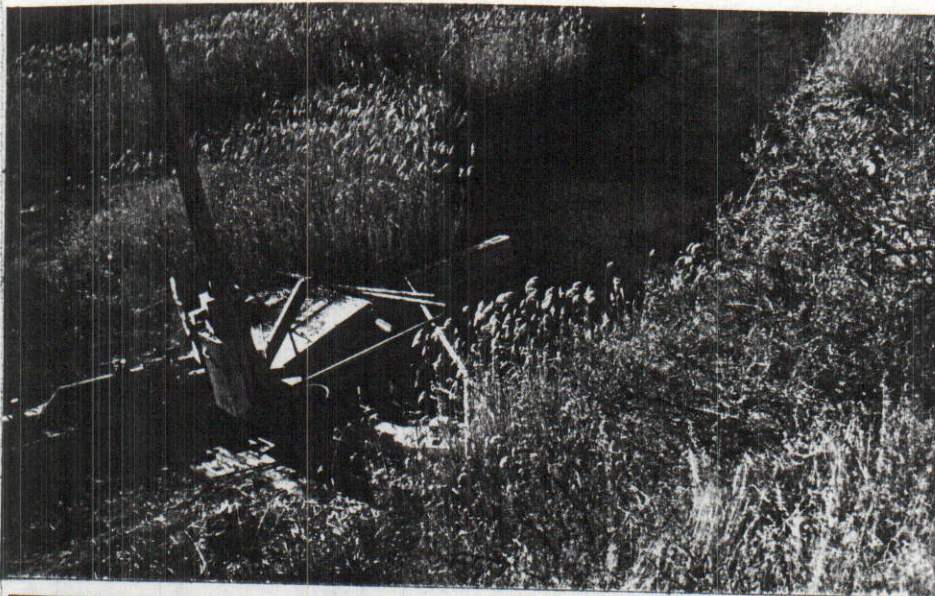
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PO

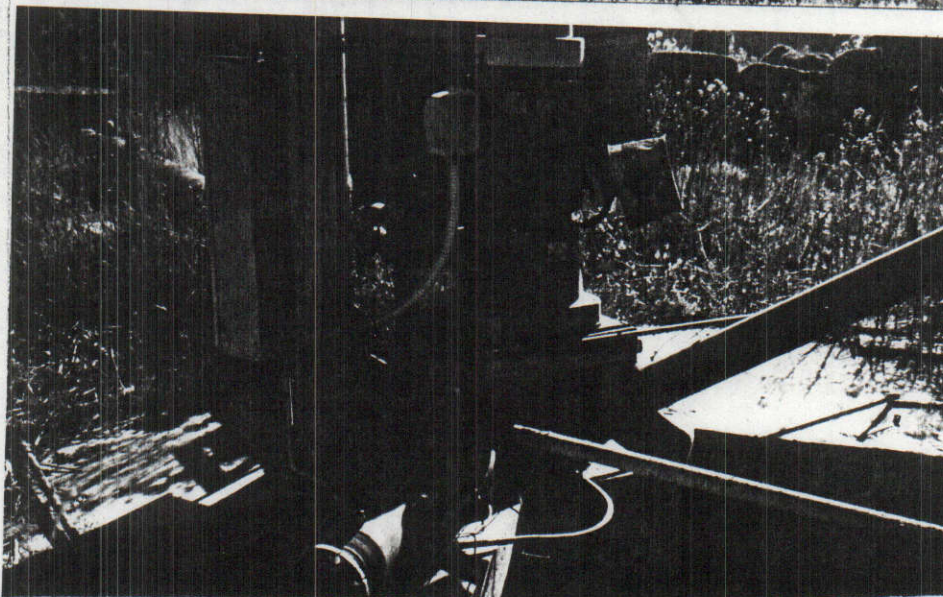
Right - 02-7359



P.D. LT. 03 (NENW)
Sec. 04 T6S R8E
Source: Snake Riv

Re-Exam - 2/6/87 m
only 100 HP westinghouse
at site other motors
removed.

Exam - 9/17/82
3 motors present.
1- 100 HP westinghouse
w/ well-line pump
1- 100 HP white-
cornell pump
1- 100 HP white-corne
pump.



- 1- 100 HP westinghouse
other 2- motors & pu
missing 2/6/87

RECEIVED

SEP 15 1987

Department of Water Resources
Western Regional Office



- Penstock - P.D
opposite side of
highway.

JUL 19 1984

RIGHT 02-7359

PHOTOS TAKEN BY
JKN
2/6/87



concrete ditch is
delivery system to
the irrigated acre.
Ditch full of weeds
& debris.

Land not farmed in
1986.



← concrete ditch
full of sand & etc.



(delivery) concrete
ditch to irrigate
lands.
JUL 19 1994

EXAM FOR 02-2133

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 26449

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Jacob M. Kauffman - Frank M. & Jean Marker

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the NE 1/4 of Section 4

T. 6S R. 8E County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same:

(NEW) 30 HP UNCLOSED ELEC MOTOR # 4067840
TANZEL CENTRIFUGAL PUMP MODEL # 305ME-1-D
SER # W3F0121
6" DISCHARGE - GATE VALVE - INTO 12" PIPSTOCK - APPROX
35' LIFT - INTO CONCRETE CENTER DITCH - GRAVITY IRRIGATION

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4, Sec. 33; NW 1/4 SW 1/4, Sec. 34, T. 5S, R. 8E, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? SNAKE RIVER

Remarks:

PUMP CURRENT MOTOR "BROKE" TURNING MEASUREMENT
THE FOLLOWING IS AN ESTIMATED GUESS



$$AREA = (5.5 ft)(1.55 ft) = 9.025 sq ft$$

$$VELOCITY = 80 ft / 10 \frac{1}{2} sec = 1.98 ft/sec$$

$$Q = (9.025 sq ft)(1.98 ft/sec) = 1.80 cfs$$

This examination was made on the 21st day of May 1950

(Signed) Dan Reynolds

Examiner

02-2133 26449



**NOTICE OF APPLICATIONS
FOR WATER RIGHTS**

Notice is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho:

02-7371 ✓ 5P

FRY, DEWAIN L. &/or BARBARA L.

STAR RT. BOX 54C, HAMMETT, ID 83627

Source: SNAKE RIVER tributary to COLUMBIA RIVER

Date Filed: 01/19/1982

Amount: 1.60 CFS

Diversion Point: LOT 03 (NENW) Sec 04 T 06S R 08E, ELMORE Co.

Use: IRRIGATION (1.60 CFS) from 03/15 to 11/15

Place of Use: NENW NWNW Sec 34 T 05S R 08E FOR 80 ACRES

Diversion Means: MOTOR & SPRINKLER IRR.

63-9866

D.Y. ENTERPRISES

P.O. BOX 5411, BOISE, ID 83705

Source: GROUNDWATER

Date Filed: 01/15/1982

Amount: 1.00 CFS

Diversion Point: NENW Sec 03 T 05N R 11E, ELMORE Co.

Use: MINING (1.00 CFS) from 04/01 to 11/30

Place of Use: NENW Sec 03 T 05N R 11E

Diversion Means: PUMP & POND

If issued, the permits will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before FEBRUARY 22, 1982.

A. KENNETH DUNN

Director

Published 2/4 & 2/11/82.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having been made on the 4 day

of Feb, 1982, and

the last publication having been made on the

11 day of Feb

1982; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 11th

day of February, 1982

Deen W. Swano
Notary Public

RECEIVED

FEB 16 1982

Department of Water Resources
Western Regional Office

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 02-07371

Priority: April 8, 1982

Maximum Diversion Rate:

1.52 CFS

This is to certify, that PAUL SHRUM
DEBRA SHRUM

PO BOX 461

GLENN'S FERRY ID 83623-0461 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 19, 1982; and has submitted Proof of Beneficial Use on May 19, 1987. An examination indicates that the works have a diversion capacity of 6.420 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

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>
IRRIGATION	04/01 to 10/31	1.52 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENW), Sec. 4, Township 06S, Range 08E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	08E	34	NENW 38	NWNW 39		77

Total number of acres irrigated: 77

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
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.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. The issuance of this right in no way grants any right-of-way or easement across the land of another.
7. The total combined rate of diversion under this right and Right Nos. 02-02133 and 02-07359 shall not exceed 6.42 cfs nor a combined volume of 1296 af.
8. The following rights are also diverted through the point of diversion described above: 02-02133 and 02-07359.

