

Identification No. 13 7073

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Erma H. Abbott
post office address Box 13, Swanlake, Idaho 83281 PH: 897-5558
2. Source of water supply ground water which is a tributary of -----
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30 Township 13S
Range 38E B.M. Bannock County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.0 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump 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 during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 3,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: N. A.
(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: _____ hp 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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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

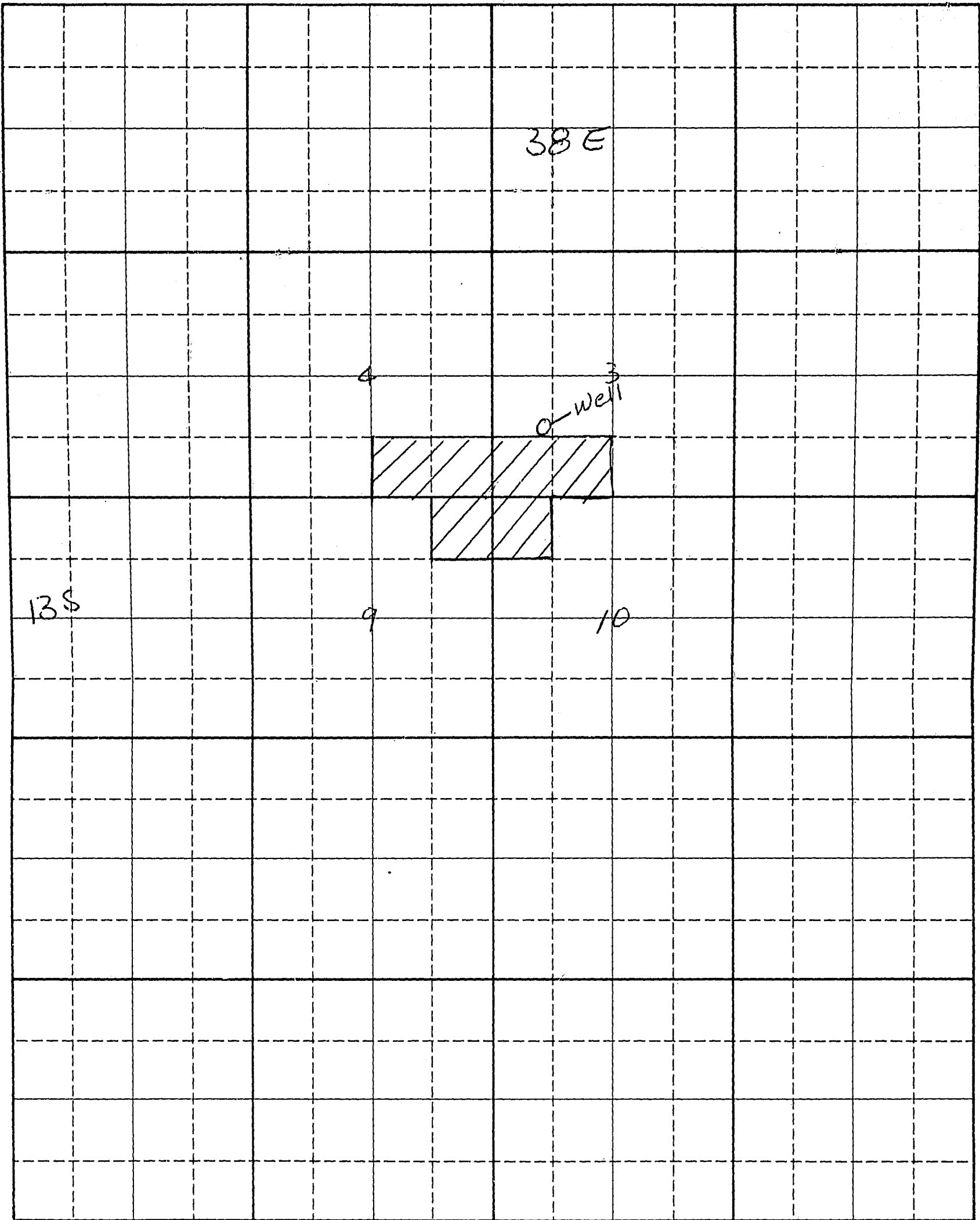
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	38E	3											40	40					80
"	"	4															40	40	80
"	"	9	40																40
"	"	10					40												40

Total number of acres to be irrigated 240c. Describe any other water rights used for the same purposes as described above. None9. a. Who owns the property at the point of diversion Applicantb. 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 _____

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.

Emma H. Abbott
(Applicant)

13 7073

Proposed Priority 3-1-1974

13 7073

Received by MB Date 3-1-74 Time 4:00 p

Preliminary check by WR Fee \$ 35.00

Received by MB Date 3-1-74 # 12764

Publication prepared by MB Date 3-1-74

Published in Idaho State Journal

Publication dates March 7 & 14, 1974

Publication approved OB Date 3/15/74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY WDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7073, 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 79.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 1 day of April 19 74.

L. Kirk Higgins
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JF</u>	<u>3/4/74</u>	Application No. <u>13-7073</u> <u>Abbott</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>JF</u>	<u>3/4/74</u>	In form to receipt <u>Yes</u>
	<u>JF</u>	<u>"</u>	Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>JF</u>	<u>"</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>JF</u>	<u>"</u>	In form for advertising <u>Yes</u>
(6)	<u>N/A</u>	<u>"</u>	Located within Water District No. _____
(7)	<u>JF</u>	<u>3/4/74</u>	Critical groundwater area: yes _____ no ☒
(8)	<u>JF</u>	<u>"</u>	Groundwater levels: _____ Decline (comment) _____ _____ Stable (comment) <u>No close to wells</u> _____ Increasing (comment) _____
(9)	<u>JF</u>	<u>"</u>	Comments: <u>No conflicting G.W. rights.</u>
(10)	<u>MB</u>	<u>3/15/74</u>	Affidavit of Publication received (date) <u>March 15, 1974</u>
(11)	<u>MB</u>	<u>3/25/74</u>	Final date for protests <u>March 25, 1974</u> Protests received: yes _____ no ☒
(12)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(13)	<u>NCF</u>	<u>"</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>"</u>	<u>"</u>	Action recommended: ☒ Approve Priority <u>3/1/74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>E</u>	By <u>NCF</u>	Date <u>3/5/74</u>

13 7073

PROOF OF PUBLICATION

RECEIVED

MAR 24 1974

STATE OF IDAHO }
County of Bannock } ss.

Department of Water Administration
Eastern District Office

Kathy Wanner

NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that
Emma H. Abbott, Box 13, Swan
Lake, Idaho has on 3-1-74 sub-
mitted Application No. 13-7073
for a permit to appropriate 2.0
cubic feet per second of water
from a ground-water source by
means of well and pump within
the NW 1/4 SW 1/4, Sec. 3, T. 13S,
R. 38E, B.M. Bannock County;
to be used from Apr. 1 to Nov. 1
for the irrigation of 240 acres
within the S 1/2 SW 1/4, Sec. 3, S 1/2
SE 1/4, Sec. 4, NE 1/4 NE 1/4, Sec. 9,
NW 1/4 NW 1/4, Sec. 10, T. 13S, R.
38E, B.M.
If issued, this permit will be
subject to all prior water rights.
Protests against the granting
of the permit must be filed with
the Idaho Department of Water
Administration, 1515 Lincoln
Road, Idaho Falls, Idaho, 83401
on or before March 25, 1974.
R. KEITH HIGGINSON
Director
March 7, 14, 1974
No. 125

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:

March 7....., 19 74....., 19.....
March 14....., 19 74....., 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly pub-
lished 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.

