

(J. Mayer)

35-7871

(R.P.F. 4)

E
4.0

F
138.9

G
4.9

H
5.4

I
131.3

J
5.4

A-338

Ralph D. Klassen Fms.
(Dakota)

155.0

A
22

B
22

A-263

Jim Tiede

D-2
73.8

75.0

9-2-80
HWJ

Road

WFA

POT

A-222

Gilbert Breeding

8

92.2

D

147.7 acres

+2.2

D

157.3

Road

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7871 Priority September 17, 1979 Amount 1.25 cfs

THIS IS TO CERTIFY, that J and T Farms c/o Jim Tiede
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7871 issued pursuant to Application for Permit dated September 17, 1979,
and has submitted proof to the Department of Water Resources on June 6, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.25 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>1.25</u> cfs and	<u>525.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 1.25 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
525.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9,
Twp. 7S, Rge. 30E in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	30E	9									38	39	36	37					150

Total number of acres irrigated 150

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
September, 19 81.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant J and T Farms c/o Jim Tiede Phone 226-5969

Post office address Box 181, American Falls, Idaho 83211

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

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9 Township 7S

Range 30E B.M. Power County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.20 for Irrigation purposes from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 3.20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pivot sprinkler
system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 300 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

MICROFILMED

TWP	RANGE	SEC.	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	30E	9									40	40	40	40					160
TWP RANGE	SEC.		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	TOTALS

None

Applicant _____

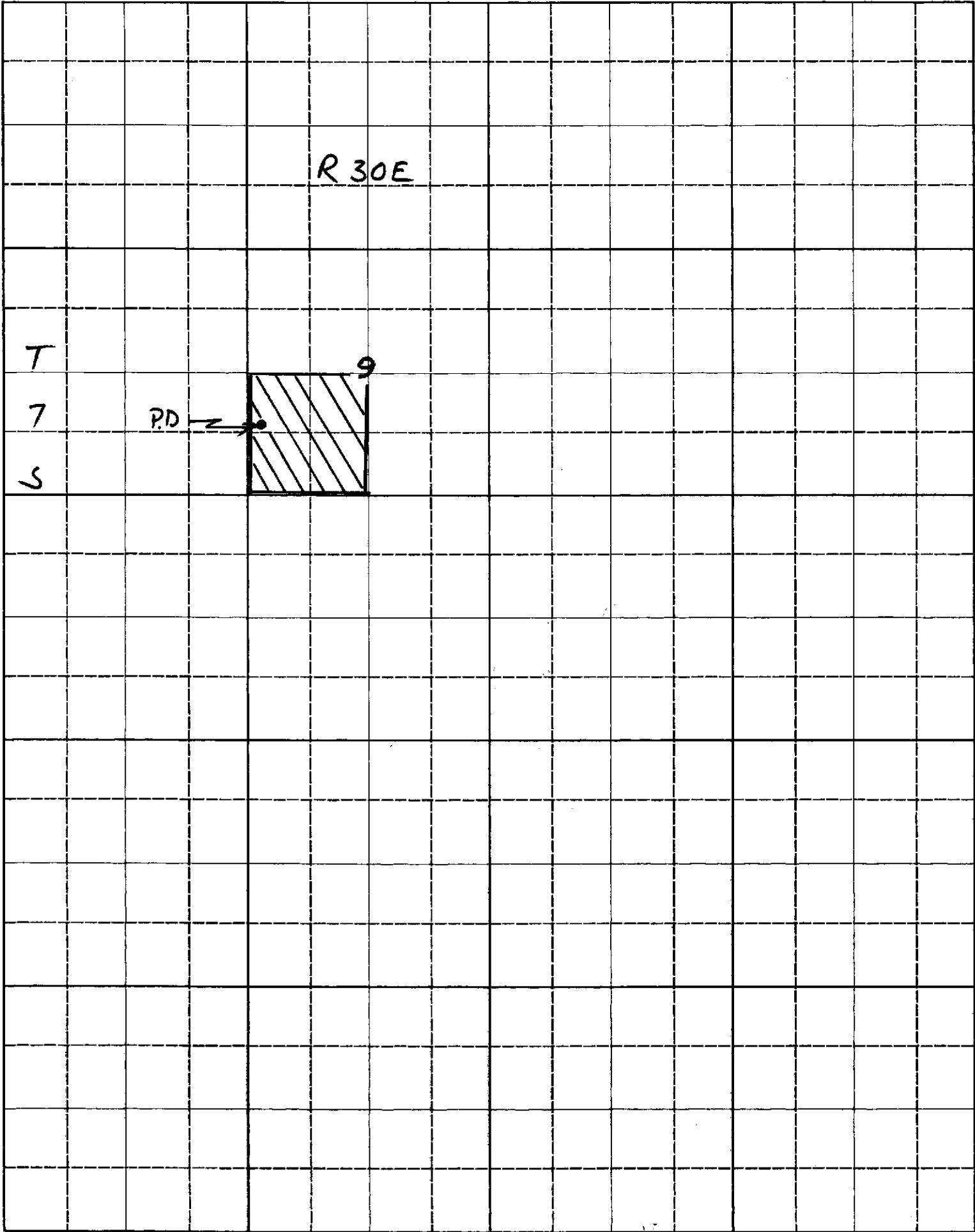
Applicant _____

Applicant _____

applicant to make this filing

[illegible]

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



Scale: 2 inches equal 1 mile.

