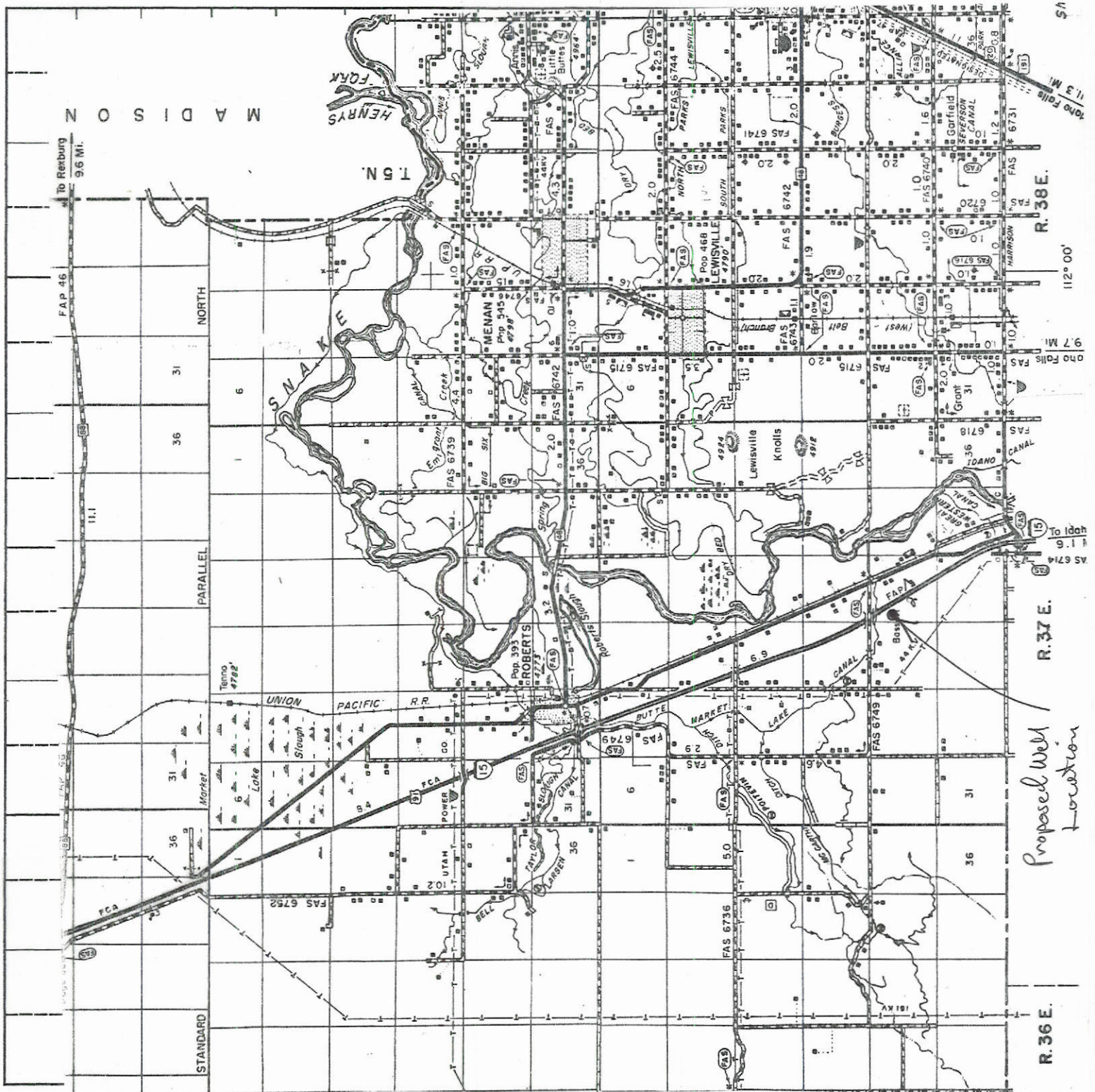


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

JUL 10 1994

Man Hoyt - Sr. Eng. Plaw - ITD
(Applicant)

#271
(576)

TR37E

HEL
②
27.6

HEL
①
#7.8-41.7

HEL
⑤
27.4

HEL
⑥
20.9

21 22
28 27

POINT OF DIVERSION

#1479
(580)

(0.400)

HEL
①
23.5

(0.400)

HEL
③
45.2

HEL
②
20.3

HEL
①
7.0

NHEL
④
9.3

#2581
(583)

HEL
①
3.1

HEL
④
5.0

NHEL
⑤
14.6

27

PLACE OF USE

X
X

HEL
②
46.9

(0.5)

HEL
④
39.3

②
28.4

①
22.9

T
4 R37E
N

HEL
③
100.1

28 27
33 34

AERIAL #1

35-09041

⑥
35.1

⑥
12.0

③
28.4

(0.2)

T-15

MICROFILMED
JUN 02 1998

SEE AERIAL
#2

T
4
N
R37E

AERIAL
#1
T-14

2773
(592)

2726
3435

2773
(585)

0.5

HEL
④
36.4

HEL
①
14.9

0.007

0.1

0.07

HEL
⑤
13.5

HEL
②
17.0

0.01

PLACE OF USE

34

0.5

HEL
④
18.7

R37E

T
4
N

0.2

MICROFILMS
JUN 07 1938

AERIAL #2

35-09041

HEL
⑦
137.0

HEL
⑧
4.6

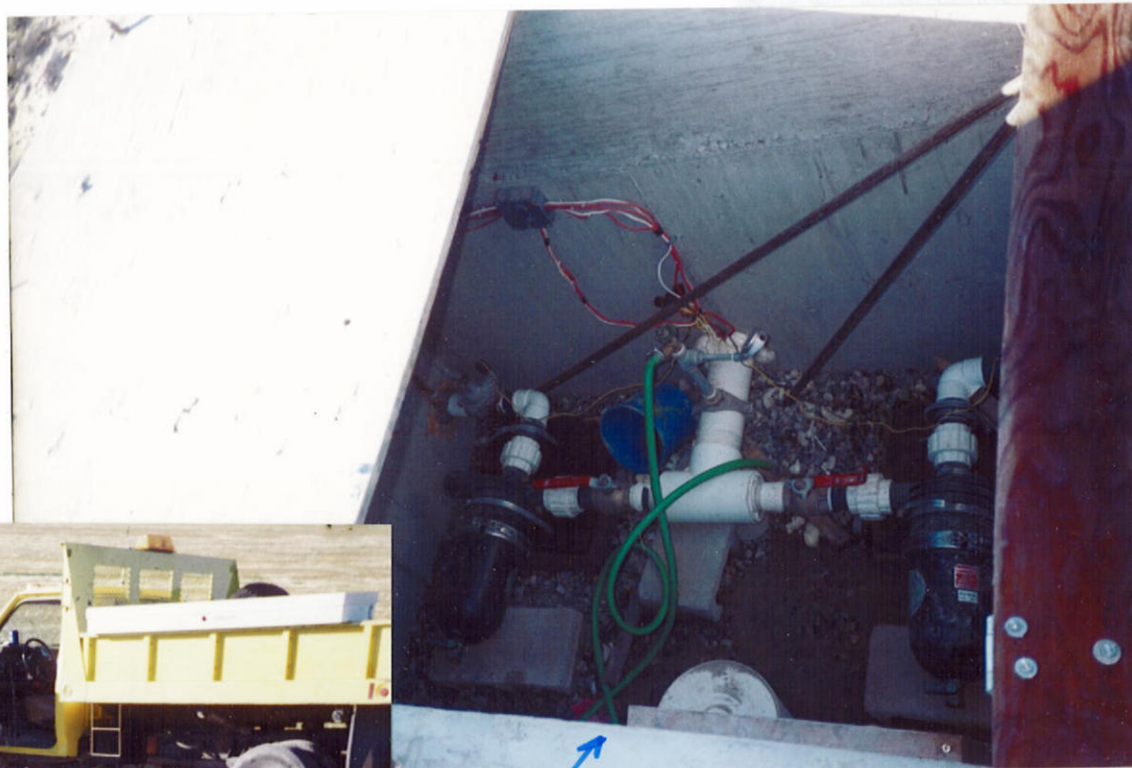
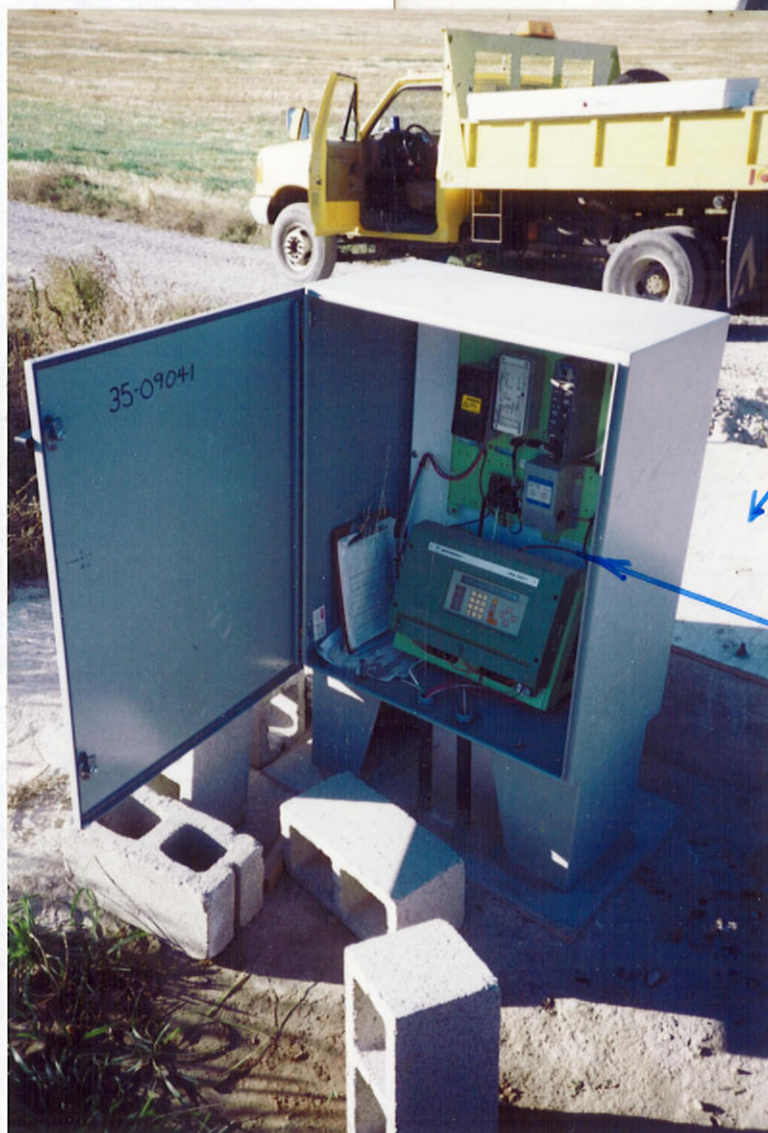
HEL
⑨
112.9

13.1

3435

32

1586
(593)



Valve Box

COMPUTER TO CONTROL
VALVES USED IN ZONE
IRRIGATION

35-09041

MICROFILMED
JUN 02 1998



POINT OF DIVERSION

← Valve box

MICROFILMED 35-09041
JUN 02 1998



MICROFILMED
JUN 02 1998

35-09041

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 35-09041

Priority: February 8, 1994

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

7.6 AF

This is to certify, that STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 20, 1994; and has submitted Proof of Beneficial Use on May 20, 1996. An examination indicates that the works have a diversion capacity of 0.180 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 10/31	0.06 CFS	7.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 27, Township 04N, Range 37E
JEFFERSON 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>
04N	37E	27	NWNW 0.4	SWNW 0.4	SENW 0.1	
			NESW 0.5	SESW 0.3	SWSE 0.2	1.9

Total number of acres irrigated: 1.9

CONDITIONS OF APPROVAL AND 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 shall 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 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

JUN 02 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 35-09041

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 MAY, 1978.