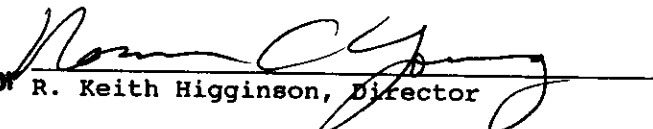
JUL 19 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07371

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 23rd
day of April, 1994.

Acting for  R. Keith Higginson, Director

RECEIVED
JUL 19 1994

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	02-7371	Fry, Dewain L. Barbara L.	1.6
Full Assignment	02-7371	Shrum, Paul Debra	1.6

MICROFILMED

AUG 17 1987

IN THE MATTER OF PERMIT NO. 02-7371 IN THE
NAME OF PAUL AND DEBRA SHRUM

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before March 1, 1987; and,

WHEREAS, the Department notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, the department notified the permit holders that the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, on May 18, 1987, the permit holders assigned all right, title, and interest in and to Permit No. 02-7371 to Paul and Debra Shrum; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on May 19, 1987;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 02-7371 be REINSTATED and the priority advanced to April 8, 1982.

Dated this 21st day of July, 1987.

MICROFILMED

AUG 17 1987

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED
MAY 19 1987

STATE OF IDAHO

Department of Water Resources DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received \$125.00
Date 5-19-87
Receipt # 42435
Receipt by CCW
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 02-7371

Name(s) of Permit Holder: Paul D. and/or Debra K. Shrum ✓

Post Office Address: Box 461 Glenns Ferry Id 83623-0461

Telephone No. 208-366-2234

Source of Water: SNAKE River ✓ 587-4435 (WORK)

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 80 ✓ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 1.6 ✓ cfs _____ acre-feet

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

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

Fee enclosed \$ 125.00 ✓
(See License Examination Fee Schedule)

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

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

Same

(Name)

(Telephone Number)

(Address)

NOT FILMED

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.

AUG 17 1987

May 17, 1987
Date

Paul D. Shrum (owner)
Signature of Permit Holder (and title, if appropriate)

Address

State of Idaho

Department of Water Resources

Boise, Idaho 83720

ASSIGNMENT OF PERMIT # 02-7371

I, Dwain Fry, hereby assign to Paul & Debra Shrum
of P.O. Box 461 Glenns Ferry Idaho 83623-0461
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 02-7371
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 18th day of May, 19 87.

Dwain L. Fry
Permit Holder

Debra L. Fry
Spouse of Permit Holder

State of ~~Idaho~~ WA)
County of Spokane) ss.

On this 18th day of May, 19 87, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Christie P Anderson
Notary Public residing at

seal

My commission expires:
3/19/89

MICROFILMED

AUG 17 1987

RECEIVED

MAY 20 1987

Department of Water Resources

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 DEWAIN L. & OR BARBARA L. FRY Phone 366-7743
Post office address STAR ROUTE, BOX 54C, HAMMETT, ID 83627
2. Source of water supply SNAKE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is NE (LOT 3) 1/4 of NW 1/4 of Section 4 Township 6S
Range 8E B.M. ELMORE County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.6 for IRRIGATION purposes from MAR. 15 to NOV. 15 (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. 1.6 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 300+ HP, MOTOR W/SPRINKLER
IRRIGATION.

- 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: _____ 1/4 of _____ 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: _____

MICROFILMED

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

[illegible]

Total number of acres to be irrigated 80

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

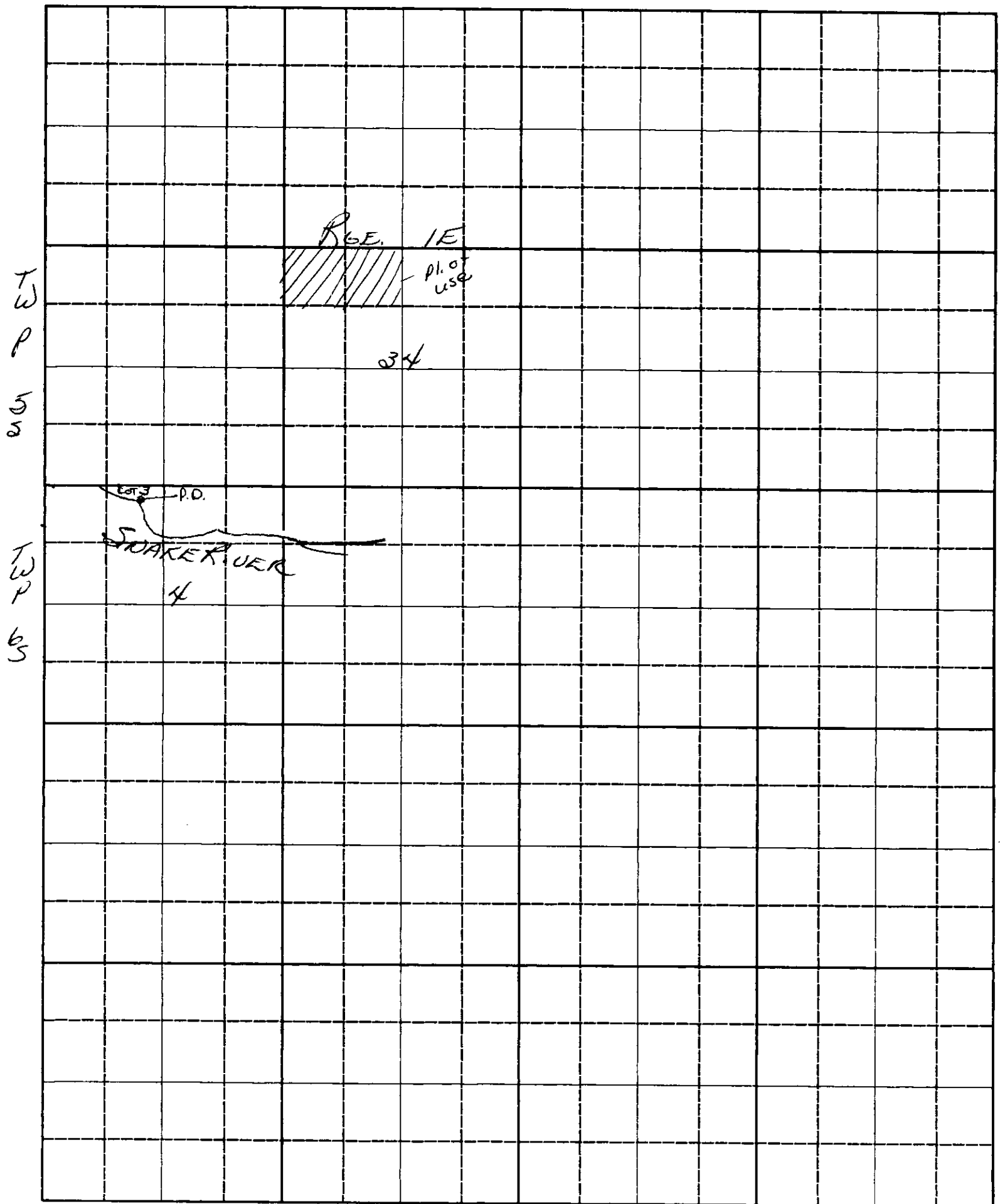
9. a. Who owns the property at the point of diversion CHARLES MICHAELS

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 APPLICANT HAS EASEMENT FROM MR. MICHAELS.

