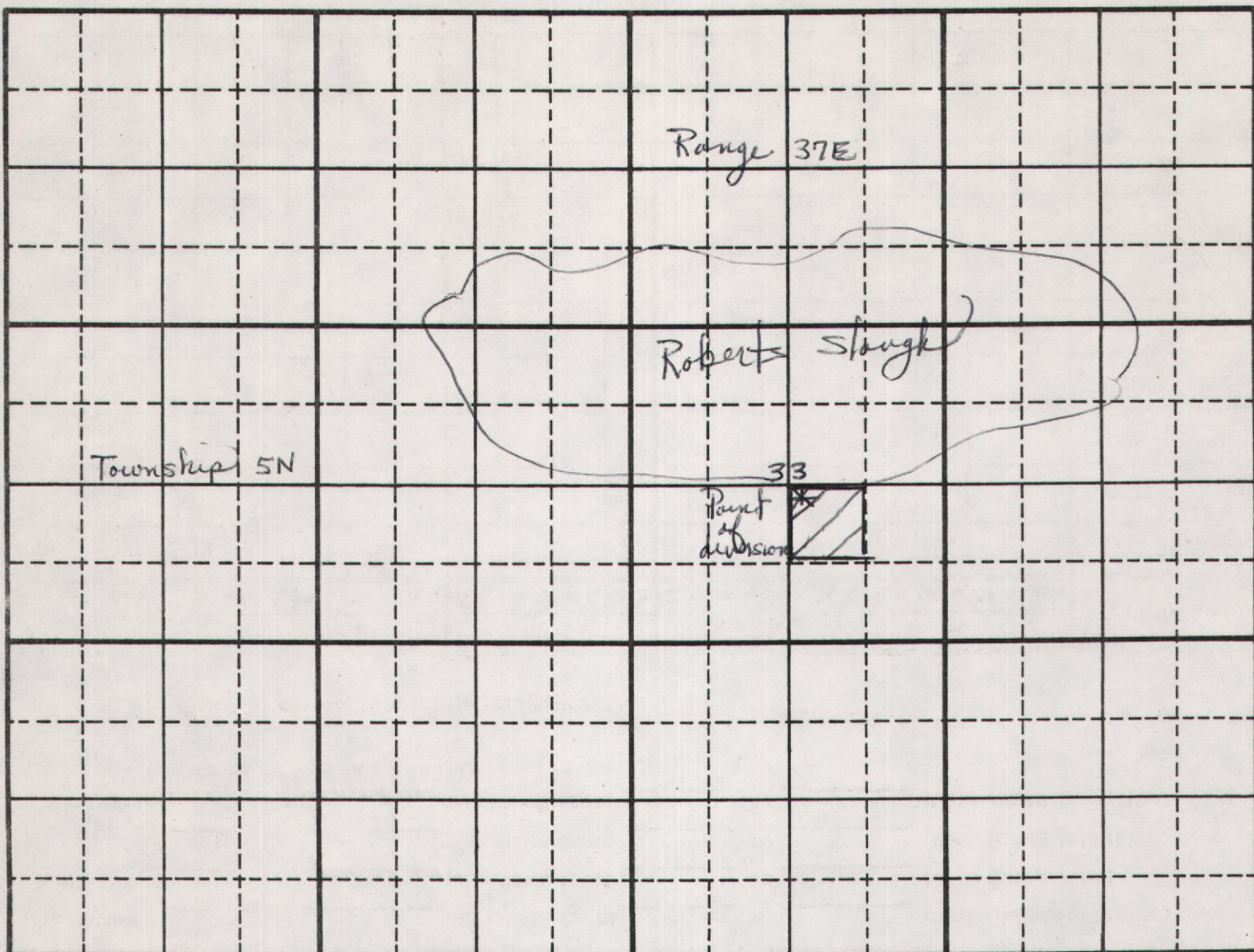


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Idaho Falls, this 16th day of November, 19 77. *W.H.M.*

Rolls Dutton
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Chief, Operations Bureau

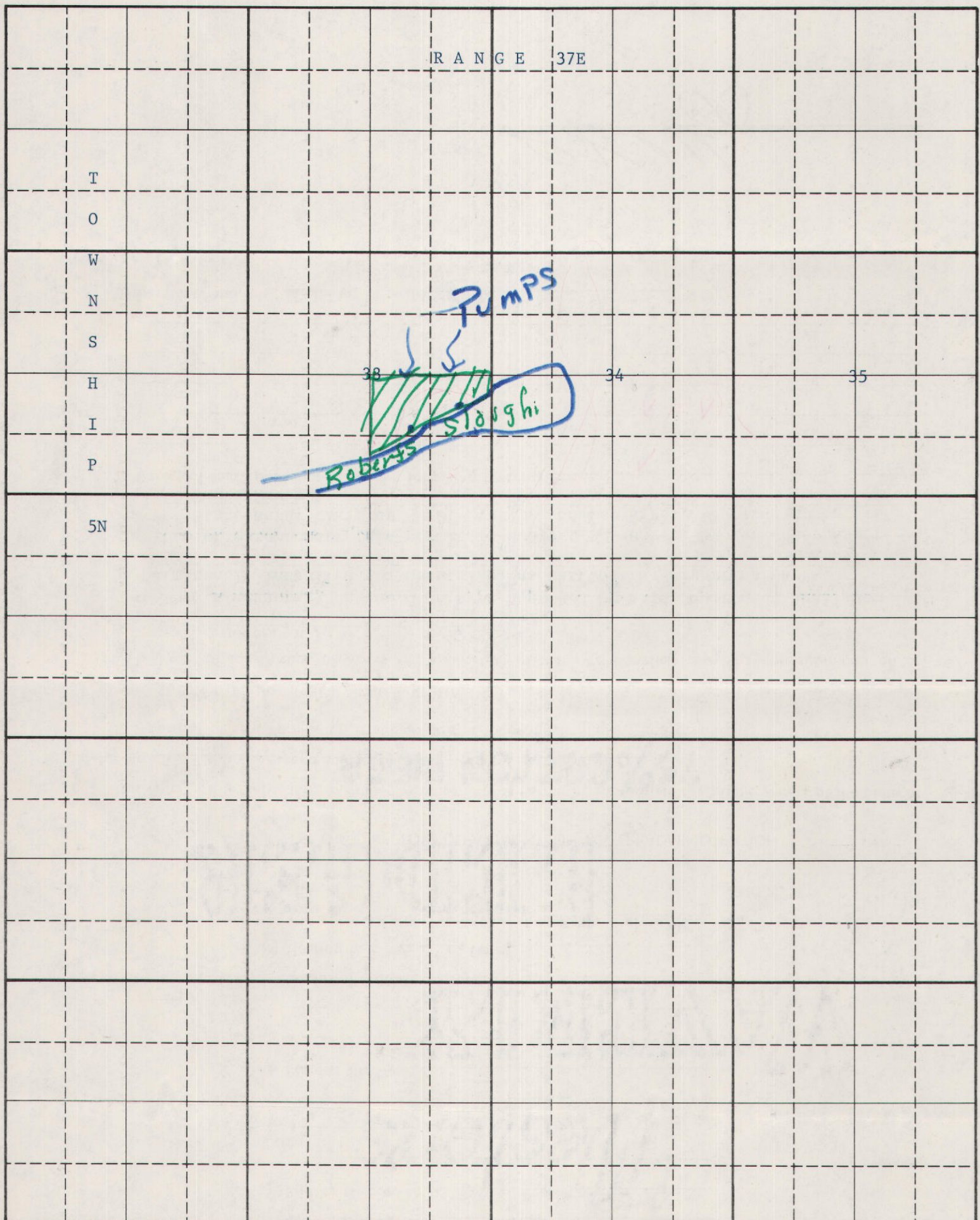
I, BOBBY D. FLEENOR, ~~DIRECTOR~~ of the Department of Water Resources

