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DEC 17 1975

Department of Water Resources  
Eastern District Office

NOTICE OF APPLICATION  
FOR WATER PERMIT

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO, }  
County of Jefferson } ss.

Larrie Peterson secretary  
I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said newspaper as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

2 Consecutive issues thereof; first publication having been made on the twentythird day of October, 1975

and the last publication on the

thirtieth day of October, 1975

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Larrie Peterson  
secretary

Subscribed in my presence and sworn to before me this 17th

day of December, 1975.  
(SEAL)

Loren O. Holmes

Notary Public for the State of Idaho,  
Residence and P. O. Address, Rigby, Idaho.

My commission expires Mar 21, 1977

Publication Fee: \$\_\_\_\_\_

Notice is hereby given that Robert W. Berrett, Roberts, Idaho, has on 10-14-75 submitted Application No. 35-7536 for a permit to appropriate 8.00 cubic feet per second of water from a ground-water source by means of well and pump within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 5, T. 4N, R. 36E, B.M., Jefferson County; to be used for irrigation purposes for 857.26 acres within the NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 5, T. 4N, R. 36E; NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sec. 32, T. 5N, R. 36E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho

Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before November 10, 1975.

R. KEITH HIGGINSON  
Director

Pub: October 23, 30, 1975

RECEIVED

State of Idaho  
Department of Water Resources  
**WATER RIGHT LICENSE**

License of Water Right No 35-7536 Priority October 14, 1975 Amount 8 0 cfs

THIS IS TO CERTIFY that Robert W. Berrett  
of Roberts, ID has complied with the terms and conditions of Permit  
No 35-7536 issued pursuant to Application for Permit dated October 14, 1975,  
and has submitted proof to the Department of Water Resources on August 25, 1978  
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 8 19 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>Nov 1</u> | at <u>8 0</u> cfs and | <u>2968 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 8 0 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  
2968 0 acre feet per year, said waters to be diverted within the NWNE Section 5, Twp 4N,  
Rge 36E B M in the County of Jefferson

Description and location of place of use

| 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  | 36E   | 5   | GL1<br>44 | GL2<br>46 | 40  | 39  | GL3<br>47 |     |     | 40  | 40  |     |     |     | 39  | 40  |     |     | 375    |
| 5N  | 36E   | 32  | 38        | 39        | 40  | 39  | 39        |     |     | 40  | 40  |     |     | 40  | 39  | 40  | 40  | 39  | 473    |
|     |       |     |           |           |     |     |           |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |           |           |     |     |           |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |           |           |     |     |           |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated 848

This water right when combined with License No 35-7324 shall provide no more  
than 02 cfs per acre nor more than 3 5 afa per acre

**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 29<sup>th</sup> day of  
July, 19 82

For the Director

*[Signature]*

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ATTORNEY

## To Appropriate the Public Waters of the State of Idaho

## To Appropriate the Public Waters of the State of Idaho

- 100

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

| TWP | RANGE | SEC | NE 1/4       |              |        |        | NW 1/4       |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|-----|-------|-----|--------------|--------------|--------|--------|--------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |       |     | NE 1/4       | NW 1/4       | SW 1/4 | SE 1/4 | NE 1/4       | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 4N  | 36E   | 5   | L 1<br>44.92 | L 2<br>45.75 | 40     | 40     | L 3<br>46.59 |        | 40     | 40     |        |        |        |        | 40     | 40     |        |        | 377.26 |
| 5N  | 36E   | 32  | 40           | 40           | 40     | 40     | 40           |        | 40     | 40     |        |        | 40     | 40     | 40     | 40     | 40     | 40     | 480.00 |
|     |       |     |              |              |        |        |              |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |     |              |              |        |        |              |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |     |              |              |        |        |              |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |     |              |              |        |        |              |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |     |              |              |        |        |              |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |     |              |              |        |        |              |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |     |              |              |        |        |              |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated 857.26

c. Describe any other water right used for the same purpose as described above License 35-7324, 6.46 cfs for 480 acres situated in Sec. 32, T. 5N, R. 36E, B.M.