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

J & T Farms by James
Co-partner (Applicant) DeLo

Proposed Priority 9/17/79

Received by [Signature] Date 9/17/79 Time 4:55 P

Preliminary check by [Signature] Fee \$ 65.00

Received by [Signature] Date 9/17/79 # 13711

Publication prepared by dh Date 9/21/79

Published in Power County Press

Publication dates 9/27 & 10/4/79

Publication approved [Signature] Date 10-09-79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by [Signature] [Signature]

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. 35-7871, and said application is hereby approved _____

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or be-

fore October 1, 19 84.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: (1) An access port or other device as specified by the Department shall

be installed by the permit holder to provide for the installation of measuring

equipment and the determination of the rate of diversion by the Department.

Witness my hand this 29th day of October, 19 79.

D. Allen Saylor
CHIEF, Bureau

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} S.S.

.....~~Phyllis Ringe~~ being first duly sworn
on oath, states:

That ~~.....she.....~~ is the ~~...principal clerk of~~ the printer
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2.....
successive weekly issues thereof, the date of the first publica-
tion being the 27th..... day of September....., 19.....79

the date of last publication being the

.....4th.... day of October....., 19.....79

(Signed)

Subscribed and sworn to before me this

.....4th..... day of October....., 19.....79

.....Rose Ann Link.....
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of, 19

Legal Notice

Published in The Power County
Press Sept. 27 and Oct. 4, 1979.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the
following application(s) have been
submitted for permit to appropriate
the public waters of the State of
Idaho:

35-7871

J and T Farms

%Jim Tiede, Box 181, American Falls
Id 83211

Source: Groundwater

Date Filed: 09/17/1979

Amount: 3.20 CFS

Diversion Point: NWSW Sec 09 T
07S R 30 E, Power Co.

Use: Irrigation (3.20 CFS) from 04/01
to 11/01

Place of Use: NESW NWSW SWSW
SESW Sec 09 T 07S R 30E for 160
acres

Diversion Means: Well, Pump &
Sprinkler System.

If issued, the permit(s) will be
subject to all prior water rights. Pro-
tests against the granting of any per-
mit must be filed with the Director
of the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401 on or before
October 15, 1979.

STEPHEN ALLRED
Director

Published &. 9/27 & 10/04/79

Department of Water Resources
Eastern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 2, 1981

RE: Permit No. 35-7871

J & T Farms
c/o Jim Tiede
Box 181
American Falls, ID 83211

Dear Mr. Tiede:

Enclosed is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 11, 1981

RE: Permit No. 35-7871

J & T. Farms
c/o Jim Tiede
Box 181
American Falls, ID 83211

Dear Mr. Tiede:

A representative of this Department has made an examination of the works covered by your Permit No. 35-7871, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 1.25 cfs Source: a groundwater source

The maximum quantity diverted shall not exceed 525.0 acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 7S, R. 30E, Power County

Beneficial use: Irrigation of 150 acres within the SW $\frac{1}{4}$, Sec. 9, T. 7S, R. 30E

Priority date established: September 17, 1979

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

MICROFILMED

9/2/80

Recommended Amendments:

☐ Change F.D., as reflected above

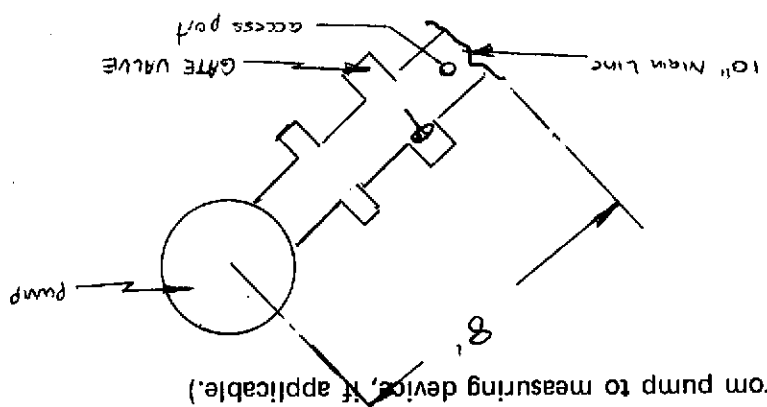
☐ Change U., as reflected above

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

[illegible]

Place(s) of Use

Points(s) of diversion: New 1/4 of SW 1/4 Sect 9 T 7S R 30E



SCHEMATIC DIAGRAM OF SYSTEM

[illegible]

MAP (Attach Aerial Photo)

35-7871

(J. Mayer)



F
155.0

G
49

H
54

I
131.3

J
54



155.0



Road

W.H.A.

