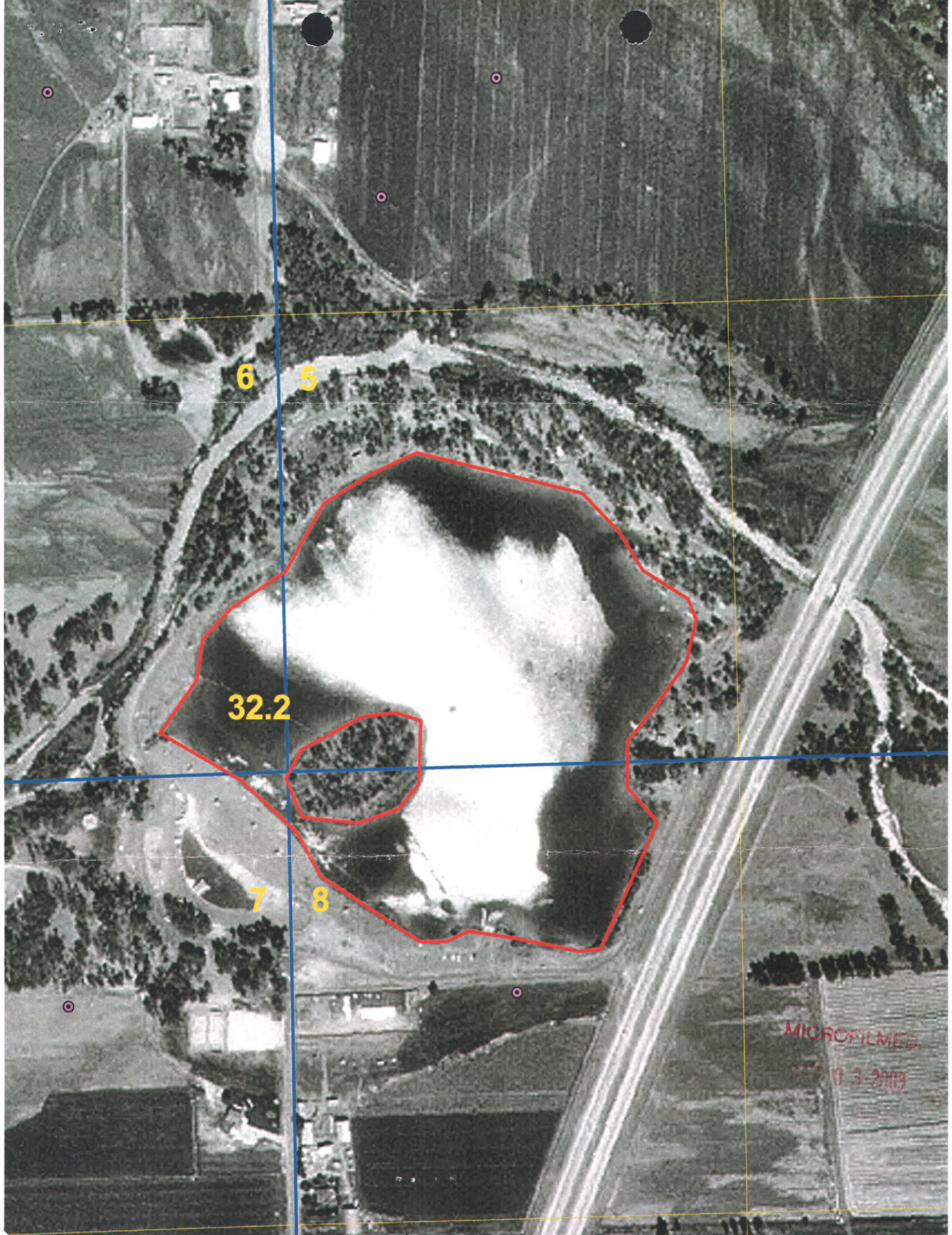




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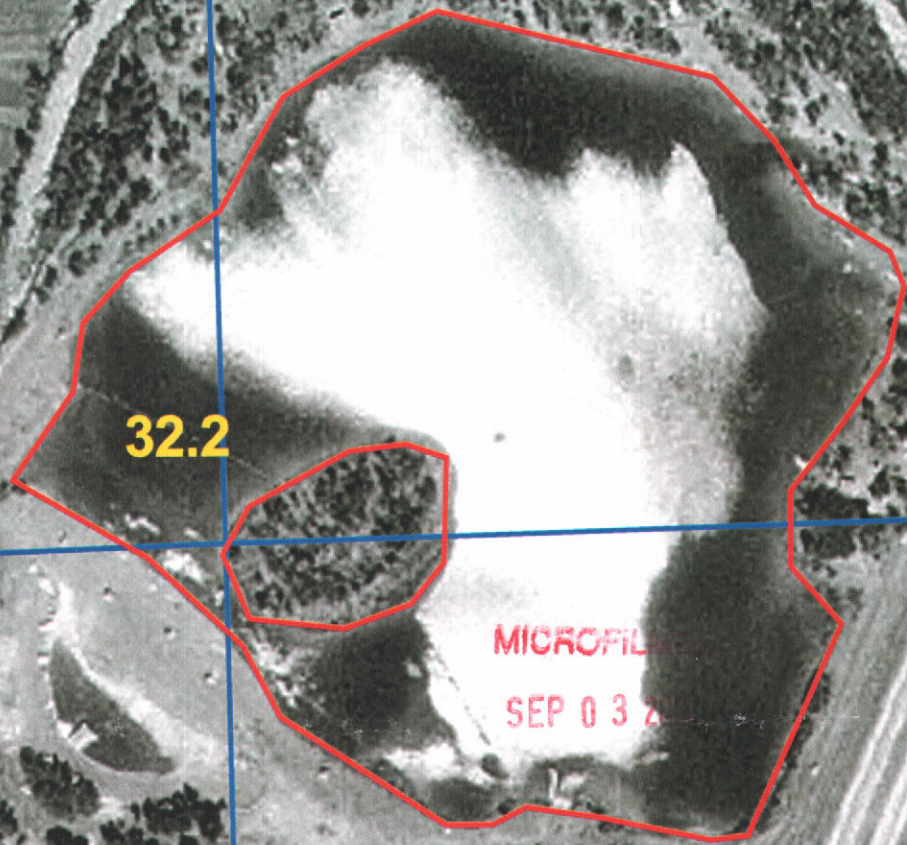
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SEP 03 2003



32.2

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SEP 03 2000



25-13985
Rigby Lake/outlet

D Carlson
8/2003

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SEP 03 2003

RECEIVED

JUL 31 2003

FOR OFFICE USE ONLY

Amt. of Fee \$ 300.00
Receipt No. 1070241
Receipt By: [Signature]
Date Received: 7-31-03

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

JUL 21 2003

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 25-13985 Telephone No. 208-745-9224

2. Name of Permit Holder(s): Jefferson County

3. Mailing Address: P.O. Box 567

City Rigby State Id. Zip 83442

4. Source of Water: Ground Water If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Recreation Storage

6. Total rate of diversion and/or volume for which proof is submitted: 900 cfs OR 900 acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No _____
Has the measuring device been installed? Yes _____ or No _____

8. Fee Enclosed: \$ _____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Doyle Crane Telephone Number: 208-745-9224

Address: P.O. Box 567 Rigby Id. 83442

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Doyle Crane Supervisor Date: 7-17-03
(include your title, if on behalf of company or organization)

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SEP 03 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 25-13985

Priority: May 13, 2003

Maximum Diversion Volume: 900.0 AF

This is to certify, that COUNTY OF JEFFERSON
PO BOX 567
RIGBY ID 83442

has applied for a permit to appropriate water from:

Source: GROUND WATER

Tributary: SNAKE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	900.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, Twp 04N, Rge 39E, B.M., JEFFERSON County
GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Twp 04N, Rge 39E, B.M., JEFFERSON County
GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, Twp 04N, Rge 39E, B.M., JEFFERSON County
GROUND WATER NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp 04N, Rge 39E, B.M., JEFFERSON County

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 39E 5											X						
04N 39E 6																X	
04N 39E 7	X																
04N 39E 8						X											

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2004**.
2. Subject to all prior water rights.
3. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
4. Recreational use is for county park, boating and swimming.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 11th day of July, 2003.