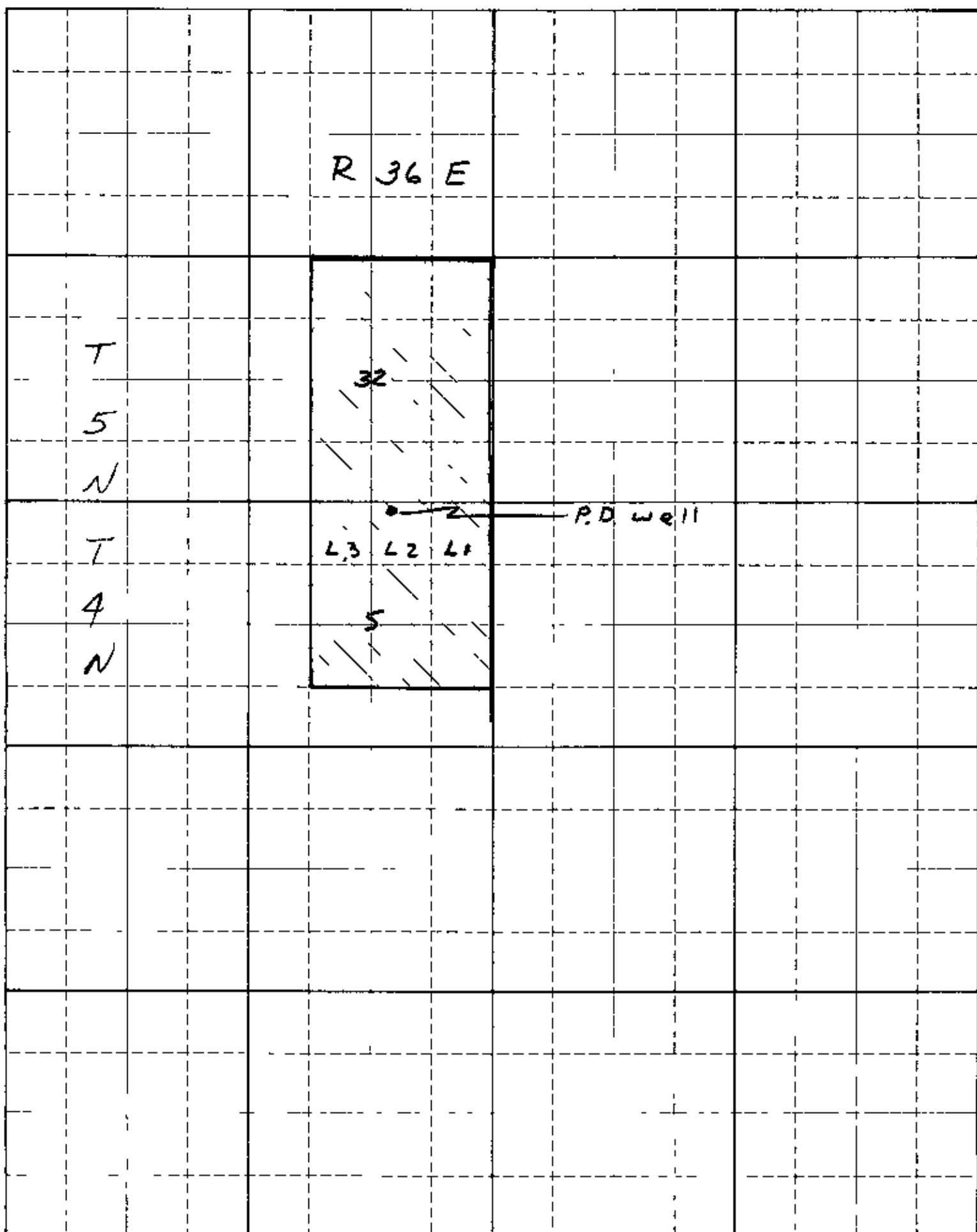
9 a. Who owns the property at the point of diversion Applicant

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

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

10 Remark The primary purpose for this permit is for the land in Sec. 5, T. 4N, R. 36E, but want the water to be supplemental to 35-7324.