POT

MICROFILMED

D +2.2
147.7

Road

B
2.2

9-2-80
H.W.J.

Gilbert Breeding

D
157.3

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 35-7871

Name(s) of Permit Holder: Jim Tiede + J+T Farms

Post Office Address: Route 1 Box 181

American Falls Idaho 83211 Tel. No. 226-5969

Source of Water: Deep well

Extent of Use: ☐ Domestic _____ (number of households)

☐ Stockwater _____ (number and type of stock)

☒ Irrigation 160 (acres)

☐ Other _____

Measuring Device: ☐ Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

Access Port: ☒ Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

6/1/80
Date

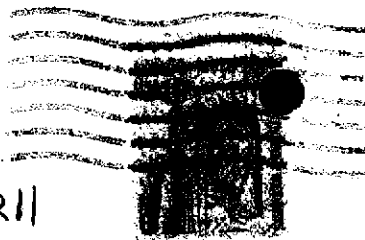
James Tiede
Signature of Permit Holder

Please send
Federal Land Bank
of Blackfoot
acknowledgment of
Receipt of this

J+T Farms

Route 1 Box 186

American Falls Ida 83211



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

JUN 6 1980

Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

June 23, 1980

RE: Permit No. 35-7871

Federal Land Bank
20 W. Judicial
Blackfoot, Idaho 83221

Dear Sirs:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit., for Jim Tiede of J&T ^{Farms} ~~Farms~~ American Falls.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

Bobbie R. Stephens
SEniorClerk

cc: IDWR - State Office

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

June 23, 1980

RE: Permit No. 35-7871

Mr. Jim Tiede J&T Farms
Rt. #1, Box 181
American Falls, Idaho 83211

Dear Mr. Tiede:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

Bobbie R. Stephens
Senior Clerk

cc: IDWR - State Office

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

November 2, 1979

J and T Farms
% Jim Tiede
Box 181
American Falls, Idaho 83211

Dear Mr. Tiede,

RE: Permit No. 35-7871

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tutthill, Jr.

DAVID R. TUTTHILL, JR.

Supervisory Applications Section

MICROFILMED

DRT:lr

Enclosures

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

SEPTEMBER 21, 1979

Power County Press
174 Idaho Street
American Falls, Idaho 83211

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 October 15, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

Published in The Power County
Press Sept. 27 and Oct. 4, 1979.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the
following application(s) have been
submitted for permit to appropriate
the public waters of the State of
Idaho:

35-7871

J and T Farms
%Jim Tiede, Box 181, American Falls
Id 83211

Source: Groundwater
Date Filed: 09/17/1979

Amount: 3.20 CFS

Diversion Point: NWSW Sec 09 T

07S R 30 E, Power Co.

Use: Irrigation (3.20 CFS) from 04/01

to 11/01

Place of Use: NESW NWSW SWSW

SESW Sec 09 T 07S R 30E for 160

acres

Diversion Means: Well, Pump &

Sprinkler System.

If issued, the permit(s) will be

subject to all prior water rights. Pro-

tests against the granting of any per-

mit must be filed with the Director

of the Idaho Department of Water

Resources, 1515 Lincoln Road, Idaho

Falls, Idaho 83401 on or before

October 15, 1979.

C. STEPHEN ALLRED

Director

Published & 9/27 & 10/04/79

80

Healey

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

25-78711

J AND T FARMS

N JIM TIEDE, BOX 181, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 09/17/1979

Amount: 3.20 CFS

Diversion Point: NNEW Sec 09 T 07S R 30E, PDWER Co.

Use: IRRIGATION (3.20 CFS) from 04/01 to 11/01

Place of Use: NNEW NNEW SNEW SESEW Sec 09 T 07S R 30E FOR 160 ACRES

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM

cu

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before October 15, 1979.

C. STEPHEN ALLRED

Director

Published & 9/27 & 10/04/79

RECORDED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

35-7871

INITIAL REVIEW BY: BR

APPLICATION NUMBER: 35 7871

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. None platted from dam
☐ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: OCTOBER 15, 1979
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: OCT 5, 1979
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 9/17/79 Date of priority recommended.
Special conditions of approval or cover letter. _____

NOTE: Send Snake River Tributary Letter.

By: Ernest Carlson Date: 10/17/79

STATE OFFICE REVIEW:

OK,
Idaho Dam Letter w/ access port

☐ See attached sheet for more information.

By: Juni Date: 10/26/79

RECEIVED
OCT 26 1979

Department of Water Resources