

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/8/2020

Water Permit 43-7171

Owner Type **Name and Address**

Current Owner DON SHAW
 , ZZ

Current Owner RUEL BARKER
 1621 W 950 N
 PROVO, UT 84604-3005
 (801) 375-7237

Status: Lapsed

Source

Tributary

Beneficial Use

From

To

Diversion Rate

Volume

Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Comments:

Dates and Other Information

Water District Number: TBD

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 43-07171

Proposed Priority: June 4, 1981 Maximum Diversion Rate: 3.00 CFS

This is to certify, that **RUEL BARKER**
DON SHAW
1621 W. 950 N.
PROVO, UT 84604

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	3.00 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNE Sec. 20, Township 14S, Range 25E
CASSIA County

<u>PLACE OF USE: IRRIGATION</u>		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN</u>	<u>RGE SEC</u>				
14S	25E 19	NESE 40			40
	20	NWNW 40	SWNW 40	SENE 40	150
		NESW 20	NWSW 10		

Total number of acres irrigated: 190

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1993**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

RECEIVED

JAN 15 1991

Department of Water Resources
Southern Region Office

43-7171

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

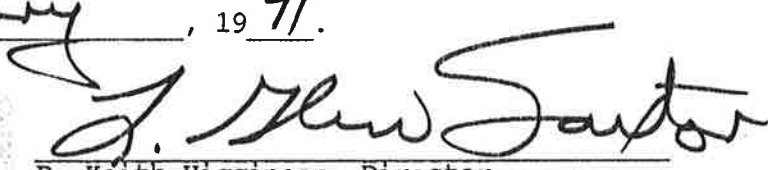
NO. 43-07171

CONDITIONS/REMARKS:

8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. 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.
10. Modifications to or variance from this permit must be made within the limits of Section 42-211, Idaho Code, or the applicable Idaho law.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

7th day of January, 19 91.

for 
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Amended

RECEIVED
JUN 4 1981
Department of Water Resources
Southern District Office

APPLICATION FOR PERMIT

Amended
MAY 26 1981

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Ruel Barker - Don Shaw Phone 208-638-5571

Post office address % Don Shaw - 1634 S. 350 E., Orem, Utah 84057
Elba, Idaho R. BARKER - 1621 W. 950 N. PROVO, UT 84604

2. Source of water supply Drilled well which is a tributary of -0-

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 14 S.

Range 25 E.B.M. Cassia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.00 * TJD 8-22-90 for Irrigation purposes from April 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.00 * TJD 8-22-90 cubic feet per second and/or b. _____ acre-feet per annum.
2.01 cfs

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. From the well head main line
sprinkler pipe will be used to distribute.

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 16 - 20 inches; proposed depth of well is 300 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

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

[illegible]

Total number of acres to be irrigated ~~360~~ 190 ^{TJL}

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion applicants

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

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 This is an application to drill a well for irrigation purposes.

* Changes in Point of Diversion, Rate of Diversion & Place of Use made per Applicant's requested changes on copy of original Application. Changes were initialed & dated by Ruel Barker on 8-12-90. Place of Use Acreage determined by Applicant's comments and memo by Tim Luke of 8-22-90. See file for Applicant's comments. Tim. Luke 8-22-90

Point of Diversion not changed due to incorrect Advertisement
AND Lack of Amendment Fee. TjL 9-14-90 (see memo of 9-14-90)

TOWNSHIP 14 SOUTH, RANGE 25 EAST, BOISE MERIDIAN

Section 19: NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20: NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
and NE $\frac{1}{4}$ SE $\frac{1}{4}$