11. Map of proposed project has clearly the proposed point of diversion plus of one town number township and range number



Scale 2 inches equal 1 mile

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

*Robert A. Bennett*  
 (Signature)

Priority 10-14-1975

Received by me Date 10-14-75 Time 1 50 p

Preliminary check by LD for \$ 95.00

Received by me Date 10-14-75 # 15446

Publication prepared by me Date 10-14-75

Published in me

Publication dates 10-14-75 to 10-14-75

Publication approved LD Date 10-11-75

Priority referred to me Reason me

Priority filed by me

Copies of protests forwarded to me

Hearing held by me Date 10-11-75

Recommended for approval denial by LD

#### 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. 35-7536 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. Permit construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 80

c. Other A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works

2. Denial of said application is for the following reasons:

Witness my hand this 23 day of December, 19 75

R. Keith H. H.  
Director

DEC 17 1975

Eastern District Office

Eastern District Illinois

Publication Fee \$\_\_\_\_\_

August 6, 1962

RE Permit to 35-7536

Robert W. Berrett  
Box 100  
Roberts, ID 83444

Dear Mr. Berrett,

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

Sincerely,



JIM JOHNSON  
Water Distribution Supervisor

JJ:h  
Enclosure

Calculations based upon licensing  
w/o an Amendment

Permit identifies 1 well (NWNE Sec. 5)  
Therefore capacity as per field  
exam is 8.19 cfs Permit allows  
8.0 cfs

No reduction in acres - acres found  
are in the same  $\frac{1}{4}$ 's as identified  
on permit

RC  $\frac{7/27}{82}$

MICROFILMED

July 8, 1982

RE Permit No. 35-7536

Robert W. Berrett  
Box 108  
Roberts, ID 83444

Dear Mr. Berrett:

On June 1, 1982, we forwarded an amendment to you to be completed to amend this permit to correspond with the findings of the field examiner so that we could issue this license.

As of this date, we have not received this amendment. If we do not receive this amendment within fifteen (15) days, we will assume you no longer have any interest in this permit and cancellation proceedings will begin.

If you have any questions, please contact us

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

JJ kw

MICROFILMED



State of Idaho

# DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W State Street, Boise Idaho

JOHN V EVANS

Mayor

A KENNETH DUNN

Director

Mailing address  
Statehouse  
Boise Idaho 83720  
(208) 334 4440

June 1, 1982

RE Job-750b

Robert W. Dyer  
Box 10  
Roberts Idaho 83441

Dear Mr. Dyer:

A representative of this Department made an examination of the works covered by your Permit No. 10-100 and has found the following

Amount of water that can be recognized as beneficially used under Idaho law ~~100~~ 80 Source ~~at the point of diversion~~

The maximum quantity diverted shall not exceed 100 acre feet per year

Point of diversion NE 1/4 Sec 5, T 4N, R 3E, SE 1/4 Sec 32, T 5N, R 3E

Beneficial use 100 acres in NE 1/4 (T 1 N), 57 acres in E 1/4 (T 3), 40 acres in NE 1/4, 80 ACRES IN NE 1/4, Sec 5, T 4, R 3E, 150 acres in NE 1/4, 79 acres in E 1/4, 50 acres in E 1/4, 150 acres in SE 1/4, Sec 32, T 5N, R 3E

Priority date established for irrigation use  
October 14, 1975

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

JJ kw  
Enclosure

1 Name of permit holder Robert W. Dumas  
Post office address Box 108, Roberta Phone 278-3681  
Person to contact \_\_\_\_\_ Phone 228-3681

3 Water will be used for the following purposes

Period of Use from 4-1 to 11-1 ~~11-1~~ 28 107  
(mo-day) inclusive (mo-day)

Period of Use from \_\_\_\_\_ to \_\_\_\_\_  
(mo day) inclusive (mo-day)

Period of Use from \_\_\_\_\_ to \_\_\_\_\_  
(no day) inclusive (no day)

Other uses \_\_\_\_\_

4 Total amount to be appropriated

Max Rate of Diversion 80 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum

5 Location of Point(s) of Diversion

Township 4N N/S Range 36E E/W B M Section 5 Subdivision NW 1/4 NE 1/4 Jefferson  
County