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SEP 03 2003

Karl J Dreher
for **KARL J DREHER, Director**

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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JUL - 7 2003

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

570

Department of Water Resources

1. Name of Applicant County of Jefferson Phone 208-743-9224
Mailing address PO BOX 567 Rigby, Id 83442
2. Source of water supply gw which is a tributary of Snake River
3. Location of point of diversion is Township 4N Range 39E Sec. 5, in the 1/4,
SW 1/4, SW 1/4, Govt. Lot Jefferson, B.M., Jefferson County;
additional points of diversion if any: sec 6 SESE, sec 7 NENE, sec 8 NW NW
4. Water will be used for the following purposes:
Amount 900 AF/A for Rec storage purposes from 01/01 to 12/31 (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)
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 is (a) _____ and/or (b) 900 AF/A
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source recreation pond
created by digging a gravel pit in the 1970's
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. RECREATION USE - COUNTY PARK, BOATING
SWIMMING 28' DP AVE

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MAY 13 2003

Department of Water Resources
Eastern Region

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SEP 6 3 2003

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	39E	5											Rec stor						
		6																Rec stor	
		7	Rec stor																
		8					Rec stor												

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? county

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: gravel pit dug in 1970's - made into A county park
RECREATION AREA after

25-7176-License for Rest Area 1979

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

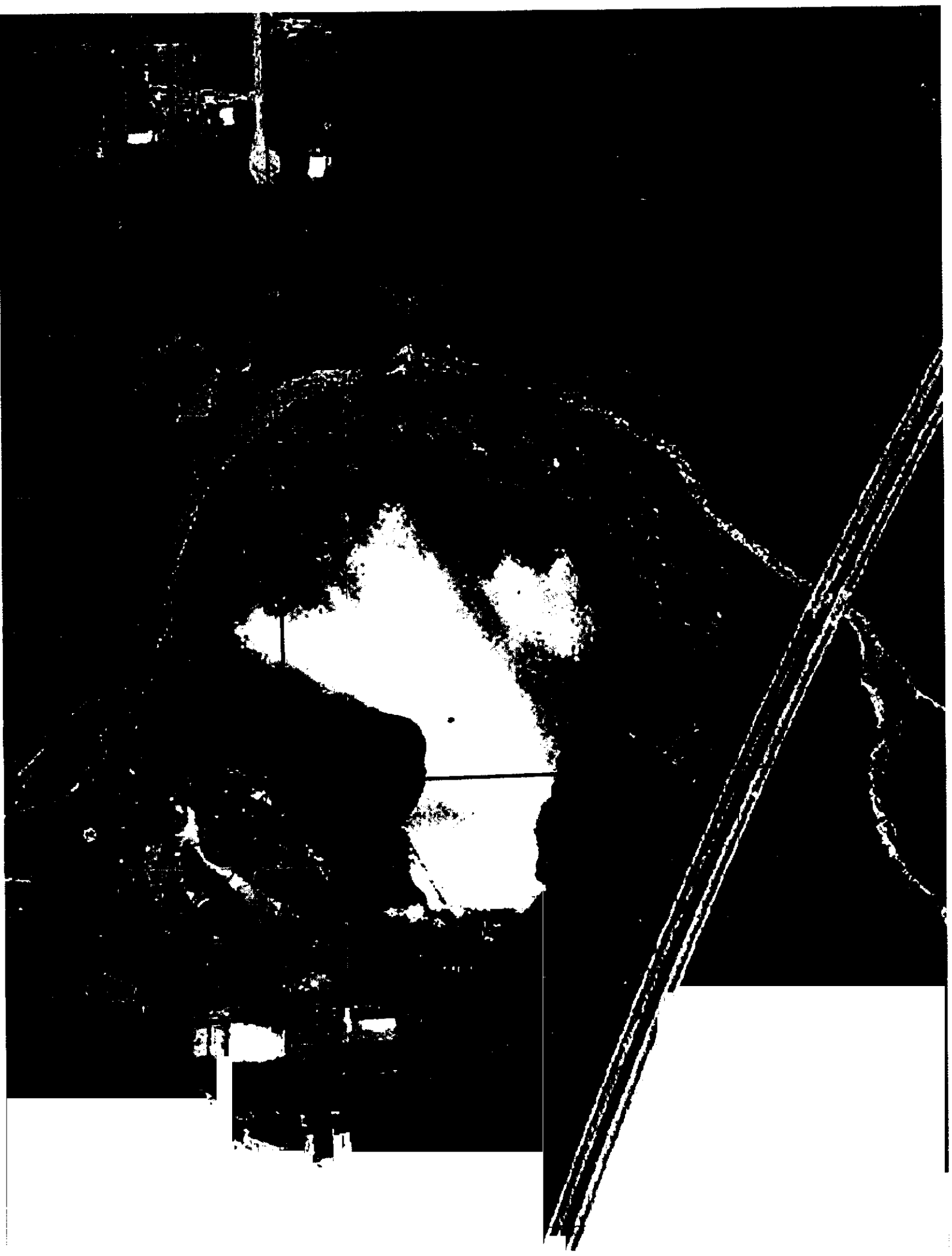
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Supervisor
Signature of Applicant (and title, if applicable)