Acting for KARL J. DREHER, Director

MICROFILMED

JUN 02 1998

NDV ✓

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-09041

Date of Priority: February 8, 1994 Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 7.6 AF

Comes now STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097

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. 35-09041, 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 10/31	0.06 CFS	7.6 AF

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 27, Township 04N, Range 37E.
JEFFERSON County

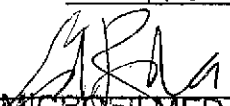
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	37E	27	NWNW 0.4	SWNW 0.4	SENW 0.1		
			NESW 0.5	SESW 0.3	SWSE 0.2		1.9

Total number of acres irrigated: 1.9

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 RIGBY, ID, this 7 day of APRIL, 1998.



MICHAEL (Signature)

JUN 02 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-09041

FOR DEPARTMENT USE ONLY

Preliminary check by SUK Fee = 50⁰⁰ Received by # Date 5-19-98

*Interdepartmental
Billing confirmed by
Nancy Wenzel*

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-09041 with the following;

CONDITIONS OF APPROVAL AND 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 shall 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 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 27TH day of MAY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

JUN 02 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-09041)
)
IN THE NAME OF IDAHO DEPT. OF TRANSPORTATION) **ORDER OF**
) **REINSTATEMENT**

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before May 1, 1996; and,

WHEREAS, the Department notified the permit holder on February 28, 1996, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the department sent the permit holder a lapse notice on May 9, 1996, since an acceptable proof of beneficial use or extension of time had not been received; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on May 20, 1996;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-09041 is **REINSTATED** with an advance in priority to February 8, 1994.

DATED this 4th day of June, 1996.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
NOV 04 1996

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 20 1996

PROOF OF BENEFICIAL USE

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 who has been appointed by the department.

1. Permit No. 35-09041 Telephone No. (208)745-5640

2. Name(s) of Permit Holder(s): Idaho Transportation Department

3. Mailing Address: P.O. Box 97, Rigby, ID 83442

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 4 / yr. 95

a. Well Driller: Teton Water Works Drilling Permit Number: 35 - 95 - E5 - 024

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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: Drip irrigation for trees on highway

6. Total rate of diversion and/or volume for which proof is submitted: 0.12 cfs OR _____ 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 _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No _____

Has the measurement port been installed? Yes _____ or No _____

8. Fee Enclosed: \$ 50.00 (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: Ed Bala Telephone Number: (208)745-5640

Address: P.O. Box 97, 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 I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature]

(include your title, if on behalf of company or organization)

MICROFILMED

Date: 3/21/96

NOV 04 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NOS.)
35-09041 AND 35-09042 IN THE)
NAME OF IDAHO DEPARTMENT OF)
TRANSPORTATION)
_____)

ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of a response by the permit holder to an order issued by the department, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On November 9, 1994, the Director of the department issued an Order for Temporary Stay of Development and Notice of Formal Proceedings (order) in connection with certain permits within the Eastern Snake River Plain Aquifer for which proof of beneficial use of water has not been filed with the department.

2. On November 21, 1994, the holder of Permit Nos. 35-09041 and 35-09042 (permits) filed a response to the order.

3. The permits authorize a development to control blowing dust on Interstate 15 and to prevent automobile accidents.

CONCLUSIONS OF LAW

1. The permit holder has provided sufficient information related to the protection and furtherance of the public interest to justify continued development under the permits.

2. The Director should authorize continued development as authorized by the permits.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the permit holder may continue development under Permit Nos. 35-09041 and 35-09042 as authorized in the permits.

IT IS FURTHER ORDERED that proof of completion of works and application of water to beneficial use be submitted to the department on or before May 1, 1996.

Dated this 25TH day of NOVEMBER, 1994.

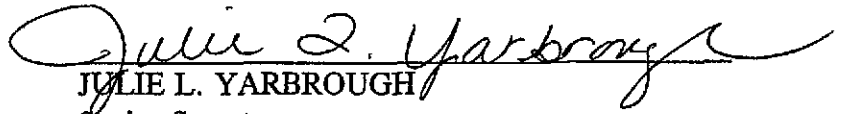

R. KEITH HIGGINS
Director

MICROFILMED
NOV 04 1996

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 1st day of December, 1994, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER** to the following:

Idaho Transportation Department
District 6
Attn. Clyde R. Gillespie
P.O. Box 97
Rigby, ID 83442-0097


JULIE L. YARBROUGH
Senior Secretary

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPROVED PERMITS)
FOR THE APPROPRIATION OF GROUND)
WATER FROM THE EASTERN SNAKE RIVER)
PLAIN AQUIFER FOR WHICH PROOF OF)
BENEFICIAL USE HAS NOT BEEN)
SUBMITTED AND IS NOT PAST DUE)

**ORDER FOR TEMPORARY
STAY OF DEVELOPMENT AND
NOTICE OF FORMAL PROCEEDINGS**

The Director of the Idaho Department of Water Resources (Director), having responsibility for the administration of the appropriation of the water of the state of Idaho, the protection of rights to the use of water within the state, the protection of the public interest in the waters of the state and the conservation of the water resources of the state enters the following Findings of Fact, Conclusions of Law and Order for temporary stay; and provides the following notice of formal proceedings:

FINDING OF FACTS

1. On May 15, 1992, the Director issued an order establishing a moratorium on the processing and approval of applications for permit to appropriate water from all surface and ground water sources upstream from the USGS Gauge on the Snake River near Weiser, Idaho. On April 30, 1993, the Director issued an Amended Moratorium Order covering the Eastern Snake River Plain Aquifer. The 1994 session of the Idaho Legislature enacted section 42-1806, Idaho Code, requiring that the moratorium relating to the the Eastern Snake River Plain area shall continue in effect until December 31, 1997.

2. The state of Idaho has experienced seven (7) recent years of drought conditions resulting in lowered ground water levels and decreased discharge from surface water sources. The Idaho Legislature has authorized a study to examine the implications of these changes and the relationships between surface and ground water resources. The study is expected to be completed in approximately two (2) years.

3. Delivery calls have been made by the holders of senior-priority surface and ground water rights against the holders of junior-priority ground water rights from the Eastern Snake Plain Aquifer which could result in the curtailment of diversion and use of water under junior-priority ground water rights including rights which might otherwise be developed under permits which are the subject of this order and notice.

MICROFILMED
NOV 04 1996

CONCLUSIONS OF LAW

1. Section 42-1805, Idaho Code, provides in part as follows:

In addition to other duties prescribed by law, the director of the department of water resources shall have the following powers and duties:

...

(7) After notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of minimum flow provisions of the state water plan.

2. Water Appropriation Rule 55.02. of the Department of Water Resources (IDAPA 37.03.08055.02) provides as follows:

02. PERMITS

a. To the extent a permit has not been developed, the director may cancel, or modify permits for which proof of beneficial use has not been submitted in a designated geographical area as an extension of Rule 55.01.

b. Notice of the director's action to cancel or modify permits shall be by:

i. Summary Order served by certified mail upon the affected permit holders in the designated area.

ii. Publication of the order for three (3) consecutive weeks in a newspaper or newspapers of general circulation in the area.

c. Objections to the director's action shall be considered under the department's adopted rules of procedure and applicable law.

3. Rule of Procedure 104 of the Department of Water Resources (IDAPA 37.01.01104) provides in part as follows:

Formal proceedings may be initiated by a document from the agency informing the party(ies) that the agency has reached an informal determination that will become final in the absence of further action by the person to whom the correspondence is addressed, provided that the document complies with the requirements of Rules 210 through 280.

4. Protection of prior rights to the diversion and use of surface and ground water of the Eastern Snake River Plain Aquifer

and the Snake River may require that the further development of water under existing undeveloped permits be suspended indefinitely to assure that the effects and conditions caused by drought, changes in irrigation practices and resulting aquifer recharge, and diversion and use of ground water from the aquifer under prior established water rights are properly evaluated.

5. Section 42-204, Idaho Code, provides in part as follows:

Every holder of a permit which shall be issued under the terms and conditions of an application filed hereafter appropriating twenty-five (25) cubic feet or less per second must, within one (1) year from the date upon which said permit issues from the office of the department of water resources, commence the excavation or construction of the works by which he intends to divert the water, and must prosecute the work diligently and uninterruptedly to completion, unless temporarily interrupted through no fault of the holder of such permit by circumstances, over which he has no control.

ORDER

IT IS THEREFORE, HEREBY ORDERED as follows:

1. The owners of all permits to appropriate ground water within the boundaries of the Eastern Snake Plain Aquifer, as that area is defined by Rule 50 of the rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11), shall, effective immediately upon receipt of this order, temporarily stop further development under the permit until the Director authorizes further development.

2. The owners of all permits for appropriation of ground water within the boundaries of the Eastern Snake River Plain Aquifer shall on or before February 1, 1995, either:

A. File proof of beneficial use to cover the extent of diversion and beneficial use of water that has been accomplished prior to receipt of this order; or

B. File a response with the Director in this proceeding to satisfy the requirements of either subparagraph 1) or 2) below:

1) Document with supporting information that a "substantial investment" has been made, prior to receipt of this order, in facilities to divert and beneficially use water under the permit that merits the granting of additional time to complete all or part of the project. Substantial investment means an actual expenditure or written commitment for development of the project which meets the following requirements:

- a) The actual expenditure or written commitment for the diversion and related equipment must equal or exceed the amount of fifteen thousand dollars (\$15,000) or exceed twenty five (25) percent of the estimated cost of the system for diverting and beneficially using the water, whichever is less; and
- b) The actual expenditure or written commitment must have been made before receipt of this order.

2) Request an indefinite stay in the development period for the project, or any part of the project for which a substantial investment has not been made, until the conditions that resulted in this order have been alleviated if such should ever occur. Upon approval of any such stay, no further development is to occur until such time as the department has issued an extension of time setting a date for completion of the project.