Township \_\_\_\_\_ N/S Range \_\_\_\_\_ E/W B M Section \_\_\_\_\_ Subdivision \_\_\_\_\_ 1 4 \_\_\_\_\_ 1 4 \_\_\_\_\_  
County \_\_\_\_\_ County \_\_\_\_\_

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B M Section \_\_\_\_\_ Subdivision \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_ County \_\_\_\_\_

Other Points of Diversions \_\_\_\_\_

Description of diverting works well, pump & sprinkler system

Measuring device required    yes ☒ no ☐

6 Lands to be irrigated or place of use

[illegible]

**TOTAL ACREAGE** 857.26

RECEIVED  
JAN 10 1964  
U.S. DEPT. OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C.

Rge 36E

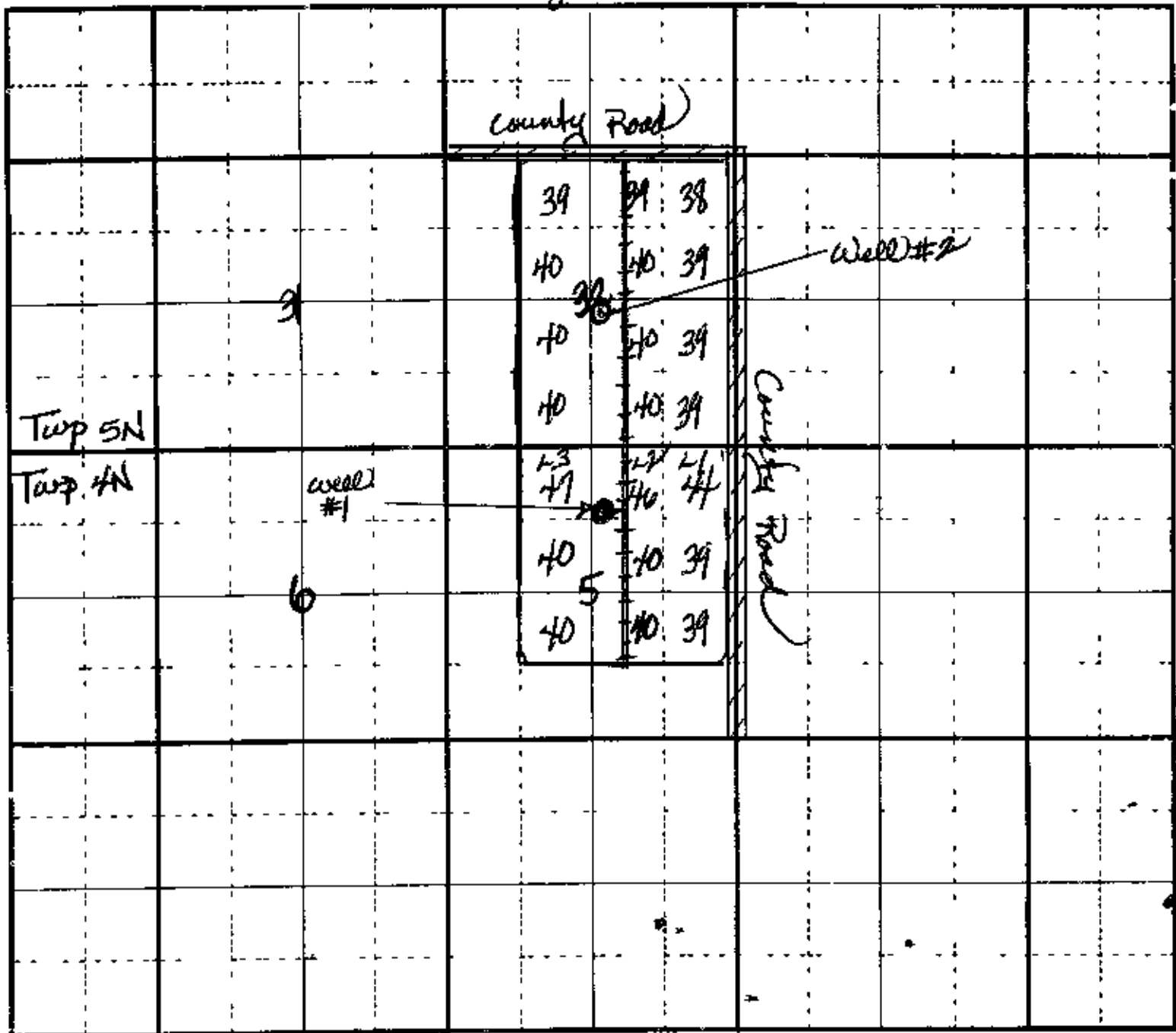
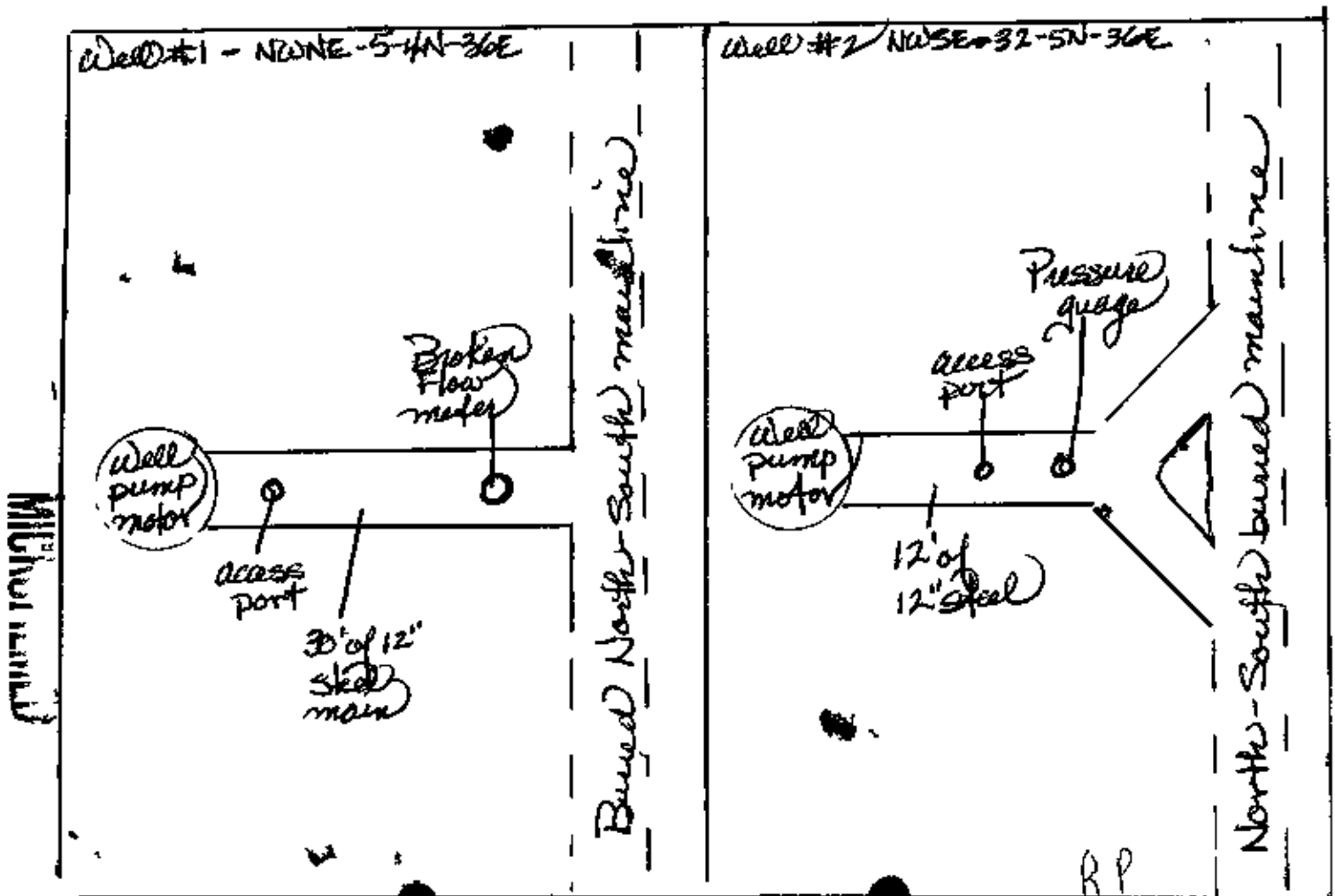


Diagram of System



DATE OF EXAM 4th day of June, 1979

ACREAGE  
Found 848a ✓  
Recommended 848a ✓

Irrigation Requirement 35 Ac Ft/Ac

USE  
Irrigation Q = 8.0 cfs V = 2968 AF/Ann from April 1 to Nov 1  
Domestic Q = \_\_\_\_\_ cfs V = \_\_\_\_\_ AF/Ann from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ cfs V = \_\_\_\_\_ AF/Ann from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no X

Name source n/a  
twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W B M, Sec \_\_\_\_\_, Sub \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no X

Name source exchanged with n/a  
twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W B M, Sec \_\_\_\_\_, Sub \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of injection n/a  
twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W B M, Sec \_\_\_\_\_, Sub \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Point of exchange n/a  
twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B M, Sec \_\_\_\_\_, Sub \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County \_\_\_\_\_

Total Q measured 14.16 cfs Method of measurement well #1 - Annular  
Total Q recommended 80 cfs Meter No. #1 - Eagle eye Type #1 - 12 00 Annular Condition std  
Total V recommended 2968 AF/yr #2 - 73 12-169 #2 - Mcrometer

Recommended Amendments

P D Add NWSE sec 32 Twp 5N Rge 30E 3 M. County of Jefferson  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None Allow 8.0 as per permit

MEASUREMENT CALCULATION

well #1 (NWNE sec 5-4N-30E) -  $Q_{gpm} = (\text{pipe I.D.})^2 (\text{c inches of H}_2\text{O})$   
 $= (12)^2 (385) (1.44) = (144) (385) (1.44) = 36757.44 \text{ gpm} \div 448.8 \text{ gpm/cfs} = 8.19 \text{ cfs}$   
 $= 8.19 \text{ cfs}$  Well #2 - measured .01 AF in 73 sec,  $4356 \text{ cu ft} \div 73 = 5.97 \text{ cfs}$  Q total = 14.16 cfs V = 848a x 35 = 2968 AF/yr  
 $< 19835 \times 24 \times 80 = 3345.8 \text{ AF/yr}$

SYSTEM DESCRIPTION

well #1 (NWNE sec 5-4N-30E) - Groundwater is diverted  
by a 600 HP 3ph General Electric two-cyl induction pump motor -  
mtn - 5K6328X4332A, 5/8" DI 1 1/2" port and by a Johnston vertical  
turbine pump # 33230 (well #2 (NWNE - 32-5N-30E) Groundwater is  
diverted by a 450 HP 3ph General Electric two-cyl induction pump motor  
mtn - 5K6326X4157A 5/8" FHT 1 1/2" port and by a Johnston vertical  
turbine pump # 33230. Acreage irrigated by 32-3/8" lateral  
spinklers, having 1/4" diam nozzles - All hand lines

REMARKS System described by the permit holder

Examiner's Signature Robert A. Parker Date 11-25-79  
Checked by John Carson Date 4/14/80  
Approved by Koip Date 5/12/82

Check Review on back

License 357324 gw T/D NWSE Sec 32 T5N  
R36E

$$\frac{6.46}{480} = .013 \text{ cfs/ac}$$

(same well as one on  
35-7536)

T/U see attached  
license copy

L 35-7324 .013 cfs/ac

35-7536 .009 cfs/ac

---

.022 over .02 cfs/ac for lands  
in Section 32

Therefore this right (35-7536) should be  
licensed for 8.0 cfs because of the  
2 wells being involved.