Kathy Wanner

Subscribed and sworn to before me this.....13th.....
day of.....March....., 1974.

.....
Notary Public, State of Idaho
Residence: Pocatello, Idaho

13 7073

PROOF OF PUBLICATION

RECEIVED

MAR 14 1974

STATE OF IDAHO
County of Bannock

ss.

Kathy Wanner

Department of Water Administration
Eastern District Office

NOTICE OF APPLICATION
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the NW 1/4 SW 1/4, Sec. 3, T. 13S,
R. 38E, B.M. Bannock County;
to be used from Apr. 1 to Nov. 1
for the irrigation of 240 acres
within the S 1/2 SW 1/4, Sec. 3, S 1/2
SE 1/4, Sec. 4, NE 1/4 NE 1/4, Sec. 9,
NW 1/4 NW 1/4, Sec. 10, T. 13S, R.
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....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly pub-
lished 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.

Kathy Wanner *Carrie Davis*

Subscribed and sworn to before me this.....13th.....

day of.....March....., 19..74

Lella L. Lufford

Notary Public, State of Idaho
Residence: Pocatello, Idaho

13 7073

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Erma H. Abbott,

Box 13, Swan Lake, Idaho

has on 3/1/74 submitted Application No. 13-7073

for a permit to appropriate 2.0 cubic feet per second ~~XXXXXX feet per second~~

of water from a ground-water source

by means of well and pump

within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 13S, R. 38E, B.M. Bannock County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 240 acres

within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 13S, R. 38E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 25, 1974.

R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho

on March 7 and March 14, 1974.

13 7073

CB-R.
CB-A.
CB-K.

XXXXXXXXXXXXXXXXXXXXX 1515 Lincoln Road

March 1, 1974

Re: Application for Permit No. 13-7071 Lael J. Abbott
No. 13-7072 Erma H. Abbott
No. 13-7073 Erma H. Abbott

Idaho State Journal
Box 431
Pocatello, ID 83201

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB
Enc: Legal Notice (3)

Bill submitted 3-15-74 by MB

13 7073

MB NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Erma H. Abbott, Box 13, Swan Lake, Idaho has on 3-1-74 submitted Application No. 13-7073 for a permit to appropriate 2.0 cubic feet per second of water from a ground-water source by means of well and pump within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 13S, R. 38E, B.M. Bannock County; to be used from Apr. 1 to Nov. 1 for the irrigation of 240 acres within the S $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 13S, R. 38E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 25, 1974.

R. KEITH HIGGINSON

Director

March 7, 14, 1974
No. 125

13 7073

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

April 5, 1974

Re: Permit No. 13-7072 & 13-7073

Erma H. Abbott
Box 13
Swanlake, Idaho 83281

Dear Ms. Abbott:

Enclosed are copies of your approved Applications for Permit Nos. 13-7072 and 13-7073. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permits.

We are enclosing a letter describing different types of measuring devices accepted by this office.

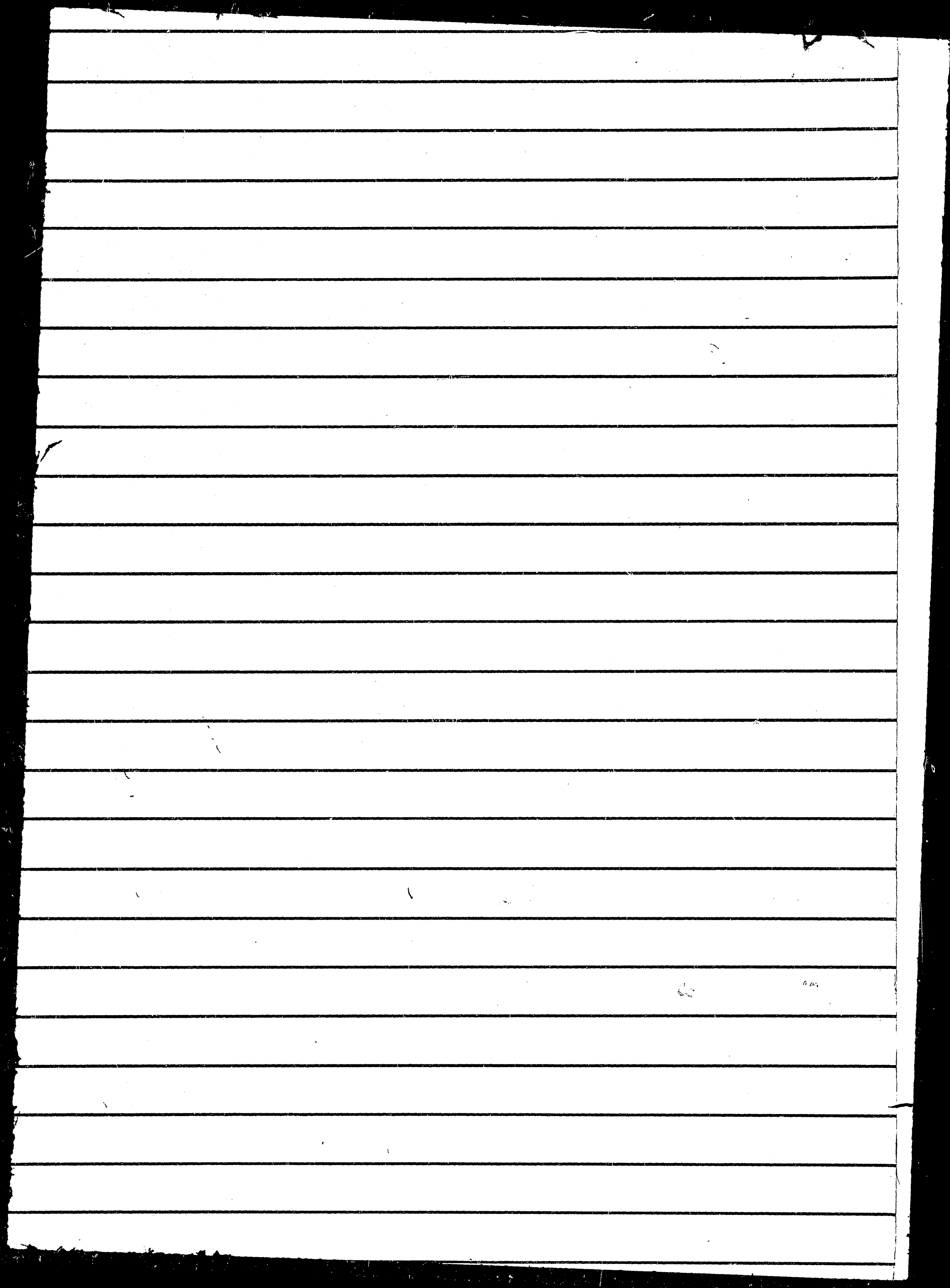
Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jfr

Enclosure

13 7073



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-7037

IN THE NAME OF ERMA H. ABBOTT

ORDER OF REINSTATEMENT

WHEREAS, on March 1, 1974, Erma H. Abbott filed with the Department of Water Resources an application for permit to appropriate 3.0 cubic feet per second of water from a groundwater source to be diverted within the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 3, Twp. 13S, Rge. 38E, B.M., Bannock County for irrigation purposes; and,

WHEREAS, on April 1, 1974, the Department approved said application and issued Permit No. 13-7037 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before March 1, 1979; and,

WHEREAS, on December 29, 1979, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on March 20, 1979, the Department notified the permit holder that Permit No. 13-7037 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on April 16, 1979.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-7037 be REINSTATED and the priority date advanced to April 16, 1974.