hereby APPROVE the above application for amendment on Permit No. 35-7259.

Witness my hand this 11 day of January, 19 78.

Bobby D. Fleenor
~~DIRECTOR~~
Chief, Operations Bureau

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.

Rollo Dutton
(Applicant)

35 7259

Affidavit of Publication

THE RIGBY STAR

RECEIVED

NOV 22 1972

Department of Water Administration
Eastern District Office

STATE OF IDAHO
County of Jefferson

ss.

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 said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

~~Two~~ Consecutive issues thereof; first publication having been made on the

2nd day of November, 1972

and the last publication on the

9th day of November, 1972

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 bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 22nd day of November, 1972.
(SEAL)

[Signature]
Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.
My commission expires _____, 19____

Publication Fee: \$ 1.48

MY COMMISSION EXPIRES JULY 15, 1973

35 7259

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Rollo Dutson, Roberts, Idaho has on 10-26-72 submitted Application No. 35-7259 for a permit to appropriate 1.5 cubic feet per second of water from Roberts Slough by means of pumps and ditches within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 5N, R. 37E, B.M., Jefferson County; to be used from May 1 to Oct. 1 for the irrigation of 75 acres within the N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 5N, R. 37E, B.M.

If issued, this permit will be subject to all prior water rights. Protest against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before November 20, 1972.

R. KEITH HIGGINSON
Director

Published in The Rigby Star, Rigby, Idaho on November 2 and November 9, 1972.