3. Failure to submit either proof of beneficial use or a satisfactory response shall result in cancellation of the permit without further notice.

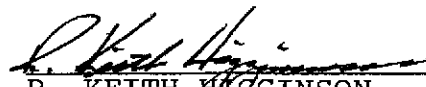
4. Before receiving approval for either additional time to complete a project under subparagraph 2.B.1) or a stay under subparagraph 2.B.2) above, the owner of the permit shall provide information to demonstrate compliance with the provisions of Sections 42-204, Idaho Code, with respect to commencing and diligently proceeding to develop the project authorized under the permit.

5. This order does not prevent the Director from reviewing continued development of a permit on a case-by-case basis if,

a. The Director determines that protection and furtherance of the public interest justifies continued development of a permit; or

b. The Director determines that continued development and use of water will have no effect on prior water rights because of its location, insignificant consumption of water or mitigation provided by the permit holder to offset injury to other rights.

Dated this 9TH day of NOVEMBER, 1994.


R. KEITH HIGGINSON
Director

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-09041

Proposed Priority: January 20, 1994 Maximum Diversion Rate: 0.06 CFS

This is to certify, that **STATE OF IDAHO**
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097

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 10/31	0.06 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWSENW , Sec. 27, Township 04N, Range 37E
JEFFERSON 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>
04N 37E 27	NWNW 0.5	SWNW 0.3	SENW 0.3	
	NESW 0.7	SESW 0.1	SWSE 0.1	2

Total number of acres irrigated: 2

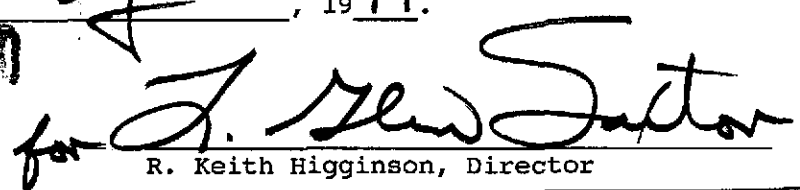
CONDITIONS/REMARKS:

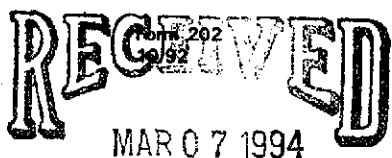
1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1996.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
6. Construction of the well must comply with Idaho well construction standards.
7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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

19th day of May, 1994.

JUN 10 1994

for  R. Keith Higginson, Director



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 35-9041

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Transportation Department Phone 745-7781

Post office address P.O. Box 97, Rigby, ID 83442

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____

Sec. 27 Township 4N Range 37E B.M. Jefferson County; additional

points of diversion if any: *Change as per tel-con with Marv Hoyt 5-20-94 HWJ

4. Water will be used for the following purposes:

*0.06 cfs
Amount 0.13 cfs for irrigation purposes from April 1 to Oct. 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)

5. Total quantity to be appropriated is (a) 0.13 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. The proposal is to pump water into a
state-of-the-art, 2 zone, drip irrigation system. Each zone will have approx.
5,900 emitters which use 0.6 gph and will operate 4 to 6 hours per week.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 10 inches; proposed depth of well is 200 feet.

d. Is ground water with a temperature of greater than 85°F being sought? NA

e. If well is already drilled, when? No; Drilling firm _____

Well was drilled for (well owner) _____

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

JUN 10 1994

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. _____

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	37E	27						.50	.30	.30	.70			.10			.10	.04	2.0 1.97

Total number of acres to be irrigated 1.97 2.0

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

11. a. Who owns the property at the point of diversion? Idaho Transportation Department

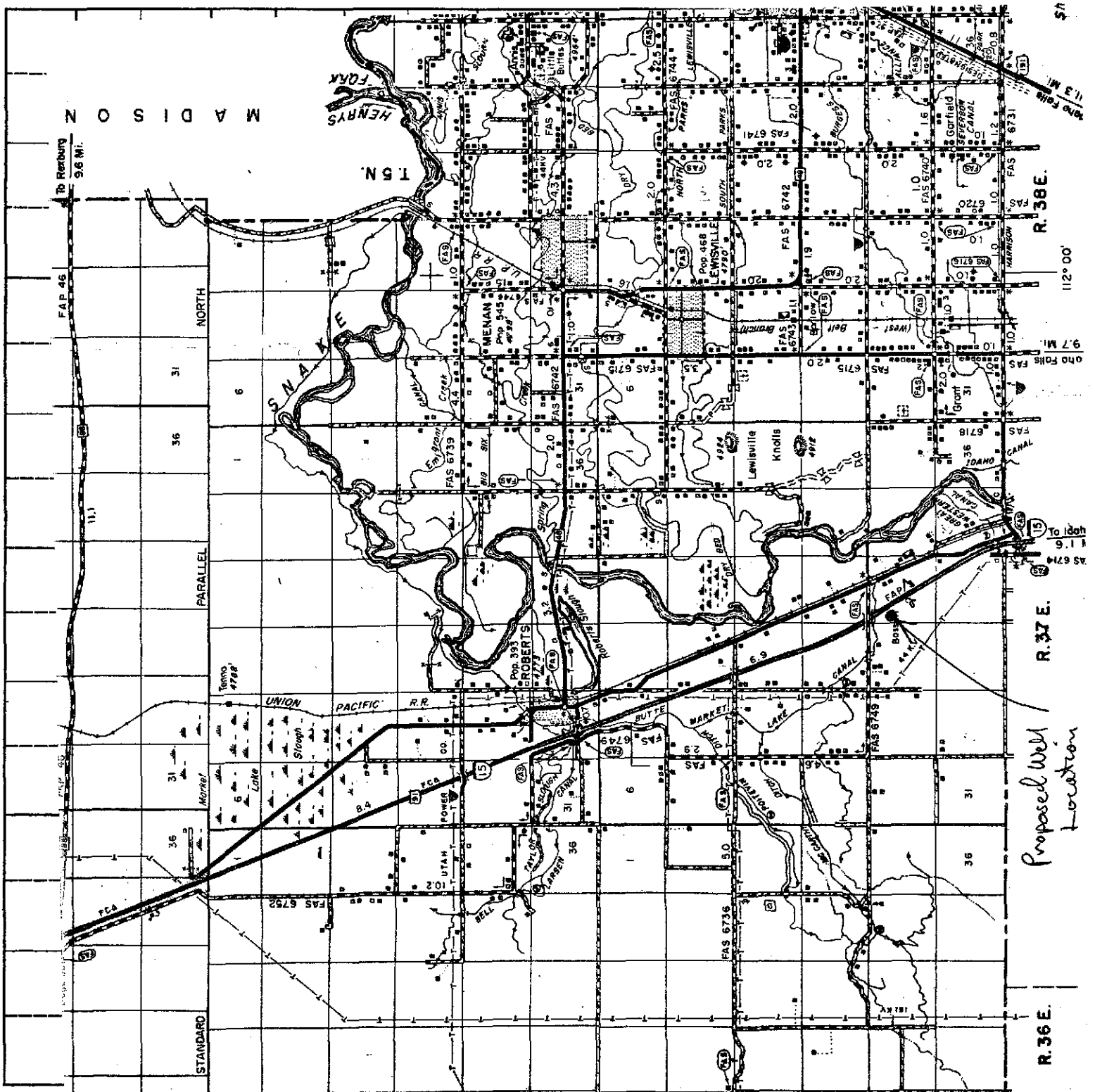
b. Who owns the land to be irrigated or place of use? Idaho Transportation Department

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: See attached pages

JUN 10 1994

13. 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.

Man Hoyt - Sr. Eng. Plow - ITD
(Applicant)

Received by WM Date 1/20/94 Time 11:30 am Preliminary check by _____
Fee \$ 30.00 Received by HUT # E019454 Date 1-28-94
Publication prepared by RB Date 2-3-94 Published in Jefferson Star
Publication approved RB Date 3-1-94

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

JUN 10 1994

The Idaho Transportation Department and the Federal Highway Administration are currently in the design stage of developing a 1.8 mile long shelter belt along Interstate 15 in the vicinity of Osgood, Jefferson County, ID.

The purpose of the project is to correct a safety problem that is caused by blowing sand and dust from agricultural lands adjacent to the highway. During periods of high winds, dust and sand are carried from the agricultural lands across I-15. This, in turn, results in a partial to complete loss of visibility by the driving public. Over the past decade there have been a number of injury accidents, as well as one fatality along this section of highway.

ITD currently deals with this situation by closing the highway and detouring traffic on county roads. This is an unsatisfactory solution, since the conditions that cause the blowing sand are unpredictable and can develop in a very short time frame. Depending upon the day of the week or the time of day, it can take on to two hours to close the highway and detour traffic. During this delay traffic continues to enter this dangerous section of highway. In addition, detouring interstate highway traffic onto county roads is also a safety concern and leads to the rapid deterioration of the county roads.

After nearly a decade of study and planning, ITD, in cooperation with other federal agencies, state agencies, and local soil conservation districts, has developed what we believe is a long-term, effective and efficient plan to deal with this safety problem. A shelter belt of trees with sufficient height will force the blowing dust up and over the highway, thus improving visibility for the driving public.

In order for the shelter belt to become established and grow rapidly, it will be necessary to irrigate the trees, therefore this application.

As a part of this proposed project, ITD will be acquiring 13.81 acres of new right-of-way. Of that total, 4.98 acres are currently irrigated by pumped groundwater. Approximately 15 acre feet of irrigation water is applied to this acreage annually. ITD's project would require about 3 acre feet of water a year, applied to approximately 4 acres of the total 14 acres we will acquire. We anticipate a total net savings of groundwater used for irrigation due to this project.

More importantly, ITD believes that the project will result in a safer transportation facility for the driving public.

RECEIVED

JUN 1 1984



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

May 28, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097

RE: WATER RIGHT NO. 35-09041

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

MICROFILMED

JUN 02 1998

MICROFILMED

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

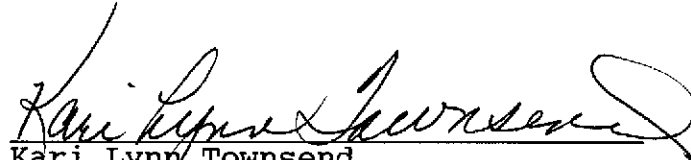
JUN 02 1998

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of May, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 35-09041

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 02 1998

MEMORANDUM

DATE: May 19, 1998

TO: Water Right File 35-09041

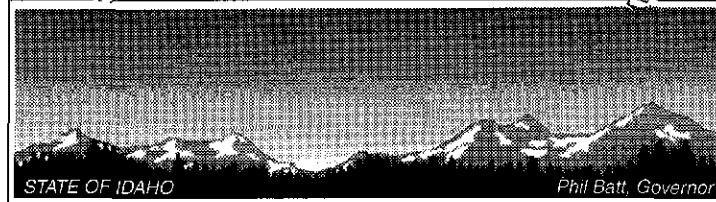
FROM: Shelley W. Keen *SWK*

RE: Amendment fee

I was informed this morning by Nancy Handzel of the Accounting Section that IDWR has received \$50.00 from ITD via interdepartmental billing for the application to amend permit 35-09041.