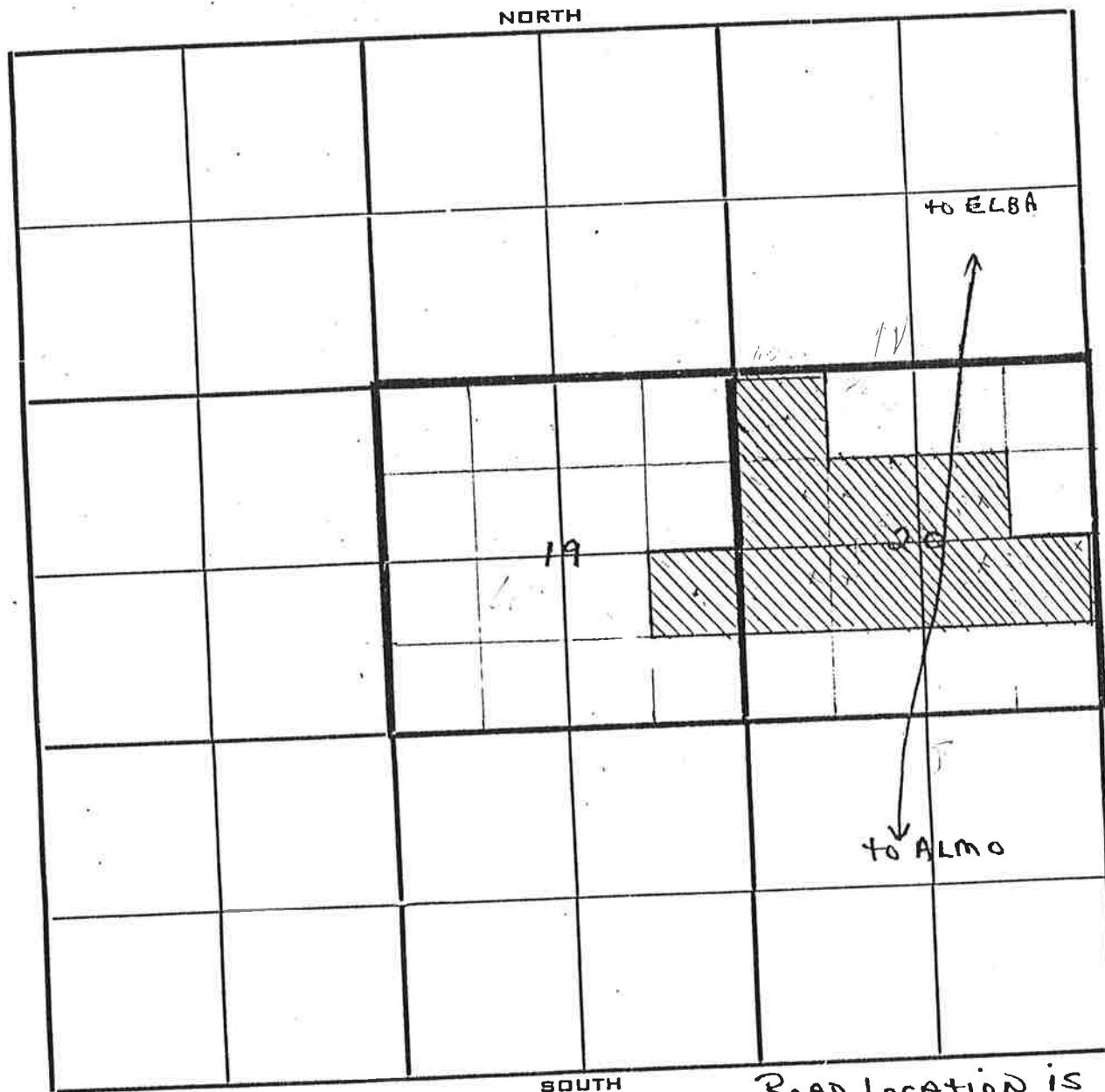
ALL IN CASSIA COUNTY, STATE OF IDAHO

No. _____

Map of the Property Described in the Foregoing Caption

(Scale—40 Chains to the Inch)

