

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 15-7121 IN THE)
NAME OF JENNIE & JEFF ALDER) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1991; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,


WHEREAS, on August 1, 1991 the permit lapsed for failure of the permit holders to submit proof of beneficial use; and,

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

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on August 5, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 15-7121 be REINSTATED and the priority advanced to January 23, 1990.

Dated this 12th day of August, 1991.


L. GLEN SAXTON, Chief
Water Allocation Bureau

AUG 19 1991

State of Idaho
 Department of Water Resources
Permit To Appropriate Water

NO. 15-07121

Proposed Priority: January 19, 1990 Maximum Diversion Rate: 0.64 CFS
 This is to certify, that **JEFF ALDER**

JENNIE ALDER
 440 S. MAIN
 MALAD, ID 83252

has applied for a permit to appropriate water from: **GROUNDWATER**
 and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.64 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		NESE Sec. 4, Township 15S, Range 36E ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S 36E 4	NESE 25	NWSE 5	SESE 2.3	32.3
Total number of acres irrigated:				32.3

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

9th day of July, 1990.

R. Keith Higginson
 R. Keith Higginson, Director

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JUL 19 1990

445

15-7121

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Jennie or Jeff Alder Phone 766-4946
Post office address 440 S. Main, Malad, ID 83252

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

3. Location of point of diversion is _____ 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____
Sec. 4 Township 15S Range 36E B.M. Oneida County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:
Amount 0.64 for Irrigation purposes from 4-1 to 11-1 (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 is (a) 0.64 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Two artesian wells to ditches to
flood irrigation.

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

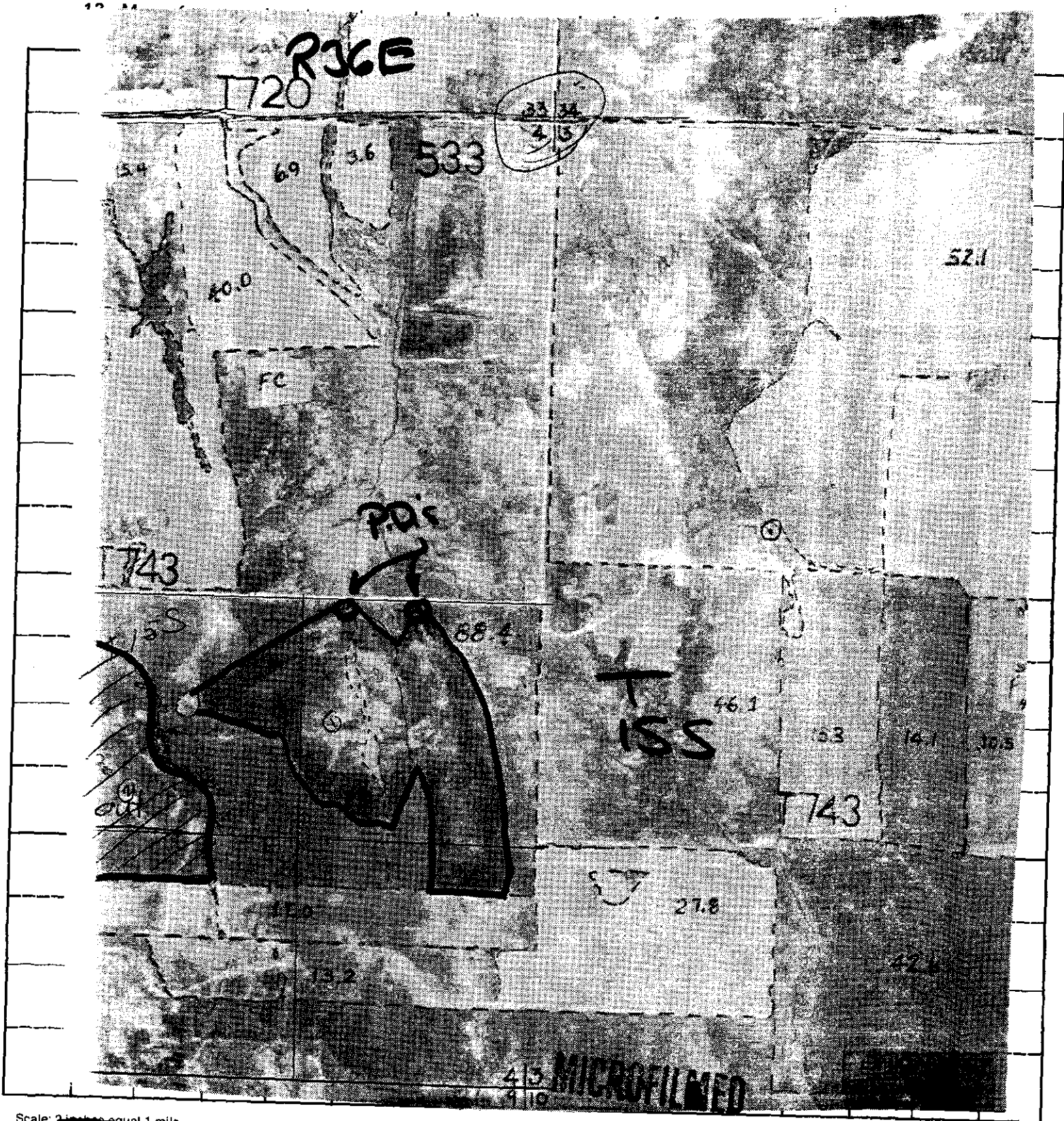
Exists c. Proposed well diameter is 5 inches; proposed depth of well is NA feet.

d. Is ground water with a temperature of greater than 90°F being sought? NA

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

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Scale: 2 inches equal 1 mile.

JUL 19 1990

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.

Jeff Alder
 (Applicant)

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JUL 19 1990

e. Other:

permit.

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

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.

_____, 19____

- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	<u>CS</u>	Date	<u>1-19-90</u>	Time	<u>12:15p</u>	Preliminary check by	
Fee \$	<u>45.00</u>	Received by	<u>AKOS</u>	#	<u>E011796</u>	Date	<u>1-19-90</u>
Publication prepared by	<u>RB</u>	Date	<u>4-19-90</u>	Published in	<u>ID Enterprise</u>		
Publication approved	<u>RB</u>	Date	<u>6-5-90</u>				

Subscribed and sworn to before me this _____ day

at May, 1990

Susan J. Wittman

Notary Public, Residing at Malad, Idaho

My Commission Expires February 9, 1994

NESW NWSW
150.0 ACRES TOTAL
15-07118

ALDER, JEFF
ALDER, JENNIE
440 S. Main
MALAD, ID 83252
Source: TWO MILE CREEK
Tributary: SINKS
Diversiton Pt: SWSE

Sec 35 T 14S R 36E
Use: IRRIGATION(3.220 CFS)
Total Diversion: (3.220 CFS)

Date Filed: 1/19/1990
In: T15S R36E S03
NWNE SENE NENW NWNW
SWNW SENW
161.0 ACRES TOTAL
15-07119

ALDER, JEFF
ALDER, JENNIE
440 S. MAIN
MALAD, ID 83252
Source: GROUNDWATER
Diversiton Pt:

SWNE Sec 3 T 15S R 36E
Use: IRRIGATION(5.280 CFS)
Total Diversion: (5.280 CFS)

Date Filed: 1/19/1990
In: T15S R36E S03
NWNE SWNE NENW SENW
NESW NWSE SWSE
264.0 ACRES TOTAL
15-07120

ALDER, JEFF
ALDER, JENNIE
440 S. MAIN
MALAD, ID 83252
Source: GROUNDWATER
Diversiton Pt:

NWSE Sec 4 T 15S R 36E
Use: IRRIGATION(.290 CFS)
Total Diversion: (.290 CFS)

Date Filed: 1/19/1990
In: T15S R36E S04
NWSE SWSE
14.5 ACRES TOTAL
15-07121

ALDER, JEFF
ALDER, JENNIE
440 S. Main
MALAD, ID 83252
Source: GROUNDWATER
Diversiton Pt:

NESE Sec 4 T 15S R 36E
Use: IRRIGATION(.640 CFS)
Total Diversion: (.640 CFS)

Date Filed: 1/19/1990
In: T15S R36E S04
NESE NWSE SESE
32.3 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Department of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before MAY 7, 1990.

R. KEITH HIGGINSON, Director
No. 1211
4-19-26 T2

NOT RECORDED

JUL 19 1990

August 15, 1991

JEFF ALDER
JENNIE ALDER
440 S. MAIN
MALAD, ID 83252

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 15-07121

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

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AUG 19 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 15-7121

Date 8-9-91

GENERAL CONSIDERATIONS

Y Name same as permit?
N Address same as permit? If no, indicate below.
Rein Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

Y Surface water source
Y Ground water source
Y Drill permit req'd?
Y Copy in file? Drill permit no. _____
Y Amt paid for drilling permit? _____ Correct?
Y Well log in file?