MICROFILMED

JUN 02 1998



RECEIVED

APR 10 1998

Department of Water Resources

TRANSPORTATION DEPARTMENT
DISTRICT 6 • P.O. BOX 97 • RIGBY, ID • 83442-0097 • (208) 745-7781

April 7, 1998

Shelley W. Keen

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD ST
PO BOX 83720
BOISE, ID 83720

RE: WATER RIGHT NO. 35-09041, 35-09042

Dear Shelley,

It was good to talk with you today. As we discussed, I am sending an Application for Amendment of the Permit for Water Right No. 35-09041 for the Osgood Shelter Belt. As to the \$50.00 fee, please send an invoice referring to Purchase Order No. F009440. Please include the pertinent water right number and reference to the nature of the application being processed. Upon receipt of the invoice, our purchasing department can then send the required check.

We are currently in the process of attempting to locate Proof of Beneficial Use for Water Right No. 35-09042. The correspondence in the file indicates that this proof was sent to the Department of Water Resources in Boise in March of 1996 as well as faxed to Eastern Region approximately April of 1996. Apparently these documents are not able to be located so we are currently attempting to locate them here, or in the alternative, resupply the necessary proof that is required.

As we have discussed, the primary reason for the delay in perfecting this water right was due to the correspondence regarding this matter getting to the responsible person as people have changed jobs. At this point however, it is the desire of the Department of Transportation to complete and perfect Water Right No. 35-09042. Please advise us of the necessary steps remaining in order to do so.

Thank you for your able assistance in this matter.

Sincerely,

Stephen Ball, PE
Staff Engineer

MICROFILMED
JUN 02 1998

MEMORANDUM

DATE: April 6, 1998

TO: Water Right File 35-09041

FROM: Shelley W. Keen *SK*

RE: Amendment of Permit

Today Steve Ball of ITD in Rigby returned my call about the licensing amendment needed for permit 35-09041. I explained to Steve that we had reached the point in our process at which I normally draft an order voiding the permit. Steve committed to seeing that the necessary amendment is filed within two weeks from today.

4/7/98

Steve Ball called to tell me that the amendment will be sent ASAP. The payment will have to be via interagency billing.

S.W. Keen

MICROFILMED

JUN 02 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

March 5, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097

RE: Water Appropriation Permit 35-09041

NOTICE OF PENDING ORDER TO VOID PERMIT

Dear Permit Holder:

On December 5, 1997, the Department of Water Resources (IDWR) sent you a notice explaining that you must amend Water Appropriation Permit 35-09041 before a Water Right License can be issued to you. An amendment form was enclosed with the notice. On December 29, 1997, IDWR sent you a second notice and form. As of today, IDWR has not received the required amendment application.

The final step in the water appropriation process is the issuance of a Water Right License. By issuing a license, IDWR recognizes that you have established a beneficial use of water in accordance with the terms of your permit. If certain elements of the established water use are not in accordance with the permit, the permit must be amended before a license can be issued. Permit 35-09041 must be amended because your established point of diversion is at a different location than was authorized by your permit.

Unless you complete the required amendment form and return it with the \$50.00 filing fee within 30 days, I will take action to void your permit. I have enclosed another amendment application form for you. If you are no longer interested in your permit, you can shorten the voiding process by signing and returning the enclosed relinquishment form.

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

MICROFILMED

Enclosures

JUN 02 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 29, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097

RE: WATER RIGHT NO. 35-09041

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the filing fee for this amendment is \$50.00. If you have any questions, please call me at (208) 327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JUN 02 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 5, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097

RE: WATER RIGHT NO. 35-09041

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

MICROFILMED
JUN 12 1998

MEMORANDUM

TO: File 35-09041

FROM: Sharla

DATE: December 4, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 35-09041 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T4N, R37E, S27 - NWNW (0.4 acre), SWNW (0.4 acre),
SENW (0.1 acre), NESW (0.5 acre),
SESW (0.3 acre), SWSE (0.2 acre)

TOTAL 1.9 acres

The original application identified irrigation of a total of 2 acres within Section 27. The license is limited to a maximum of 2 acres and for this reason only the acres within Section 27 are included in the place of use.

Examiner: Keith Wilson

Exam Date: September 30, 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-09041

DATE 12/4/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>✓</u>	<u>—</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>yes</u>
			Amendment required <u>NO</u> <u>sec. 27 only</u>

Does map agree with written description? — yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.06</u> cfs
Fee limit	<u>.20</u> cfs <u>\$5000</u>
Measured	<u>—</u> cfs
Theoretical	<u>.18</u> cfs

Recommended Total Div Rate .06 cfs

ANNUAL VOLUME/
NATURE OF USES —

<u>✓</u>	Use <u>IRR</u>	cfs <u>.06</u>	1.9 Volume Calc <u>2X4.0 =</u>	af
				af
				af
				af
	SUBTOTAL	<u>.06</u>	<u>8.0 7.6</u>	af

Flow rate .06 cfs X 214 days X 1.98 = 25.4 af
 Total volume recommended 8.0 af
 (SUBTOTAL or Flow Rate, whichever is less) 7.6

REMARKS

CONDITIONS — Watermaster Control WD# —
— GW Measurement/Measuring Device
168 Overlap

— Use-specific conditions
 Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo for sec 27 only

1st Amend Letter 139, 138
 2nd Amend Letter 147

MEMORANDUM

DATE: October 31, 1997

TO: Shelly W. Keen

FROM: Keith C. Wilson - Eastern Region

RE: REINSTATEMENT OF PERMIT 35-09042

=====

Permit 35-09042 has to be reinstated in order to cover the place of use and the amount of water used.

I believe that the lapsing/relinquishment of permit 35-09042 was an error made by Water Resources & shared by the Dept of Transportation.

DATE:
March 26, 1996

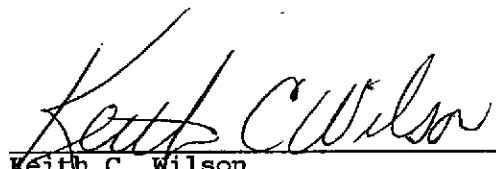
NOTE:
Letter from Dept. of Transportation: paragraph 3
"withdraw our application...project was constructed ...
single well...permit 35-09041...water requested ... no
longer required."
Letter from Dept. of Transportation: paragraph 4
"note...total rate..approximately 0.12 cfs, as opposed
to 0.06 cfs requested at ... two ... sites"

April 22, 1996

Water Resources letter: paragraph 2
"wish to withdraw 35-09042 ... increase ... rate ... of
... permit ... 35-09041 to 0.12 cfs. ... 35-09041 only
authorizes ... 0.06 cfs ... cannot be enlarged to 0.12."

Field exam for 35-09041 found 3.2 ac, & 0.13 cfs. System MUST have both permits (35-09041 & 35-09042) for rate of diversion and the number of acres!

Recommend that if DOT requests reinstatement & pays exam fee that Water Resources reinstate permit 35-09042 with no loss in priority. Note that both 35-09041 & 35-09042 will require an amendment.



Keith C. Wilson
Senior Resource Agent

MICROFILMED

JUN 02 1998

35-09041



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 31, 1997

Ed Bala, P.E.
% Idaho Dept. of Transportation
District 6
P.O. Box 97
Rigby, ID 83442-0097

RE: Reinstatement of permit 35-09042, Osgood Shelter Belt;
IM-IR-15-3(080)

Dear Mr. Bala:

In your letter to the department dated March 26, 1997, you requested to withdraw permit 35-09042. The letter stated that the project was constructed with a single well under permit 35-09041. The letter also stated that the rate of diversion is approximately 0.12 cfs.

The licensing field examination for permit 35-09041 found a total of 3.2 acres irrigated and a system that is rated at approximately 0.13 cfs. Permit 35-09041 is for 0.06 cfs for 2 acres. This is the maximum amount that permit 35-09041 can be licensed. Without permit 35-09042, approximately 1.2 acres (@ 0.04 cfs) cannot be licensed. Without a license those acres cannot be irrigated!

Therefore, it would be in the best interest for the Department of Transportation to file the Proof of Beneficial Use form. The proof of beneficial use must be filed along with the \$50.00 examination fee, and a written request to have permit 35-09042 reinstated.

To facilitate the reinstatement of permit 35-09042 it would be best that all correspondence be done with the Department of Water Resources in Boise (1301 N Orchard St, Boise, ID. 83706).

Please feel free to contact me if you have any questions.

Your prompt response will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

MICROFILMED

JUN 02 1998

35-09041

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 14 1997
Department of Water Resources

35-09041/~~09042~~

A. GENERAL INFORMATION

Permit No. 35-0941
(208) 745-5601
Phone No. 745-5640

1. Owner: STATE OF IDAHO
DEPT OF TRANSPORTATION

Current Address: P.O. Box 97 RIGBY IDAHO 83442-0097

2. Accompanied by: Karl Martin EXAM DATE: 9-30-1997

Address: SAME Phone No. 745-5640

Relationship to Permit Holder: OPERATOR

3. Source: GROUNDWATER tributary to _____

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 35-09042

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NW	27	4N	37E	Jefferson	On site / FSA Aerial / USGS Quad

