

RECEIVED

MAY 17 1979

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Shayne Linderman Phone 663-4564

Post office address Terreton, Idaho 83450

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to in case of dated in county of

b. License No. 31-7087 issued by the Idaho Department of Water Resources

c. Claim No. on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water ground water tributary to

4. Date of priority April 6, 1973

5. Water is used for the following purposes: amount 4.63 for Irrigation purposes from Apr. 1 to Nov. 1

6. Total amount of water under right: a. 4.63 cubic feet per second &/or b. acre feet per annum

7. Location of original point of diversion is NW 1/4 of NW 1/4 of Section 28 Township 6N Range 35E, B.M., in Jefferson County

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	35E	21									33.5	33.5	33.5	33.5					134
		28					33.5	33.5	33.5	33.5	33.5	33.5	33.5	33.5					268

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. 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 $\frac{1}{4}$	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion NO CHANGE

- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
b. Point(s) of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

c. Description of diverting works _____

d. Describe the reasons for applying for a change in the point(s) of diversion _____

2. Change in place of use

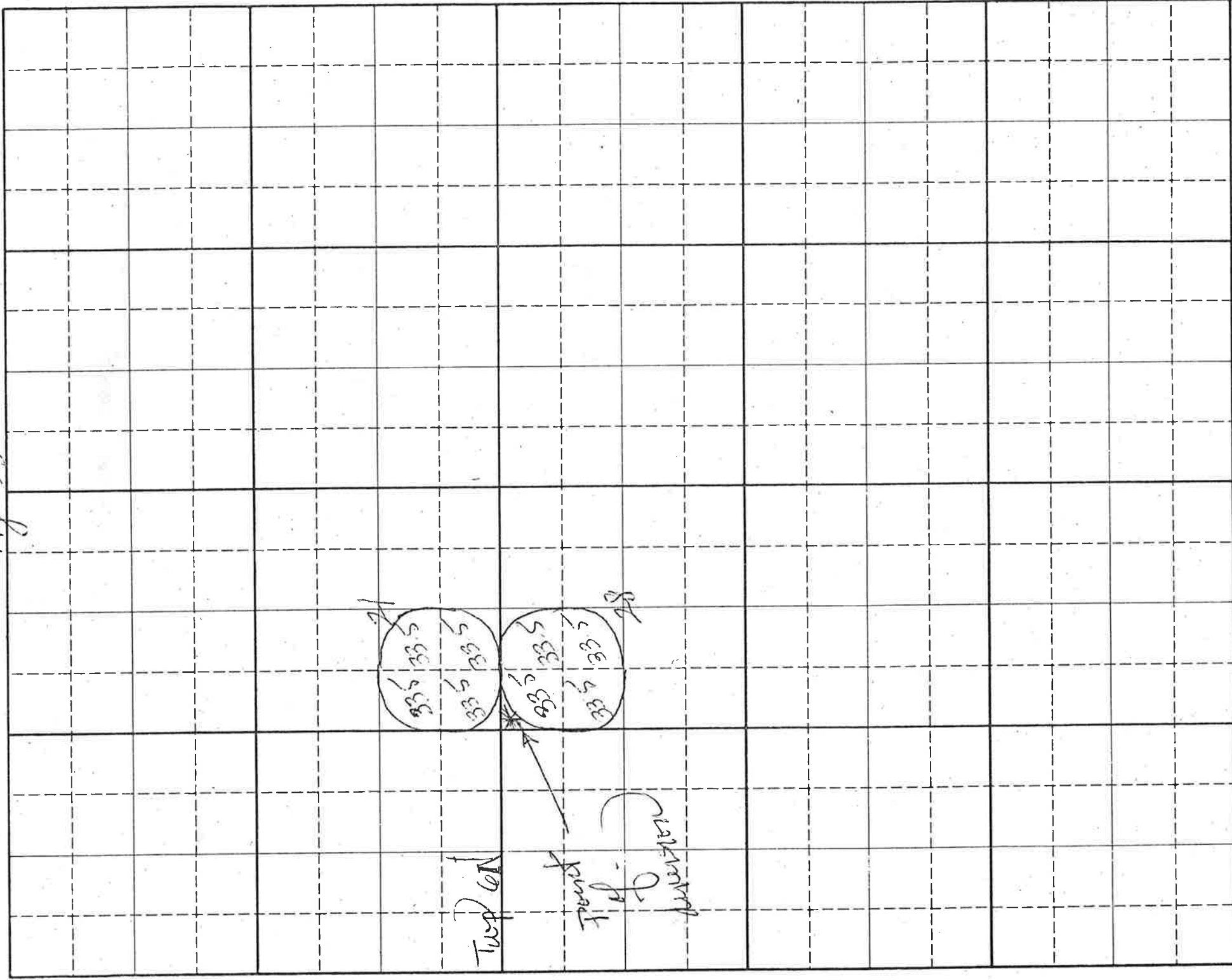
a. Describe the lands or place of use to which the right will be transferred:

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 $\frac{1}{4}$	
6N	35E	21									33.5		33.5						134
		28					33.5		33.5					33.5					134

Total number of acres to be irrigated 268

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

Rge 35E



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks Place of use condensed to increase amount of water per acre on two center pivots. A new well under permit 31-7283 is being drilled to irrigate two pivots; one in SW $\frac{1}{4}$, Sec. 28 and the other in the NW $\frac{1}{4}$, Sec. 33.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 28th day of February, 19 79.

[Signature]
(Signature of applicant)

[Signature]
(Notary public)

My commission expires 6/15/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-7087 and said application is hereby APPROVED, subject to the following limitations and conditions:
An access port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 11th day of May, 19 79.

[Signature]

FOR DEPARTMENT USE ONLY

Received by dh Date 2-28-79

Protest filed by _____

Prelim. check by ARK Fee \$35.00 #12928

Receipted by dh Date 2-28-79

Published in Rigby Star

Copies of protest forwarded by _____

Pub. dates March 8 & 15, 1979

Hearing held by _____ Date _____

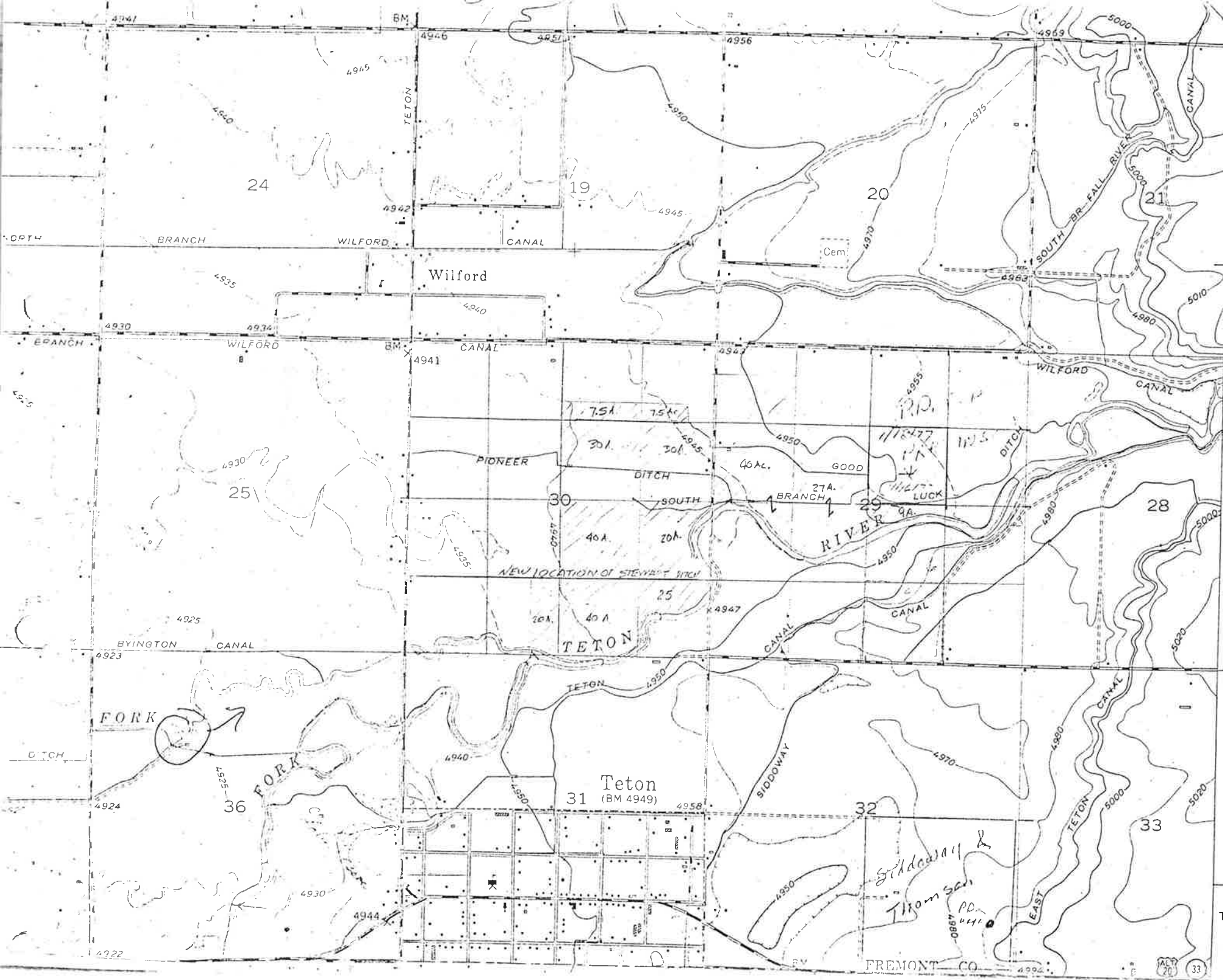
Watermaster recommendation requested on N/A