10. Remarks _____

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



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.

Dwain L. Fay
(Applicant)

Proposed Priority 1/19/1982

Received by js Date 1/19/82 Time 3:30 P.M.
Preliminary check by 6LS Fee \$ 65.00
Receipted by js Date 1/19/82 # 21884
Publication prepared by SP Date 1/28/82
Published in new Home News
Publication dates 2/4 & 2/11/82
Publication approved SP Date 2/11/82
Protests filed by: None

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

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. 02-7371, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 87.

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: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Water shall not be diverted under this permit unless the flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 cfs and at Weiser exceeds 4,750 cfs.

Witness my hand this 8th day of March, 1982.

A. Glen Saylor
Chief, Operations Bureau



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

April 28, 1994

PAUL SHRUM
DEBRA SHRUM
PO BOX 461
GLENN'S FERRY ID 836230461

RE: WATER RIGHT NO. 02-07371

Dear Water Right Holder(s):

Enclosed herewith 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 black ink, appearing to read 'Jim Johnson', written over the typed name and title.

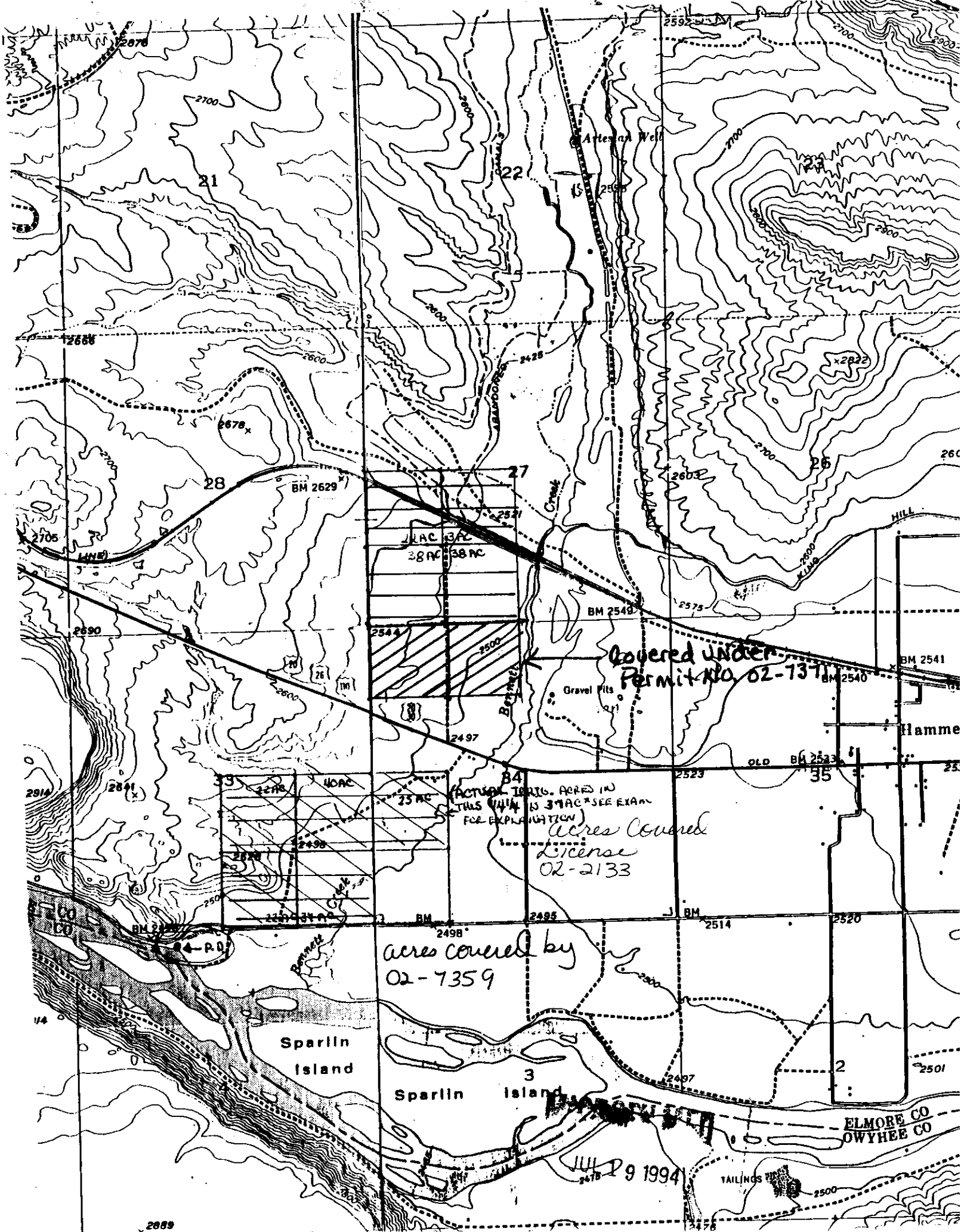
JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

JUL 19 1994



June 12, 1992

PAUL SHRUM
DEBRA SHRUM
P.O. BOX 461
GLENN'S FERRY ID 83623-0461

RE: Water Right No. 02-07371

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

JUL 1 9 1994

JUL 1 9 1994

June 8, 1992

PAUL SHRUM
DEBRA SHRUM
P.O. BOX 461
GLENN'S FERRY ID 83623-0461

RE: Water Right No. 02-07371

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

JUL 19 1992

PAUL SHRUM
DEBRA SHRUM
P.O. BOX 461
GLENN'S FERRY ID 83623-0461

May 19, 1992

RE: Water Right No. 02-07371

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement

MADESEN

JUL 19 1994

purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

JUL 19 1994

PAUL & DEBRA SHRUM
P.O. BOX 461
GLENN'S FERRY, ID 83623-0461

May 3, 1988

RE: Permit No. 02-7371

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

RECEIVED

JUL 19 1988

Overlap Review for 02-7359 & 02-7371

Town-ship	Ran-ge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS							
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$								
02-2133 - License																										
55	8E	33													29	1	19	21	70							
		34																	28							
																		28								98
																		include		95						
Proposed Lic. 02-7359																										
55	8E	27									3	22	38	38					101							
		33									(3)	(22)	(38)	(38)	40	22	22	37	121							
		34													(11)	(21)	(3)	(16)	25							
																		25								247
																		3 ac. previously licensed are no longer being		(0)						
Proposed Lic. 02-7371																										
55	8E	34					38	39											77							
							(38)	(39)																		
Lands currently irrigated under all 3 rights:																										
55	8E	27									3	22	38	38					101							
		33													40	22	22	37	121							
		34					38	39					25						102							
																		Total		324						

Lands in red are lands under system that are not previously licensed. kw
4/22/88

Pre-License Review: 02-7359 & 02-7371

P/D Overlaps: 02-2133 }
 02-7359 } all from same
 02-7371 } system -

02-2133 Lic., $1.80 \text{ cfs} / 98 \text{ acres} = 0.0183673 \frac{\text{cfs}}{\text{acre}}$

System analysis:

Total acres currently irrigated = 324 ac.

Capacity of system = 6.42 cfs

$\frac{6.42 \text{ cfs}}{324 \text{ ac.}} = 0.0198148 \text{ cfs/ac.}$

Current rate per acre = 0.0198148

Current rate per acre is more than rate per acre on Lic. 02-2133. Include 95 acres of this license on Rt. 02-7359 as proposed. Use R38 to spread water evenly over land.

$95 \text{ ac.} \times 0.0198148 \text{ (cfs/ac.)} = 1.88 \text{ cfs}$

$(-95 \text{ ac.} \times 0.0183673 \text{ (Lic. 02-2133)}) = 1.74 \text{ cfs}$

ALLOWABLE AMT. FOR 95 ac. $\rightarrow 0.14$

324 ac. (Total system)

- 95 ac. (0.14 cfs allowable)

$229 \text{ ac.} \times 0.0198148 \text{ (cfs/ac.)} = 4.54 \text{ cfs}$

+ 0.14

(Lic. 02-2133) $1.8 \text{ cfs} + 4.68 \text{ cfs} = 6.48 \text{ cfs}$

JUL 19 1994

pg. 2

Proposed Lic. 02-7359 = 247 ac. (- 95 ac. @ 0.14 cfs)
152 ac. x cr./ac = 3.01 cfs
3.15 cfs

Proposed Lic. 02-7371 = 77 ac. x c.v./ac = 1.52 cfs

Capacity of system = 6.42 cfs

Lic. 02-2133 = 1.80 cfs
4.62 cfs

Proposed 02-7359 3.15 cfs
1.47 cfs

Proposed 02-7371 1.52 cfs

Capacity exceeded by 0.05 cfs

Recommend R17 on both proposed
licenses.

kw 4/22/88

RECEIVED

JUL 19 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 22 1988
Department of Water Resources

A. GENERAL INFORMATION

1. Owner: PAUL D. & LOR DERRA SHRUM Permit No. 02-7371
Current Address: P.O. BOX 461, GLENN'S FERRY, ID 83623-0461 Phone No. 366-2234
2. Accompanied by: DEWAIN FRY EXAM. DATE: 9/17/82
Address: _____ Phone No. _____
Relationship to Permit Holder: PREVIOUS OWNER
3. Source: SNAKE R. tributary to COLUMBIA R.

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 02-2133 & 02-7359
_____ ☒ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION SEE JOHN NOYES EXAM ATTACHED

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

(This area contains a large grid for drawing a Diversion System Diagram. The grid is mostly empty, with some faint lines visible.)

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)

RECEIVED
JUL 19 1984

System Description (continued) *SEE JOHN NOYES EXAM ATTACHED*

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

☐ 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

*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
	3								

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
55	8E	34					38	39											77
																			77

Do not use this space

MAILED
JUL 19 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:

SEE ATTACHED EXAM

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

SEE ATTACHED EXAM

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional) N/A

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 = _____ (8)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 77 \times 4.5 = 346.5 \text{ AF/ANN.}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 748.4 \text{ AF/ANN.}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 346.5 \text{ AF/ANN.}$

2. Volume Calculations for Other Uses:

N/A

JUL 19 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

THIS PERMIT & WATER RIGHT NO'S 02-2133 & 02-7359 ARE FROM THE SAME POINT OF DIVERSION, BUT TO DIFFERENT LANDS THAN THIS RIGHT. THE CAPACITY OF THE SYSTEM IS 6.42 CFS & THE COMBINED TOTAL OF ALL 3 RIGHTS IS 6.7 CFS. THEREFORE, COND. NO. R17 NEEDS TO BE PUT ON THIS LICENSE AS FOLLOWS: "THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT NO'S 02-2133 AND 02-7359 SHALL NOT EXCEED 6.42 CFS." NO ACRE FOOT CONDITION IS NECESSARY SINCE THIS PERMIT COVERS OTHER LANDS THAN 02-2133 & 02-7359.

NOTE: THIS INFORMATION WAS TAKEN FROM JOHN'S EXAM FOR 02-7359 WHICH IS THE SAME SYSTEM. ACRE AMOUNTS MAY DIFFER DUE TO INTERPRETATION ON AERIAL PHOTO.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	1.54 CFS	346.5
Totals:			1.54 CFS	346.5

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

J. AUTHENTICATION

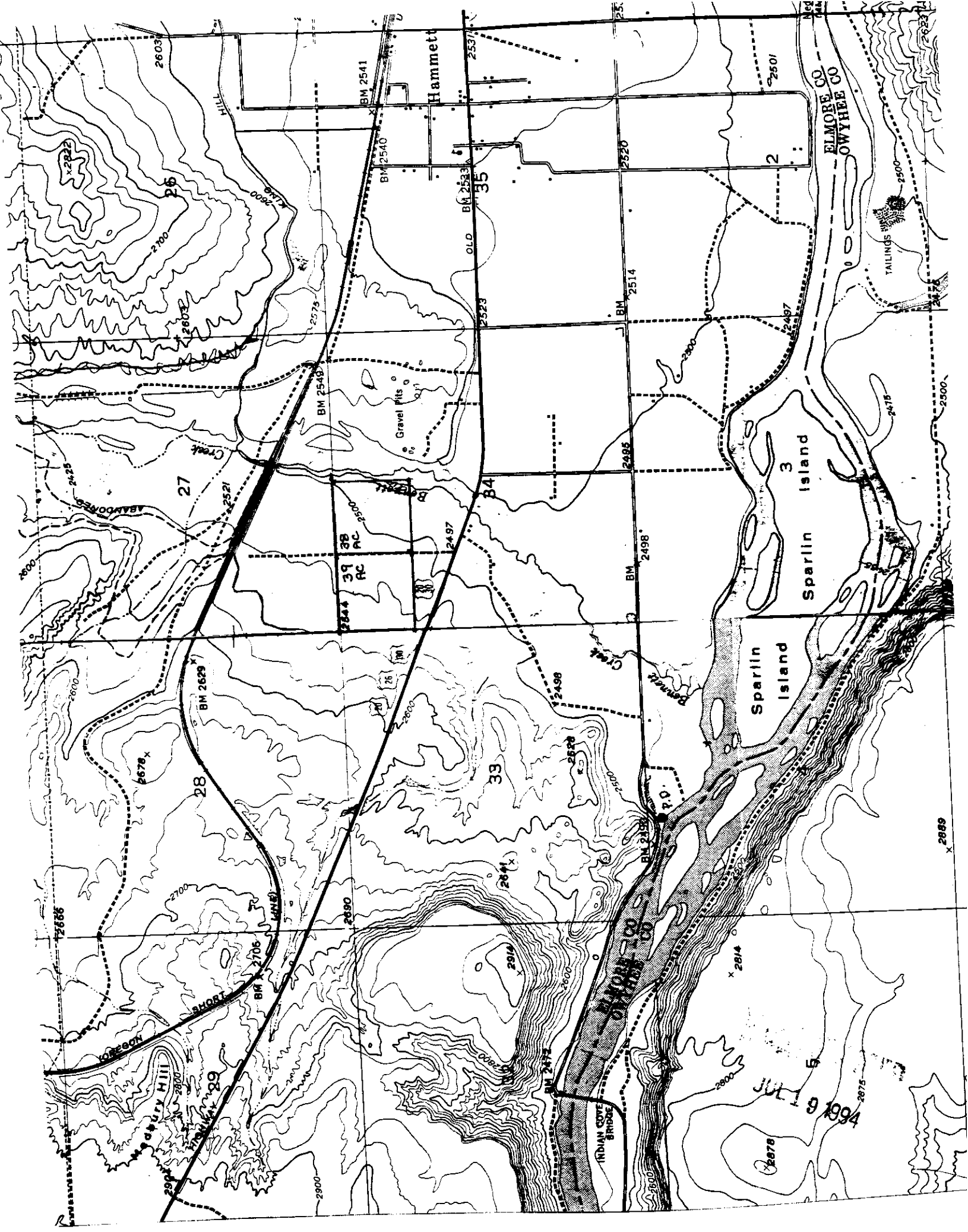
Field Examiner's Name JOHN NOYES
Signature _____
Certification Date _____
Field Report Preparation Date _____



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

RE-WRITTEN FOR CLARIFICATION BY JAN SHURTE, SR. WATER RESOURCE AGENT - BASED ON JOHN NOYES'S EXAM OF 9/17/82. (ATTACHED)

Jan Shurte
1/6/88
JUL 19 1994



Field Examination

DATE 2/6/87

FILE 02-7359

NAME OF PARTY Paul Shrum

EMPLOYEE John K. Noyes

RE: List of events leading to field examination.

September 19, 1982 Dewain Fry asked for a measurement of the system on right 02-7359. The measurement was made on three motors & pumps with a total capacity of 6.4 CFS. Mr. Fry said to not license the system until all the land leveling was done. He intended to level the (SE 1/4) ^{NESW?} north of the railroad tracks. The beneficial use report was not on file.

The Dept. entered this right as a permit under the adjudication process January 3, 1984 - Verified by Forest Luthy.

Dewain & Barbara Fry assigned the permit to Paul & Debbie Shrum Sept. 29, 1984.

Paul Shrum phoned Kay Walker Feb 4, 1987 asking for a field examination of permit 02-7359.

On Feb 6, 1987 I made a field examination of permit 02-7359 with the following observations: at the point of diversion site only one 100 HP Westinghouse motor was in place. During the measurement Sept. 19, 1982 three motors were in place. 1-100 HP Westinghouse motor & 2-100 HP White m.

Field Examination - cont.

~~CONFIDENTIAL MEMORANDUM~~

DATE 2/6/87

FILE 02-7359

NAME OF PARTY Paul Shoun

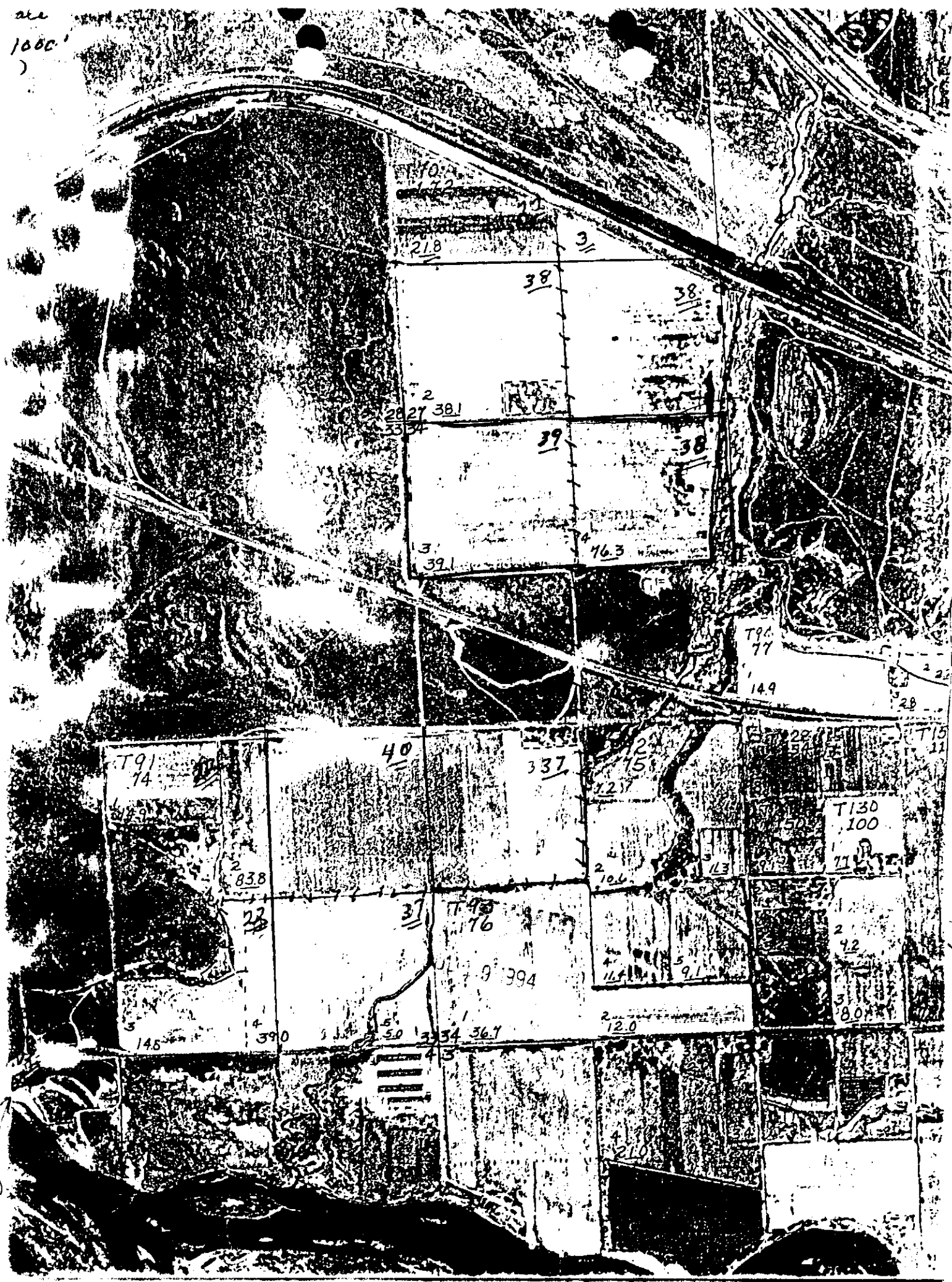
EMPLOYEE John K. Noyes

RE: This right was not used in 1986
as evident by the weeds & debris on the
land. The concrete ditch at the end of the
penstock was full of mud and rocks
and is inoperative at this time.

The farm is up for sale and
the irrigation system is wanting
for maintenance, so recommend
this right be put on hold until
ownership & other matters be clarified.

JUL 19 1994

)



02-7359

[illegible]

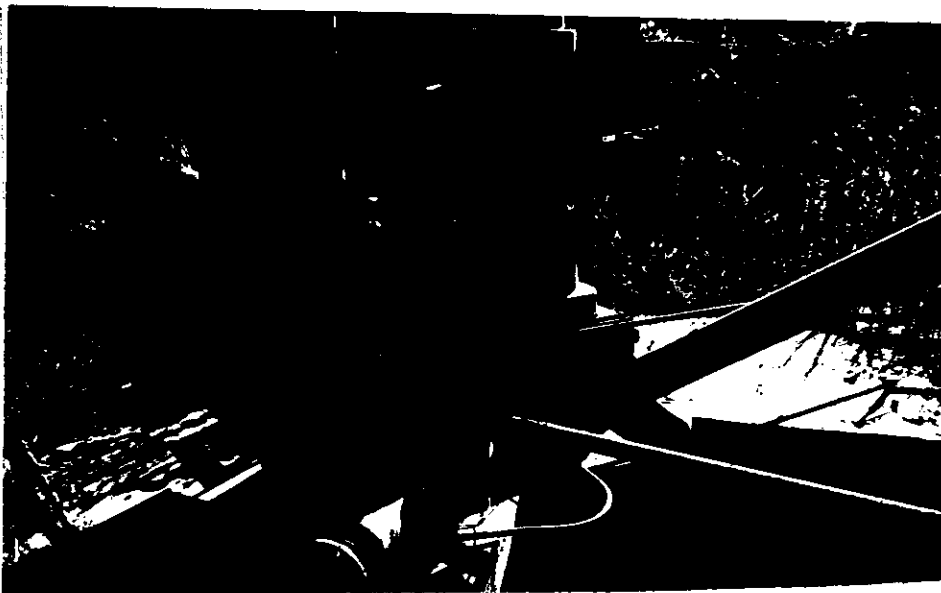
Right - 02-7359



P.D. LT. 03 (NENW)
Sec. 04 T6S R8E
Source: Snake Riv

Re-Exam - 2/6/87
only 100 HP westinghouse
at site other motors
removed.

Exam - 9/17/82
3 MOTORS present
1- 100 HP westinghouse
w/ well-lina pump
1- 100 HP white-
cornell pump
1- 100 HP white-cornell
pump.



- 1- 100 HP westinghouse
other 2- motors & pu
MISSING 2/6/87

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SEP 15 1987

Department of Water Resources
Western Regional Office



- Penstock - P.D
opposite side of
Highway.

JUL 19 1984

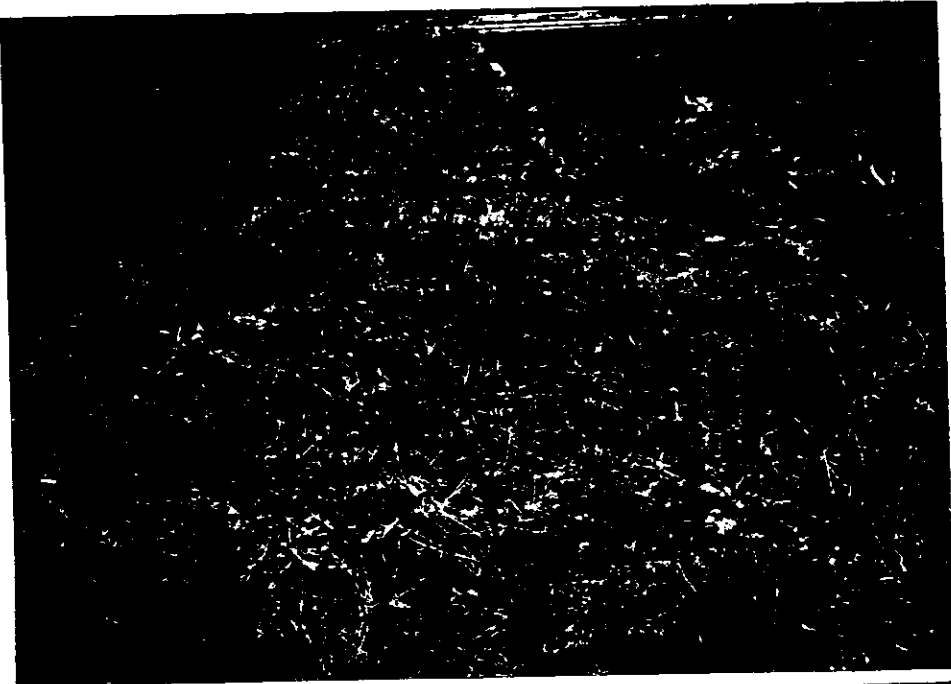
RIGHT 02-7359

PHOTOS TAKEN b
JKN
2/6/87



concrete ditch is
delivery system to
the irrigated acre
Ditch full of weed
& debris.

Land not farmed in
1986.



← concrete ditch
full of sand & etc.



(delivery) concrete
ditch to irrigate
land.
1 JUL 19 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Reference material only
7/26/84

02-7359
Permit No.

CONTACT WITH PERMIT HOLDER

DATE INITIALS REMARKS

- ☐ Appointment letter mailed: _____
- ☐ Telephone call made: _____
(List Telephone No. used) _____
- ☐ Appointment scheduled for: _____
(Date, time, location) _____

EXAMINATION

Date *9/17/82* Accompanied by *Devair Fry* Total Q measured *6.42*
If source is surface water, estimate total flow of source _____
Methods of measurement *anemometer* Meets Permit requirements? _____

Measurement calculations:

356 AFA x 0.2 = 7.12 cfs Recommend 4.94 cfs as per permit.
247 AFA x 5 = 1235 AFA
4.94 cfs x 1.98 x 2.45 = 2396 AFA

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	100	<i>Westinghouse</i>	<i>8110</i>	<i>Westinghouse</i>	<i>T82086</i>	<i>anemometer</i>	<i>good</i>	
	100	<i>White</i>	<i>124130</i>	<i>Cornell</i>	<i>36033</i>	<i>LC</i>	<i>"</i>	
	100	<i>White</i>	<i>124016</i>	<i>Cornell</i>	<i>—</i>			

System Description *3-100 HP motors 16" bitulgan stock - sprinkler system*

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

RECOMMENDED AMOUNTS
USE

Irrigation requirement = *5* AFA/Acre
Q (cfs) V (afa) FROM TO

<i>irrigation</i>	<i>4.94</i>	<i>12.35 P</i>	<i>3/15</i>	<i>11/1</i>
Total	<i>4.94</i>	<i>12.35 P</i>	<i>3/15</i>	<i>11/1</i>

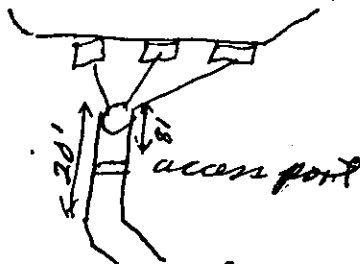
Remarks

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JUL 19 1994

[illegible]

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

**Place(s) of Use**[illegible]

☐ 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

Examiner's Signature

Checked by

Approved by _____

D.

Date _____

Date _____

ate
JUL 19 1994

Reference only

Measured by: J. K. Noyes

Date: 9/17/82

Owner: DEWAIN FRY

Permit #: 02-7350

Description of well &/or measuring site (give distance to restrictions upstream downstream): WELL WITH 3 ELECT. MOTORS & PUMPS DISCHARGING INTO 18" ST
#1 - WESTINGHOUSE 100 H.P. S/N 8110 WITH WELL LINE PUMP S/N T-82096. #2 - WH
100 H.P. S/N 124130 WITH CORNELL PUMP S/N 36033. #3 - WHITE 100 H.P. S/
124016 WITH CORNELL PUMP NO S/N. MAIN LINE 16" VARIABLE IRRIGATION.

Measured inside diameter of pipe in inches 16.876"

Size of Annubar used in test 17.25"

State ID# of ^{ANNUBAR} ~~meter~~ used 091447

Size Eagle Eye Meter used 0-13"

State ID# of Meter used 091469

Date of Last Calibration of Meter 3/26/82

Observed inches of H2O read on Meter 7.2"

Adjusted inches of H2O from Last Calibration 6.902"

$$FCF = .2 (.961 - .958) + .958 = .9586, B = (.9586)(7.2") = 6.90192"$$

CALCULATION:

$$(3.85) \times (A)^2 \times \sqrt{B} = 6.418 = \underline{6.42} \text{ cfs meas}$$