Rge 37E

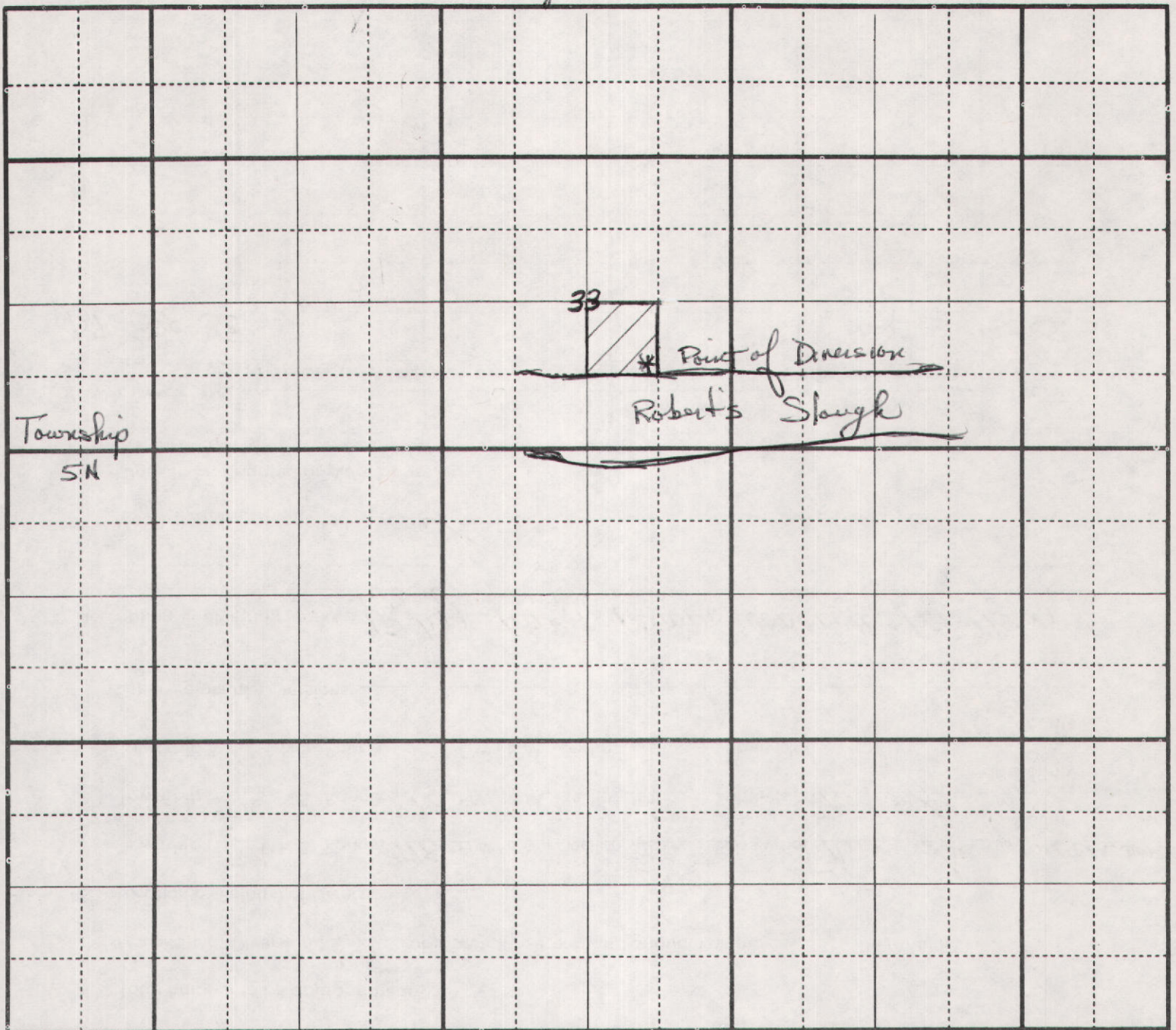
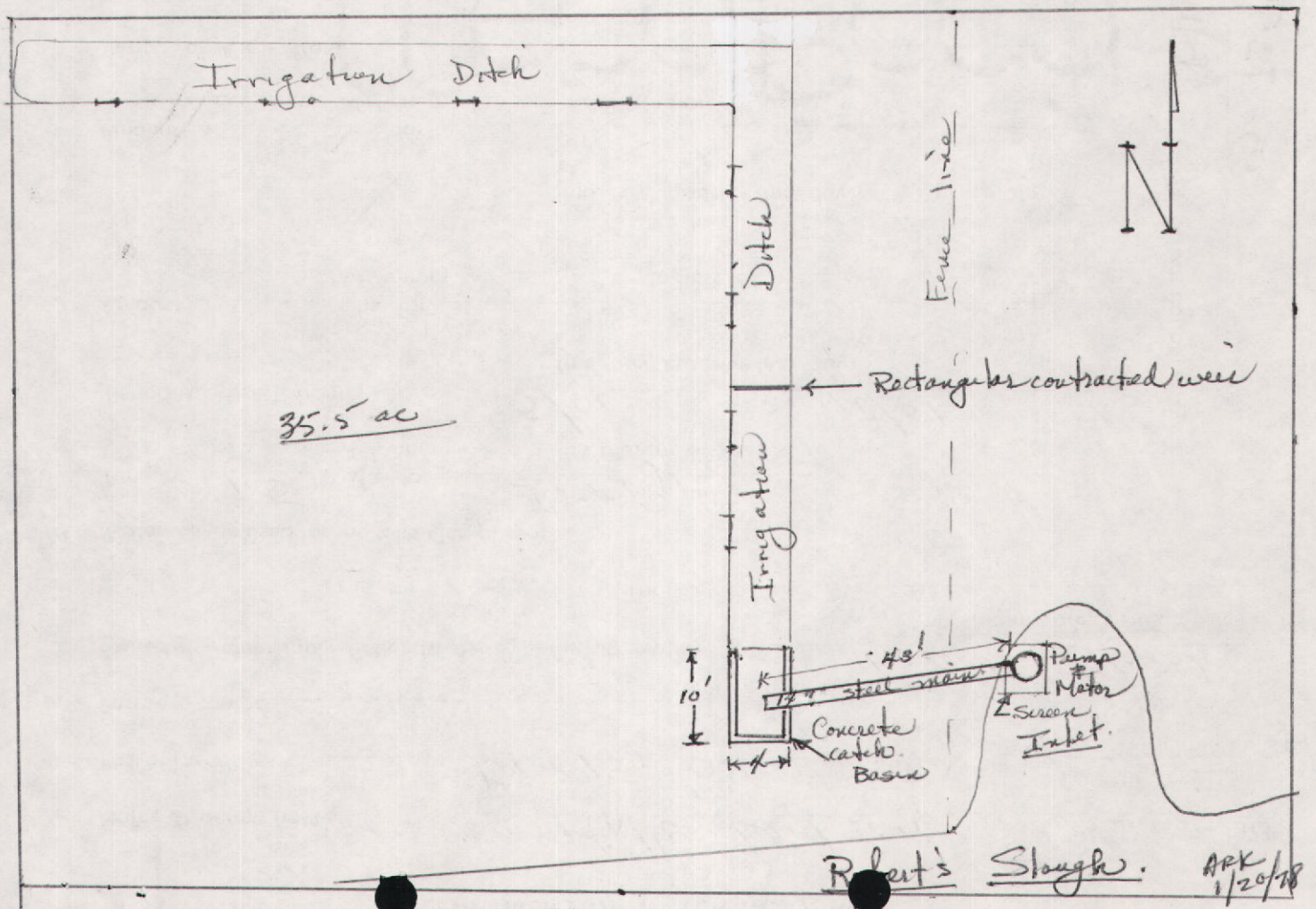


Diagram of System



Rollo Dutton 35-7259 T5N R37E



"NOT TO SCALE"

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7259 Priority October 26, 1972 Amount .70 cfs

THIS IS TO CERTIFY, that ROLLO DUTSON
of Roberts, Idaho, has complied with the terms and conditions of Permit
No. 35-7259 issued pursuant to Application for Permit dated October 26, 1972,
and has submitted proof to the Department of Water Resources on November 16, 1977,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 5.61 cfs of water from Robert's Slough,
tributary to sinks, 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>May 1</u> to <u>October 1</u>	at <u>.70 cfs</u>	and <u>123.6 acre feet</u>
	from _____ to _____	at _____ cfs	and _____
	from _____ to _____	at _____ cfs	and _____

(both dates inclusive)

Subject, however, to the condition that no more than .70 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
123.6 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, Twp. 5N,
Rge. 37E, 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 $\frac{1}{4}$	
5N	37E	33													35				35

Total number of acres irrigated 35

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 17th day of

April, 19 81.

Director

RECEIVED

Department of Water Resources
Eastern District Office

Permit No. 35-7259

Comes now Rollo Dutson of (address) _____

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-7259, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Sec. _____ Twp. _____
Rge. _____, B.M., County of _____. Other points of diversion:

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

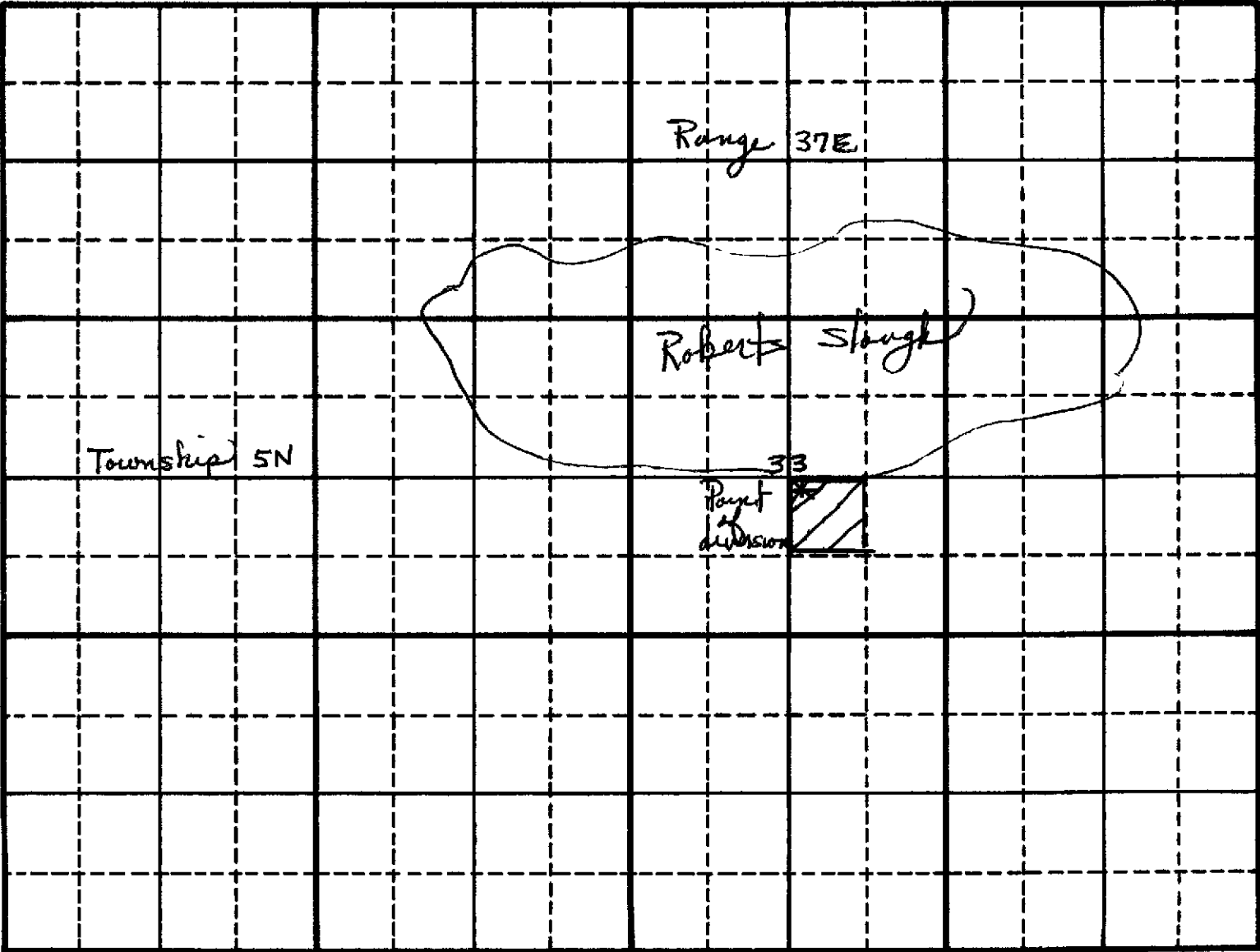
3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated	35.3
---------------------------------------	------

SECRET

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Wako Falls, this 16th day of November, 19 77. W.H.M.
Bolls Dutton
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Chief, Operations Bureau

I, BOBBY D. FLEENOR, ~~DIRECTOR~~ of the Department of Water Resources
hereby APPROVE the above application for amendment on Permit No. 35-7259.

Witness my hand this 11 day of January, 19 78.

Bobby D. Fleenor
Director
Chief, Operations Bureau

Identification No. 35 7259

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Rollo Dutson
post office address Roberts, Idaho
2. Source of water supply Roberts Slough which is a tributary of no known stream
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33 Township 5N
Range 37E B.M. Jefferson County; additional points of diversion if any: _____
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 5N, R. 37E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.5 for irrigation purpose from May 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.5 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump to be located at place of
diversion then conveyed by gravity flow through ditches to place of use, for
flood irrigation.
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 2,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

35 7259

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	37E	34													35	30	10		75

Total number of acres to be irrigated 75

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

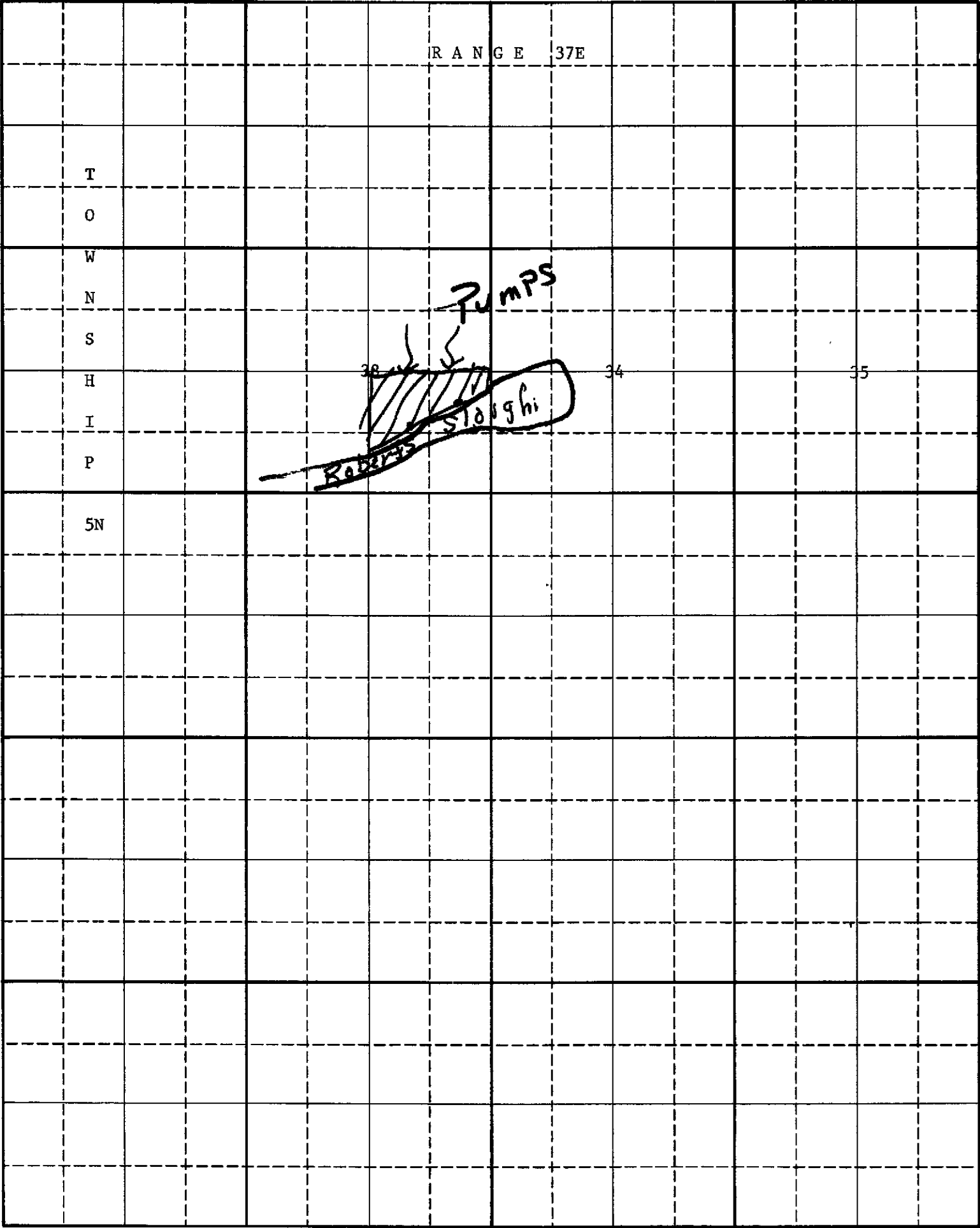
9. a. Who owns the property at the point of diversion Applicant