Dated this 26th day of June, 1979.

L. Glen Saxton
L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 13-7073

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "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"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Nov. 7, 1978

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

100493

December 29, 1978

Re: Permit No. 13-7072 & 13-7073

Erma H. Abbott
Box 13
Swanlake, ID 83281

Dear Ms. Abbott:

One of the conditions of approval of your water Permit No. 13-7073 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

March 20, 1979

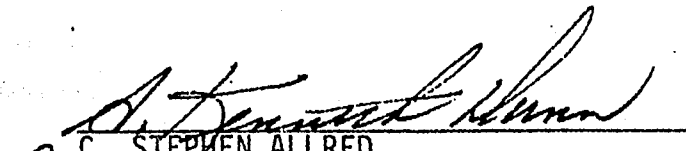
Erma H. Abbott
Box 13
Swanlake, ID 83281

Dear Ms. Abbott:

Re: Permit Nos. 13-7072 and 13-7073

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit Nos. 13-7072 and 13-7073 have lapsed since you have not notified us that you have completed the projects by the date required on your permits. You were provided forms for that purpose in our notice to you dated December 29, 1978.

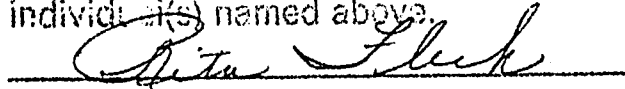
Your permits cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permits should be reinstated within 60 days from the date of this lapse notice.


C. STEPHEN ALLRED
Director

CSA:rf

CERTIFICATION OF MAILING

I hereby certify that on 3/23/79
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



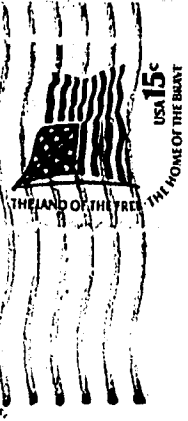
WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

Abbott Ranches, Inc.
Box 71
Swan Lake, Idaho 83281



State of Idaho
Department of Water Resources
State Office 373 W. Franklin St
Boise, Idaho 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

RECEIVED

APR 26 1979

Department of Water Resources

1. a) Name of permit holder ERMA H. ABBOTT
b) Post office address Box 13 SWAN LAKE, ID 83281
2. Permit number 13-7073
3. Date of priority that you are prepared to establish 1 April 1977
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 10
Township 13S, Range 38E Boise Meridian. Other points of diversion: _____

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

Amount 180 for irrigation purposes from 1 May to 1 Aug incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

- b) Total amount appropriated 180 ~~cfs~~ or acre-feet per annum.

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

Measurement of rate of flow was made with a
measuring device by Mr. R. F. Eagle & Son, Pomeroy, ID

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

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

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

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

Water is from a well 100 ft deep with a 16"
Casing. The pump is a Johnston Vertical pump
with 90 ft of 6" Colum pipe and a 50 HP motor

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

If required, an access port can be installed.

Examined by

4/20/79 af

c) Give well driller's name and address and the date the well was completed: _____

Cagle & Son - Downey, Idaho

Well was Completed May 17, 1977

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

See attached maps - hand irrigated raises
barley, alfalfa hay and grass hay.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
135	38E	3					10						10	15					35
135	38E	4	15	5														25	45
135	38E	9	10																10
135	38E	10	10	15			15	10											50

10. Remarks: 140 acres are sprinkled using water from the
well during an extremely dry year. Normally less than
100 acres are sprinkled with water from the well, the
remaining acres are flooded with water from a stream

Total number of acres irrigated 140

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

10 April 1979

(Date)

P.S. Please forward a copy of
permit number 13-7073
Pat

Lois Abbott

(Signature)

V. P. Abbott Ranches, Inc
Box 71, Swan Lake, ID
83281

State of Idaho

County of Bannock

) ss.

On this 13 day of April, 19 79, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Barbara L. Delmore
Notary Public
Residing at Pocatello

My commission expires Sept. 1980



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

July 6, 1979

Erma H. Abbott
Box 13
Swanlake, ID 83281

Dear Ms. Abbott: ■

Re: Permit No. 13-7073

Enclosed is a copy of the order reinstating your permit and advancing the priority date to April 16, 1974. Also enclosed is a copy of the specifications for the installation of the access port.

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Idaho Falls.

Sincerely,

RITA FLECK
Water Rights

State of Idaho

Department of Water Resources

ROUGH DRAFT

WATER RIGHT LICENSE

(Late-Proof)

ROUGH DRAFT

License of Water Right No. 13-7073 Priority 4-16-1974 Amount 0.39 cfs

THIS IS TO CERTIFY, that Erma H. Abbott
of Swan Lake, ID., has complied with the terms and conditions of Permit
No. 13-7073 issued pursuant to Application for Permit dated 3-01-1974,
and has submitted proof to the Department of Water Resources on 4-16-1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.39 of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov 1</u>	<u>0.39</u> cfs and	<u>166 afa</u>
	from _____	cfs and	
	from _____	cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.39 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
166 acre feet per year, said waters to be diverted within the NW 1/4 of NW 1/4
Section 10 T135 R38E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW1/4				SW1/4				Totals
			NEW	NW1/4	SW1/4	SE1/4	NEW	NW1/4	SW1/4	SE1/4	NEW	NW1/4	SW1/4	SE1/4	
13S	38E	4	7	3										5	35
		9	20												20
		16					21	22							43
		3									8	10			18

Total number of acres irrigated 121

Assuming amendment to change PD and add p.u. is completed,
HWS

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

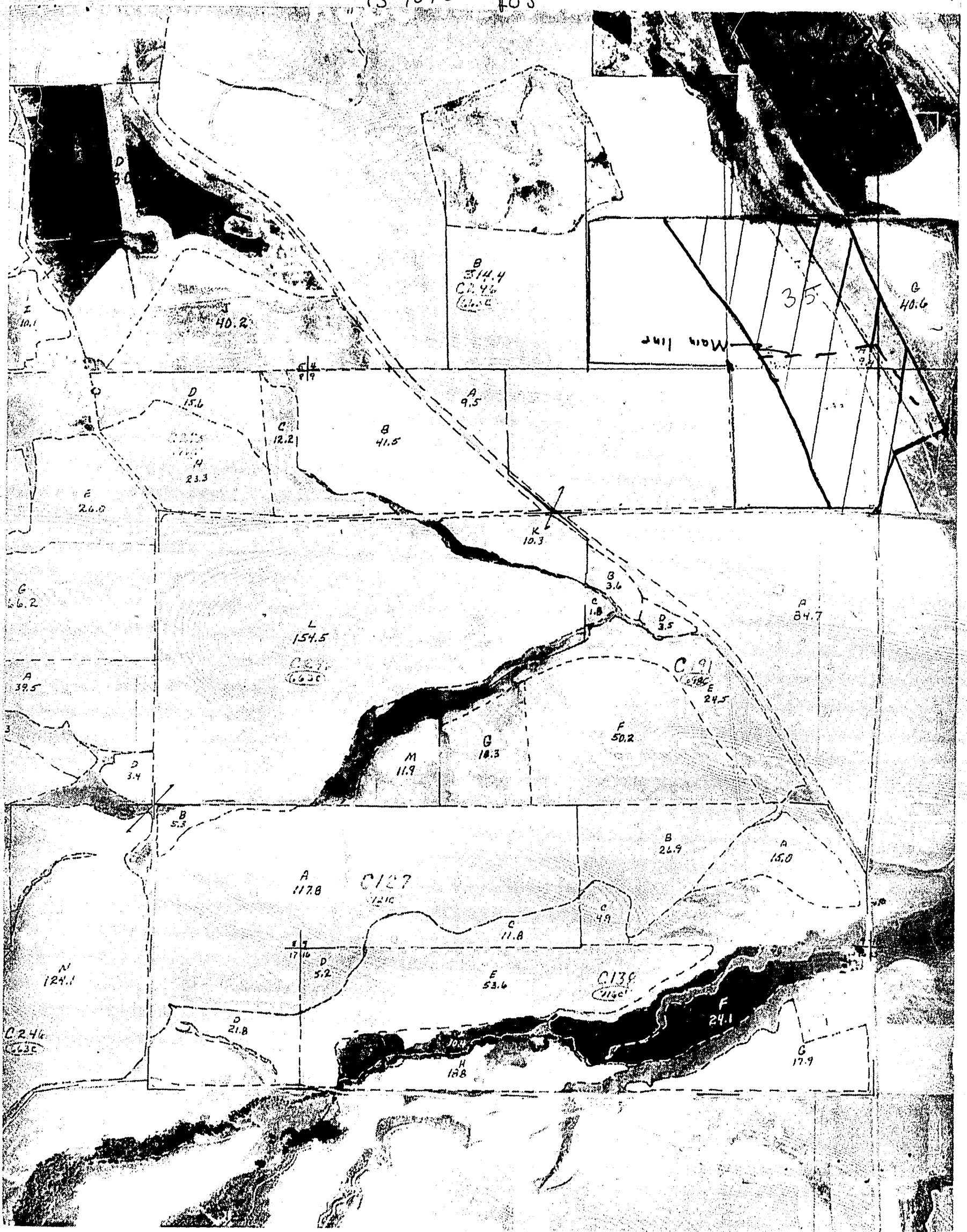
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of _____, 19 ____.

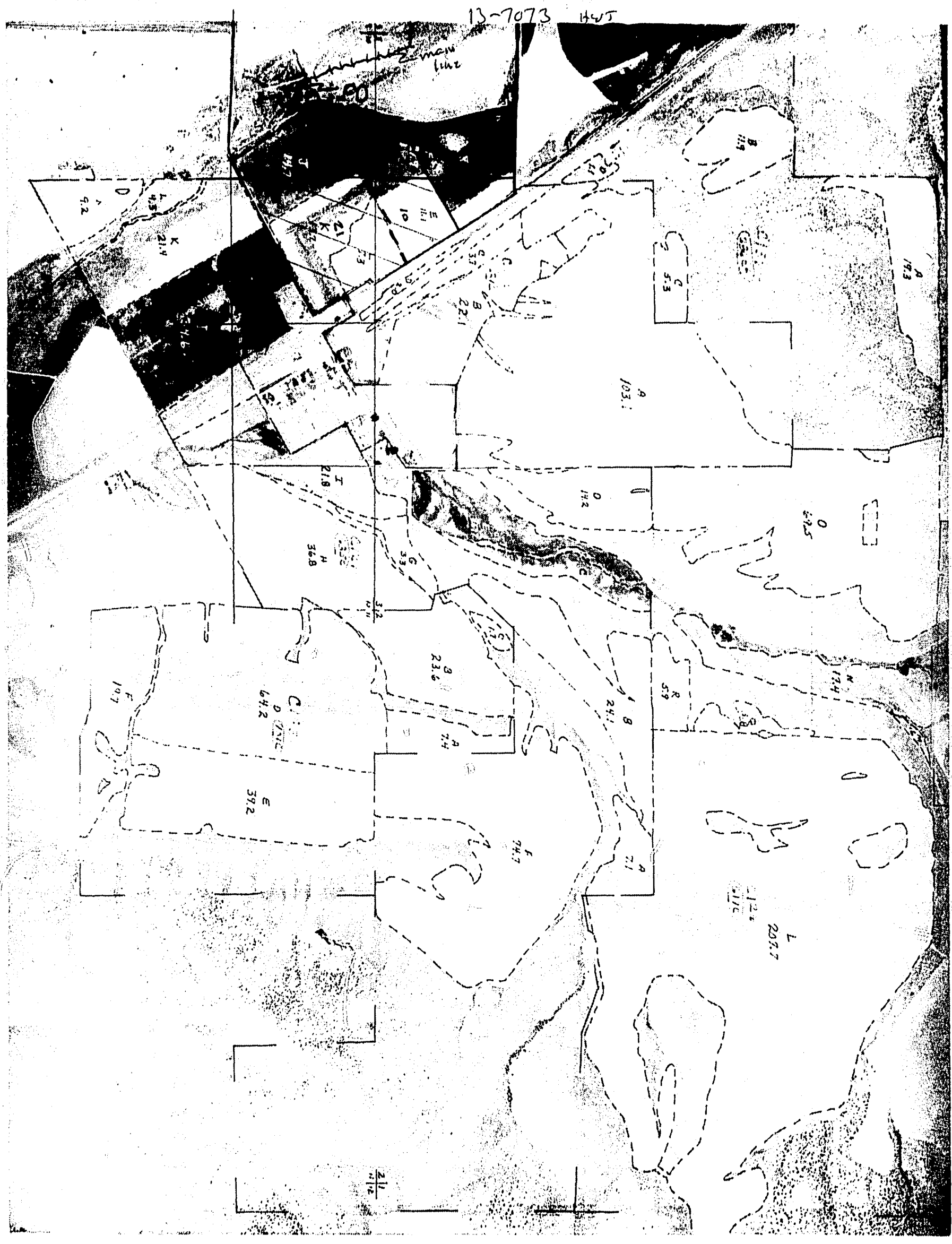
ROUGH DRAFT

Director

13-7073 405



13-7073 HWT



DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Shama, H. Chavla

Post office address Box 15, Swamp Lake, AK Phone 14-5544

Person to contact Paul Holt Phone 892-5472

2. Source of water supply: Groundwater ☒ Surface water ☐

Tributary to _____

3. Water will be used for the following purposes:

MAY 3 1919

Amount 2.0 c.f.s. for Recreation Department of Water Resources

180 AF/Annum (nature of use) Eastern District Office

Period of Use: from 1-1 to 1-1

Amount _____ c.f.s. for _____

Period of Use: from _____ to _____

Amount _____ c.f.s. for _____

Period of Use: from _____ to _____

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 135 N/S. Range 39E E/W. B.M., Section 10. Subdivision NW 1/4 NW 1/4 Darnock

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Other Points of Diversions: _____

Description of diverting works: 116" X 100', 50 HP motor, pump

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE 1240

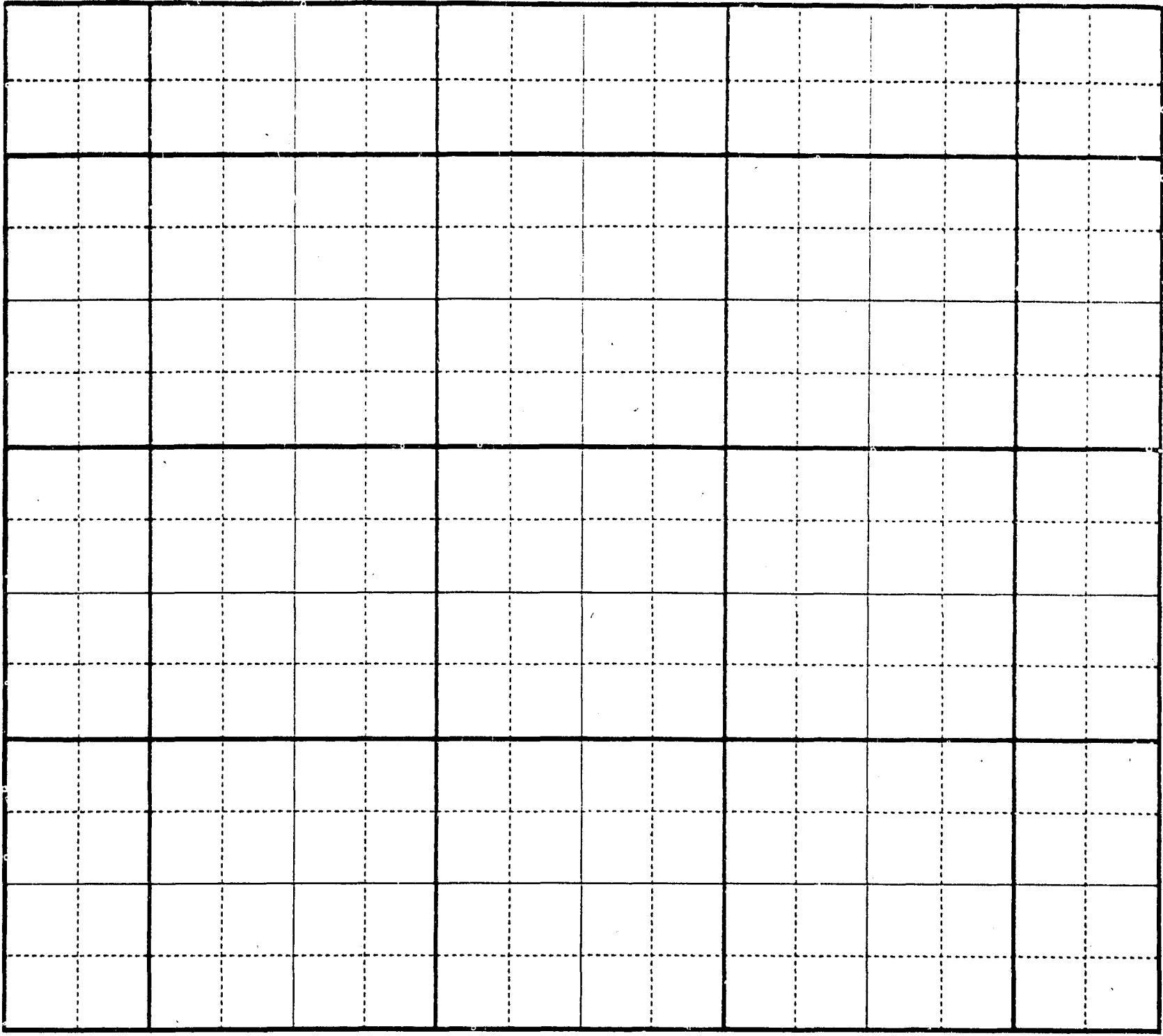


Diagram of System

DATE OF EXAM _____

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

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

Exchange? yes _____ no _____

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

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

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

Total Q measured _____ Method of measurement _____

Total Q recommended _____ Meter No. _____ Type _____ Condition _____

Total V recommended _____

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None _____

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:

REMARKS:

Examiner's Signature _____ Date _____

Checked by _____ Date _____

Approved by _____ Date _____

RECEIVED

APR 1 1981

Department of Water Resources
13-1073
Permit No.

DATE	INITIALS	REMARKS
------	----------	---------

- ☐ Appointment letter mailed: _____

☐ Telephone call made: _____
(List Telephone No. used) _____

☐ Appointment scheduled for: _____
(Date, time, location) _____

Date 8-13-80 Accompanied by Lael Abbot Total Q measured 0.39 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement Pitot Gauge Meets Permit requirements? _____

Measurement calculations: $V = 121 \text{ acft} \times 3.5$ $V = 423.5 \text{ cfs}$ $424 \text{ cfs} \quad \checkmark$	Pitot gauge - using 7/64 & 11/64 nozzles in amt. equiv. to all 5/32. $5/32 \text{ N @ } 35 \text{ psi (Av) for 41 birds}$ $4.31 \text{ gpm} \times 41$ 176.71 gpm $0.39 \text{ cfs} \quad \checkmark$	$0.39 \text{ cfs} \times 1.9835 \times 214 \text{ days}$ $V = \underline{165.54 \text{ acft}} \quad \checkmark$
---	--	--

[illegible]

System Description From well to pump/motor to 5" above ground aluminum main line to serve one long handline (41 birds).

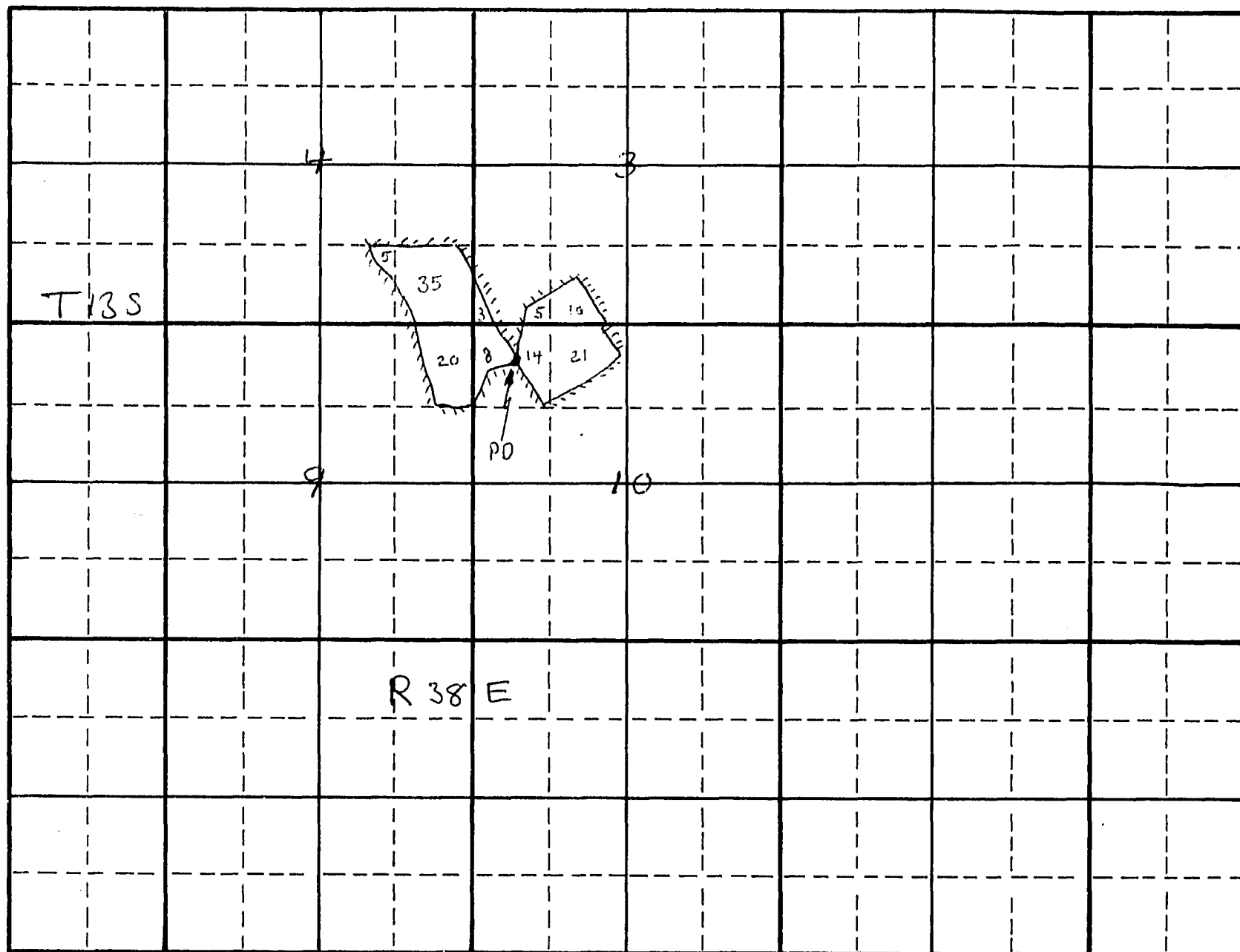
**Code with map on reverse side. Disregard code if only one.*

Irrigation requirement = 3.5 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Irrigation	0.39 cfs	166	April 1	Nov. 1
Total				

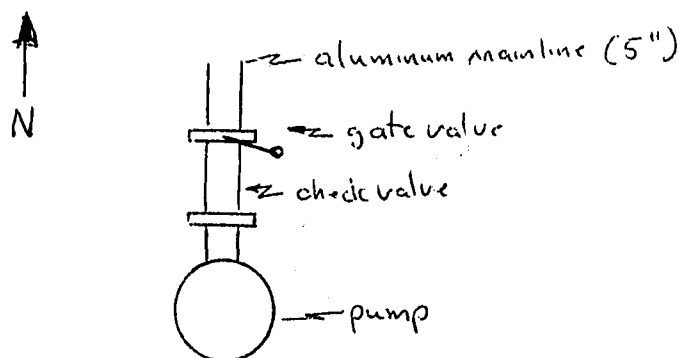
Remarks Application on file (13-7144) for SE 1/4 & SE 1/4 SECT 4 T13S R38E. Application
in another party name (Gibb brothers).

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: NW 1/4 of NW 1/4 SECT 10 T13S R38E

Place(s) of Use

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	
13S	38E	4															5	35	40
		9	20																20
		10					21	22											43
		3											8	10					18

121 total

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 _____

Examiner's Signature

W. Jones

Date 3-10-81

Checked by _____

Date _____

Approved by _____

Date _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-7073 Priority April 16, 1974 Amount 0.39 cfs
(late proof)

THIS IS TO CERTIFY, that A Bar Ranches
of Swan Lake, Idaho, has complied with the terms and conditions of Permit
No. 13-7073 issued pursuant to Application for Permit dated March 1, 1974,
and has submitted proof to the Department of Water Resources on April 16, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.39 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.39</u> cfs and	<u>165.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.39 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
165.5 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Twp.
13S, Rge. 38E in the County of Bannock

Description and location of place of use:

Twp.	Range	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 $\frac{1}{4}$	
13S	38E	4															5	35	40
		9	20																20
		10					21	22											43
		3											8	10					18

Total number of acres irrigated 121

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
June, 19 82.

Director

PROOF OF PUBLICATION

RECEIVED
MAR 14 1974

STATE OF IDAHO }
County of Bannock } ss.

Kathy Wanner

Department of Water Administration
Eastern District Office

NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that
Erma H. Abbott, Box 13, Swan
Lake, Idaho has on 3-1-74 sub-
mitted Application No. 13-7073
for a permit to appropriate 2.0
cubic feet per second of water
from a ground-water source by
means of well and pump within
the NW 1/4 SW 1/4, Sec. 3, T. 13S,
R. 38E, B.M. Bannock County;
to be used from Apr. 1 to Nov. 1
for the irrigation of 240 acres
within the S 1/2 SW 1/4, Sec. 3, S 1/2
SE 1/4, Sec. 4, NE 1/4 NE 1/4, Sec. 9,
NW 1/4 NW 1/4, Sec. 10, T. 13S, R.
38E, B.M.
If issued, this permit will be
subject to all prior water rights.
Protests against the granting
of the permit must be filed with
the Idaho Department of Water
Administration, 1515 Lincoln
Road, Idaho Falls, Idaho, 83401
on or before March 25, 1974.
R. KEITH HIGGINSON
Director
March 7, 14, 1974
No. 125

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:

.....March 7....., 19..74....., 19.....
.....March 11....., 19..74....., 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly pub-
lished 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.

Kathy Wanner *Carol Ann*

Subscribed and sworn to before me this.....13th.....
day of.....March....., 19..74

Debra L. Lindford

Notary Public, State of Idaho
Residence: Pocatello, Idaho

13 7073

PROOF OF PUBLICATION

RECEIVED

MAR 14 1974

STATE OF IDAHO }
County of Bannock } ss.

Department of Water Control
Eastern District Office

Kathy Wanner

NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that
Erma H. Abbott, Box 13, Swan
Lake, Idaho has on 3-1-74 sub-
mitted Application No. 13-7073
for a permit to appropriate 2.0
cubic feet per second of water
from a ground-water source by
means of well and pump within
the NW 1/4 SW 1/4, Sec. 3, T. 13S,
R. 38E, B.M. Bannock County,
to be used from Apr. 1 to Nov. 1
for the irrigation of 240 acres
within the S 1/2 SW 1/4, Sec. 3, S 1/2
SE 1/4, Sec. 4, NE 1/4 NE 1/4, Sec. 9,
NW 1/4 NW 1/4, Sec. 10, T. 13S, R.
38E, B.M.
If issued, this permit will be
subject to all prior water rights.
Protests against the granting
of the permit must be filed with
the Idaho Department of Water
Administration, 1515 Lincoln
Road, Idaho Falls, Idaho, 83401
on or before March 25, 1974.
R. KEITH HIGGINSON
Director
March 7, 14, 1974
No. 125

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:

March 7, 1974
March 14, 1974
1974
1974
1974
1974

That said paper has been continuously and uninterruptedly pub-
lished 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.