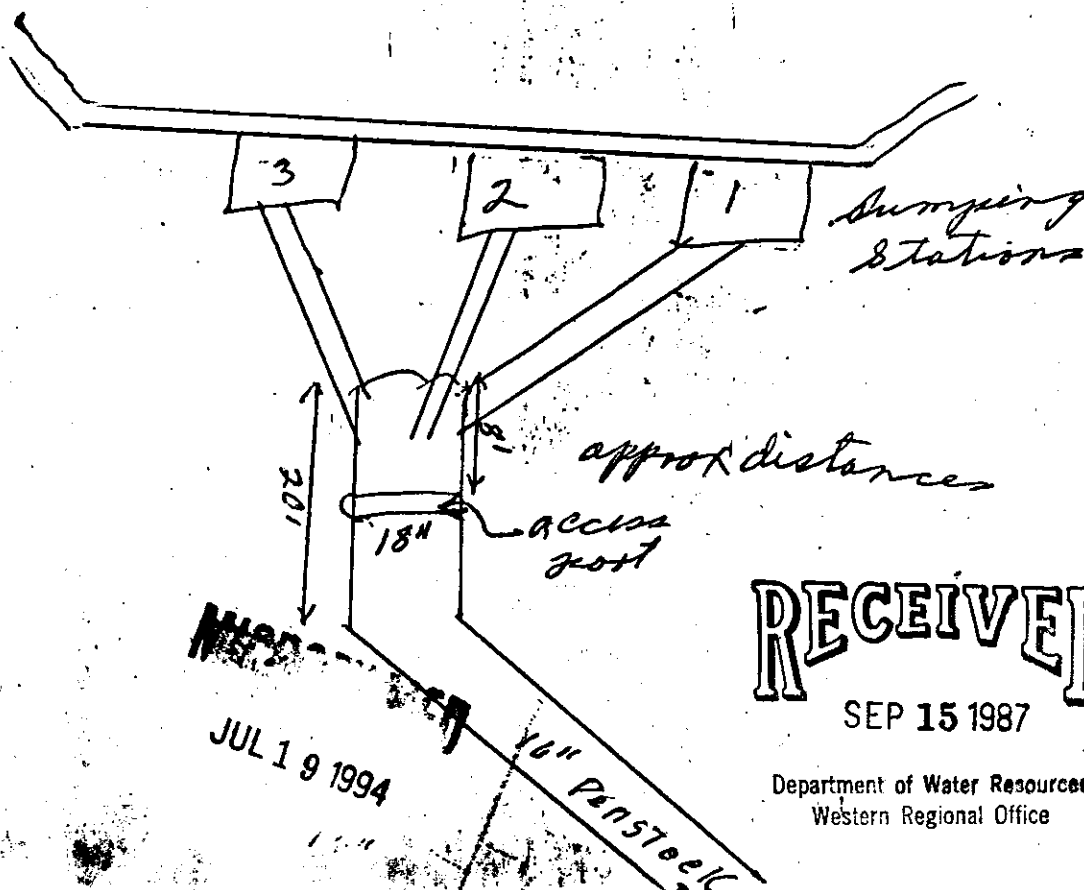
$$A^2 = (16.876)^2 = 284.799$$

$$\sqrt{B} = \sqrt{6.902} = 2.627$$

$$CFS = \frac{(3.85)(284.799)(2.627)}{448.8}$$

Where A and B are measured in inches
and 3.85 is a constant for the model
75 Annubar

SKETCH:



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SEP 15 1987

Department of Water Resources
Western Regional Office

JUL 19 1994

16" Pipe Steel

EXHIBIT FOR 12-2133

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 26449

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Jacob M. Kauffman - Frank M. & Jean Parker

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the NE 1/4 of Section 4

T. 6S R. 8E County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same:

(NEW) 30 HP UNCLOSED ELEC MOTOR # 4067840
1/2" 221 CENTRIFUGAL PUMP MODEL # 305ME-1-0
30" # 125 F 0121

6" DISCHARGE - GATE VALVE - INTO 12" PASTURE - APPROX
35' LIFT - INTO CONCRETE CENTER DITCH - GRAVITY IRRIGATION

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

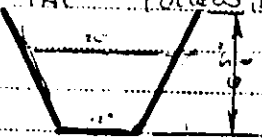
SE 1/4, Sec. 33; NW 1/4, Sec. 34, T. 5S, R. 8E, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? SNAKE RIVER

Remarks:

PERMANENT CURRENT MOTOR "BROKE" TURBINE MEASUREMENT
THE FOLLOWING IS AN EDUCATED GUESS



$$Area = (.55h)(1.55f) = .9025 \text{ sq ft}$$

$$Velocity = 80 \text{ ft} / 10 \frac{1}{2} \text{ sec} = 1.98 \text{ ft/sec}$$

$$Q = (.9025 \text{ sq ft}) (1.98 \text{ ft/sec}) = 1.80 \text{ cfs}$$

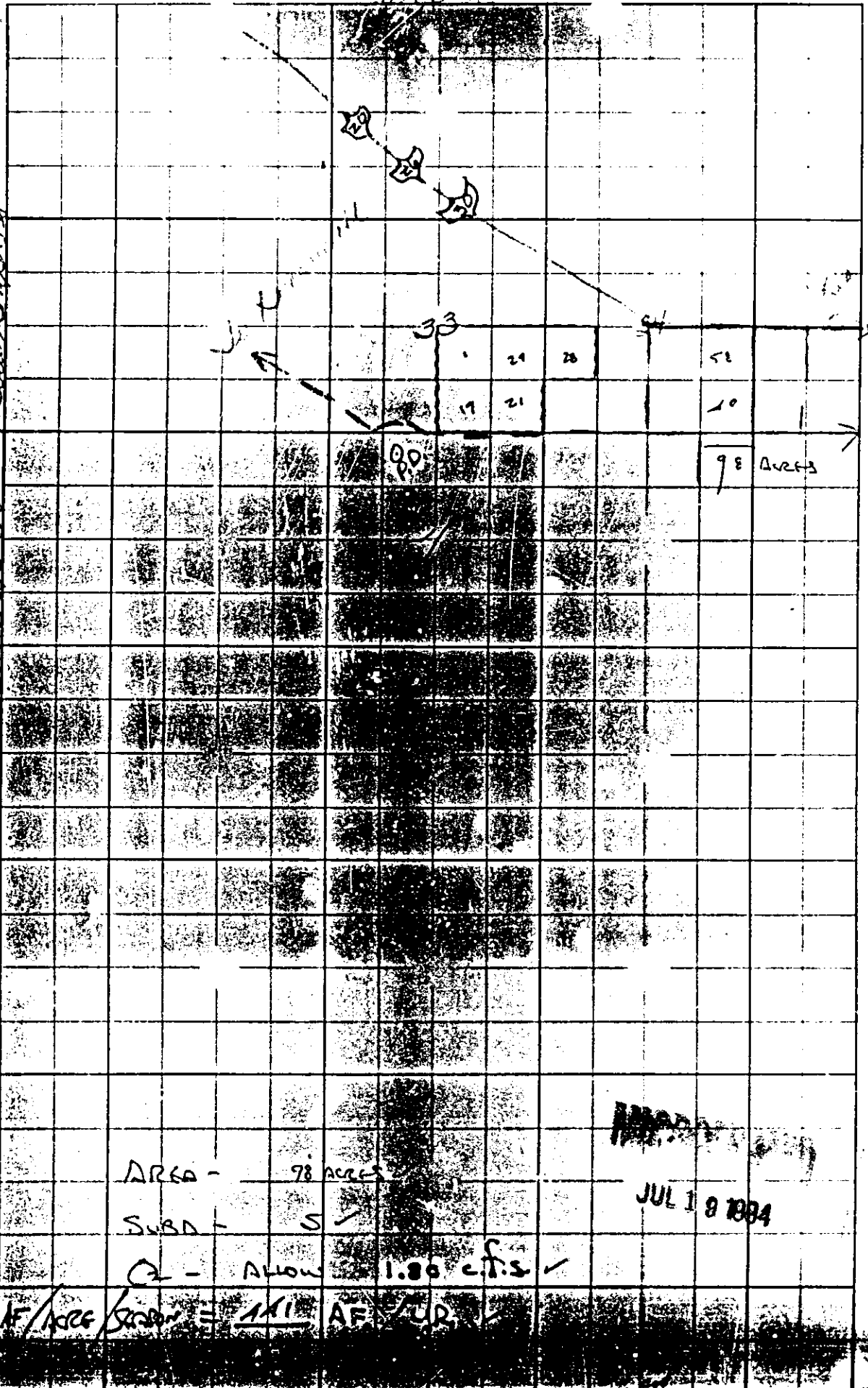
This examination was made on the _____

(Signature) _____

Examiner

1919

Chimney Creek



Area - 98 acres

Subd - S

Q - Allow 1.80 c.f.s.

AF/ACRE/SECTION = 1.1 AF/UR

JUL 18 1984



July 21, 1987

Paul D. and Debra K. Shrum
Box 461
Glenns Ferry, ID 83623

Dear Mr. and Mrs. Shrum:

Re: Permit No. 02-7371

This office acknowledges receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the department's records. A copy of the permit is enclosed for your records.

This office also acknowledges receipt of the proof of beneficial use. Enclosed is a copy of the order advancing the priority date since proof was received after the proof due date.

The next step is for the department to conduct a field inspection to determine extent of use. I cannot tell just when this exam will be completed, but one of our regional examiners will try to contact you to schedule a convenient time.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

NOT RECORDED
AUG 17 1987

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 02-7371

DATE: 7-20-1987

Date proof received

139

May 19, 1987

Proof due

- 60

March 1, 1987

Number of day proof late

79

Priority date

+ 19

January 19, 1982

New priority date

98

April 8, 1982

Remarks:

RECEIVED

AUG 17 1987

I called Sewain
Sunday night and he
said he would put the
transfer paper in the
mail Monday. You should
get it by the deadline.