2. Place(s) of Use:

Indicate Method of Determination

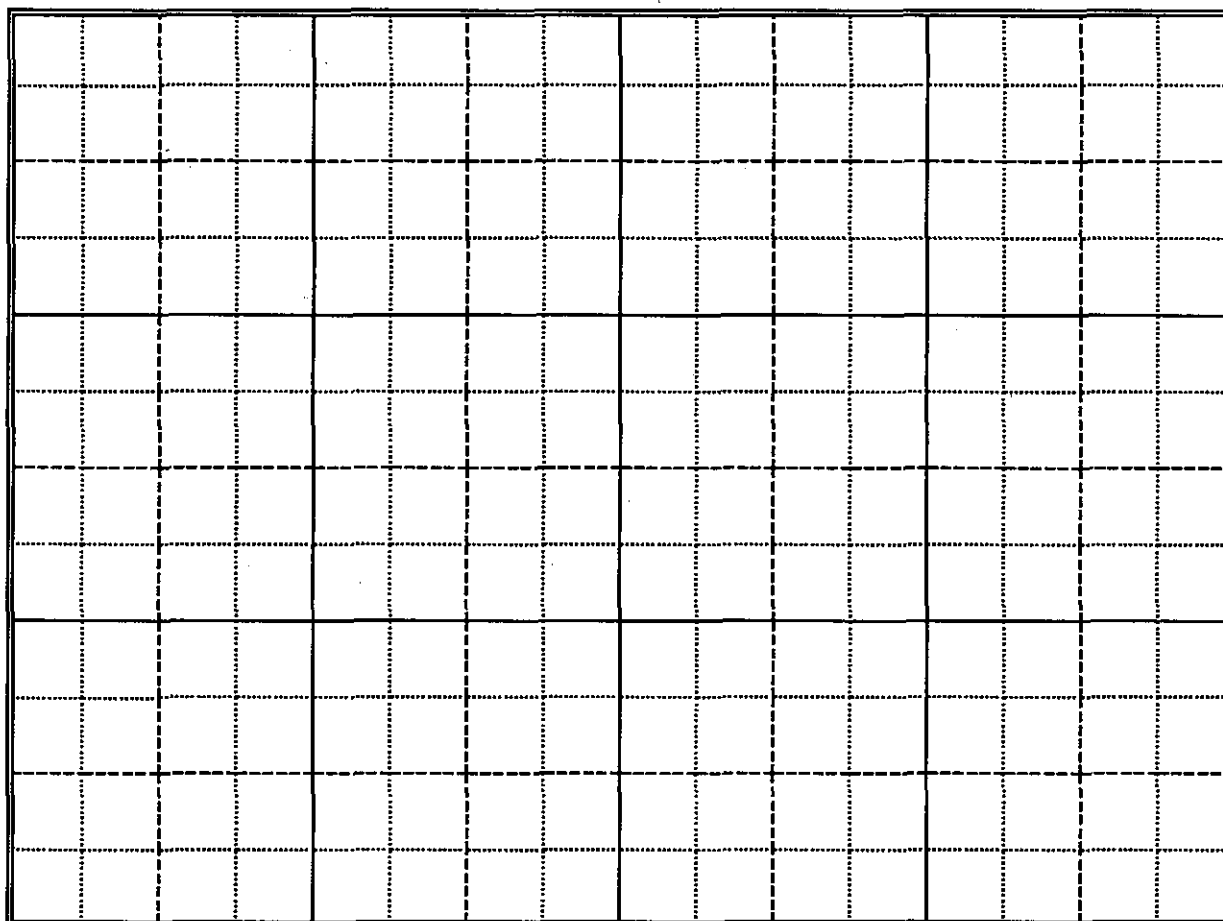
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	37E	27						0.4	0.4	0.1	0.5			0.3			0.2		1.9
		34		0.5	0.1	0.5									0.2				1.3
																			3.2 ac

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JUN 02 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED PHOTOS



Scale: 1" = _____

____ Copy of USGS 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)

✓ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	UNKNOWN	10	-	UNKNOWN	4"

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** According to Karl Martin 10hp pump 1/2" id. Drip hose w emitters every 2ft. Emitters set at 0.6 gal/hr. Well is 10" and total depth is 200ft. Well Delivery is 60 gph @ 55psi. Drip hoses (5) are each 9350 ft long

MICROFILMED

111 0 2 1008

E. NARRATIVE/REMARKS/COMMENTS

Well, 10hp Pump with 4" PVC MAINLINE RUNNING FROM WELL IN A
NW-SE DIRECTION FOLLOWING INTERSTATE 15. IRRIGATION IS
DONE IN FOUR SETS THAT RUN 4hrs EACH (EACH SET HAS SAME # OF EMITTERS)
SYSTEM IS CONTROLLED BY A COMPUTER.

IRRIGATION IS FOR ESTABLISHING THE OSGOOD SHELTER BELT
SHELTER BELT CONSISTS OF THREE ROWS OF TREES/SHRUBS EACH ROW
HAS AN IRRIGATED ~~AREA~~ WIDTH OF 5 feet

NOTE: NEED TO REINSTATE 35-09042 FOR ACREAGE
and flow rate

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 02 1998

F. FLOW CALCULATIONS

Measured Method:

_____ Additional Computation Sheets Attached

G. 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:****H. RECOMMENDATIONS****1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

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. AUTHENTICATIONField Examiner's Name KEITH C WILSON Date 9-30-97

Reviewer _____ Date _____

SEAL

MICROFILMED
JUN 02 1998

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 10

Eff = Efficiency = 70% (Usually 70%)

Lift: (Static Level + Assumed Draw down)

Static Water Level = _____ ft.*

Assumed Draw down = + _____ ft.

Lift = _____

OR

TOTAL DEPTH OF WELL

~~Measured Dynamic Water Level~~ = 200 ft.

psi = Operating Pressure = 60* psi * ACCORDING TO APPLICANT

$$Q_{cfs} = \left[\frac{10}{Hp} \times 8.814 \times \frac{0.7}{eff} \right] \div \left[\frac{200}{Lift} + \left(\frac{60}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{61.698} \right] \div \left[\underline{338.48} \right]$$

$$Q_{cfs} = \underline{0.18} \text{ cfs}$$

MICROFILMED

JUN 02 1998

PERMIT NO. 35-09041

5 DRIP HOSES @ 9350' each WITH EMITTERS EVERY 2 feet.

$$\text{TOTAL LENGTH OF DRIP HOSES} = 5 \times 9350' = 46,750 \text{ ft}$$

$$\text{TOTAL \# OF EMITTERS} = \frac{46,750}{2} = 23,375 \text{ EMITTERS}$$

$\frac{1}{4}$ OF EMITTERS OPERATE AT EACH OF FOUR SETS

$$\text{TOTAL \# EMITTERS ON} = \frac{1}{4} \times 23,375 \text{ EMITTERS} \approx 5843 \text{ OPERATE}$$

$$@ 0.6 \text{ g/hr} \times 5843 \text{ EMITTERS} = 3506 \text{ g/hr}$$

$$Q = 3506 \text{ g/hr} = 58 \text{ gpm} = 0.13 \text{ cfs MAXIMUM}$$

SYSTEM DESIGNED FOR 60 gpm @ 55 psi

RECOMMEND LICENSING 35-09041 @ Permitted amount.

MICROFILMED

JUN 02 1998

PERMIT # 35-09041

Total length = 9350'

3 ROWS WITH 5 ft irrigated width = 15' wide

∴ Total area irrigated:

$$9350' \times 15' = 140,250 \text{ ft}^2 = 3.2 \text{ ac}$$

ACRES IRRIGATED BY $\frac{1}{4}$ - $\frac{1}{4}$

Sec 27 [NWNW [1155' X 15] ÷ 43560 = 0.4 ac
SW NW [1220' X 15] ÷ 43560 = 0.4 ac
SE NW [245' X 15] ÷ 43560 = 0.1 ac
NE SW [1515' X 15] ÷ 43560 = 0.5 ac
SE SW [760' X 15] ÷ 43560 = 0.3 ac
SW SE [725' X 15] ÷ 43560 = 0.2 ac

Sec 34 [NWNE [1515' X 15] ÷ 43560 = 0.5 ac
SW NE [235' X 15] ÷ 43560 = 0.1 ac
SE NE [1350' X 15] ÷ 43560 = 0.5 ac
NE SE [590' X 15] ÷ 43560 = 0.2 ac
9350' 3.2 ac

MICROFILM

PERMIT # 35-09041

JUN 02 1998

RT37E

42417
①
#78-824

73H 20.9

73441 (4) 9.3



121

②

④

②

一、**修訂**

35-09041

35.1

90

T-15

SEE AERIAL
#2

JAN 02 1998

POINT OF DIVERSION

(579)

580
#1478

0.40e

10

PLACE OF
USE

②

0.5

T 42 R 37E

7-11-74 (2)

28 27 100.1

33	34
----	----

T R37E
4 N

AERIAL
#1

T-14

2773
592

2726

3435

585

HEL
0
1449

0.007

0.007

0.01

Place of Use

34

R37E

T 4 N

0.02

0.05

0.1

0.3

AERIAL #2

35-09041

HEL
0
23

Davrell,

Shelter Belt

This is the
information Idaho
Dept. of Water
Resources wants
on Osgood Shelter
Belt pump &
system.

Tom

Meeting Tuesday (30th)
at 8:30 at site.

Design Head
Pumping Level
GL/hr. (Emitter Size)
HP of Pump.

10 HP Pump

1/2" ID Drip hose Emitters @ 2' Inter.
16 gL/hr

10" Well 200' Deep.