MICROFILMED
SEP 13 2003

Received by DC Date 5/13/2003 Time 11:00AM Preliminary check by DC

Fee \$ 570 Received by DC # E028776 Date 5/13/2003
Publication prepared by SC Date 6/12/03 Published in Jefferson Star
Publication approved SC Date 6/13/03



Permit No: 25-13985

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AUG 20 2003 K
Page 1
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 25-13985

Exam Date: 8/2003

1. Current Owner: COUNTY OF JEFFERSON
PO BOX 567
RIGBY ID 83442
(208)745-9224

2. Accompanied by: NONE
Phone No:
Address:
Relationship to Permit Holder:

3. SOURCE TRIBUTARY
GROUND WATER SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE
2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW1/4SW1/4	Sec. 5,	Twp 04N,	Rge 39E, B.M.
JEFFERSON County				
GROUND WATER	SE1/4SE1/4	Sec. 6,	Twp 04N,	Rge 39E, B.M.
JEFFERSON County				
GROUND WATER	NE1/4NE1/4	Sec. 7,	Twp 04N,	Rge 39E, B.M.
JEFFERSON County				
GROUND WATER	NW1/4NW1/4	Sec. 8,	Twp 04N,	Rge 39E, B.M.
JEFFERSON County				

Method of Determination: FE/NKPP PHOTOS

2.

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SEP 03 2003

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 39E 5											X						
04N 39E 6																X	
04N 39E 7	X																
04N 39E 8						X											

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SEP 03 2003

Method of Determination:

3. ☐ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☐ Photo of Diversion and System Attached

4.

<u>Well or Diversion ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

<u>Measurement Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

2. Measurements:

$$\text{Gravel pit} = (32.2 \text{ acres} \times 28' \text{ DP}) = 901 \text{ AF/A}$$

E. FLOW CALCULATIONS

Measured Method:

____ Additional Computation Sheets Attached

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F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 =$$

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

2. Volume Calculations for Other Uses:

900 AF/A volume gravel pit pond

G. NARRATIVE/REMARKS/COMMENTS

gravel pit dug in the 1960-70 to build highway 20.
Jefferson county created a park, picnic area, campground in the 1970s
the lake is used for boating, swimming, recreation
32.2 acre surface area and 28 ft deep average
overflow channel into dry bed has 1-2 cfs outflows in the summer

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		900.00 AF
<u>Totals:</u>			900.00 AF