Thanks for keeping me
out.

Paul Skrum

RECEIVED
MAY 19 1987

Department of Water Resources

Permit No. 02-7371

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? Yes
2. Notary? Yes
3. a. Full Assignment? Yes
b. Partial Assignment?
4. "No assignment" condition on permit? NO
5. Commencement of Works received? B/u rec'd
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
6. Affidavit of residency required? NO
7. Extension granted due to litigation?
(If yes, commencement of works is not required.)

1. Type permit summary sheet. ✓
2. Coding sheet. ✓
3. Acknowledgement letter type.
4. Copy to region. ✓

Shovla _____
Shovla _____
Peter _____
Shovla _____

Date 6-3-87

Employee Jur

April 27, 1987

John J. and Ethel Bernt
Box 51
Hammett, ID 83627

Dear Mr. and Mrs. Bernt:

Re: Permit No. 02-7371

This office has sent out a copy of the enclosed letter and some forms to the addressee(s). The letter was returned to the department where upon I contacted the county Assessor's Office and found that you are now shown in the county's records as the property owner.

Please note this permit, which covers a portion or the entire parcel of land you own, has not been assigned to you by the permit holder of record. In order to have this done, either provide us with any documentation which specifically conveys the permit to you or have the permit holder complete the enclosed assignment form, sign it before a notary public and return it to this office before the proof due date. At that time, the department will acknowledge the assignment and provide you with an opportunity to submit the required proof of beneficial use or request for extension of time.

If this office can be of further assistance, please feel free to contact me at 334-4440.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures: B/U Letter
Assignment Form
Permit Copy

MICROFILMED

AUG 17 1987

FROM Rita Fleck

DATE 4-15-1987

TO File 02-7371

SUBJECT Returned Proof of Beneficial Use

The Elmore County Assessor has no record of the Hys owning property in Elmore Co.

The property now belongs to: John J. & Ethel Bernt, Box 51, Hammeth, Ore.

MICROFILMED

selling on Contract to: Paul Strung
P O Box 461, Glenns Ferry, Id.

AUG 17 1987

SIGNATURE

WARNING

CANCELLED OR LAPSED

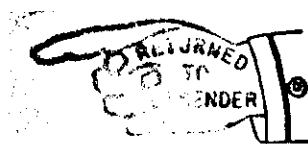
This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

AUG 17 1987

MICROFILMED



- ☐ Moved, left no address
- ☒ No such number
- ☒ Moved, not forwardable
- ☐ Addressed - Not known

RECEIVED

MAR 13 1987

Department of Water Resources

|||||

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
MARCH 13, 1987

MAR 13 1987

FRY, DEWAIN L. & BARBARA L.
STAR RT. BOX 54C
HAMMETT, ID 83627

Department of Water Resources

LAPSE NOTICE

RE: PERMIT NO. 02-7371

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED DECEMBER 31, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE \$15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

[Handwritten signature]
D. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

MICROFILMED

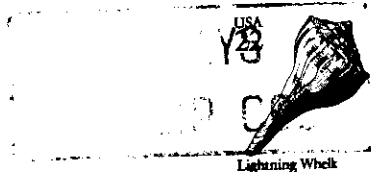
AUG 17 1987

Paul Stinson

BH 461

Idaho State, Id

83623-0461



Department of Water Resources
STATE House

Boise, Idaho

83720

MICROFILMED
AUG 17 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
MARCH 13, 1987

FRY, DEWAIN L. & BARBARA L.
STAR RD. BOX 54C
HAMMETT, ID 83627

LAPSE NOTICE

RE: PERMIT NO. 02-7371

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-21HA, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED DECEMBER 31, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE \$15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SEXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

MICROFILMED

AUG 17 1987

CERTIFIED

3-20-1987

Reta Fleck

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
DECEMBER 31, 1986

138565

FRY, DEWAIN L. & BARBARA L.
STAR RT. BOX 54C
HAMMETT, ID 83627

PROOF DUE NOTICE

RE: PERMIT NO. 02-7371

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 MARCH 1, 1987. (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 COMPLETED 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

MICROFILMED

AUG 17 1987



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

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

AUG 17 1987

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) 334-4440

FRY, DEWAIN L. & BARBARA L.
STAR RT. BOX 54C
HAMMETT, ID 83627

MARCH 16, 1982

RE: PERMIT NO. 02-7371

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.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

THE EXERCISE OF THIS PERMIT MAY ALSO BE AFFECTED BY THE SUPREME COURT'S REVIEW OF THE CASE OF IDAHO POWER COMPANY VS. STATE OF IDAHO, ET AL., ADA COUNTY CIVIL NO. 62237, CURRENTLY BEING APPEALED TO THE SUPREME COURT OF IDAHO. SINCE THE USE OF WATER UNDER YOUR PERMIT MAY AFFECT THE FLOWS IN THE SNAKE RIVER BETWEEN MILNER DAM AND HELLS CANYON THE FINAL DECISION IN THIS CASE MAY DETERMINE TO WHAT EXTENT THE EXERCISE OF YOUR PERMIT IS SUBJECT TO WATER RIGHTS OF IDAHO POWER. WHILE THE SUPREME COURT IS REVIEWING THIS CASE IDAHO POWER COMPANY HAS NOT FILED A SPECIFIC PROTEST TO YOUR PERMIT. HOWEVER, THE DEPARTMENT OF WATER RESOURCES HAS BEEN ADVISED THAT THE POWER COMPANY IS NOT WAIVING ANY OF ITS RIGHTS TO CONTEST OR LIMIT THE EXERCISE OF YOUR PERMIT OR SUBSEQUENT LICENSE.

NOTE ALSO THAT WATER SHALL NOT BE DIVERTED UNDER THIS PERMIT UNLESS A BASE FLOW OF THE SNAKE RIVER AT THE U.S. GEOLOGICAL SURVEY STREAM GAGING STATION AT MURPHY EXCEEDS 3,300 C.F.S. AND AT WEISER EXCEEDS 4,750 C.F.S. IN ADDITION, THERE ARE MANY APPLICATIONS FOR PERMIT FOR THE USE OF SNAKE RIVER WATER THAT ARE PRIOR TO YOUR PERMIT. THESE APPLICATIONS HAVE BEEN FILED FOR THE IRRIGATION OF LAND THAT THE APPLICANTS ARE ATTEMPTING TO OBTAIN UNDER THE FEDERAL LAND LAWS SUCH AS DESERT ENTRY AND CAREY ACT. IF THESE LANDS ARE DEVELOPED, AND IF THE BASE FLOW IS MAINTAINED, THEN NO WATER WOULD BE AVAILABLE FOR THIS PERMIT. THEREFORE, YOU SHOULD CAREFULLY CONSIDER THESE FACTS BEFORE MAKING ANY EXPENDITURES FOR THE CONSTRUCTION OF YOUR SYSTEM.

MICROFILMED

RE: PERMIT 02-7371

PAGE 01
MARCH 16, 1982

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

[illegible]

I, Lloyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

Lloyd S. Waters

Deen W. Suino
Notary Public

FEB 16 1962

MICROFI MF1

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before FEBRUARY 22, 1982.

A. KENNETH DUNN

Director

MICROFILMED

Published 2/4 & 2/11/82.

AUG 17 1987

02-2321-

FRY, DEWAIN L. &/or BARBARA L.

STAR RT. BOX 54C, HAMMETT, ID 83627

Source: SNAKE RIVER tributary to COLUMBIA RIVER

Date Filed: 01/19/1982

Amount: 1.60 CFS

Diversion Point: LOT 03 (NENW) Sec 04 T 06S R 08E, ELMORE Co.

Use: IRRIGATION (1.60 CFS) from 03/15 to 11/15

Place of Use: NENW NWNW Sec 34 T 05S R 08E FOR 80 ACRES

Diversion Means: MOTOR & SPRINKLER IRR.

MICROFILMED

AUG 17 1981