RC 5/12  
82

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No 35-7324 Priority August 31, 1973 Amount 6.46 cfs

THIS IS TO CERTIFY that ROBERT W. BERRETT  
of Roberts, Idaho, has complied with the terms and conditions of Permit  
No 35-7324 issued pursuant to Application for Permit dated August 31, 1973  
and has submitted proof to the Department of Water Resources on June 21, 1974  
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 6.46 cfs of water from a ground water 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>Nov. 1</u> | at <u>6.46</u> cfs and | <u>1,680 acre feet or</u> |
|                   | from _____ to _____                  | at _____ cfs and       | <u>3.5 af per acre</u>    |
|                   | from _____ to _____                  | at _____ cfs and       | _____                     |

(both dates inclusive)

Subject, however to the condition that no more than 6.46 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  
1,680 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec 32,  
Twp. 5 N, Rge 36 E, B M in the County of Jefferson

Description and location of place of use

| Twp | Range | Sec | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|-----|-------|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |       |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 5 N | 36 E  | 32  | 40               | 40               | 40               | 40               | 40               |                  |                  | 40               | 40               |                  |                  | 40               | 40               | 40               | 40               | 40               | 480    |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 480

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

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

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

Witness the seal and signature of the Director, affixed at Boise Idaho, this 26 day of  
February, 19 75

MICROFILMED

Director



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 22, 1978

Robert W. Barrett  
Box 108  
Roberts, ID 83444

Dear Mr. Barrett:

Re: Permit No. 35-7536

We acknowledge receipt of the affidavit submitted as proof of beneficial use 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 regional office in **Idaho Falls**.

Sincerely,

RITA FLECK  
Water Rights

MICROFILMED

RECEIVED

AUG 25 1978

STATE OF IDAHO

Identification No \_\_\_\_\_

Permit No \_\_\_\_\_

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

070  
001  
DGT NUG 1978 Permit Holder

ROBERT W BERRETT

Department of Water Resources

Box 108

Eastern District Office

35-7536

3 Date of Priority that you are prepared to establish

April 1 1976

4 a) Source from which water was appropriated

b) Location of the point of diversion

NW 1/4

NE 1/4

Section 5

Township

4N

Range

36E

Boise Meridian, Other points of diversion

Irish

5 a) The amount of water and use to which the water has been applied

Amount

8.00

for

IRR

purposes from

Apr 1

to Nov 1

incl

(cfs and/or acre feet per annum)

(Month-Day)

(Month-Day)

Amount

for

purposes from

to

incl

(cfs and/or acre-feet per annum)

(Month-Day)

(Month-Day)

Amount

for

purposes from

to

incl

(cfs and/or acre-feet per annum)

(Month-Day)

(Month-Day)

b) Total amount appropriated

8.00

cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement

6 If the means of diversion and conveyance are owned by someone other than the Permit Holder

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use

No

b) Describe the agreement or understanding by which you take water from the works

None

7 a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source give the pump size, motor size, size of well casing, depth of well, if from surface water, give brief description of diversion structure and/or canal or ditch)

Well, pump, + sprinkler system

b) Describe the type and size of measuring device which you have installed at your point of diversion

Water meter at the base of the pump

c) Give well driller's name and address and the date the well was completed

FRANSEN Bros.

LAVA Hot, Spring, Idaho

8 If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use

None

MICROFILMED

Exam typed 11/22/78 by JF

9 Irrigation uses describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

| T     | R | SEC | NE¼   |     |     |     | NW¼   |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL  |
|-------|---|-----|-------|-----|-----|-----|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|       |   |     | NE¼   | NW¼ | SW¼ | SE¼ | NE¼   | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 4N36E |   | 5   | 44.92 | 45  | 15  | 40  | 46.57 |     | 40  | 40  |     |     |     |     | 40  | 40  |     |     | 377.26 |
| 5N36E |   | 32  | 40    | 40  | 40  | 40  | 40    |     | 40  | 40  |     |     | 40  |     | 40  | 40  | 40  | 40  | 480.00 |
|       |   |     |       |     |     |     |       |     |     |     |     |     |     |     |     |     |     |     |        |
|       |   |     |       |     |     |     |       |     |     |     |     |     |     |     |     |     |     |     |        |
|       |   |     |       |     |     |     |       |     |     |     |     |     |     |     |     |     |     |     |        |
|       |   |     |       |     |     |     |       |     |     |     |     |     |     |     |     |     |     |     |        |
|       |   |     |       |     |     |     |       |     |     |     |     |     |     |     |     |     |     |     |        |
|       |   |     |       |     |     |     |       |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated 857.26

10 Remarks \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

July 2 1978  
(Date)

Rahit W Benett  
(Signature)

State of Idaho )  
County of Jefferson ) ss

On this 13 day of October, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same

Florence Gilchrist  
Notary Public residing at

Roberts 1st  
83444

My commission expires August 1979

December 24, 1975

Re Permit No. 35-7536

Robert W. Berrett  
Box 108  
Roberts, ID 83444

Dear Mr Barrett

Enclosed is a copy of your approved Application for Permit No 35-7536 We direct your attention to the conditions of approval as listed on the fourth page

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit We are enclosing a letter describing different types of measuring devices accepted by this office

Sincerely,

BOBBY D FLELMOR  
Chief, Water Rights

BDF jfr

Enclosures

November 10, 1975

RE Applications for Permit Nos 35-7536, 35-7537

The Rigby Star  
134 West Main  
Rigby, Idaho 83442

Gentlemen

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on October 23 and October 30, 1975.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON  
Regional Supervisor

RDC:ME

RECEIVED  
NOV 11 1975

October 15, 1975

RE Applications for Permit Nos 35-7536\*, 35-7537

The Rigby Star  
134 West Main  
Rigby, Idaho 83442

Gentlemen

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON  
District Engineer

RDC ME

Legal Notices (2)

Bill submitted \_\_\_\_\_ by \_\_\_\_\_

Enc'd 11-17-75

12-1-75

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert W. Berrett,

Roberts, Idaho

has on 10-14-75 submitted Application No 35-7536

for a permit to appropriate 8.00 cubic feet per second ~~acre feet per annum~~  
of water from a ground-water source

by means of well and pump

within the NW<sup>1</sup>/<sub>4</sub>, Sec. 5, T. 4N, R. 36E, B.M., Jefferson County,

to be used from Apr. 1 to Nov 1

for irrigation purposes for 857.26 acres

within the NE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, Sec 5, T 4N, R. 36E, NE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>,  
SE<sup>1</sup>/<sub>4</sub>, Sec. 32, T. 5N, R. 36E, B.M.

If issued, this permit will be subject to all prior water rights. Protests  
against the granting of the permit must be filed with the Idaho Department of  
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before  
November 10, 1975

P. KEITH HIGGINSON

Director

Published in the Rigby Star, Rigby, Idaho

on October 23 and October 30, 1975.

10-14-75  
H

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No

7  
Dunnett

4/1 10-5-75

☒ Source  
☒ Point of Diversion  
☒ County  
☒ Quantity of Water and Period of Use  
☒ Description of Diverting Works  
☒ Time required for B/U of water  
☒ Place of Use or Acres Irrigated  
☒ Map  
☒ Signature  
☒ Fee

(1) " "

In form to receipt YES

(2) " "

Send Copies to

Idaho State Health Department  
Idaho Fish and Game Department  
NA Bureau of Land Management

(3) " "

NA Request Special Use Permit from U S F S  
Request Easement from B L M  
Request Information from Applicant

(4) " "

In form for advertising YES

(5) " "

Platted on Map No "

(6) " "

NA Located within Water District No "

(7) " "

Critical groundwater area yes " no "

(8) " "

Groundwater levels

" Declining, ✓ Stable, " Increasing

(comment) Ref Obs well 5N36E 21DA+1

(9) " "

Other rights on the same place of use YES

(10) " "

Comments 616 35-7324 - as shown in APP

(11) True 12-17-75

Affidavit of Publication received (date) 12-17-75

(12) True 12-17-75

Final date for protests January 10, 1976

Protests received yes " no "

(13) RDC 12/17/75

All requested information received from agencies or applicant yes " no "

(14) " "

Action recommended

✓ Approve

10/19/75 Proposed Priority

Deny  
**RECEIVED**

" Reason for Reduction DEC 19 1

✓ Measuring device required Department of Water Resources

" See attached sheet for other conditions of approval

" No special conditions for approval

(15) District E

By RDC

Date 12/17/75

RECEIVED