LICENSE EXAMINATION FEE

Y Required?
100 Amount submitted?
Y Correct amount?

MEASURING DEVICE

Y Measuring device or access port required?
Y Installed?
Y Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Reinstated
Proof acceptable

PRIORITY CALCULATION

Date proof received Aug 5 _____
Date proof due Aug 1 - _____
No. of days late _____ = 4
Priority date Jan. 19 + _____
NEW PRIORITY DATE Jan. 23, 90 = _____

LB

RECEIVED
AUG 05 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

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

- 1. Permit No. 15-07121 Telephone No. 766-4946
- 2. Name(s) of Permit Holder(s): Jeff Alder, Jennie Alder
- 3. Post Office Address: 440 South Main, Malad, Id. 83252
- 4. Source of Water: Groundwater
 - a. If ground water, well driller's name: N/A Date drilled: over 50 years old
 - b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 32.3 (No. of acres)
 Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.64 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ___Yes ___XNo Installed? ___Yes ___No
 OR
 Flow Measurement Port: Required? ___Yes ___XNo Installed? ___Yes ___No

8. Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Jeff Alder Name Telephone No. 766-4946
440 South Main, Malad, Idaho 83252 Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

7/31/91
Date

Jeff Alder Signature (and title if on behalf of a company or organization)
MICROFILMED

AUG 19 1991

138591
May 31, 1991

JEFF ALDER
JENNIE ALDER
440 S. MAIN
MALAD, ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07121

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MAIL ROOM

AUG 19 1991

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
July 11, 1990

JEFF ALDER
JENNIE ALDER
440 S. MAIN
MALAD, ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07121

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

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JUL 19 1990

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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JUL 19 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY K. Wilson DATE 2-9-1990 APPLICATION NUMBER 15-7121
Jennie or Jeff Alder

REQUIRED INFORMATION

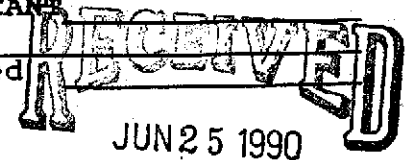
- Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- Address
- Source (See USGS Quad for names of water sources)
- Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)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

ADDITIONAL INFORMATION

- Overlapping place of use (Describe source & relationship to present application on the back.)
- Overlapping point of diversion
- Yes No Field check required
- Field check by _____
- Yes No Field report attached
- Yes No Critical groundwater area
- Yes No Groundwater management area
- Yes No Send dam safety information
- Yes No Send power requirement letter
- Yes No Send fish farm requirement letter
- Yes No Power residency affidavit
- Yes No Power efficiency form
- Yes No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- Yes No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____



Department of Water Resources

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

SEND COPIES TO Idaho Dept. of Health & Welfare U.S. BLM
 Idaho Dept. of Fish & Game U.S. Forest Service
 Idaho Dept. of Lands Water District
 Adjudication Bureau Unit Other _____

FINAL REGIONAL PROCESSING REVIEW

Yes No Affidavit of publication received
 Yes No Application published correctly. If not, record action taken.

Yes No Publication dates & paper, recorded on application
 Yes No Protests received
Final date for protest 5-7-90
 Yes No Protests, dates, resolution of protest, recorded on application
 Yes No Recommendations attached
 Yes No Measuring device required
 Yes No Access port required
 Yes No Will water be delivered by watermaster? If yes, what Dist. _____
 Yes No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 1-19-90
By HCS Date 6-20-90

STATE OFFICE REVIEW P23 P16 46
By KW See below for additional information
Date 6-26-90

ADDITIONAL INFORMATION

Condition <OLG> NO

15-07121

ALDER, JEFF
ALDER, JENNIE
440 S. MAIN
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NESE Sec 4 T 15S R 36E

Use: IRRIGATION (.640 CFS)
 Total Diversion: (.640 CFS)

Date Filed: 1/19/ 1990

In: T15S R36E S04 NESE NWSE SESE

32.3 ACRES TOTAL

MICROFILMED

JUL 19 1990

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before MAY 7, 1990.

R. KEITH HIGGINSON, Director

Published 4/19/1990 & 4/26/1990

NOTIFIED

JUL 19 1990