Recommended for approval denial

_____ rec'd. _____

by EMC SS

APPROVED



SEC 29
SE NW 27 Ac. RUMRELL BROS.
NW SE 9 Ac. REED AIRCRAFT
NWNW }
SW NW } 72 Ac. LARRY KERBS
NW SE }
NE SE }

SEC 30
SE SE } 25 Ac.
SW SE } 40 Ac. } LARRY KERBS.
SE SW } 20 Ac. } 85 Ac. TOTAL
NW SE 40 Ac.
NE SE 20 Ac. (4) } FRANK PORTER
SW NW 30 Ac.
SE NW 30 Ac.
NW NE 7.5 Ac. } MAX DAYTON
NE NE 2.5 Ac. } 15 TOTAL

*Revised map by Good Luck Canal
prior to 1910. Improved
by Steve Thompson in the
1910 map.*

STEWART
TROMSON
PD.
4941

T. 7 N.

0.9 MI.
1 MI.

State of Idaho
Department of Water Resources

RECEIVED

APR 14 1978

WATER RIGHT LICENSE

Department of Water Resources
Eastern District Office

License of Water Right No. 31-7087 Priority April 6, 1973 Amount 4.63 cfs

THIS IS TO CERTIFY, that SHAYNE LINDERMAN
of Newdale, Idaho, has complied with the terms and conditions of Permit
No. 31-7087 issued pursuant to Application for Permit dated April 6, 1973
and has submitted proof to the Department of Water Resources on April 26, 1977
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 4.63 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
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>4.63</u> cfs and	<u>1206 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 4.63 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
1206 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Twp. 6N,
Rge. 35E, B. M. in the County of Jefferson

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 $\frac{1}{4}$	
6N	35E	21									33.5	33.5	33.5	33.5					134
		28					33.5	33.5	33.5	33.5	33.5	33.5	33.5	33.5					268

Total number of acres irrigated 402

A measuring device of a type approved by this Department shall be maintained as
part of the diverting works.

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 12 day of

April, 19 78.


Director

RECEIVED

MAY 1 1973

Department of Water Administration
Eastern District Office

31 7087

Identification No. _____

Application No. _____

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

ASSIGNED:

Shayne Linderman
Newdale, Idaho

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant DEMAR BOTT and SHAYNE LINDERMAN
post office address Rexburg, Idaho Rexburg, Idaho
2. Source of water supply subterranean which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 6 N.,
Range 35 E. B.M. Jefferson 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 8.4 for irrigation purpose from April 1 to November 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. 8.4 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, mainline, laterals
and sprinklers

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 20 inches; proposed depth of well is 350 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 \$ 60,000.00.
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: _____

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	
6 N	35 E	21									35	35	35	35					140
6 N	35 E	28					35	35	35	35	35	35	35	35					280