Well Delivery
60 gL/min @ 55 PSI

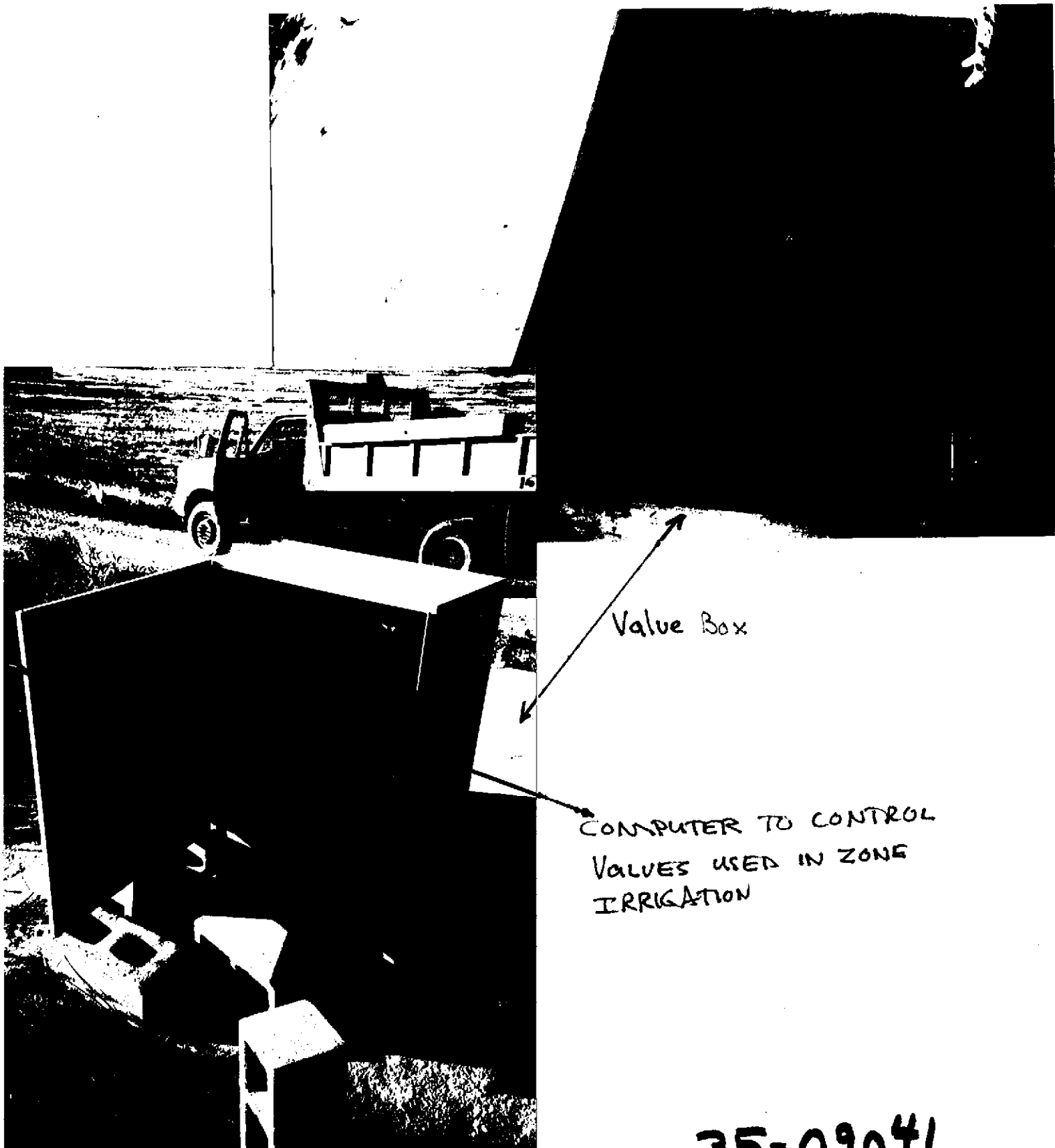
9350' Long X 5 driphoses

DOCUMENT SUPPLIED BY DEPARTMENT OF TRANSPORTATION

MICROFILMED

JUN 02 1998

35-09041



Value Box

COMPUTER TO CONTROL
VALVES USED IN ZONE
IRRIGATION

35-09041

REPROFILMED

JUN 02 1998

NOTIFIED
JUN 02 1998

35-09041

RECEIVED
JUN 11 1998



POINT OF DIVERSION

← Valve box

MICROFILMED 35-09041
JUN 02 1998



MICROFILMED

JUN 02 1998

35-09041

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 35-09041 Reviewed by [Signature] Date 6-4-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 35-95-E-0024
200- Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 5-20-96
Date proof due 3-1-96 -
No. of days late 19 = 19
Priority Date 1-20-94 + 20
New Priority Date 2-8-94 39

> 2-8-94

DEFICIENCIES OR ACTION ITEMS

*Reinstated + advance priority to Feb. 8, 1994.
Advise permit holder of .06 rate if div.
Proof acceptable*

DATA ENTRY

New Address X Proof Made 5-20-96



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 4, 1996

IDAHO TRANSPORTATION DEPT
PO BOX 97
RIGBY ID 83442

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 35-09041

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof was submitted after the proof due date of May 1, 1996. Please note that the priority date has been advanced to February 8, 1994.

Additionally, please be advised that your permit only authorizes a rate of diversion of 0.06. A license will not be issued for any amount above 0.06.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, contact the **EASTERN** Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

MICROFILMED
NOV 04 1996

STATE OF IDAHO
INTERAGENCY BILLING INPUT

SECTION	AGENCY NAME (BILLING AGENCY)	AGENCY CODE	DOCUMENT DA	CURRENT DOCUMENT NO.
A	WATER RESOURCES	360	05/01/96	BILL 2790 01

SFX	TC	INDEX	REV SUBOBJ	AMOUNT	RVS	INVOICE DESCRIPTION
01	130		1155	\$100.00		PROOF OF BENEFICIAL USE
	PCA		SUBSIDIARY		GRANT/PHASE	PROJECT/PHASE
	63104		2900201			
			2ND AGENCY	290		02
SFX	TC	INDEX	REV SUBOBJ	AMOUNT	RVS	INVOICE DESCRIPTION
02	130		1155	\$20.00		STREAM ALTERATION
	PCA		SUBSIDIARY		GRANT/PHASE	PROJECT/PHASE
	57102					

SECTION B THIS SECTION CONTAINS THE NAME, PRICE, AND DESCRIPTION OF MATERIALS OR SERVICES SUPPLIED				
DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
PROOF OF BENEFICIAL USE				\$50.00
35-09041 AND 35-07459				\$50.00
STREAM CHANNEL ALTERATION				
22-S-168				\$20.00
TOTAL				\$120.00

AUTHORIZED SIGNATURE: _____ DATE _____

SECTION	AGENCY NAME (PAYING AGENCY)	AGENCY CODE	DOCUMENT DA	CURRENT DOCUMENT NO.
C	DEPT OF TRANSPORTATION	290		

SFX	TC	REF DOC/SF	INDEX	2ND AGY	EXP SUBOBJ	AMOUNT
1				360		
RVS	INVOICE NUMBER (BILLING AGENCY)			VENDOR NUMBER/SUFFIX	PCA	
	BILL			826000952DP		
SUBSIDIARY			GRANT/PHASE		PROJECT/PHASE	
3600000						

AUTHORIZED SIGNATURE: _____ DATE _____

call for
MICROFILMED
NOV 04 1996
Paid 5/15/96

MEMORANDUM

DATE: May 17, 1996

TO: Files 35-09041 and 35-09042

FROM: Shelley W. Keen *SWK*

RE: Phone call from ITD

Today Cheryl from Region 6 of the Idaho Transportation Dept. (208-745-5616) called to discuss getting these two lapsed permits reinstated. She told me that she had faxed the Proof of Beneficial Use forms to IDWR's Eastern Region and that she had been awaiting a billing for an interdepartmental transfer of funds. I explained that our file has no indication that we have ever received the Proof statements. I also explained that we would not accept a fax copy of the Proof statement.

Cheryl asked for a copy of Julie Yarbrough's April 22, 1996, letter, which I faxed to her. She said that she would mail Proof of Beneficial Use forms to Julie right away. She hopes that we will be able to initiate an interdepartmental billing when we receive the forms.

MICROFILMED
NOV 04 1996

May 9, 1996

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 834420097

LAPSE NOTICE

RE: PERMIT NO. 35-09041

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1996. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

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NOV 04 1996

CERTIFICATION OF MAILING
I hereby certify that on 5-9-96
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1996

Ed Bala, P.E.
Idaho Dept. of Transportation
District 6
P.O. Box 97
Rigby, ID 83442-0097

RE: Water Right Nos. 35-09041 & 35-09042

Dear Mr. Bala:

I have enclosed a copy of your letter dated March 26, 1996, concerning the above referenced water rights. The department received the letter April 17, 1996, however, it was not accompanied by the Proof of Beneficial Use and \$50.00 exam fee as stated in paragraph two (2).

Additionally, I note that you wish to withdraw Permit No. 35-09042 and increase the rate of diversion of Permit No. 35-09041 to 0.12 cfs. Please be aware that Permit No. 35-09041 only authorizes a rate of diversion of 0.06 cfs and cannot be enlarged to 0.12.

Proof of beneficial use for both permits is due May 1, 1996. Please submit the proof and fee for Permit No. 35-09041 and advise the department if you still wish to withdraw Permit No. 35-09042.

Please contact me at (208)327-7953 if you have any questions concerning this matter.

Sincerely,

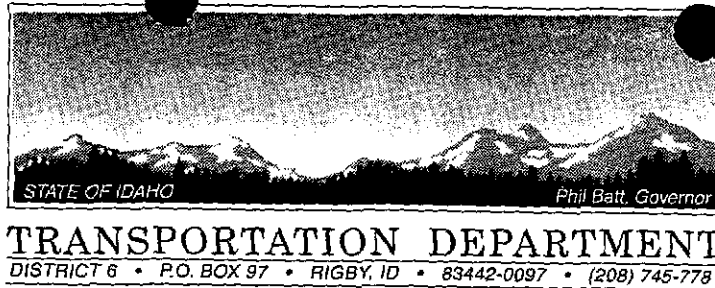
JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Region

MICROFILMED

NOV 04 1996



March 26, 1996

RECEIVED

APR 17 1996

Department of Water Resources

State of Idaho
Department of Water Resources
1301 N. Orchard Statehouse Mail
Boise, ID 83720-9000

ATTN: Julie L. Yarbrough
Senior Secretary

RE: IM-IR-15-3(080)128; Osgood Shelter Belt
Application for Well Permit Nos. 35-09041 & 35-09042

Dear Julie:

Pursuant to your letters of February 28, 1996, please accept the following:

Permit No. 35-09041: Enclosed you will find completed Form No. 217 "Proof of Beneficial Use", along with a check for \$50.00 to cover processing fees as directed.

Permit No. 35-09042: We wish to withdraw our application at this time. Our project was constructed with a single well located at the site of Permit No. 35-09041, and the water requested by 35-09042 is no longer required.

Please note that our total rate of diversion at the well is approximately 0.12 CFS, as opposed to 0.06 CFS requested at each of the two requested sites. If you have any questions, please call me at (208) 745-5640.

Sincerely,

ED BALA, B.E.
Regional Engineer

EB:wj

MICROFILMED
NOV 04 1996

February 28, 1996

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 834420097

PROOF DUE NOTICE

RE: PERMIT NO. 35-09041

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

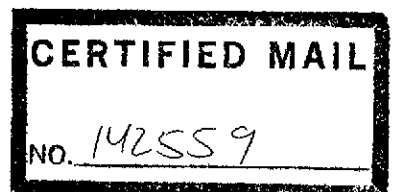
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
MAY 04 1996



COPIES
RECEIVED
Use typewriter
or
Ball Point Pen
JUN 02 1995

1. DRILLING PERMIT NO. 35-95-E-024-000
Other IDWR No. 35-904

2. OWNER:

Name Isaiah / nonspiration
Address P.O. Box 97
City Ruby State Id Zip 83442

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 W X E
 S
 Twp. 4 North ~~X~~ or South ☐
 Rge. 37 East ~~X~~ or West ☐
 Sec. 27 SE 1/4 NW 1/4 1/4
 Gov't Lot _____ 10 acres 10 acres 160 acres
 County Jefferson
 Address of Well Site I 15 north
of original exit City _____
 (Give at least name of road + Distance to Road or Landmark)
 Lt. Blk. Sub. Name

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation

☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other_____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	180	2 1/2	Temp surface

Was drive shoe used? Y ☐ N ☒

Was drive shoe seal tested? Y ☐ N ☒ How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
10"	#2	40	250	Steel	☒	☐	☒	☐
8"	#2	243	250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method None

☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

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10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

Depth flow encountered _____ ft. Describe access port or control devices:

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Time of Pumping Level	Time
60	£ Department	2.5	8 Hrs

Water Temp. _____ Bottom hole temp. _____
Water Quality test or comments: Excellent - Clean

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
	0	37	Brown clay		X
	37	55	broken black sand		
	55	63	red center		
	63	140	fractured black lava		
	140	143	consolidated aggregate		
	143	175	fractured black sand		
	175	181	Brown clay		
	181	200	soft + hard black sand		
	200	275	hard black sand	X	
	275	279	Brown clay		X
	279	280	Brown clay		X
RECEIVED					
JUN 07 1995					
Department of Water Resources					
Note: Void between 90-97 feet					

Completed Depth 280' (Measurable)
Date: Started _____ Completed _____

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name 1st on Water Works Firm No. 506

Firm Official Richard S. [Signature] Date 5-1-95

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)



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

copy

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 1, 1994

RE: Application for Permit Nos. 35-09041 & 35-09042 in the name of Idaho
Transportation Department

Dear Interested Parties:

I have enclosed a copy of the **Order** extending your proof due date to May
1, 1996.

