

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE)

DATE IN CONNECTION WITH PERMIT NO. 13-7021)

in the name of THOMAS A. ROBINSON)

ORDER

WHEREAS, on January 26, 1971, Thomas A. Robinson applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 1.82 cubic feet per second of groundwater within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, Twp. 15S, Rge. 41E, B.M., Franklin County, to be used for domestic, irrigation, and livestock purposes; and,

WHEREAS, on March 23, 1971, the Department approved said application and issued Permit No. 13-7021 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before April 1, 1975; and,

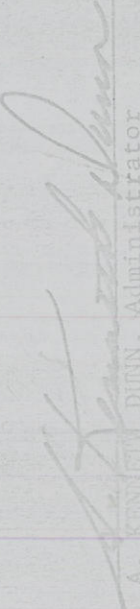
WHEREAS, on February 11, 1975, the Department received a request for an extension of time for said permit; and,

WHEREAS, it appears that under the circumstances the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 13-7021 be extended to April 1, 1979.

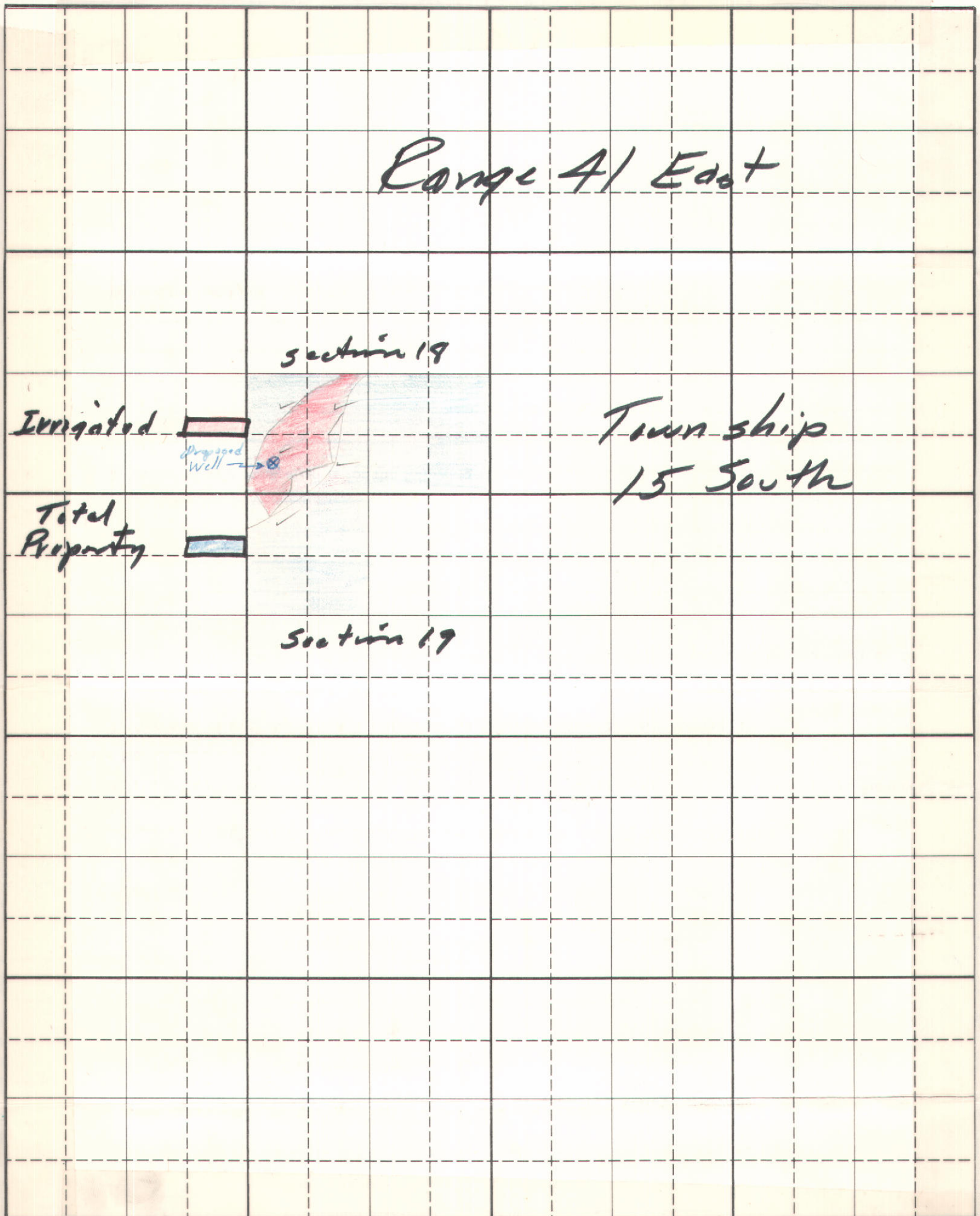
Dated this 12th day of February, 1975.

BDF:JC


A. KENNETH DUNN, Administrator
Operations Division

MICROFILMED

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.

Thomas R. Robinson
(Applicant)

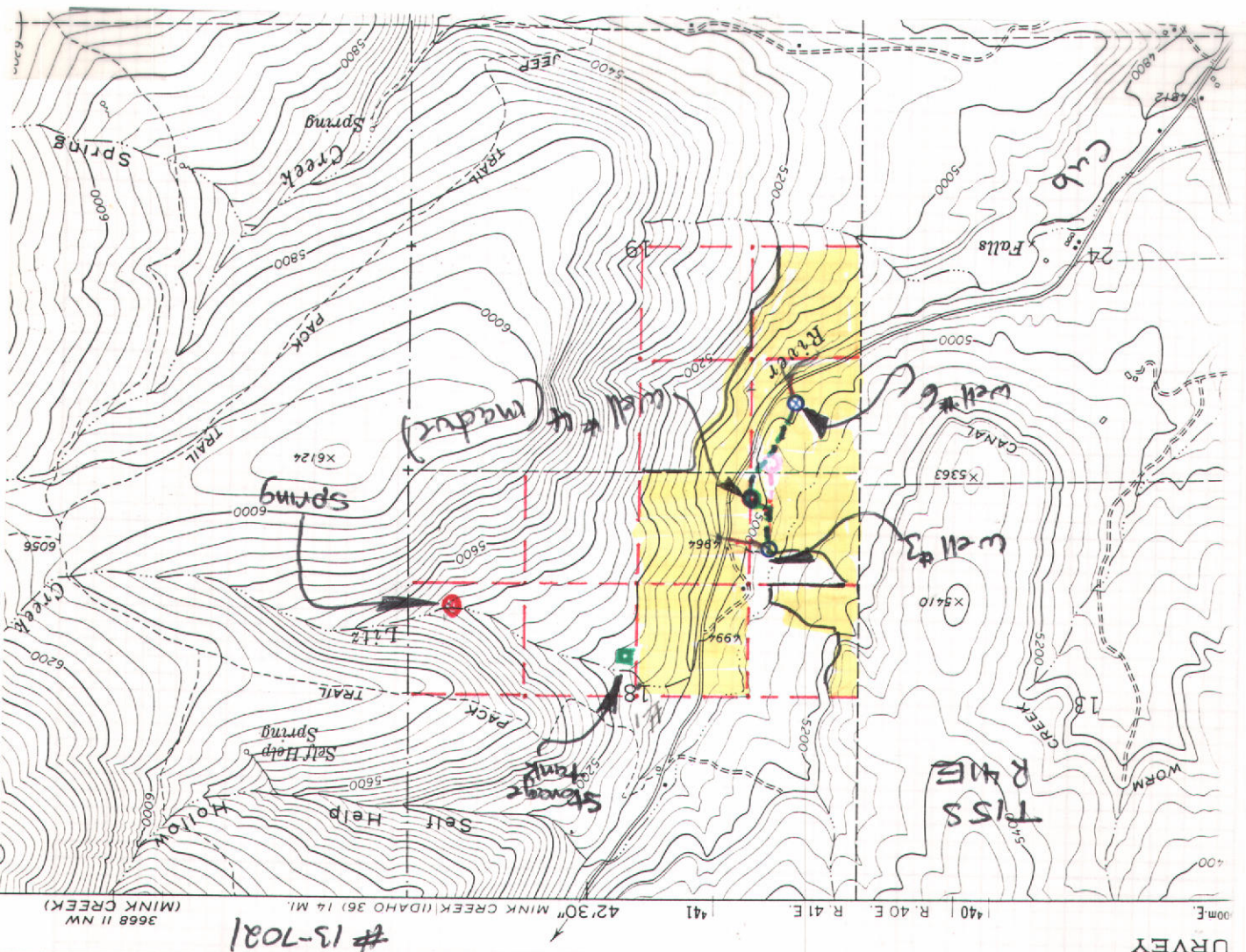
13 7021

Shae McComb
7-9-87

None ☒

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

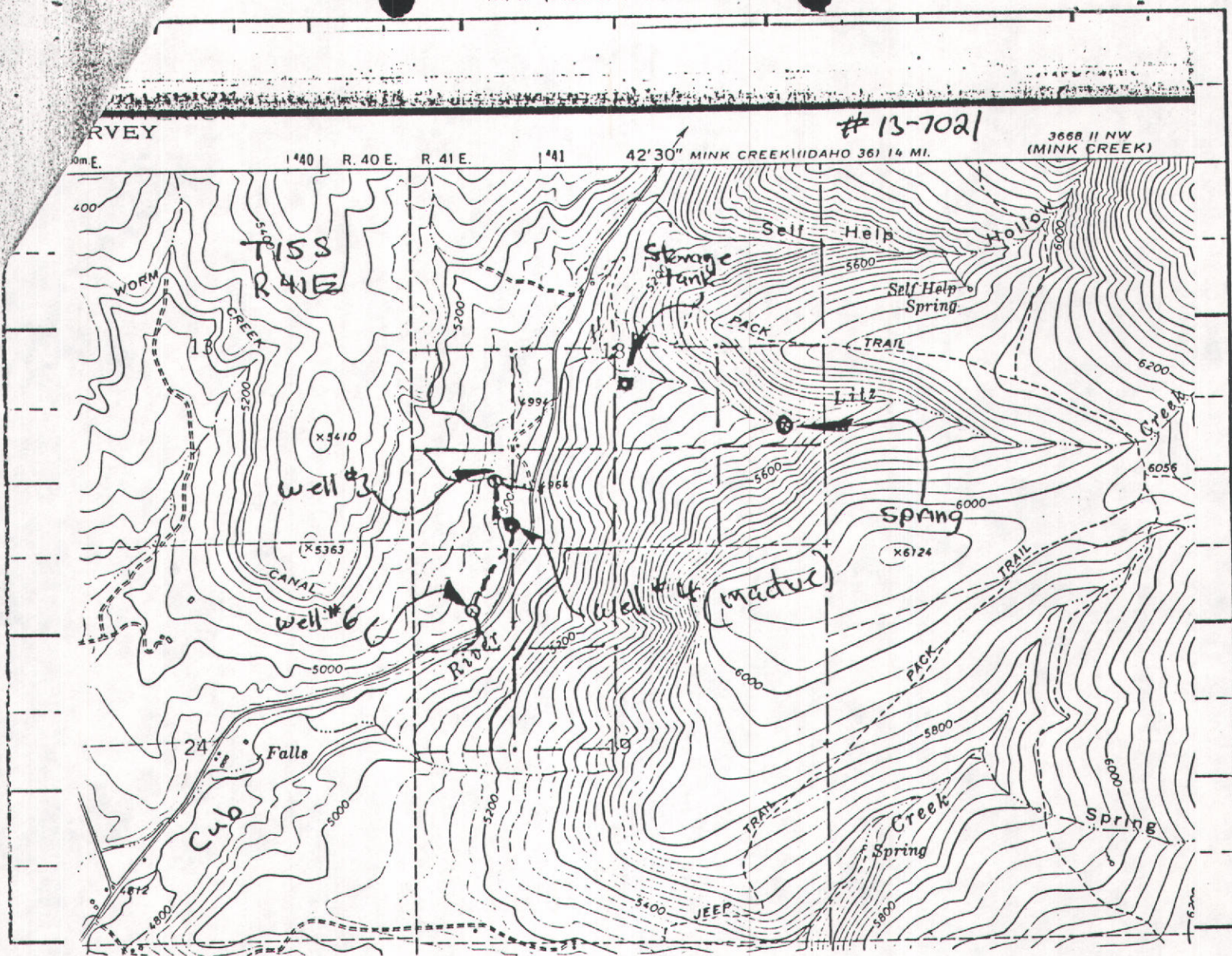
87 and 119



10. Other water rights on these lands NA

11. Other water right diverted from same p.d. NA

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

No measuring device on spring or wells.
Bucket & stop watch was used

Point(s) of diversion: (Well #3) SW 1/4 SW 1/4 Sect. 18 and (Well #6) NW 1/4 NW 1/4 Sect. 19 T15S R41E

Place(s) of Use

[illegible]

Total	22 acres
-------	----------

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☒ Add P.U. as reflected above

- ☒
- None
-
- ☐
- Other

Examiner's Signature

H. W. Jones

Checked by

Approved by _____

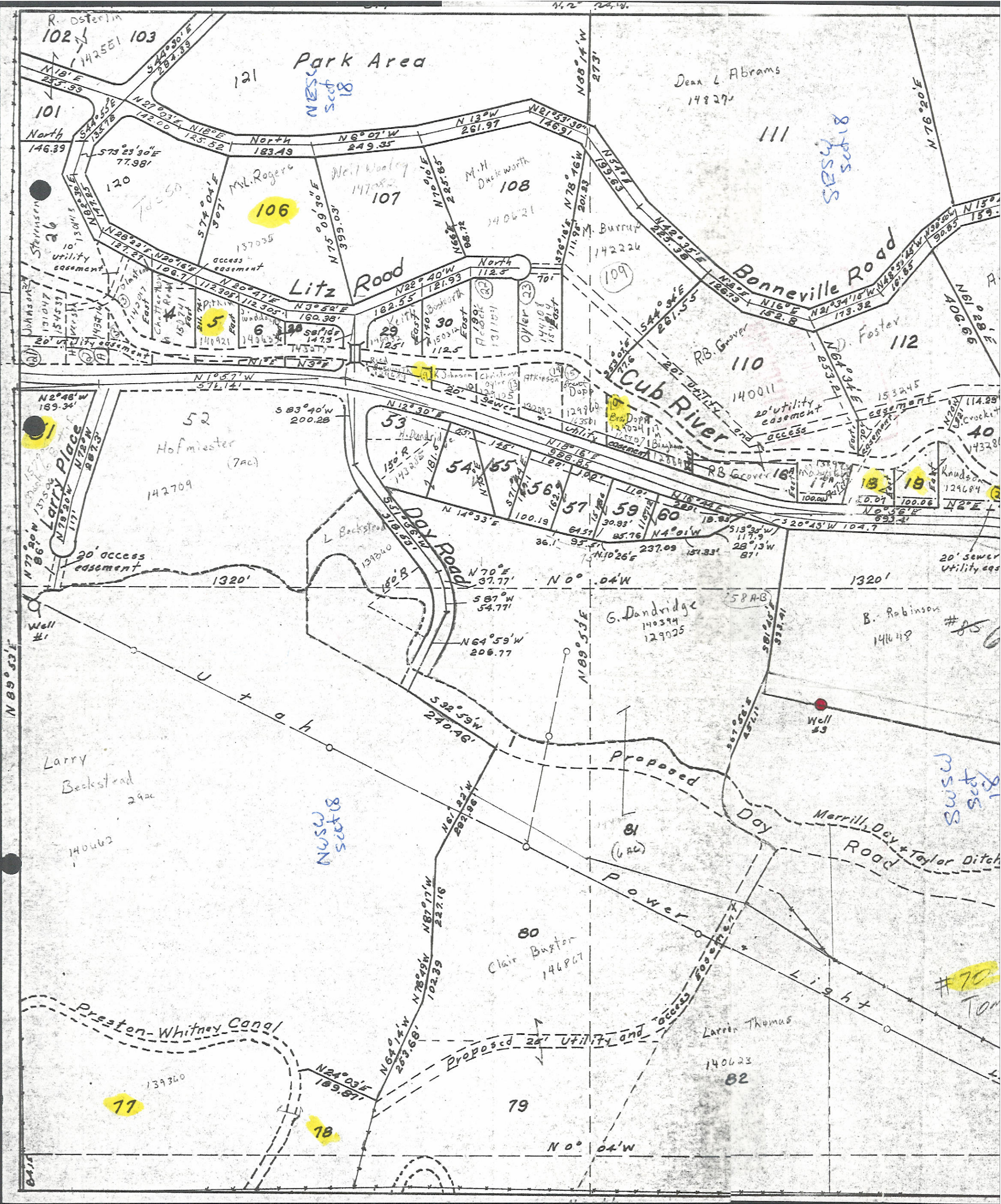
Date 10-21-85

Date _____

Date _____

CONFIDENTIAL

MAR 02 1990



(13-7021 + 13-7028 exchange)

1. Platted tracts are numbered
2. Non-numbered tracts are privately Owned
3. Cul-de-sac and corner radii are 30' unless noted otherwise
4. — — — denotes sewer and utility easement
5. * * * * * existing fences
6. o basic 2" pipe markers based on 1907 survey

☒ — Section 18

North

Scale

$$\frac{1}{2}'' = 100'$$
$$\frac{1}{2}W = 100 \text{ l}$$

SANITARY RESTRICTION 72-1075
UNDER TITLE 50, CHAPTER 13,
IDaho CODE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07021

Priority: January 26, 1971

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.20 CFS
10.8 AF

This is to certify, that THOMAS A. ROBINSON
RT. 3 BOX 607C

PRESTON, ID 83263 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 26, 1971; and
has submitted Proof of Beneficial Use on March 21, 1979. An examination indicates
that the works have a diversion capacity of .200 cfs of water from a **GROUNDWATER**
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.20 CFS	10.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 18, Township 15S, Range 41E
NWNW , Sec. 19, Township 15S, Range 41E
FRANKLIN County

PLACE OF USE: DOMESTIC

TWN RGE SEC

15S 41E 18	NESW	NWSW	SWSW
	SESW		
19	NENW	NWNW	SWNW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 6 homes & 12 campsites.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 23RD
day of FEBRUARY, 1990.

MICROFILMED

MAR 02 1990

Acting for R. Keith Higginson, Director

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE
DATE IN CONNECTION WITH PERMIT NO. 13-7021
In the name of THOMAS A. ROBINSON

ORDER

WHEREAS, on January 26, 1971, Thomas A. Robinson applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 1.82 cubic feet per second of groundwater within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, Twp. 15S, Rge. 41E, B.M., Franklin County, to be used for domestic, irrigation, and livestock purposes; and,

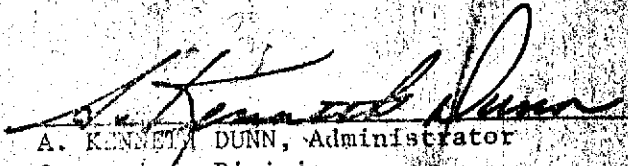
WHEREAS, on March 23, 1971, the Department approved said application and issued Permit No. 13-7021 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before April 1, 1975; and,

WHEREAS, on February 11, 1975, the Department received a request for an extension of time for said permit; and,

WHEREAS, it appears that under the circumstances the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 13-7021 be extended to April 1, 1979.

Dated this 12th day of February, 1975.


A. KENNETH DUNN, Administrator
Operations Division

HDE:JG

MICROFILMED

Identification No. 13-7021

Exchange No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR EXCHANGE OF WATER

APPROVED

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Thomas A. Robinson

Post office address 154 North 2nd East, Preston, Idaho

2. Right obtained by:

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____. Fully describe decree _____

b. Permit, ~~License, xxx~~ ~~Claim, No~~ 13-7021 in the records of the Department of
~~Reclamation~~ Water Administration.

3. Source of water groundwater tributary to - - - -
(Name of stream or source)

4. Date of Priority of Right January 26, 1971

5. Amount of water a. 1.82 c.f.s. and/or
b. _____ acre feet/annum

6. Water is used for irrigation from Apr. 1 to Nov. 1
(Purpose) (Month-Day) (Month-Day)
domestic from Jan. 1 to Dec. 31
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18,
Township 15S, Range 41E, B.M., in Franklin County;
Additional points of diversion, if any NOTE: Amendment filed to make point of diversion
as follows: (2 pts.) SW $\frac{1}{4}$ SW $\frac{1}{4}$, (2 pts.) NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; (3 pts.) NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19
T. 15S, R. 41E, B.M.

8. Lands irrigated or 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 $\frac{1}{4}$	
15S	41E	18									10	20	30	10					70
"	"	19						10											10
Amendment Application filed as follows on 9/24/73																			
Irrigation																			
15S	41E	18									10		30	10					50
"	"	19						10											10
Domestic																			
15S	41E	18									X	X	X	X					
"	"	19					X	X	X	X									

Total number of acres to be irrigated 13 7021

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

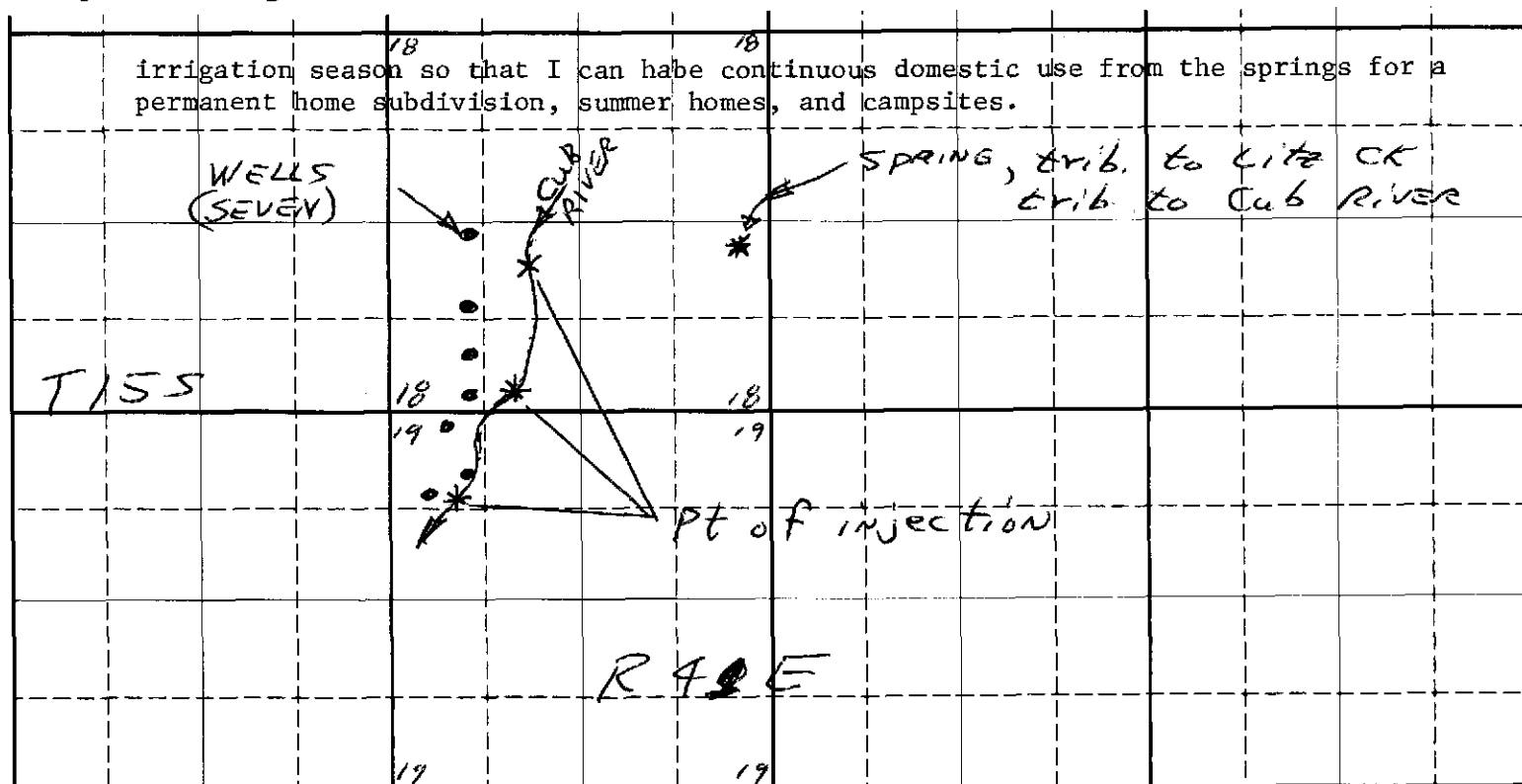
9. Name of Right Holder N. A.
 Post office address _____
10. Source of water Unnamed Spring tributary to Litz Creek
 (Name of stream or source) _____
11. Name of canal or ditch _____
12. Amount of water a. 0.24 c.f.s. and/or
 b. _____ acre feet/annum
13. Right obtained by:
 a. Decree to _____ in Case of _____
 (Name)
 vs. _____, Dated _____ in _____
 (Name of Court)
 Court, County of _____. Fully describe decree (if known) _____

- b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

EXCHANGE

14. 0.24 c.f.s and/or - - - acre feet per annum of water diverted at the point described in line 7 and will be delivered into Cub River at a point in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 15S, Range 41E, B.M., in Franklin County; Additional points, if any SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.
15. In lieu thereof 0.24 c.f.s. and/or - - - acre feet per annum will be diverted from Unnamed spring at a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, Township 15S, Range 41E, B.M., in Franklin County.
16. Explanation I have a 1972 right on the unnamed spring that is junior to irrigation rights on Cub River. I wish to trade groundwater from the wells for the spring water during those periods of the year that my 1972 right is not on during the critical

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Thomas A. Farmer
(Signature of Applicant)

Subscribed and sworn to before me this 24th day of SEPTEMBER, 1973.

Norman C. Young
(Notary Public)

My commission expires 6/10/75

ACTION OF THE STATE RECLAMATION ENGINEER

I have examined Application for Exchange of Water No. 13-7021 and said application is hereby APPROVED.

- Approval of said application is subject to the following limitations and conditions:
- (1) Totalizing measuring devices shall be installed and maintained at the points of diversion on the spring and at the place of injection into the Cub River.
 - (2) