

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-07098
Date Received: 5/31/1989
Receipt No: EDP 8411
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LINDSAY DAIRY
Address: 68 EAST 100 NORTH
BLACKFOOT, ID

83221

AND/OR

Name: RONALD LINDSAY
Address: 68 EAST 100 NORTH
BLACKFOOT, ID

83221

208-785-2734

AND/OR

Name: RICHARD LINDSAY
Address: 70 EAST 50 NORTH
BLACKFOOT, ID

83221

208-785-3209

2. Date of Priority: JUL 11, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	36E	30	SE	NW	SE		BINGHAM

5. Description of diverting works:

WELL, 16" CASING, 83' DEEP, PROPANE ENGINE & PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		

7. Total Quantity Appropriated is:

3.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A27-07098

Page

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Date: 05/31/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	36E	30	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
						Section Acres	120.0
						Total Acres	120.0

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
LLOYD DITCH & EAST BRANCH CANALS.

14. Remarks:
THE 40 ACRES IN SE 1/4 OF THE SE 1/4 OF SECTION 30 HAS NEVER BEEN
IRRIGATED WITH WATER FROM THIS WELL.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: -1-

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ronald E. Lindsay Date: 5-31-89

Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 31st day

of May 19 89

Seal

Carter L. Lashley
Notary Public

Residing at _____

My Commission Expires

3

Date: 05/31/89

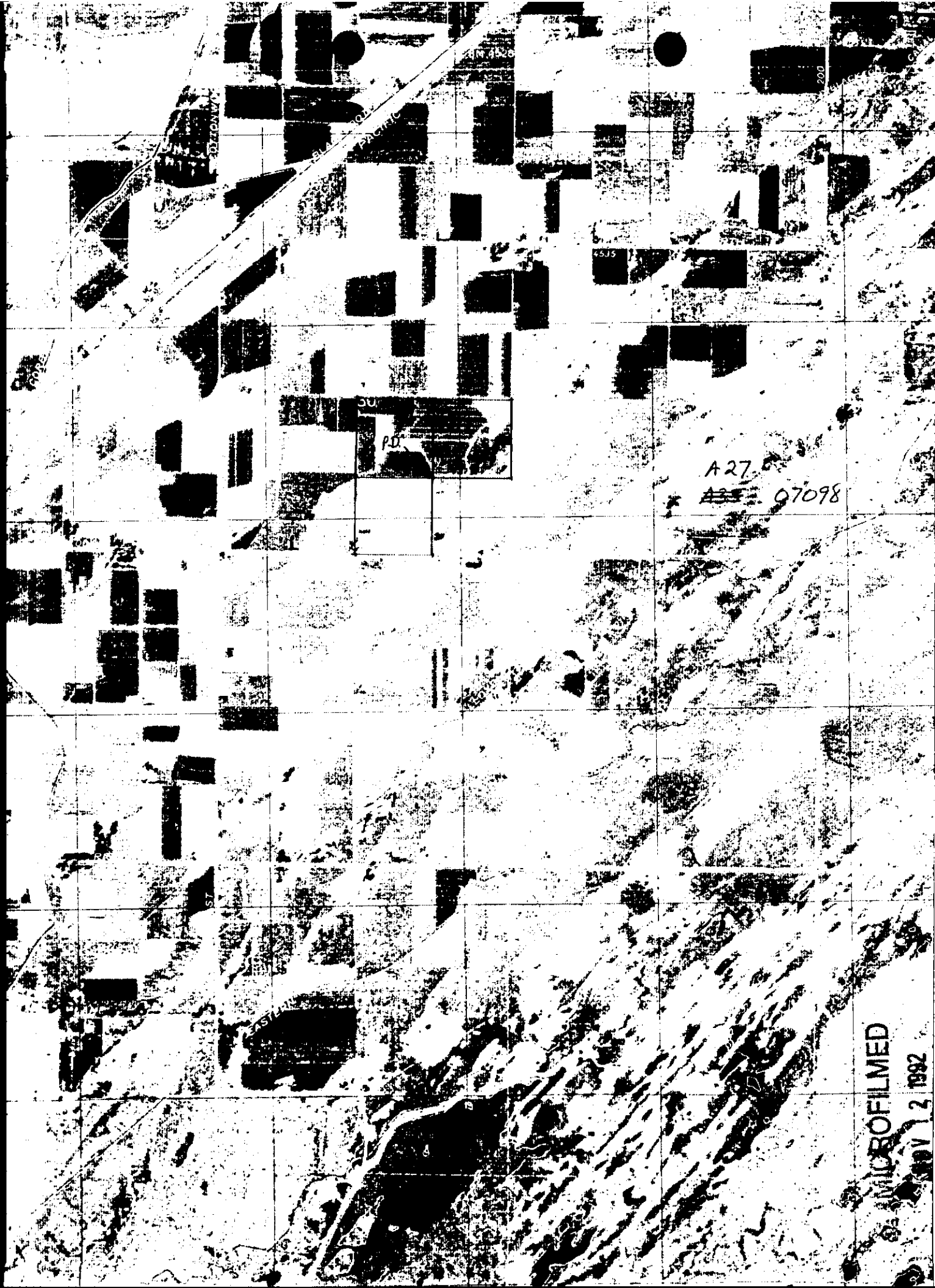
A27-07098

Page

Center for Idaho History & Culture
Reel 100, Box 100
My commission expires 05/31/1994

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5700
FEET

4786

T25
R36E

4785

12'30

4784

4783

4782

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Log for claim 27-07098

Spatial Dynamics LTD

12/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s36e	30	NESE	40	40	
02s36e	30	NWSE	40	40	
02s36e	30	SWSE	40	39	
Totals:			120	119	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LINDSAY DAIRY 68 E 100 N BLACKFOOT ID 83221	07/11/1977	IRRIGATION	04-01 11-01	3.000 CFS	
					TOTAL DIVERSION:	3.000 CFS
					CONSUMPTIVE USE:	300.00 AFA

C RONALD LINDSAY
68 E 100 N
BLACKFOOT ID 83221
(208) 785-2734

C RICHARD LINDSAY
70 E 50 N
BLACKFOOT ID 83221
(208) 785-3209

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T02S R36E S30

SENWSE

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
		NENE	NWNE	SWNE	SENE	:		NENW	NWNW	SWNW	SENW	:		NESW	NWSW	SWSW	SESW	:		NESE	NWSE	SWSE	SESE	:		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	: SUM	

02S 36E 30 :																										
TOTAL ACRES 120.0																										

POU County: BINGHAM

Other Rights: LLOYD DITCH & EAST BRANCH CANALS.

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00001J A01-00298 A27-00022D A27-00035D

Conditions of Approval:

- 03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.
- 01B - The right 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.

Remarks: GEN THE 40 ACRES IN SE 1/4 OF THE SE 1/4 OF SECTION 30 HAS NEVER BEEN
IRRIGATED WITH WATER FROM THIS WELL.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A27-07098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 108

=====

Audit: 05/31/89 ESRBA 10/11/94 JTHOMPSO 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. [REDACTED]

Priority: July 11, 1977

Maximum Diversion Rate: 1.78 CFS
Maximum Diversion Volume:¹ 389.6 AF

This is to certify, that LINDSAY DAIRY
50 E. 100 N.

BLACKFOOT, ID 832210000 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 11, 1977; and has submitted Proof of Beneficial Use on June 22, 1987. An examination indicates that the works have a diversion capacity of 1.780 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.78 CFS	389.6 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 30, Township 02S, Range 36E
BINGHAM 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>
02S	36E	30	NESE 40	NWSE 40	SWSE 31.3	111.3
Total number of acres irrigated:						111.3

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07098

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 27th
day of NOVEMBER, 1990.

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

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State of Idaho
Department of Water Resources

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APPROVED
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 27-07098

Date of Priority: July 11, 1977

Maximum Diversion Rate: 1.78 CFS
Maximum Diversion Volume: 389.6 AF

New Address:
02-100N.

Comes now LINDSAY DAIRY
~~68 E. 100 N.~~
BLACKFOOT, ID 832210000

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. 27-07098, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.78 CFS	389.6 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE, Sec. 30, Township 02S, Range 36E
BINGHAM 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>
02S	36E	30	NESE 40	NWSE 40	SWSE 31.3	111.3
Total number of acres irrigated:						111.3

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

Signed at _____, this 13 day of November, 1990.

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Ronald Lindsay
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 27-07098

FOR DEPARTMENT USE ONLY

#C018858

Preliminary check by SC Fee ☒ \$20.00

Received by JO Date 11/14/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 27-07098 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness my hand this 27TH day of NOVEMBER, 1990.

Acting for

R. Keith Higginson

R. Keith Higginson, Director

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DEC 07 1990

Identification No. 27 7098

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

APPROVED

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

1. Name of applicant Lindsay Dairy (Partnership) Phone: 785-2734
post office address Rt. #3, Box 248A, Blackfoot, ID 83221
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 SE $\frac{1}{4}$ of Section 30 Township 2S
Range 36E B.M. Bingham 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 3.0 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. 3.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well and pump

- 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 16 inches; proposed depth of well is 80 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 \$ 25,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ 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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MAY 19 1984

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

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 $\frac{1}{4}$	
2S	36E	30													40	40	40	40	160

Total number of acres to be irrigated. 160

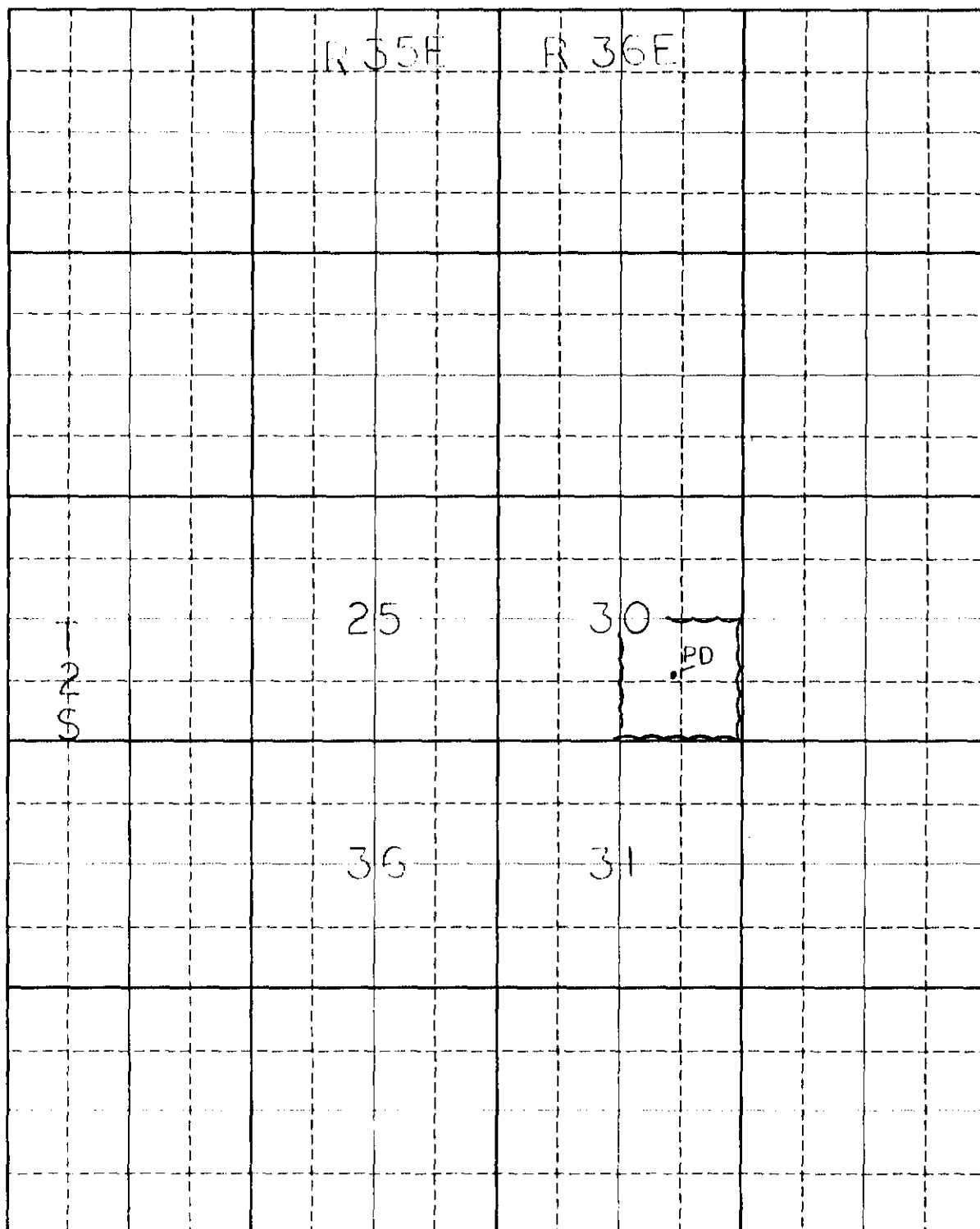
c. Describe any other water rights used for the same purposes as described above.

Surface water rights in Lloyd Ditch and East Branch Canals

9. a. Who owns the property at the point of diversion Applicant
 b. Who owns the land to be irrigated or place of use Applicant & Var Lindsay
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicants have been leasing the SE $\frac{1}{4}$ SE $\frac{1}{4}$ from Var Lindsay

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.

Ronald Lindsay - Partner
(Applicant)

Proposed Priority 7/11/77

Received by CL Date 7-11-77 Time 4:05 p.

Preliminary check by DC Fee \$ 45.00

Received by CL Date 7-11-77 # 2255

Publication prepared by CL Date 7-15-77

Published in Blackfoot News

Publication dates July 21 & 28-1977

Publication approved me Date August 2, 1977

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC *jc*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

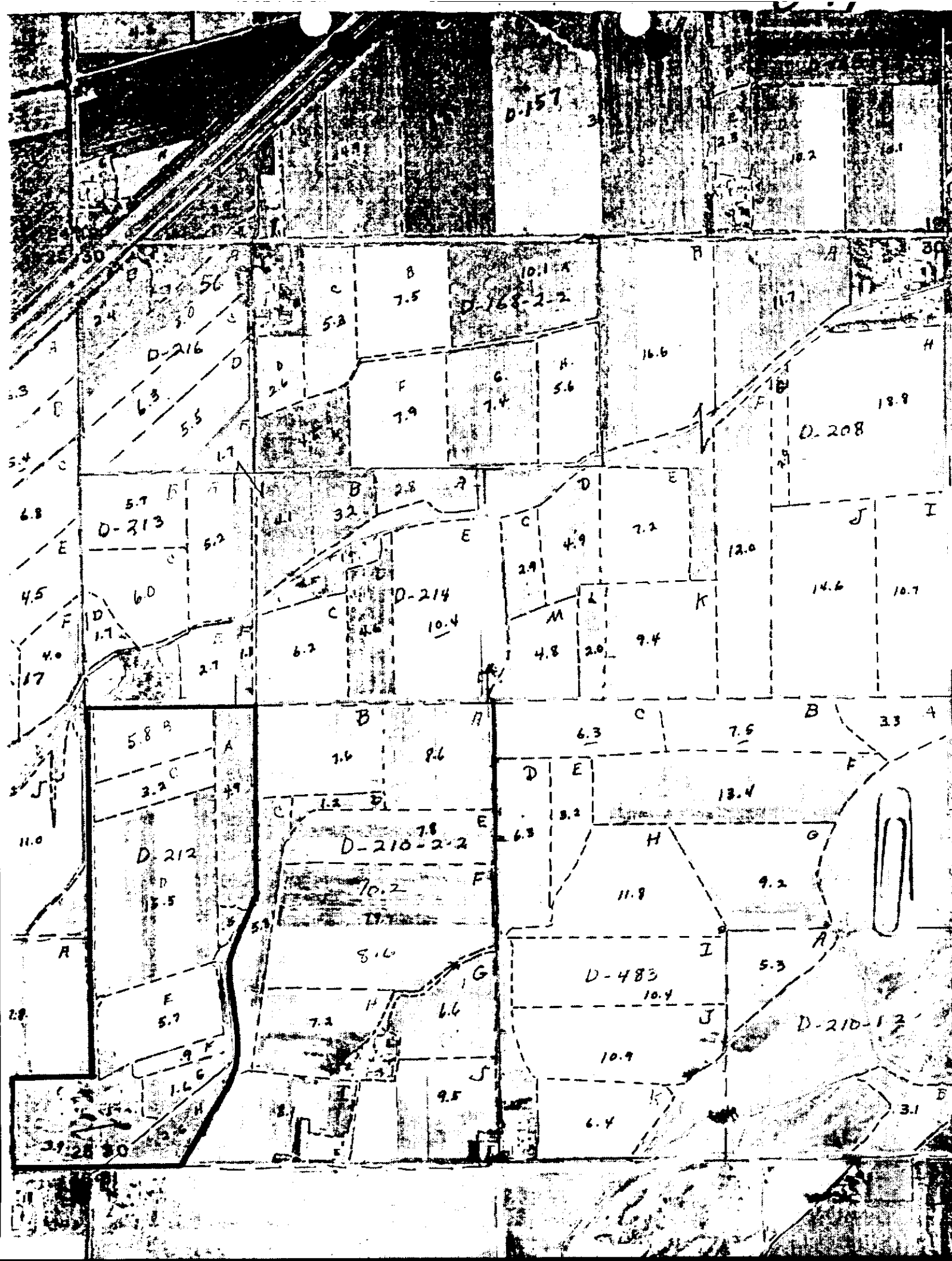
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7098, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 82.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.
The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 30 day of August, 19 77.


Director



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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JUN 13 1990

A. GENERAL INFORMATION

1. Owner: Lindsay Dairy Partnership
Current Address: 68 E 100 N Blackfoot ID. 83221
2. Accompanied by: Same
Address: _____
Relationship to Permit Holder: _____
3. Source: Ground water tributary to _____

Permit No. 27-1048
Phone No. Department of Water Resources

EXAM. DATE: 7-19-89

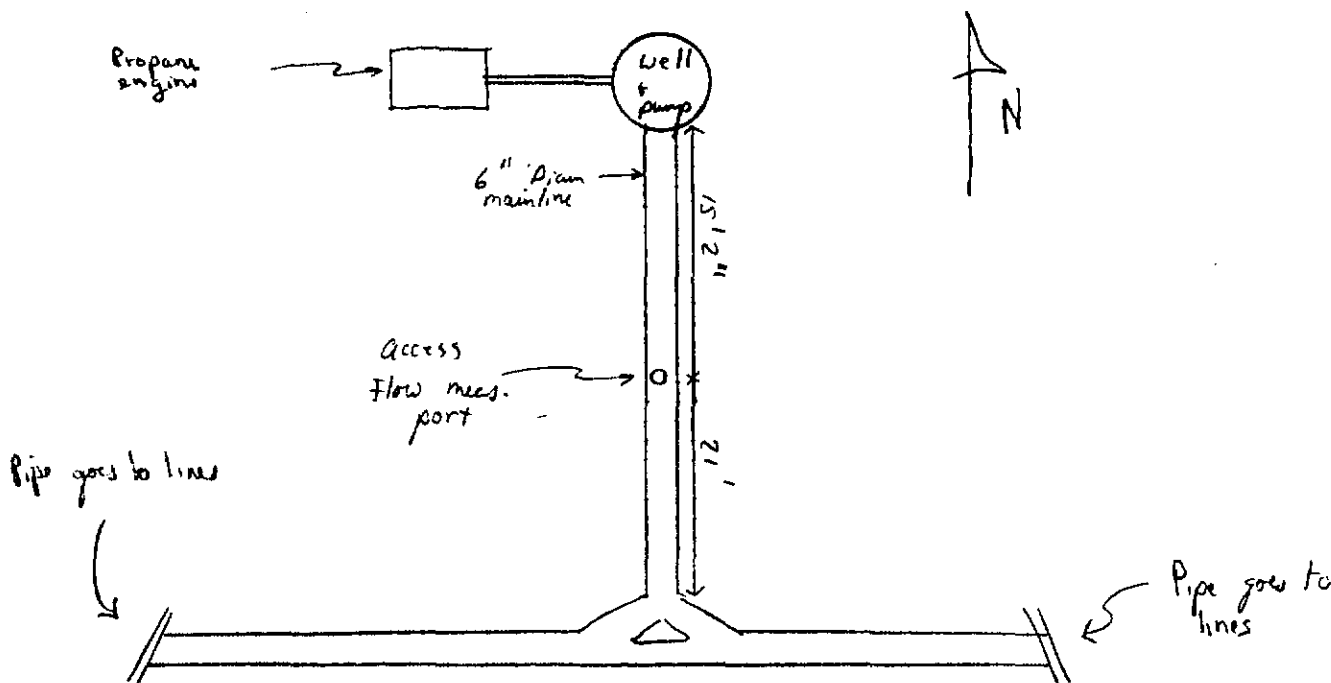
Phone No. _____

B. OVERLAP REVIEW

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

C. SYSTEM DESCRIPTION

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



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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). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

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

Well + pump to 6" mainline to 3 wheelines (1 section short of 1/4 mile)
(variety of nozzle sizes) (about 2 - 10 section hand lines with 5/32" nozzles.
One gasket in wheel line leaking badly

Water level $\approx$ 8 ft.

☐ 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
Engine	Ford			Goulds	6"
	{ 6 cyl }	≈ 105			
	{ 300 in ³ }				
Gear Drive	Hollow shaft	70	1348517		

*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
			NE	SE	30	2S	36E	Bingham	Onsite inspection USGS. Map

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	
2S	36E	30													40	40	31.3		111.3

Do not use this space

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DEC 07 1969

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Cox Meter	Pitot			120 387	6"	
Manometer					57"	

2. Measurements:

I.D. = $5 \frac{5}{8}$ "

Pressure = 40 psi

Manometer = 19-7 = 42

V_h = 32.2

Q = 1.78 cfs

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$Q = \left[\frac{\pi (id)^2}{4} \right] V_h \div 448.8 \quad Q = \left[\frac{\pi (5.625)^2}{4} \right] (32.2) \div 448.8 \quad Q = \underline{1.78 \text{ cfs}} \text{ (measured)}$$

2. Alternate Method for Checking Purposes:

$$Q = \frac{h_p (8.814) (cfs)}{11 ft + (psi \times 2.303)} \quad Q = \frac{70 (8.814) (.8)}{3 + (70 \times 2.303)} = \underline{4.92 \text{ cfs}} \text{ (Theoretical)}$$

(See attached sheet)

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

Meter Input HP: (6) x 1.34 = _____ (7)

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{(111.3 \times 2.5) = 278.25 \text{ cfa}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{(1.78 \times 214 \times 1.9835) = 755.6 \text{ cfa}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{278.25 \text{ cfa}}$$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Due to surface water rights in Lloyd Ditch and East Branch
Canals — I recommend condition << R31 >> (.02 cfs + 2.5 afa)

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	11/1	1.78	278.3
Totals:			1.78	278.3

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Kelly Schild
Signature Kelly Schild
Certification Date _____
Field Report Preparation Date 7-19-89

CONSULTANT SEAL

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

10-16-90
SC

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

27-7098

PERMIT NO.

∴ Additional calculation to check measured calculation

3 - 1/4 mile wheel lines (31 sprinklers / line) (1 1/4" nozzles @ 40 psi) - 5.54 gpm

2 - 20 section handlines (5/32" nozzles @ 40 psi) - 4.46 gpm

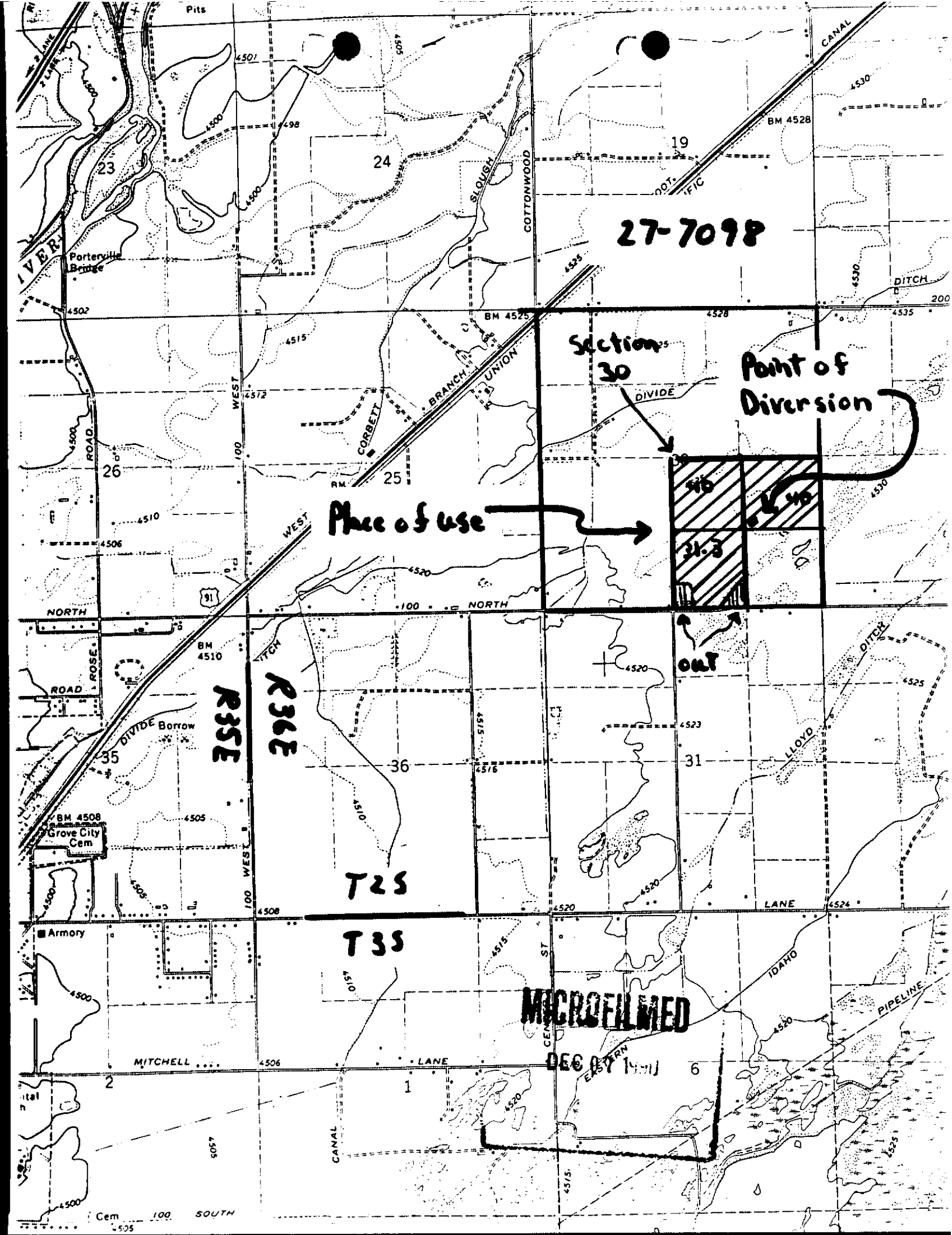
$$Q = [(3)(31)(5.54) + (2)(20)(4.46)] = \underline{\underline{693.6 \text{ gpm}}}$$

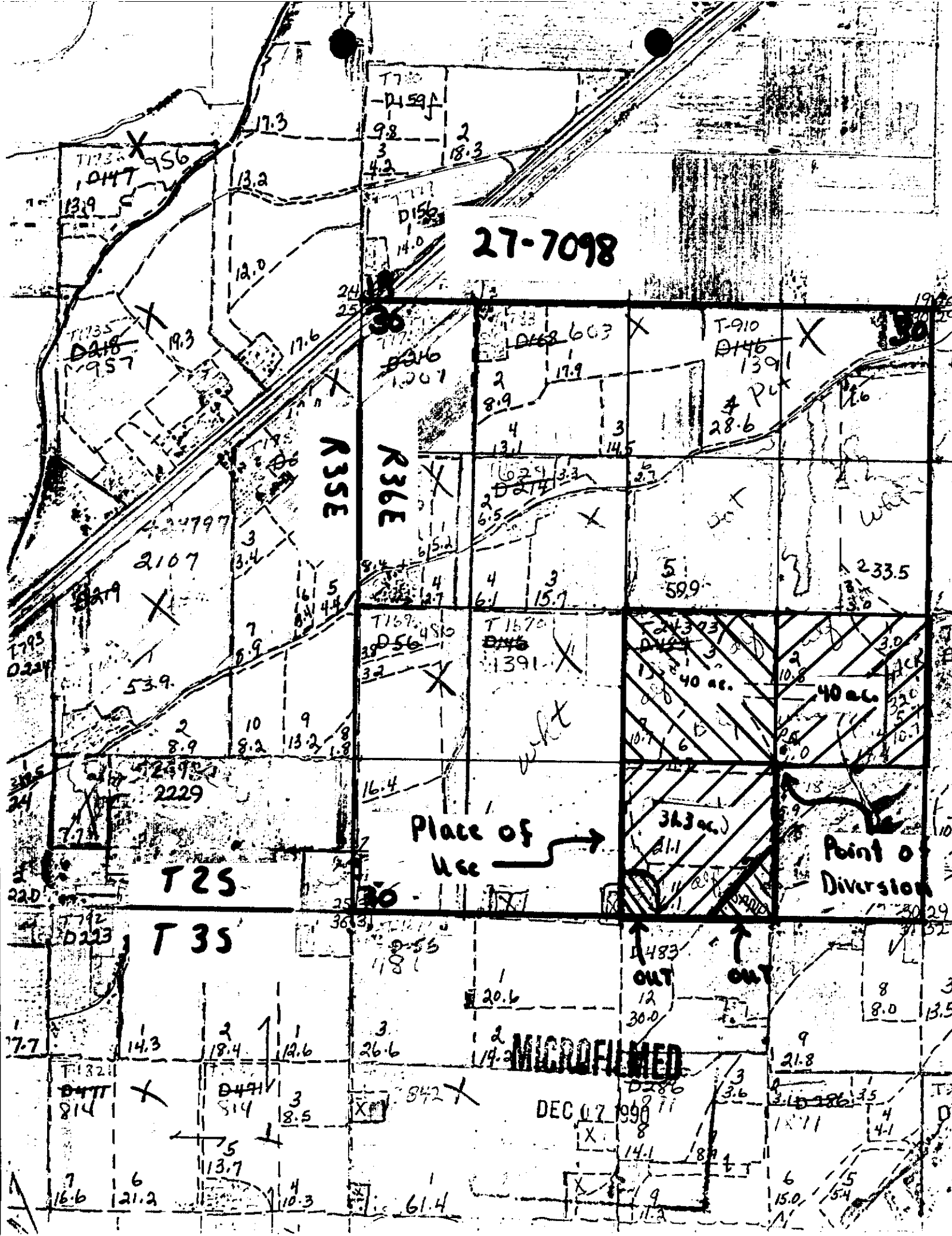
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K. L. L. L.
SIGNATURE

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27-7098

R35E

R36E

T25

T35

Place of Use →

Point of Diversion

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