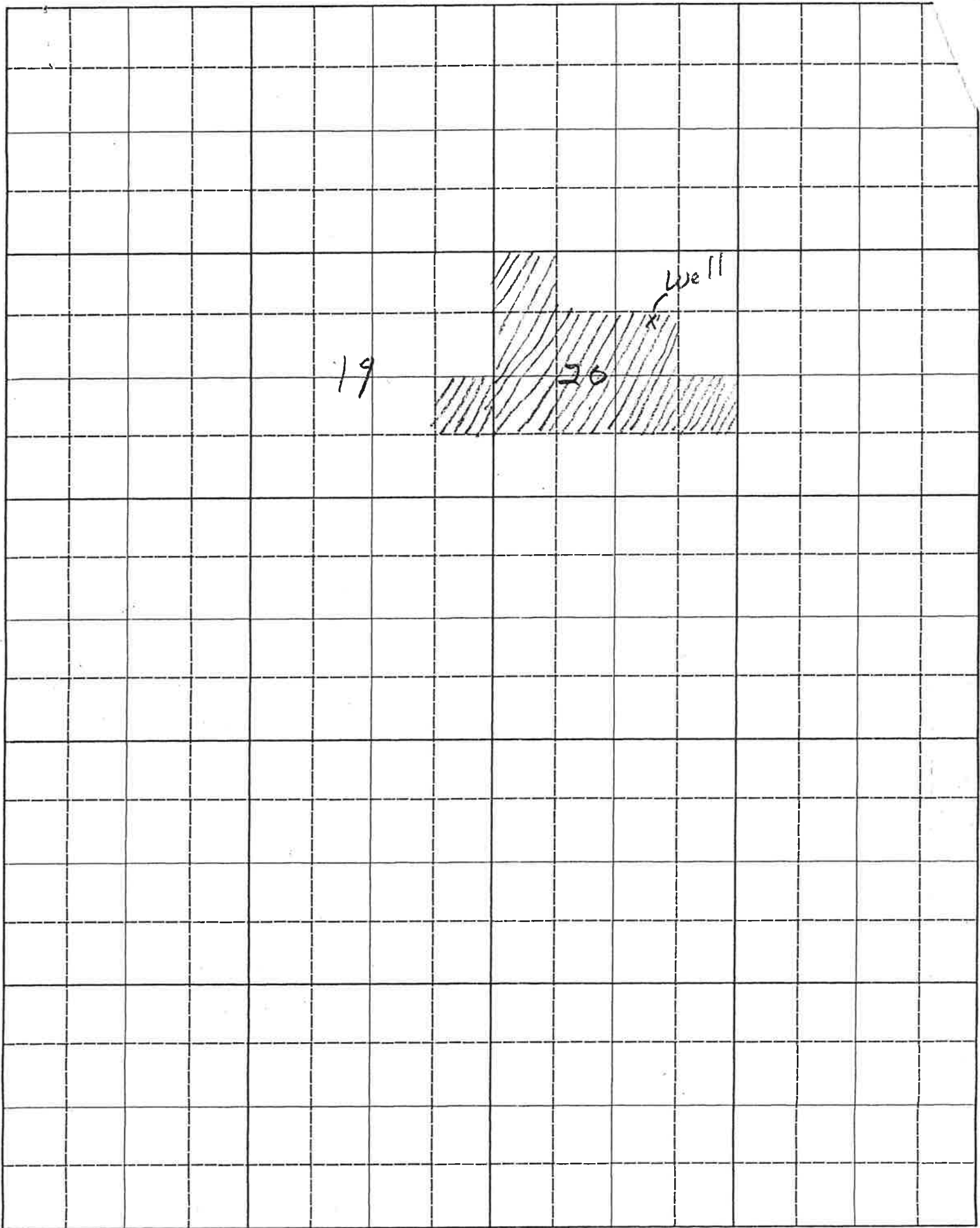
Township 14S. Range 25 E.



ROAD LOCATION IS
APPROXIMATE

SHEET NO. _____

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



Scale: 2 inches equal 1 mile.

See Attached.

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.

Shel Barber Donner
(Applicant)

Priority should be based on → marrya 6/4/81 2:00 pm
ADM
Received by marrya Date 5/26/81 Time 8:30 am
Preliminary check by ADM Fee \$ 125.⁰⁰ # 18647
Receipted by marrya Date 6/8/81
Publication prepared by marrya Date 6/12/81
Published in South Idaho Press
Publication dates 6/23 + 6/31/81
Publication approved marrya Date 6/17/81
Protests filed by: None

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

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. _____, and said application is hereby _____.

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 _____, 19 ____.
 - 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:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(2)

CECIL D.

GOVERNO.

May 17, 1990

RECEIVED
R. KEITH HIGGINS
DIRECTOR

MAY 21 1990

Department of Water Resources
Southern Region Office

Mr. Don Shaw
1634 S. 350 E.
Orem, UT 84057

Re: Application for Permit No. 43-7171

Dear Applicant(s):

NOTICE OF PENDING ORDER VOIDING APPLICATION

On June 4, 1981, you filed with the Department of Water Resources (Department) Application for Permit No. 43-7171 which proposed the diversion of 4.01 cubic feet per second of water from ground water for the irrigation of 360 acres.

The Department mailed a letter and questionnaire to you on May 24, 1989, in connection with the application. The letter provided notice that the Department was reviewing the application in connection with development which was not complete prior to October 1, 1984. This letter further notified you that additional information outlined in Water Appropriation Rule 4,5,3 was required if the application proposed irrigation of more than 200 acres.

On June 22, 1989, the Department sent you a notice which requested that the information under Rule 4,5,3 be submitted to the Department within 30 days.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order voiding the application pursuant to Water Appropriation Rule 4,5,1. The Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extensions must be in writing.

A copy of the rules and an outline to assist you with providing the necessary information has been provided with this letter. Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures
cc: Region

43-7171



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 15, 1981

RE: Application for Permit No. 43-7171

Ruel Barker & Don Shaw
1634 S. 350 E.
Orem, UT 84057

Dear Sirs:

The Department has reviewed your letter of August 18, 1981 relative to Application No. 43-7171 for a water permit in the Elba Sub-basin.

Based on information available to the Department we feel that additional permit issuance in this area at this time could cause injury to those who already have water permits but have not yet fully developed them.

Our studies show that approximately 1400 acre feet/annum are available in the Elba Sub-basin and existing permits if fully developed could withdraw up to 4800 acre-feet/annum. Therefore, until some of the existing permits are lapsed or the Department receives different data, the Department has to consider the Basin at the present time fully appropriated. It is estimated that 1983 may be the earliest that new applications can be approved.

Your letter mentioned that the proposed location of your application was on the ridge between the Elba and Almo Sub-basins.

The information available to the Department shows that your use would be within the Elba Sub-basin. If you have any information on the subsurface configuration of the valley outlet, information by which the Department could reconsider the estimated annual underflow available or can show that you would not be using ground water flowing within the Elba Sub-basin we would be happy to consider that information.

If we can answer any questions please contact me or Jim Johnson at 334-4162.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JJ:kw
cc: Southern Region

RECEIVED

SEP 17 1981

Department of Water Resources
Southern District Office

43-7171



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

July 22, 1981

Ruel Barker &
Don Shaw
1634 S. 350 E.
Orem, Utah 84057

RECEIVED

JUL 23 1981

Department of Water Resources
Southern District Office

Dear Sirs,

RE: Application for Permit No. 43-7171

We have received your Application for Permit to appropriate water from the State of Idaho.

Your application is located in the area identified as the Elba Sub Basin, in which past hydraulic studies have shown the groundwater supply to be very limited. The Department has already received several applications for water permits in this area and if all were to be developed the available groundwater supply would be exceeded.

For this reason, the Department is not issuing any new permits until it is known what effect the existing permits, as they are developed, will have on this supply.

We will hold your application without approval until it can be determined that water is available for appropriation.

If you have any questions on this matter, please contact this office.

Sincerely,

JIM JOHNSON
Acting Supervisor, Water Allocation Section

cc: Southern Region

43-7171

RECEIVED
1981
May 26
Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAY 26 1981

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Ruel Barker - Don Shaw Phone 208-638-5571
Post office address % Don Shaw - 1634 S. 350 E., Orem, Utah 84057
Elba, Idaho

2. Source of water supply Drilled well which is a tributary of -0-

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 14 S.
Range 25 E. B.M. Cassia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 4.01 cfs for irrigation purposes from April 1 to Nov 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)
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5. Total quantity to be appropriated:

a. 4.01 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. From the well head main line
sprinkler pipe will be used to distribute.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
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supplied with domestic water _____.