Kathy Wanner

Subscribed and sworn to before me this 13th
day of March, 1974.

Ruth L. Leadford

Notary Public, State of Idaho
Residence: Pocatello, Idaho

13 7073

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JF</u>	<u>3/4/74</u>	Application No. <u>13-7073</u> <u>Abbott</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>JF</u> <u>JF</u>	<u>3/4/74</u> "	In form to receipt <u>Yes</u> Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>JF</u>	"	☐ Request Special Use Permit from U. S. F. S. ☐ Request Easement from B. L. M. ☐ Request Information from Applicant
(5)	<u>JF</u>	"	In form for advertising <u>Yes</u>
(6)	<u>N/A</u>		Located within Water District No. _____
(7)	<u>JF</u>	<u>3/4/74</u>	Critical groundwater area: yes _____ no ☒
(8)	<u>JF</u>	"	Groundwater levels: ____ Decline (comment) _____ ____ Stable (comment) <u>No close obs wells</u> ____ Increasing (comment) _____ Comments: <u>No conflicting G.W. rights.</u>
(10)	<u>MB</u>	<u>3/15/74</u>	Affidavit of Publication received (date) <u>March 15, 1974</u>
(11)	<u>MB</u>	<u>3/25/74</u>	Final date for protests <u>March 25, 1974</u> Protests received: yes _____ no ☒
(12)	"	"	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(13)	<u>NC</u>	"	All requested information received from agencies or applicant yes ☒ no _____
(14)	"	"	Action recommended: ☒ Approve Priority <u>3/1/74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>E</u>	By <u>NC</u>	Date <u>3/25/74</u>

13 7073

Copy
JD

Identification No. 13 7073

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Erma H. Abbott
post office address Box 13, Swanlake, Idaho 83281 PH: 897-5558
2. Source of water supply ground water which is a tributary of -----
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3 Township 13S
Range 38E B.M. Bannock County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.0 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump 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 during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 3,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: N. A.
(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: _____ hp 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: _____

13 7073

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
Orginial Permit	13-7073	Erma H. Abbott	2.0 cfs
Full Assignment	13-7073	A Bar Ranches	2.0 cfs

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING

APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED
MAR 29 1982
Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Erma H. Abbott A BAR RANCHES
of (address) Box 71
Box 13, Swanlake, ID 83281, 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. 13-7073, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4, Section 10, Township 13S, Range 38E, B.M.,
County of Bannock. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.39 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)

3. Place of use or land to be irrigated:

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	
13S	38E	4															5	35	40
		9	20																20
		10					21	22											43
		3										8	10						18

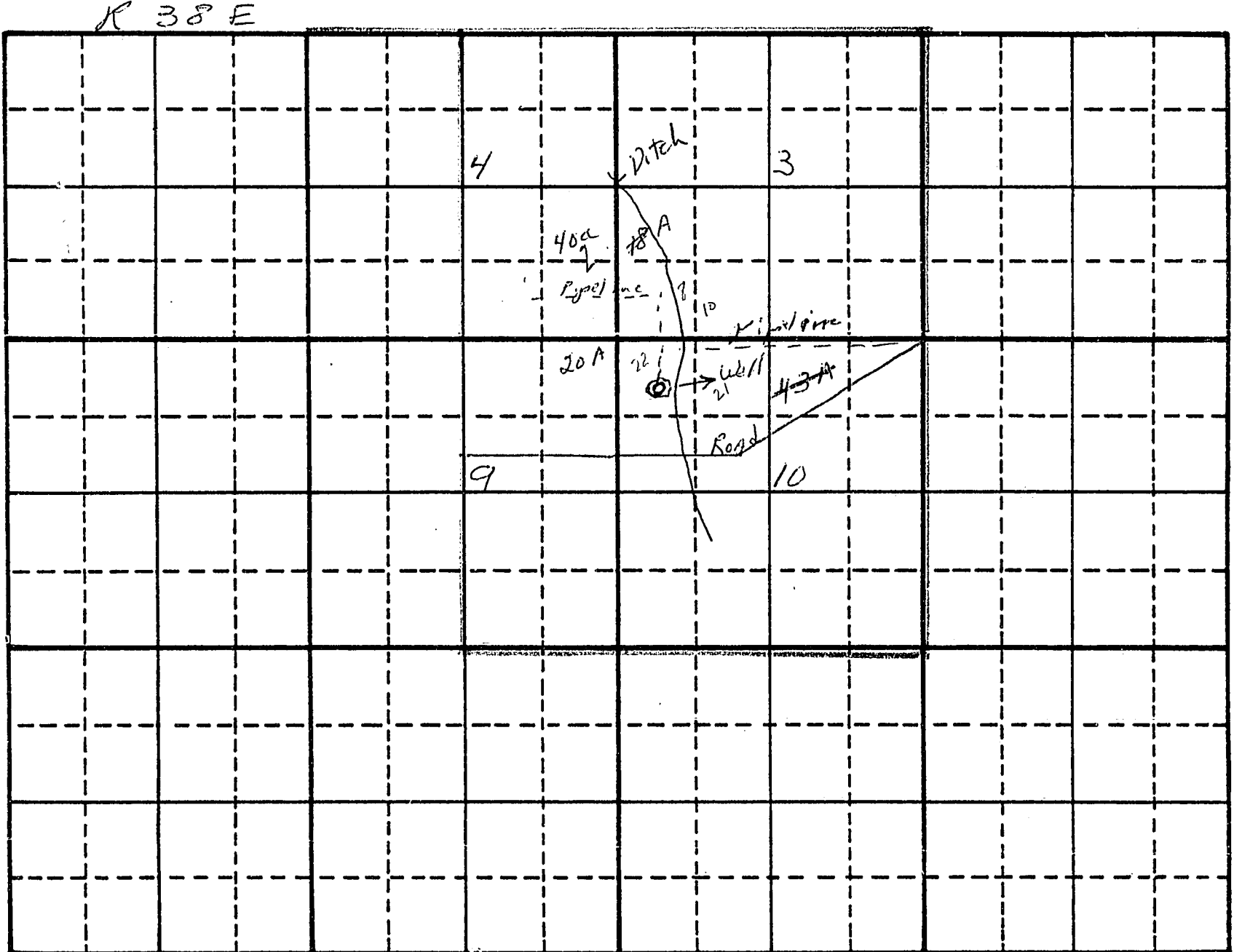
Total number of acres to be irrigated = 121

4. a. Who owns the property at the point of diversion? A BAR RANCHES, INC.
b. Who owns the land to be irrigated or the place of use? A BAR RANCHES, INC.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: A BAR RANCHES, INC. has

purchased the property at the point of diversion
and the land to be irrigated.

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

R 38 E

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at SWAN LAKE, Idaho, this 25 day of MARCH, 1982.

Loeffel Abbott Pres
(Signature)
A BAK RANCHES INC

FOR DEPARTMENT USE ONLY

Preliminary check by ju Fee = \$20.00

Received by uj Date 6-9-82 #23707

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 13-7073.