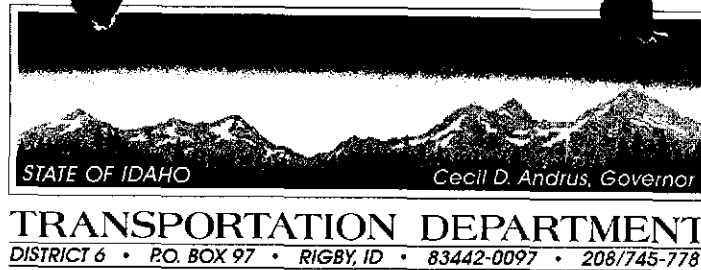
If you have any questions regarding the enclosed order, please feel free to
contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

MICROFILMED
DEC 04 1996



RECEIVED
NOV 21 1994
Department of Water Resources

November 16, 1994

Mr. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720-9000

RE: Water Right Nos. 35-09041 & 35-09042
Project IR-15-3(080)128
Key #4637

Dear Mr. Saxton:

This letter is the Idaho Transportation Department's response to the Director's temporary stay of development. On page 3 of the temporary stay we, as permit holders, are given the opportunity to document that we have made a "substantial investment" in this project, prior to receiving the temporary stay.

As of November 11, 1994, the Idaho Transportation Department has spent \$67,066.01 on the design and right-of-way purchases on the project for which the water right permit was obtained. Nearly \$30,000 of that amount was used to purchase the land on which the project will be constructed. As you will recall our project is the development of a shelter belt (windbreak) to help in controlling blowing dust which has been responsible for numerous accidents on Interstate 15.

I have attached a financial summary that shows ITD's expenditures to date.

In addition to these expenditures, ITD has held two public hearings, as well as numerous meetings with affected landowners and agency personnel.

On the day ITD received a copy of the Temporary Stay, the project for which the permit had been granted was about to be put out for bid. We have held that bid proposal back pending the outcome of the issue at hand.

CONTINUED.....
MICROFILMED
NOV 04 1996

STATE OF IDAHO — TRANSPORTATION DEPARTMENT

ITD believes that these expenditures satisfy the requirements of subparagraph 1) and we should be granted additional time to complete all of our project.

If you need additional information please notify this office at the earliest possible time.

Sincerely,

Clyde R. Gillespie
CLYDE R. GILLESPIE, P.E.
Acting District Engineer

CRG:wj

MICROFILMED
NOV 04 1996

THIS REPORT SUMMARIZES FINANCIAL INFORMATION IN TRMS (TRANSPORTATION RESOURCE MANAGEMENT SYSTEM) DATABASES. THE DATABASE FOR EACH ITEM IS LISTED. FOR FURTHER INFORMATION OR QUESTIONS, CONTACT FINANCIAL CONTROL, PROJECTS UNIT, EXTENSION 8072.

WORK AUTH: WORK AUTHORIZATION, A SEVEN DIGIT ACCOUNTING NUMBER ASSIGNED BY FINANCIAL CONTROL. (WA1)

PROJ NUMBER: PROJECT NUMBER, ASSIGNED BY PROGRAM CONTROL AFTER FUNDING HAS BEEN ESTABLISHED. (WA1).

KEY#: FOUR DIGIT SEQUENTIAL NUMBER ASSIGNED BY PROGRAM CONTROL WHEN THE PROJECT IS INITIATED. (WA1)

DESC: DESCRIPTION, PROJECT DESCRIPTION. (WA1)

REMARKS: ADDITIONAL INFORMATION ABOUT THE PROJECT OR WORK AUTHORIZATION. (WA1)

TYPE CODE: TYPE OF WORK, EXPLANATION OF WORK BEING DONE. (WA1)

DESIGN CCCE: FUNCTION, TYPE OF ROAD WHERE PROJECT IS. (WA1)

BEG DATE: DATE THE WORK AUTHORIZATION WAS ISSUED. (WA1)

END DATE: DATE THE WORK AUTHORIZATION WAS CLOSED. (WA1)

LAST CHARGE: DATE OF LAST CHARGE TO THE WORK AUTHORIZATION. (WA1)

FINAL VOUCHER DATE: DATE FEDERAL PROJECTS ARE FINALED WITH THE FEDERAL HIGHWAY ADMINISTRATION. (WA1)

FUNCTION: TWO LETTER ABBREVIATED CODE FOR THE PHASE OF A PROJECT. (WA2)

DEBIT: TOTAL EXPENDITURES TO DATE BY FUNCTION. (WA2)

CREDIT: TOTAL CREDITS (RECEIPTS) TO DATE BY FUNCTION. (WA2)

COST: NET COSTS (DEBIT - CREDIT) BY FUNCTION. (WA2)

EST COSTS: ESTIMATED COSTS, PROJECTED TOTAL COSTS BY FUNCTION. (WA3)

BEG DATE: BEGINNING DATE, FIRST DATE CHARGES CAN BE MADE TO EACH FUNCTION. (WA2)

END DATE: LAST DATE CHARGES CAN BE MADE TO EACH FUNCTION. (WA2)

APPROV DATE: APPROVAL DATE, FIRST DATE FHWA WILL PARTICIPATE IN COSTS. (WA2)

FUND SOURCE: FHWA FUNDING CODE, ALSO CALLED APPROPRIATION CODE. SOURCE OF FUNDS FROM FHWA. (AR1)

ART AMT PARTICIPATING AMOUNT COSTS WHICH FHWA WILL PARTICIPATE REPORT FEDERAL RATION IS APPLIED (AR1)

FED RATIO: FEDERAL RATIO, THE PERCENTAGE OF PARTICIPATING COSTS FHWA WILL PAY. (WA3)

FEDERAL SHR: FEDERAL SHARE, PARTICIPATING AMOUNT MULTIPLIED BY FEDERAL RATIO. (AR3)

STATE SHR: STATE SHARE, THE DIFFERENCE BETWEEN FEDERAL SHARE AND PARTICIPATING AMOUNT. (AR3)

LOCAL 1 & 2: ON LOCAL PROJECTS, THIS WOULD REPLACE STATE SHARE. (AR3)

RELE K & L: LOCAL SHARE OF WORK PERFORMED, OR PAYMENTS MADE BY THE LOCAL. (AR3)

NONPART: NON PARTICIPATING, COSTS FHWA WILL NOT PARTICIPATE IN. (AR3)

TOTAL COST: TOTAL OF FEDERAL SHARE, STATE SHARE, LOCAL 1 & 2, RULE K & L AND NON PARTICIPATING. (AR1)

AGREE AMT: AGREEMENT AMOUNT, THE TOTAL AMOUNT FHWA WILL PAY. (AR1)

BILLED AMT: AMOUNT BILLED AND RECEIVED FROM FHWA. (AR2)

AGREE BAL: AGREEMENT BALANCE, AMOUNT REMAINING TO BE CLAIMED FROM FHWA.

EXCEEDS: COSTS EXCEEDING THE AGREEMENT AMOUNT. (AR3)

NO AGR: NO AGREEMENT, COSTS PRIOR TO AN AGREEMENT BEING ESTABLISHED. (AR3)

RET %: RETAINED PERCENTAGE, AMOUNT BEING WITHHELD FROM CONTRACTORS, PENDING SATISFACTORY PERFORMANCE. (AR3)

ADV CON: ADVANCE CONSTRUCTION, COSTS APPROVED BY FHWA BUT NOT BILLED. (AR3)

FINANCIAL CONTROL
REPORT NAME: CD-CC894
PROGRAM NAME: DFC06018

TRMS - IDAHO TRANSPORTATION DEPARTMENT - TRMS
FINANCIAL SUMMARY
SPECIFIC WORK AUTHORIZATION
NOVEMBER 16, 1994

PAGE 01
DATE 11/16/94
TIME 10:44:16

WORK AUTH: 1906120 PROJ NUMBER: IM-IR-15-3(080)128 KEY# 4637 DESC: I-15, OSGOOD SHELTER BELT(WIND BRK)DIST6
REMARKS: ----- TYPE CODE: B DESIGN CODE: 01
BEG DATE: ----- END DATE: ----- LAST CHARGE: 11/09/94 FINAL VOUCHER DATE: -----

FUNCTION:	DEBIT	CREDIT	COST	EST COST	BEG DATE	END DATE	APPROV DATE
PE	37,089.56	.00	37,089.56	35,000.00	01/16/90	99/99/99	01/16/90
RW	29,976.45	.00	29,976.45	30,000.00	12/06/93	99/99/99	12/06/93
TOTAL	67,066.01	.00	67,066.01	65,000.00			

FUND SOURCE	04M	044	TOTAL
PART AMT	51,931.82	15,001.70	66,933.52
FED RATIO	92.27%	92.24%	
FED SHR	47,915.07	13,836.00	61,751.07
STATE SHR	4,016.75	1,165.70	5,182.45

LOCAL 1
LOCAL 2

RULE K
RULE L

NONPART		132.49	132.49
TOTAL COST	51,931.82	15,134.19	67,066.01

BILLED AMT	46,135.00	13,836.00	59,971.00
AGREE AMT	46,135.00	13,836.00	59,971.00
AGREE BAL			

EXCEEDS	1,780.07	1,780.07
NO AGR		

RET %
ADV CON



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 9, 1994

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442-0097

RE: Water Right No. 35-09041

Certified Mail No. 141814

Dear Water Right Holder(s):

Enclosed is a copy of an Order for Temporary Stay of Development and Notice of Formal Proceedings in connection with the above referenced water right permit. Also enclosed is a form and instructions for filing proof of beneficial use of water.

If you have questions related to the order and its effect upon your permit, please feel free to contact the department.

Sincerely,

A handwritten signature in cursive script that reads "L. Glen Saxton".