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

43-7171

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S.	2SE	19													40 X				40
14S.	25 E.	20			40 X			40 X	40 X	40 X	40 X	40 X			40 X	40 X			320

Total number of acres to be irrigated 360

c. Describe any other water rights used for the same purposes as described above. - none -

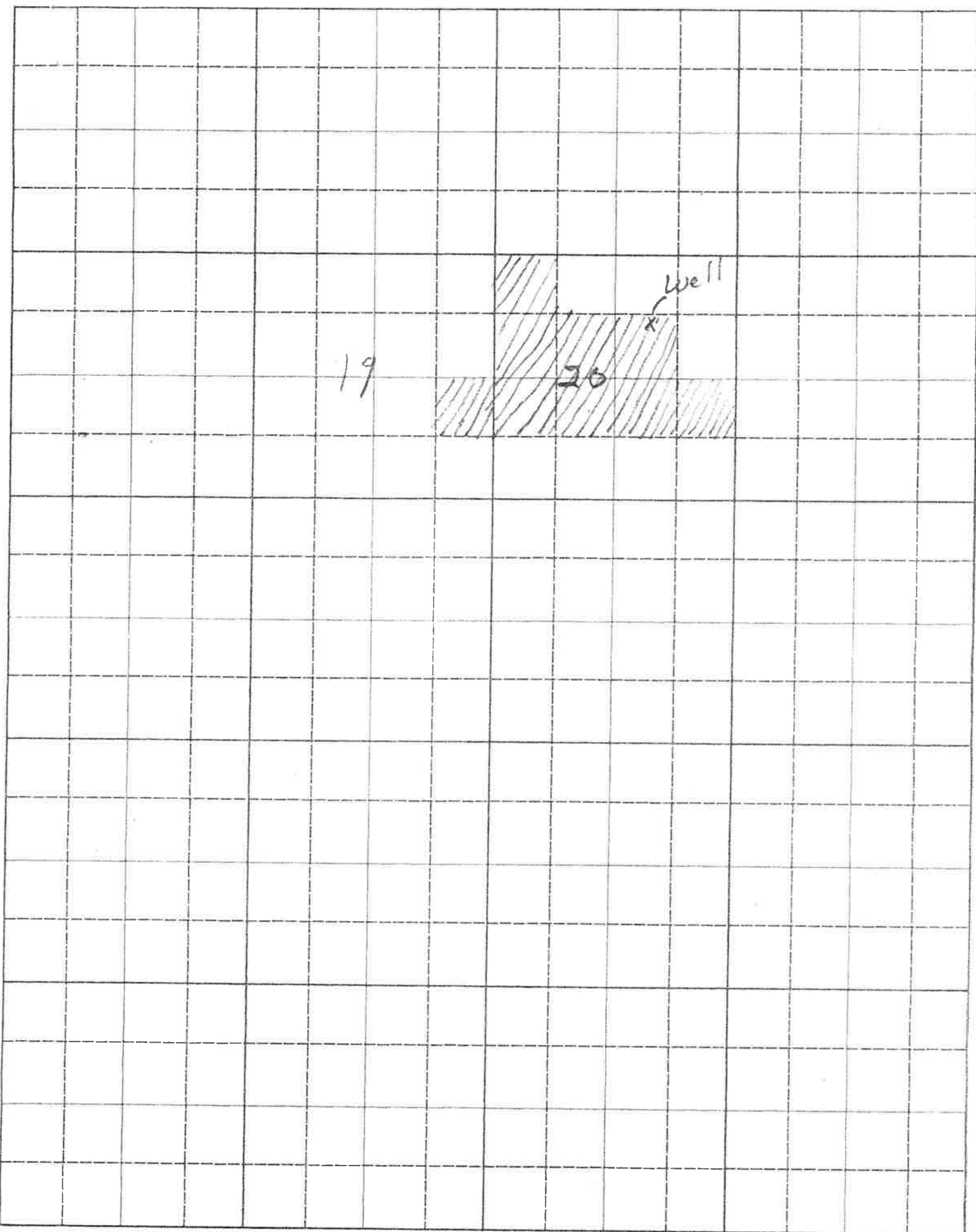
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Shel Barber - Donham
(Applicant)

Priority
ADM

should be based on → marry

6/4/81

2:00 pm

Received by marry Date 5/26/81 Time 8:30 am

Preliminary check by ADM Fee \$ 125.00 # 18647

Receipted by marry Date 6/8/81

Publication prepared by marry Date 6/1/81

Published in South Idaho News

Publication dates 6/23 + 6/30/81

Publication approved marry Date 6/7/81

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM

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