Total number of acres to be irrigated 420

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

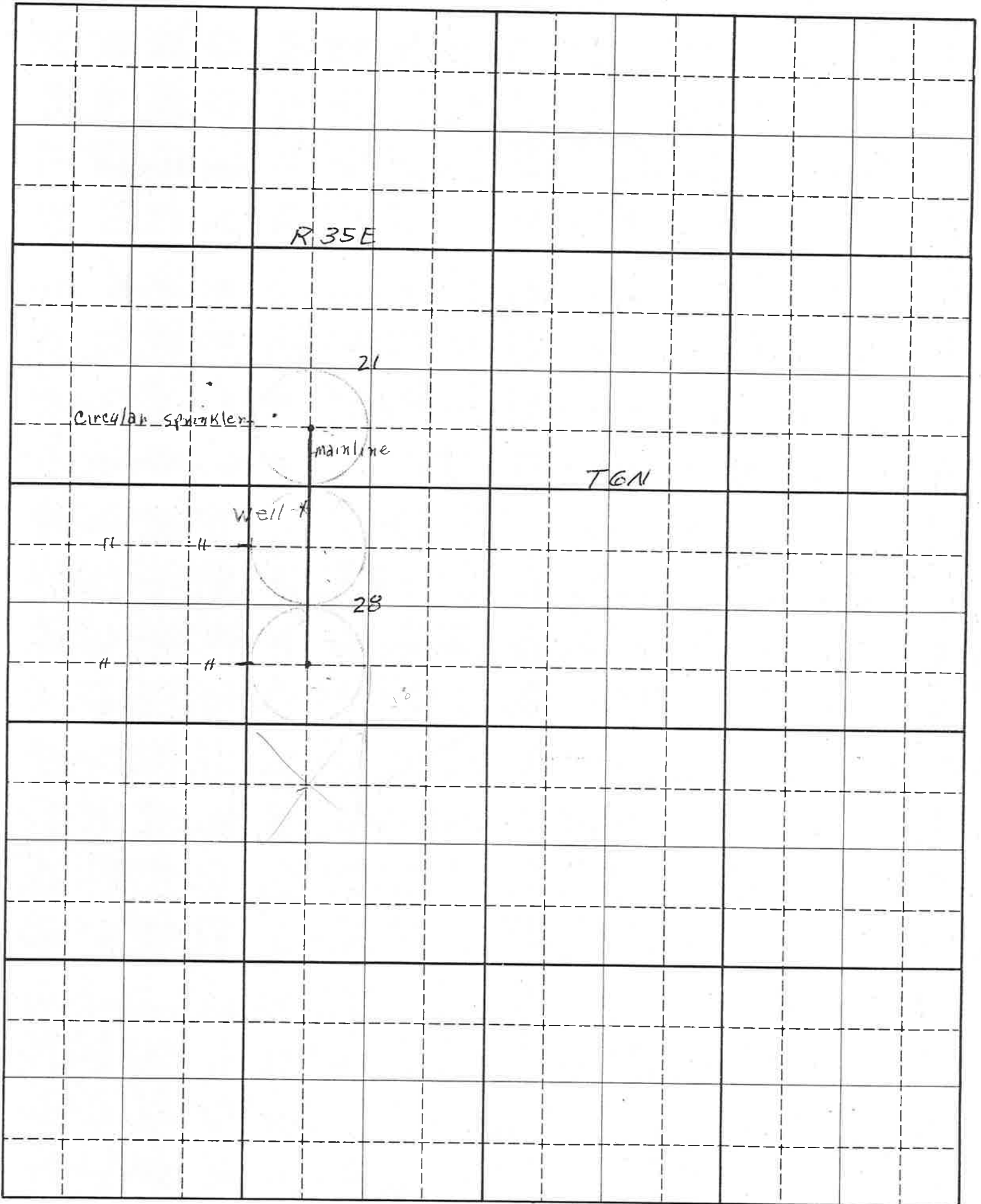
9. a. Who owns the property at the point of diversion DeMar Bott & Shayne Linderman

b. Who owns the land to be irrigated or place of use DeMar Bott & Shayne Linderman

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.

DeMar Brett
(Applicant)
Shayne Lindeman

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
240 S. HOLMES
BOYD HALLS, IDAHO 83401

Received by ef Date 3/27/73 Time 10:30A
 Preliminary check by ef Fee \$ 105.00
 Receipted by ha Date 4-6-73 # 7148
 Publication prepared by ha Date 4-6-73
 Published in Highway Star
 Publication dates 4-12-19-73
 Publication approved NCY Date 5/1/73
 Priority reduced to 4/6 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY DDF

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. 31-7087, 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 May 1, 19 78.
- 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 4th day of May 19 73.

R. Kirk Higgin
 Director