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

I. AUTHENTICATION

Field Examiner's Name DAVE CARLSON Date 8/18/2003

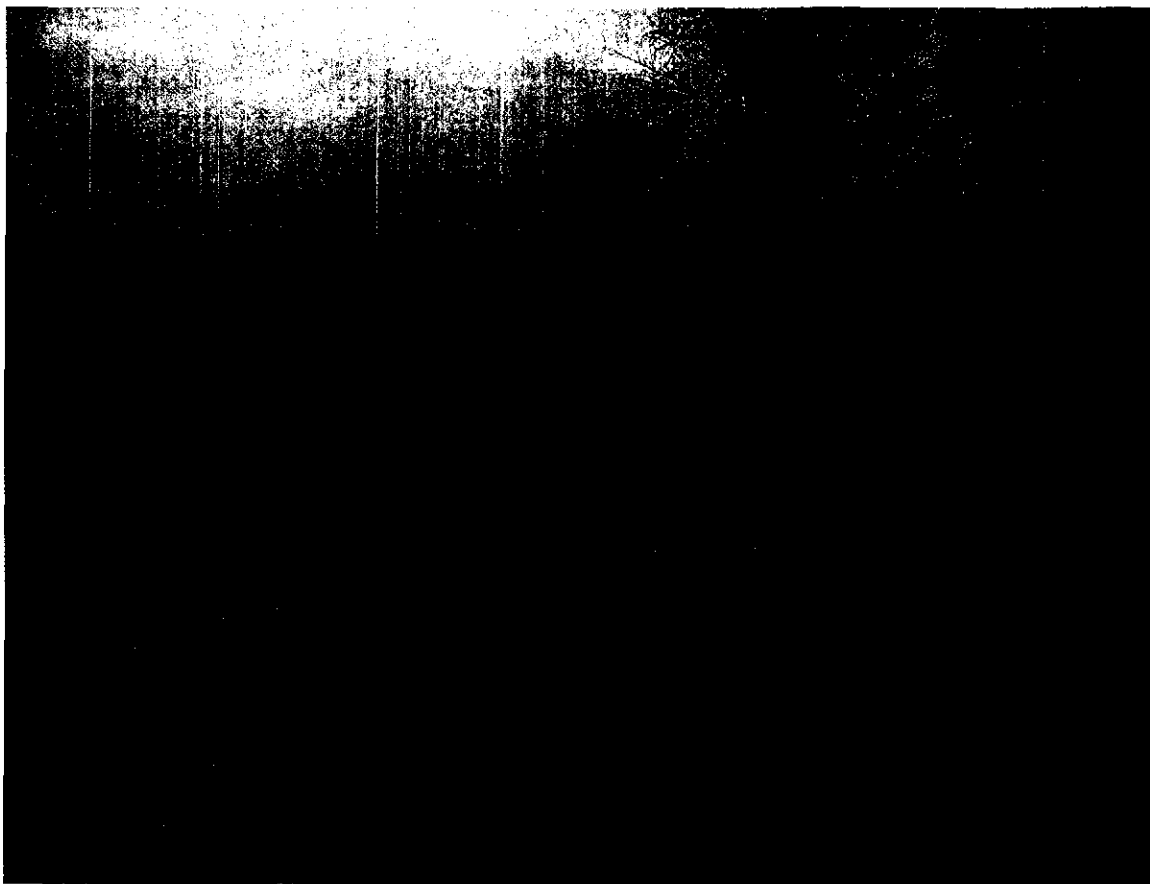
Reviewer _____ Date _____

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SEP 03 2003

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SEP 03



25-13985
Rigby Lake/outlet

D Carlson
8/2003

MICROFILMED
SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 18, 2003

JEFFERSON COUNTY
ATTN DOYLE CRANE
PO BOX 567
RIGBY ID 83442

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 25-13985

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Eastern** Regional Office of the department in Idaho Falls (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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SEP 03 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 25-13985

Reviewed By: dgibson

Date: August 15, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	E028776, C070241		Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	07/31/2003
Date proof due	- 07/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 05/13/2003
New priority date	= 05/13/2003