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. Remarks Roberts Slough is in essence an area in which waste waters from surrounding areas are discharged. Applicant proposes to level and then pump to irrigate some 75 acres of applicant's land.

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.

Rollo Dutton
(Applicant)

Received by Be Date 10-26-72 Time 10:45 A
 Preliminary check by NCY Fee \$ 35.00
 Receipted by Be Date 10-26-72 # 719
 Publication prepared by Be Date 10-27-72
 Published in Highway Star
 Publication dates 11-2+9-72
 Publication approved NCY Date 11-28-72
 Priority reduced to 10-26-72 Reason ---

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY DDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7259, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 77.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

Use of water under this permit is subject to control by the watermaster of State Water District NO.01, Snake River, if found to be trib. to Snake River.

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

Witness my hand this 12th day of December 1972.

P. Karl Higin
 Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	NCY	10-10-72	Application No. _____ Name <u>Rollo Dutson</u>
(2)	"	"	Check: <u>ON OLD FORM - RETYPE</u> ✓ ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☐ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee <u>\$35' vld only *25' submitted</u> ✓
(3)	"	"	Send copies to: ☐ Idaho State Health Department <u>NA</u> ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	"	"	☐ Request Special Use Permit from U.S.F.S. <u>NA</u> ☐ Request Easement from B.L.M.
(5)			In form for advertising _____
(6)			Affidavit of Publication received _____
(7)			Final date for protests _____ Protests received: yes _____ no _____
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)			Critical groundwater area: yes _____ no _____
(11)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: <u>Retype, return to attorney for signature and proper fee.</u>
(13)			Action recommended: ☐ Approve Priority _____ ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval No conditions for approval
(14)			District _____ By _____ Date _____ Title _____

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>Ncy</u>	<u>10-26-72</u>	Application No. <u>35-7259</u> Name <u>Rollo Outson</u>
(2)	<u>"</u>	<u>"</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee ☒ <u>COUNTY</u>
(3)	<u>"</u>	<u>"</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management <u>N.A.</u>
(4)	<u>"</u>	<u>"</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. <u>N.A.</u>
(5)	<u>"</u>	<u>"</u>	In form for advertising <u>Yes</u>
(6)	<u>"</u>	<u>11/22/72</u>	Affidavit of Publication received <u>Per 11/29/72</u>
(7)	<u>"</u>	<u>"</u>	Final date for protests <u>11/20/72</u> Protests received: yes <u>no</u> ☒
(8)	<u>"</u>	<u>"</u>	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(9)	<u>"</u>	<u>"</u>	Located within Water District No. <u>Possibly in 01</u>
(10)	<u>"</u>	<u>"</u>	Critical groundwater area: yes <u>no</u> <u>N.A.</u>
(11)	<u>"</u>	<u>"</u>	Groundwater levels: ☐ Decline (comment) <u>N.A.</u> ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)	<u>"</u>	<u>"</u>	Comments: <u>Preparation exam to determine if part of Snake River or if trib. to it. (NO DIRECT SURFACE CONNECTION)</u>
(13)	<u>"</u>	<u>9</u>	Action recommended: ☒ Approve ☐ Deny Priority <u>10-26-72</u> Reason for Reduction _____ ☒ See attached sheet for conditions of approval ☐ No conditions for approval
(14)	<u>"</u>	<u>"</u>	District <u>EASTERN</u> By <u>Norman C. Young</u> Date <u>11/28/72</u> Title <u>Dist Engr</u>

RECOMMENDEDCONDITIONS OF APPROVAL

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

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

① ☒ Use of water under this permit is subject to control by the watermaster of State Water District No. 01, SNAKE River. *if found to be trib. to Snake River.*

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

RECOMMENDED

CONDITIONS OF APPROVAL

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

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

Affidavit of Publication

THE RIGBY STAR

RECEIVED

STATE OF IDAHO
County of Jefferson

ss.

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 said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for ~~two~~ consecutive issues thereof; first publication having been made on the

2nd day of November, 1972

and the last publication on the

9th day of November, 1972

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 bona fide subscribers in Jefferson County.

Hope B. Jones

FOR WATER PERMIT

Notice is hereby given that Rollo Dutson, Roberts, Idaho has on 10-26-72 submitted Application No. 35-1259 for a permit to appropriate 1.5 cubic feet per second of water from Roberts Slough by means of pumps and ditches within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 5N, R. 37E, B.M., Jefferson County; to be used from May 1 to Oct. 1 for the irrigation of 75 acres within the N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 5N, R. 37E, B.M.

If issued, this permit will be subject to all prior water rights. Protest against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before November 20, 1972.

R. KEITH HIGGINSON
Director

Published in The Rigby Star, Rigby, Idaho, November 15, 1972.

Subscribed in my presence and sworn to before me this 2nd day of November, 1972.
(SEAL)

[Signature]
Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.
My commission expires _____, 19____

Publication Fee: \$ 11.40

MY CO.

MY COMMISSION

NOV 15, 1973

25 7759



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~STEPHEN A. ALBRECHT~~

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

April 22, 1981

Rollo Dutson
Box 275
Roberts, Idaho 83444

Dear Mr. Dutson,

RE: License No. 35-7259

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

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

Sincerely,

A handwritten signature in cursive script that reads "Jim Johnson".

JIM JOHNSON

Water Distribution Supervisor

JJ:mr

Enclosure

APR 23 1981



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

March 25, 1981

Rollo Dutson
Box 275
Roberts, Idaho 83444

Dear Mr. Dutson,

A representative of this Department has made an examination of the works covered by your Permit No. 35-7259, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .70 cfs Source: Robert's Slough

The maximum quantity diverted shall not exceed 123/6 acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, Twp. 5N, Rge. 37E, B.M.

Beneficial use: Irrigation of 35 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, Twp. 5N,
Rge. 37E.

Priority date established: October 26, 1972

Conditions (if any): ~~Use of water under this license is subject to control by the
watermaster of State Water District No. 01, Upper Snake River.~~

*Removed from original letter
JWC*

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

MICROFILMED

RECEIVED

JAN 18 1978

1. Name of permit holder Kollo Dutson

Post office address Bx 275, Roberts, ID

Phone Department of water resources
Eastern District Office

Person to contact

Phone

2. Source of water supply: Groundwater ☐ Surface water ☒

Roberts Slough

(name spring, stream, etc)

Tributary to

3. Water will be used for the following purposes:

Amount 1.5 c.f.s. for Irrig.
 _____ AF/Annum (nature of use)

Period of Use from 5/01 to 10/01
(mo -day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use, from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s for _____
 _____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 22

Examination for b/u

35-7259

4 Total amount to be appropriated

Max Rate of Diversion 1.5 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5N N/S, Range 37E E/W, B M, Section 33, Subdivision NW 1/4 SE 1/4 Jefferson

Township 5N N/S, Range 37E E/W, B M., Section 33, Subdivision 7e $\frac{1}{4}$ Se $\frac{1}{4}$, _____ County

Township_____N/S, Range_____E/W, B M , Section_____, Subdivision_____1/4_____1/4, _____

Other Points of Diversions

Description of diverting works. 15 hp mtr., pump, concrete headbox,
flood irrig.

Measuring device required: yes ☒ no ☐

6 Lands to be irrigated or place of use.

[illegible]

2021-2022

35.3

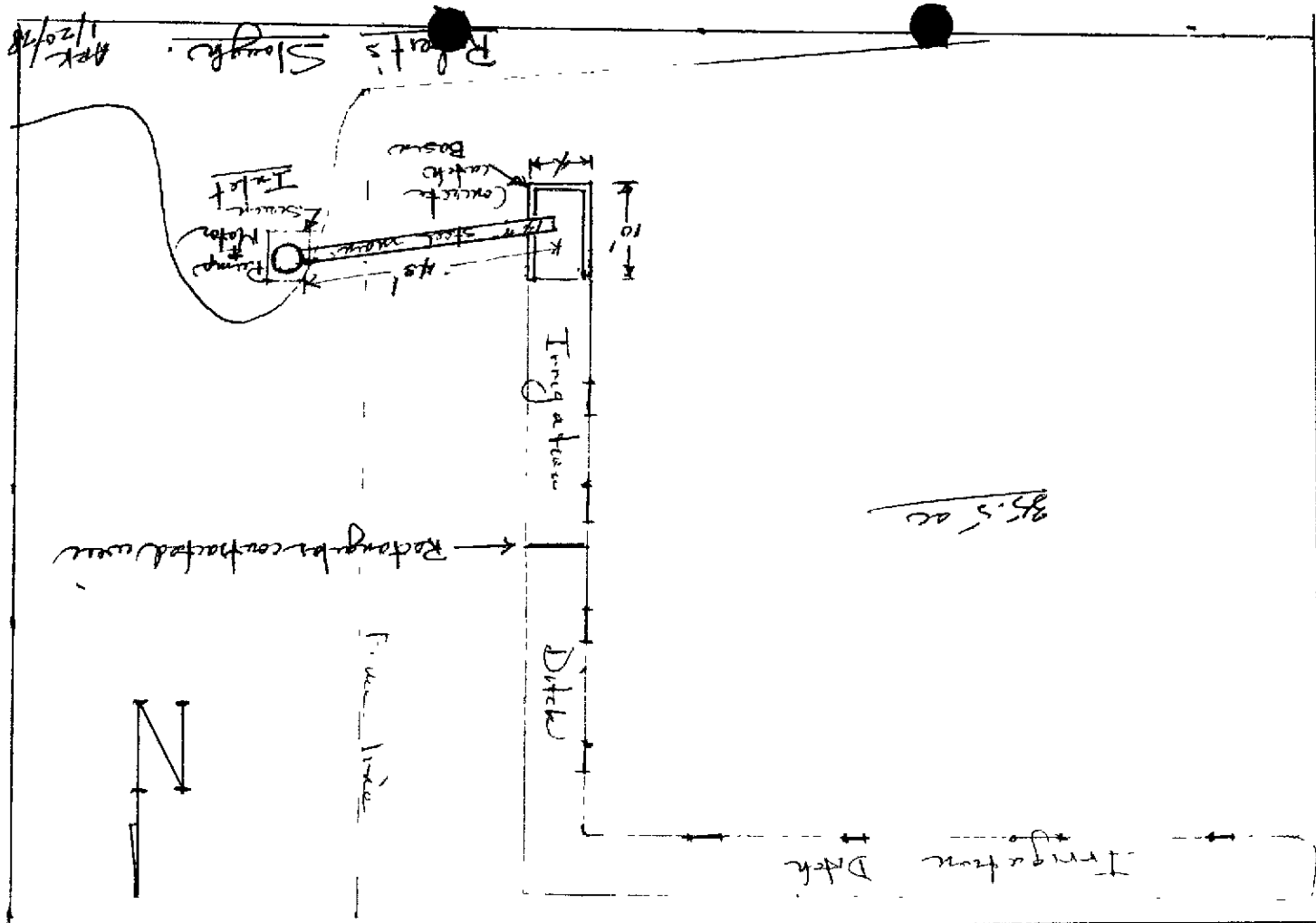
Rye 37E

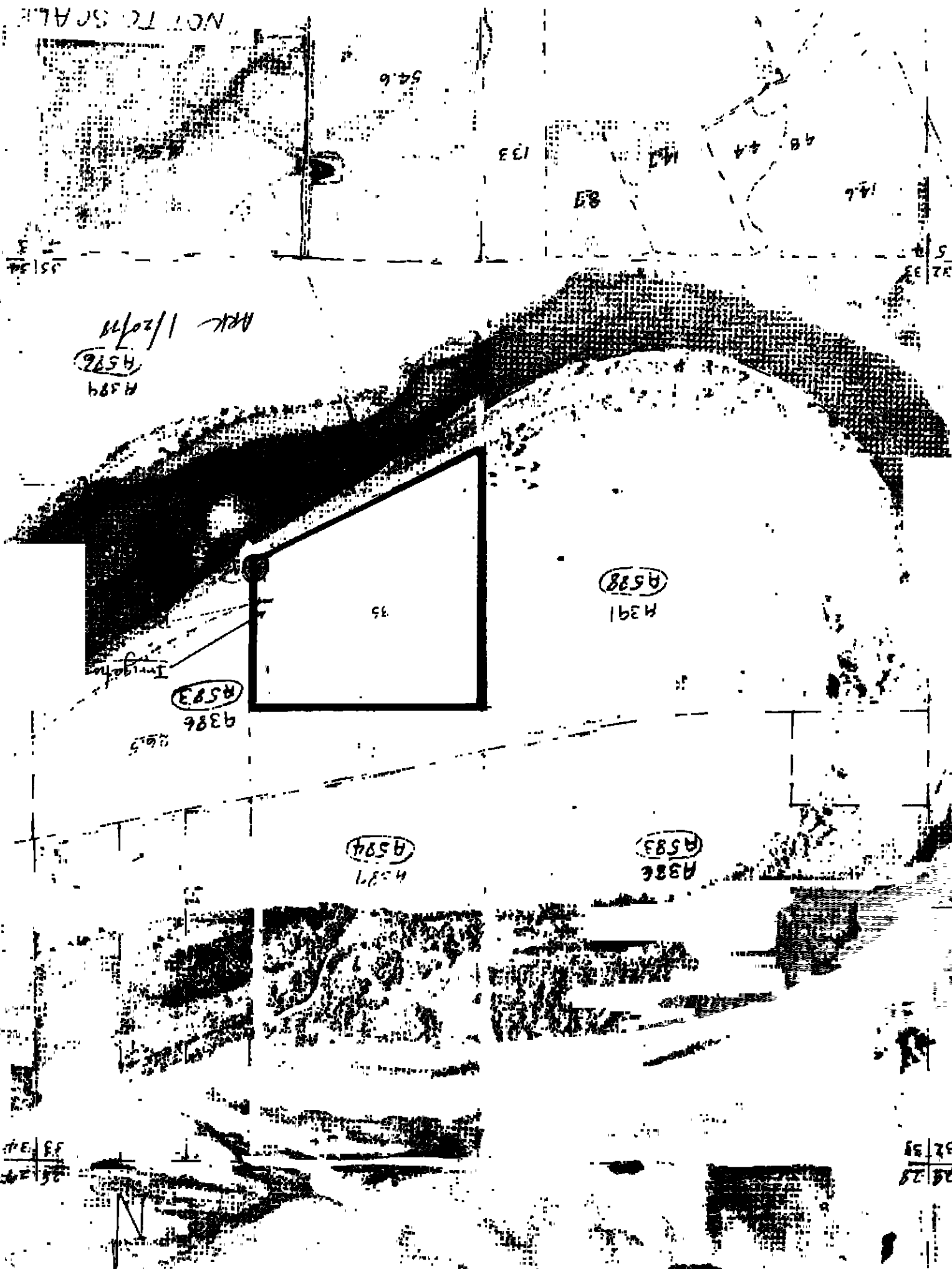
NS
Tousjours

#	Rank of Division	Robert's Spange
---	------------------	-----------------

66

Diagram of System





APR 1/20/78
A589
A596

Imigoh

A583
A586

A584
A587

A588
A591

A585
A586

35-7259 T 5N R 37E
Rollo Dutton

DATE OF EXAM 11/15/77

ACREAGE

Found 35.3

Recommended 35.0

7 round to 35 ACRES

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = .71 c.f.s.

V = 123.55

AF/Ann. from

May 1

to

Oct. 1

Domestic Q = _____ c.f.s.

V = _____

AF/Ann. from _____

to _____

Livestock Q = _____ c.f.s.

V = _____

AF/Ann. from _____

to _____

Is water co-mingled? yes _____ no X

Name source: _____

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 5.61 cfs

Method of measurement weir

Total Q recommended .70

Meter No. n/a

Type Rectangular

Condition good

Total V recommended 123.55

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None

MEASUREMENT CALCULATION:

Rectangular weir - Head in feet = .70 (8-3/8") Crest length = 3.0 ft.
Good ponding effect. Estimate of approach velocity < .5 ft/sec.
From table of measurements for flow over rectangular
contracted weirs contained in "Water Measurement" Bulletin No 552,
 $V = 35.3 \times 3.5 = 123.55$ $1.9835 \times .71 \times 153 \text{ days} = 215.47 \text{ AF/yr}$
 $Q = 5.61 \text{ cfs}$ Allow .02 x 35 AC = .70 cfs

SYSTEM DESCRIPTION:

Surface water is diverted from Robert's Slough by a 15 H.P. General
Electric motor, 3ph, S/N - LHT-1122467, m/n - 5K6228XH5A and
by a Layne & Bowler Vertiline pump S/N - D39833. There is approx.
8' of lift in the system. Water is open discharged into an irrigation
ditch that runs along the eastern & Northern boundaries of the property.
The 35.3 acres contained therein are flood irrigated. Land slopes downward
to the southwest.

REMARKS: There is only one point of diversion located in NW 1/4 SE 1/4, Sec 33, Twp 5N,
Rge 37E, B.M. county of Jefferson. System shown &
described by Rolla (Duff) owner-irrigator.
No Preexisting rights

Examiner's Signature

Anthony R. Kozlowski

Date

1/20/78

Checked by

Rodney A. Parker

Date

1/16/79

Approved by

Rodney A. Parker

Date

3/11/81

January 12, 1978

Re: Permit No. 35-7259

Rollo Dutson
Box 275
Roberts, Idaho 83444

Dear Mr. Dutson:

Enclosed is a copy of the approved application for amendment issued on the above referenced permit.