Witness my hand this 28 day of June, 19 82

A. Kenneth Dunn
Director



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

March 9, 1982

RE: Permit No. 13-7073

Erma H. Abbott
Box 13
Swanlake ID 83281

Dear Ms. Abbott:

A representative of this Department made an examination of the works covered by your Permit No. 13-7073 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.39 cfs Source: groundwater

The maximum quantity diverted shall not exceed 165.5 acre feet
per year.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Twp. 13S, Rge. 38E, Bannock County

Beneficial use: Irrigation of 121 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4; NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 9; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 3; Twp. 13S, Rge. 38E

Priority date established: April 16, 1974 (late proof)

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

April 26, 1982

RE: Permit No. 13-7073

A Bar Ranches
Box 71
Swanlake, ID 83281

Gentlemen:

Thank you for returning the amendment form for Permit No. 13-7073 filed in the name of Erma H. Abbott. Unfortunately, we cannot accept the amendment under your signature because in Idaho a permit for a water right is considered personal property and the only person authorized to sign the amendment is the permit holder.

In your case where the permit holder has sold the land to you, then some document is required which show conveyance of ownership to you. Usually a copy of a warranty deed or contract of sale which shows the permit number or describes the permit as personal property is satisfactory provided that signatures of the authorized parties are also included. Or you can have the permit holder assign the permit to you, assignment form enclosed.

We will hold your check and amendment form for 30 days to allow you time to follow up. If we don't hear from you by May 26, 1982, we will have no alternative but to return your check and start cancellation proceedings of the permit. If you have any questions or if I can be of any assistance, please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure: Assignment form

July 6, 1982

RE: Permit No. 13-7073

A Bar Ranches
Box 71
Swanlake, ID 83281

Gentlemen:

This office acknowledges receipt of the assignment of permit conveying the above referenced permit to you. Enclosed for your records is a copy of the water right license issued on this permit and a copy of the approved application for amendment of the permit, along with Departmental Receipt No. 23707 in the amount of \$20.00.

Should you have any questions concerning these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

06/93

State of Idaho
DEPARTMENT OF WATER RESOURCES

E021032
Enclose 25 check.

RECEIVED

MAY 16 1995

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources
Eastern District Office

I, A Rancher, Inc.
Lael J. and Pauline L. Abbott, hereby assign to J. Morgan and Clark Evans
(Permit Holder)
of 26704 South Back Red Rock Road, Downey, Id. 83234
(Full Address)

All my right, title, and interest in and to Permit No. 13-7072, 13-7073
to appropriate the public waters of the State of Idaho.

RECEIVED

OR (for partial assignm

13-7072

MAY 22 1995

The following described portion of my right
Permit No. _____ to appropriate the public

Department of Water Resources
to
of Idaho.

Describe portion of the permit assigned listing the name
point of diversion location, and the amount of water

1979

subdivision,

(All)

Made this 11 day of MAY, 1995.

A Bar Rancher, Inc

By Lael Abbott Lael Abbott
Ida. Pres. Permit Holder(s) / also individually

State of Idaho)

County of Bannock) ss

By Pauline L. Abbott Pauline L. Abbott
Sec. / also individually

On this 11th day of MAY, 1995, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Randall C. Budget - Pocatello, Id.

Notary Public

SEAL

Randall C. Budget

Signature

My commission expires: 10/11/2001

06/93

State of Idaho
DEPARTMENT OF WATER RESOURCES

E021032
Enclosed 25 checks.

RECEIVED

MAY 16 1995

Department of Water Resources
Eastern District Office

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, A Ranches, Inc.
Lael J. and Pauline L. Abbott, hereby assign to J. Morgan and Clark Evans
(Permit Holder)
of 26704 South Back Red Rock Road, Downey, ID 83234
(Full Address)

All my right, title, and interest in and to Permit No. 13-7072, 13-7073
to appropriate the public waters of the State of Idaho.

RECEIVED

OR (for partial assignments)

MAY 22 1995

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.

Department of Water Resources

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

(All)

Made this 11 day of MAY, 1995.

A Bar Ranches, Inc
By Lael Abbott Lael Abbott
Pres. Permit Holder(s) / also individually

State of Idaho)
County of Bannock) ss

By Pauline L. Abbott Pauline L. Abbott
Sec. / also individually

On this 11th day of MAY, 1995, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Randall C. Budge - Pocatello, Id.
Notary Public

SEAL

Randall C. Budge
Signature

My commission expires: 10/11/2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

APRIL 27, 1995

RANDALL C BUDGE
RACINE OLSON NYE COOPER & BUDGE
PO BOX 1391
POCATELLO ID 83204-1391

RE: NOTICES OF CLAIM FOR BASIN 13/ABBOTT-EVANS

Dear Randy:

I am returning the "Change in Ownership" form you submitted for water rights 13-07072 and 13-07073. Basin 13 is not part of the Snake River Basin Adjudication and, therefore, none of the water rights in this Basin have been adjudicated.

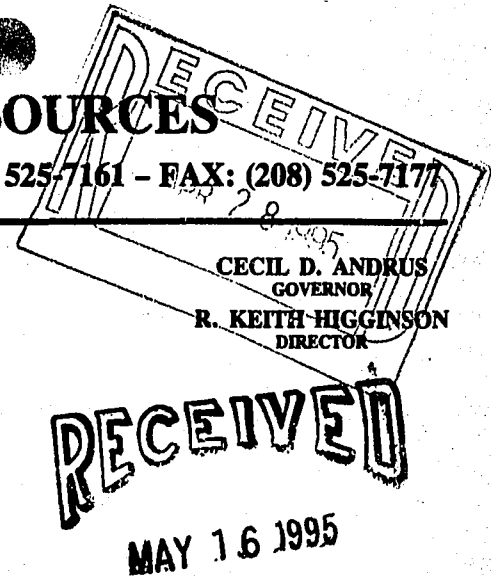
Enclosed is an "Assignment" form to use for these water rights. There is a fee of \$25 and the former owner must initiate the assignment by signing his name at the top of the form, listing the permit numbers (13-07072 and -07073) and signing the form in the presence of a Notary. Please return the form and check to this office.

If you have any questions regarding this matter, please call me at 525-7161.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure





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

May 24, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

J MORGAN EVANS
CHARLA EVANS
26704 S BACK RED ROCK RD
DOWNEY ID 83234

RE: Lapsed Permit No. 13-07072 and Water Right No. 13-07073

Dear Mr. & Mrs. Evans:

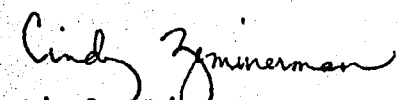
I recently received an 'Assignment of Permit' form on the above referenced rights.

No. 13-07072 lapsed in 1979 for failure to file a proof of beneficial use statement, and therefore, is null and void.

No 13-07073 is a licensed water right. In Idaho, decreed, licensed, and claimed water rights are considered real property; therefore, proof of owning the land is proof of owning the water right unless extenuating circumstances exist. Water right statute does not provide a means for changing owner of record for licensed water rights; although, I have placed your documentation in the water right file.

If you have any questions, please feel free to contact me directly at 327-7944.

Sincerely,


Cindy Zimmerman
Water Resource Agent

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~