Deficiencies of Actions Items

Acknowledge proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July ²¹14, 2003

DOYLE CRANE
JEFFERSON COUNTY
PO BOX 567
RIGBY ID 83442

RE: PERMIT NO. 25-13985

Dear Mr. Crane:

Enclosed is the original Proof of Beneficial Use form ("proof") you filed with the Department, I am returning this document to you since the department cannot accept it without the appropriate license exam fee or a Beneficial Use Field Report prepared by a certified water right examiner. The department's fee is waived only for permits diverting 0.04 cubic feet per second ("cfs") or less, for a ground water (well) right. Since you were permitted a Maximum Diversion Rate of 900 acre-feet (AF) for this permit, your license exam fee is \$300.00. Please see the enclosed fee schedule.

Please return the enclosed proof form along with \$300.00 to my attention on or before **July 1, 2004** to avoid lapsing of this water right. If you have any questions regarding filing the proof, please contact me at (208) 327-7953, or contact the regional office in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR- Region

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SEP 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

JUL 21 2003

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 25-13885 Telephone No. 208-745-9224

2. Name of Permit Holder(s): Jefferson County

3. Mailing Address: P.O. Box 567

City Rigby State Id. Zip 83442

4. Source of Water: Ground Water GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Recreation Storage

6. Total rate of diversion and/or volume for which proof is submitted: 900 cfs OR 900 acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Has the measuring device been installed?

Yes _____ or No _____

Yes _____ or No _____

8. Fee Enclosed: \$ _____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Doyle Crane Telephone Number: 208-745-9224

Address: P.O. Box 567 Rigby Id. 83442

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Doyle Crane Supervisor
(include your title, if on behalf of company of organization)

Date: 7-17-03

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SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 14, 2003

COUNTY OF JEFFERSON
PO BOX 567
RIGBY ID 83442

RE: Permit No. 25-13985

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

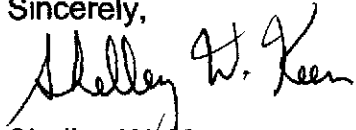
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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SEP 03 2003

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

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SEP 03 2003

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

25-13985

COUNTY OF JEFFERSON

PO BOX 567

RIGBY ID 83442

A handwritten signature in cursive script, reading "Deborah J. Gibson", is written over a horizontal line.

**Deborah J. Gibson
Administrative Assistant**

**MICROFILMED
SEP 03 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: July 11, 2003
To: Water Right File 25-13985
From: dgibson
Re: Permit Review

This application has been processed because of a pre-1987 development as stated on the application.

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SEP 03 2003

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JUL - 7 2003

Dist for Staffing

Submitted for advertising 5-14-03

Department of Water Resources

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

INITIAL REVIEW BY AWJ DATE 5-14-03 APPLICATION NO. 25-13985

REQUIRED INFORMATION:

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION:

- ☐ Overlapping place of use (Describe source & relationship to present application on the back)
☐ Overlapping point of diversion
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Within trust water boundary (if yes, attach trust water supplementary analysis sheet)
☐ Yes ☒ No Public Water System
☐ Yes ☒ No Planning section review
☐ Yes ☒ No Moratorium Hold file
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

PROCESSING:

- ☒ Yes ☒ No In form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- ☐ Id Dept of Environmental Quality
☐ Id Dept of Fish & Game
☐ Id Dept of Lands
☐ Adjudication Bureau Unit
☐ U.S. BLM
☐ U.S. Forest Service
☐ Water District
☐ Other

FINAL REGIONAL PROCESSING REVIEW:

☒ Yes	☐ No	Affidavit of publication received
☒ Yes	☐ No	Application published correctly. If not, record action taken
☒ Yes	☐ No	Publication dates & paper, recorded on application
☐ Yes	☒ No	Protests received
		Final date for protest _____
☐ Yes	☐ No	Protests, dates, resolution of protest, recorded on application
☐ Yes	☐ No	Recommendations attached
☐ Yes	☐ No	Measuring device required
☐ Yes	☐ No	Access port required
☐ Yes	☐ No	Will water be delivered by watermaster? If yes, what District _____
☐ Yes	☐ No	Special conditions of approval or cover letter below.

Date of priority recommend _____
By: _____ Date: _____

STATE OFFICE REVIEW: _____

By: _____ Date: _____

ADDITIONAL INFORMATION: _____

LOCAL PUBLIC INTEREST:

Comments received from:

_____ City	_____ Id Fish & Game	_____ Irrigation District
_____ County	_____ Id Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. Of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

[illegible]

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Jefferson)

I, Terry Carr of *The Jefferson Star*,
published weekly at Rigby, Jefferson
County, Idaho, do solemnly swear that the

25-13985

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in
any supplement issue thereof for 2
consecutive issues, the first publication
having been made on June 4, 2003
and the last publication having been made
on June 11, 2003
Further, that said newspaper is one of gen-
eral circulation in said county; that it is a
legal newspaper, conforming to legal
specifications under the Idaho Statutes;
that it has at least two hundred bona fide
subscribers living within the county of
publication; and that it has been continu-
ously and uninterruptedly published in
said county during a period of seventy
eight consecutive weeks prior to the first
publication of the said notice.

Terry Carr

On this 11 day of June
in the year of 2003, before me, a Notary
Public, personally appeared

Terry Carr,

known or identified to me to be the person
whose name subscribed to the within
instrument, and being by me first duly
sworn, declared that the statements there-
in are: true, and acknowledged to me that
she executed the same.

Crystal Foster

Notary Public of Idaho
Residing at 1032 N. 1100 E. Shelley, ID
My commission expires March 8, 2005

The following application(s) have been filed to appropriate the public
waters of the State of Idaho:

25-13985

COUNTY OF JEFFERSON
PO BOX 567
RIGBY ID 83442

Point(s) of Diversion: SWSW S5 T04N R39E, SESE S6 T04N R39E, NENE
S7 T04N R39E, and NWNW S8 T04N R39E, JEFFERSON County
Source GROUND WATER, Tributary To SNAKE RIVER
Use: RECREATION STORAGE 01/01 To 12/31 900 AFA
Total Diversion: 900 AFA

Date Filed: 05/13/2003
Place Of Use: RECREATION STORAGE
T04N R39E S5 SWSW
T04N R39E S6 SESE
T04N R39E S7 NENE
T04N R39E S8 NWNW

The development took place in the 1970 s and is know locally as "Rigby
Lake".

Permits will be subject to all prior water rights. Protests may be submit-
ted based on the criteria of Sec 42-203A Idaho Code.

Any protest against the approval of this application must be filed with
the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste
A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each
application on or before June 23, 2003. The protestant must also send a
copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Jefferson Star, Rigby, Idaho June 4 and 11, 2003.

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JUN 13 2003
Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
May 27, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

COUNTY OF JEFFERSON
PO BOX 567
RIGBY ID 83442

RE: Application for Permit No 25-13985

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Jefferson Star on June 4 and 11, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions.

Sincerely,

Harold W. Jones
Harold W Jones
Water Right Supervisor

HWJ:sc

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SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 27, 2003

Legal Notice Department
JEFFERSON COUNTY STAR
PO BOX 37
RIGBY ID 83442

RE: Application for Permit No. 25-13985

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before June 23, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
5/27/03
SC*

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SEP 03 2003

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PO BOX 567
RIGBY ID 83442

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NWNW S8 T04N R39E, JEFFERSON County
Source GROUND WATER, Tributary To SNAKE RIVER

Use: RECREATION STORAGE 01/01 To 12/31 900 AFA

Total Diversion: 900 AFA

Date Filed: 05/13/2003

Place Of Use: RECREATION STORAGE

T04N R39E S5 SWSW

T04N R39E S6 SESE

T04N R39E S7 NENE

T04N R39E S8 NWNW

The development took place in the 1970 s and is know locally as "Rigby Lake".

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KARL J DREHER, Director

Published on June 4 and 11, 2003

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