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,

JANICE RENK
Water Rights

RECEIVED

NOV 16 1977

Department of Water Resources
Eastern District Office

Identification No. _____

Permit No. 35-7259

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Rollo Dutton
b) Post Office Address Box 275, Roberts, Idaho, 83444
2. Permit Number 35-7259
3. Date of Priority that you are prepared to establish 10-26-72
4. a) Source from which water was appropriated Roberts Slough
b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33
Township 5N, Range 37E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 1.5 cfs for irrigation purposes from May 1 to Oct 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 1.5 cfs 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: not measured prior to field exam by your dept.

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: n/a

b) Describe the agreement or understanding by which you take water from the works: n/a

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) Water is diverted from Roberts Slough by means of 15 H.P. General Electric motor & a Layne and bowler pump and into a concrete head box and acreage is flood irrigated from sketch

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

c) Give well driller's name and address and the date the well was completed: n/a

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

Exam typed 11/6/78 by js

If you are Irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

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	
5N	37E	35														35.3			35.3

Total number of acres irrigated 35.3

10. Remarks: _____

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

X Nov 15 1977
(Date)

X Rollo Dutton
(Signature)

State of Idaho)
County of Jefferson) ss.

On this 15 day of November, 19 77, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Flarence Delahurst
Notary Public residing at Roberts Ida
83444

My commission expires Aug 1979

September 30, 1977

CERTIFIED MAIL

13895-7

Re: Permit No. 35-7259

Rollo Dutson
Poherts, Idaho
83444

Dear Mr. Dutson:

One of the conditions of approval of your water Permit No. 35-7259 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

January 5, 1973

Re: 35-7259

Rollo Dutson
Roberts,
Idaho

Dear Mr. Dutson:

Enclosed is a copy of your approved Application for Permit No. 35-7259. 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.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosure

35 7259

INTER-DEPARTMENT MEMO — 1

DATE November 28, 1972

FROM Eastern District Office ,
TO Boise Office - Water Rights
SUBJECT Application No. 35-7259

The above referenced application has been processed at the Eastern District Office and is enclosed for final action by the State Office.

35 7259

SIGNATURE

November 28, 1972

Re: Application for Permit No. 35-7259 - Rollo Dutson

Rigby Star
Box 37
Rigby, ID 83442

Gentlemen:

Thank you for the affidavit of publication for the above referenced application.

The bill accompanying the affidavit, however, does not indicate the amount due. The affidavit shows the publication fee as \$11.48. Please indicate on the statement the amount due for the publication of this legal notice.

Thank you.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enclosure: statement

35 7259

November 20, 1972

Re: Application No. 35-7259 - Rollo Dutson

Rigby Star
Box 37
Rigby, ID 83442

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your newspaper on November 2 and 9, 1972.

Your cooperation in this matter will be greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

*Telephoned 11-27-72
to*

35 7259

October 27, 1972

Re: Application No. 35-²7259 - Rollo Dutson

The Rigby Star
Box 37
Rigby, ID 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 ample time for you to submit us a galley proof for our 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 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

NCY:BA
Enc: Legal notice

35 7259

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Rollo Dutson, Roberts, Idaho

has on 10-26-72 submitted Application No. 35-7259
for a permit to appropriate 1.5 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from Roberts Slough
by means of pumps and ditches
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 5N, R. 37E, B.M., Jefferson County;

to be used from May 1 to Oct. 1
for the irrigation of 75 acres

within the N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 5N, R. 37E, 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 Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before November 20, 1972.

R. KEITH HIGGINSON
Director

Published in the Rigby Star, Rigby, Idaho
on November 2 and November 9, 1972

35 7259

NCY

October 26, 1972

Mr. Rollo Dutson
Box 275
Roberts, ID 83444

Dear Mr. Dutson:

Attached herewith is departmental receipt No. 7019 in the amount of \$35 for your application for permit which was received in this office on the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

LAW OFFICES

HOLDEN, HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620

AREA CODE 208

WILLIAM S. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER

ARTHUR W. HOLDEN (1877-1967)

ROBERT B. HOLDEN (1911-1971)

October 25, 1972

RECEIVED

OCT 26 1972

Department of Water Administration
Eastern District Office

Department of Water Administration
Eastern District Office
240 South Holmes
Idaho Falls, Idaho

Re: Rollo Dutson
4758

Gentlemen:

Pursuant to your letter of October 10, 1972, we have had the application executed by Rollo Dutson and enclose it with this letter.

Thank you very much for the review and retyping. Also enclosed is Mr. Dutson's check in the amount of \$35.00, payable to your administration.

Very truly yours,

R. Vern Kidwell
R. Vern Kidwell ja

jk
Encl.

35 7259

October 10, 1972

Mr. R. Vern Kidwell
Attorney-at-Law
P.O. Box 129
Idaho Falls, ID 83401

Dear Mr. Kidwell:

We are returning the Application for Permit submitted in behalf of Mr. Rollo Dutson, along with the applicant's check, No. 92-41 in the amount of \$25.

The application was prepared on one of the Department's old permit forms; therefore, we have retyped the application on a new form, which is enclosed for the applicant's inspection and signature.

Also, for 1.5 cubic feet per second, the filing fee is \$35. We have enclosed a new fee schedule for your reference.

If you will obtain Mr. Dutson's signature for the retyped application and return it to this office with the correct filing fee, we will be happy to begin processing the application.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enc: check #92-41
app. for per. (old)
app. for per. (new)
instructions (fee schedule)

35 7259

LAW OFFICES

HOLDEN, HOLDEN, KIDWELL, HAHN & CRAPO

WILLIAM S. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620

AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)

ROBERT B. HOLDEN (1911-1971)

RECEIVED

OCT 10 1972

October 6, 1972

Department of Water Administration
Eastern District Office

State of Idaho
Department of Water Administration
Eastern District Office
240 South Holmes
Idaho Falls, Idaho

Gentlemen:

We enclose Application for Permit of Rollo Dutson and his check in the amount of \$25.00, representing filing fee for 1.5 second feet of water.

The water is proposed to be pumped from the Roberts Slough, East of Roberts, and applied on adjacent grounds of Mr. Dutson. If we can furnish additional information, kindly advise.

Very truly yours,


R. Vern Kidwell *ph*

jk
Encl.

35 7259