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED
NOV 04 1996



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 24, 1994

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 834420097

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-09041

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED

JUN 10 1994

WR0749NP
No. P35-09041

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/26/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO DEPT OF TRANSPORTATION PO BOX 97 RIGBY ID 83442-0097 (208) 745-7781	01/20/1994	IRRIGATION	04-01 10-31	0.06 CFS	
TOTAL DIVERSION:					0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T04N R37E S27 SWSNW JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04N	37E	27	:							.5	.3	.3		.7		.1			.1	:	2.0
																				TOTAL ACRES	2.0

Pou County: JEFFERSON

Other Water Rights with Same Point(s) of Diversion and Source:
35-09041

Other Water Rights Listing Overlapping Place(s) of use:
01-00036H 35-09041 35-09042

Conditions of Approval:

- 26A - 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.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 46A - A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
- 46B - Construction of the well must comply with Idaho well construction standards.
- 057 - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

Dates: App. Received: 01/20/1994 Priority Date: 01/20/1994
Proof Due Date: 05/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. P35-09041

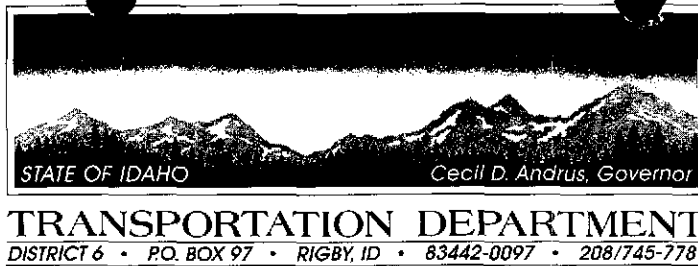
IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/26/94
PAGE: 2

Comments: Date: 04/26/1994 User-ID: CZIMMERM Subject: MORATORIUM EXEMPTION
This permit is located within the Eastern Snake River Plain
Moratorium boundary; however, its use is in the public interest
and will have no effect on prior water rights; therefore, it is
within the acceptable parameters of the moratorium guidelines.

Date: 04/26/1994 User-ID: CZIMMERM Subject: DIVERSION DESCRIPTION
Proposed 10" by 200' deep well with pump.
The proposal is to pump water into a state-of-the-art, 2 zone,
drip irrigation system. Each zone will have 5,900 emitters
which use 0.6 gph and will operate 4 to 6 hours per week.

Audit: 04/26/94 CZIMMERM



RECEIVED
MAR 17 1994
Department of Water Resources

March 14, 1994

Mr. Glen Saxton, Chief
Water Allocation Bureau
Idaho Dept. of Water Resources
Statehouse Mail
Boise, ID 83720-9000

Re: Application For Permit Nos. 35-09041 and 35-09042
IM-IR-15-3(080)128, Key #4637

Dear Mr. Saxton:

The Idaho Transportation Department (ITD) believes that the above referenced water rights applications meet both criteria, as noted in your March 9, 1994 correspondence, for exceptions to the existing moratorium order for the Eastern Snake River plain area.

As noted in the attached summary sheet for the years 1979 through 1988, there have been numerous accidents and closures of I-15 caused by blowing dust. Through increased awareness and vigilance by our maintenance workers in closing the Interstate at the first sign of blowing dust we have prevented any accidents since 1988. However, we have had to close the highway which has its own hazards as noted in our permit applications. In the future we may not be as fortunate. We cannot go forward with this project without the ability to irrigate the trees and shrubs in the windbreak. ITD is certain that the water right permit applications meet the first criteria to protect and further the public interest.

Also, as noted in our applications there will be an immediate net reduction of approximately 11 acre feet of water pumped from the aquifer to irrigate the wind break plantings. We based this calculation on our designed drip irrigation system which will be electronically controlled for efficiency. There will be further reductions over time as the plantings mature and require less water for maintenance. This reduction in groundwater pumping to an insignificant level meets the second criteria noted in your correspondence.

If you need additional information, please let me know.

Sincerely,

MARV HOYT
Sr. Env. Plnr.

MH:wj

RECEIVED

JUN 10 1994

I-15 BLOWING DUST DATA M.P. 128.0 TO M.P. 130.0

NORTH OF IDAHO FALLS, OSGOOD AREA TO McCARTY ROAD

Year	Number of Interstate Closures Due to Dust	Date & Time of Closure	Hours Closed	# Accidents	M.P.	# Injuries	# Fatalities	# Vehicles Involved	Direction
1979	0	---		0		0	0		
1980	0	---		0		0	0		
1981	0	(only) 4-19-accident	0	1	129.0	2	0	3	S
	1	5-1 17:57	3	5	128.6- 129.0	11	1	12	N & S
1982	1	5-3 14:30- 22:40	8.2	0		0	0		
1983	0			0		0	0		
1984	11	5-19 - 5-31 11:25-21:00	70.1	3	129.8- 130.1	3	0	6	N & S
1985	1	3-27 8:30- 16:15	7.8	0		0			
1986	0	---		0		0	0		
1987	1	4-8 16:55- 19:55	3.0	1	128.5	1	0	2	S
1988	1	5-13 15:30- 19:30	4.0	1	130.5	1	0	1	S
			96.1	11					

Annual Savings 1979 - 1988 if dust was controlled is estimated to be \$46,000/year.

NOTE: Fall 1962 I-15 opened to traffic (Blackfoot to Osgood), replaces U.S. 91. Old road was closed at times due to blowing dust prior to 1962. When I-15 closes due to dust, traffic is diverted at Osgood Interchange (M.P. 128) to Roberts Interchange (M.P. 138).

1981 & 82 detoured when visibility problems from Idaho Falls to Lewisville Highway A3 to S.H. 48 to Roberts then back up U.S. 91.

1984 detoured on old road (U.S. 91).



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 9, 1994

Idaho Trans. Dept
c/o Marv Hoyt
P.O. Box 97
Rigby, ID 83442

RE: APPLICATIONS FOR PERMIT NOS. 35-09041 AND 35-09042

Dear Mr. Hoyt:

Our regional office in Idaho Falls has forwarded the above referenced applications for permit to this office for final review and action.

As you probably know, a moratorium order for the Eastern Snake River plain area prevents the approval of most applications which propose new consumptive uses. The moratorium order does, however, make provision for some exceptions to the moratorium. More specifically, the moratorium provides in part as follows:

The moratorium does not prevent the Director from reviewing for approval on a case-by-case basis an application which otherwise would not be approved under terms of this moratorium if,

a) Protection and furtherance of the public interest as determined by the Director, requires consideration and approval of the application irrespective of the general drought related moratorium; or

b) The Director determines that the development and use of the water pursuant to an application will have no effect on prior surface and ground water rights because of its location, insignificant consumption of water or mitigation provided by the applicant to offset injury to other water rights.

While the information in the water right file suggests that you are asking the department to consider the two applications for approval due to the exceptions in the moratorium and that your proposed use of water is one that the department can consider under terms of the exception, the water right file does not clearly show that this is your intent.

Please correspond with the department in this regard and

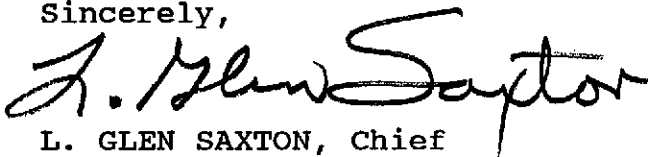
RECEIVED

JUN 10 1994

provide appropriate information to the department to consider which would justify approval of the applications under terms of the exceptions. The information should be sent to my attention in Boise.

If you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." and last name "Saxton" clearly distinguishable.

L. GLEN SAXTON, Chief
Water Allocation Bureau

JUN 10 1994

3-3-94

ACTION REQUIRED

FROM: H.W. Jones

TO: Files 35-09041 & 35-09042

This appl. was being submitted so the Director of IDWR could review & decide status. ITD felt this might qualify as an exception that had little impact on established water rights due to the low volume of water use.

Please refer to the attached sheets from ITD which explain the project purpose.

Zw **MICROFILMED**

JUN 10 1994

Advertise

Dist. for staffing 1-20-94
Submitted for advertising 1-20-94

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWS DATE 1-20-94 APPLICATION NO. 35-9041
ID Transportation Dept.
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 subdivisions, 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 signator 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 Field check required
☐ Yes ☐ No Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☐ No Critical groundwater area
☐ Yes ☐ No Groundwater management area
☐ Yes ☐ No Send dam safety information
☐ Yes ☐ No Send power requirement letter
☐ Yes ☐ No Send fish farm requirement letter
☐ Yes ☐ No Power residency affidavit
☐ Yes ☐ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

RECEIVED
MAR 07 1994

Department of Water Resources

*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 NONE ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ 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 2-21-94
☒ 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 Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended _____ See below for additional information
By HWJ 1-28-1994
Date 3-2-94

STATE OFFICE REVIEW

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

This is filed for review by Director of IDWR for exception status.

LOCAL PUBLIC INTEREST

Comments received from

<u>City</u>	<u>Idaho Fish & Game</u>	<u>Irrigation District</u>
<u>County</u>	<u>Idaho Health & Welfare</u>	<u>Canal Company</u>
<u>Reservations</u>	<u>Division of Environment</u>	<u>Other</u>

Project impacts/implications report

COMMENTS

[illegible]

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Jefferson)

I, Christine Fee
of the Jefferson Star, published weekly at
Rigby, Jefferson County, Idaho, do
solemnly swear that the

Notice Application
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 2-2-94
and the last publication having been made
on 2-9-94.

Further, that said newspaper is one of
general 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
continuously and uninterruptedly published
in said county during a period of seventy-
eight consecutive weeks prior to the first
publication of the said notice.

On this 14 day of Feb.
in the year of 1994, before me, a Notary
Public, personally appeared

Christine Fee

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 therein
are true, and acknowledged to me that she
executed the same.

Capital Foster
Notary Public of Idaho

Residing at 1032 N. 1100 E. - Shelley ID

My commission expires March 8, 1999

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

35-09041
STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY, ID 83442
Source: GROUNDWATER
Diversion Pt: SWSNW Sec 27 T 04N
R 37E in JEFFERSON County.
Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 1/20/1994
In: JEFFERSON COUNTY
T04N R37E S27 NWNW SWNW
SENW NESW
SESW SWSE
1.9 ACRES TOTAL
35-09042

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY, ID 83442
Source: GROUNDWATER
Diversion Pt: SENWNE Sec 34 T 04N R
37E in JEFFERSON COUNTY
Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 1/20/1994
In: JEFFERSON County
T04N R37E S27 SWSE
S34 NWNE SWNE
NESE
1.9 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests may be sub-
mitted based on the criteria of Sec. 42-
203A, Idaho Code and/or the new pub-
lic interest criteria of Sec. 42-203C,
Idaho Code. Protests must be filed with
the Director, Dept. of Water Resources,
Statehouse Mail, Boise, Idaho 83720 on
or before FEBRUARY 21, 1994.

R. Keith Higginson, Director
Published in the Jefferson Star,
Rigby, Idaho, Feb. 2 and 9, 1994.

JUN 10 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 31, 1994

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 21, 1994.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

JUN 10 1994

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

RECEIVED

JUN 10 1994

35-09041

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY, ID 83442

Source: GROUNDWATER

Diversion Pt: SWSENW Sec 27 T 04N R 37E in JEFFERSON County.

Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)

Date Filed: 1/20/1994

In: JEFFERSON County
T04N R37E S27

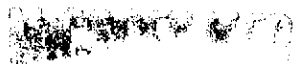
NWNW
SESW

SWNW
SWSE

SENW

NESW

1.9 ACRES TOTAL



JUN 10 1994

01-Feb-1994

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 97
RIGBY ID 83442

RE: Application No. 35-09041 & 35-09042

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the JEFFERSON STAR on 2-3 & 10-94. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this 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 about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ:rb

JUN 10 1994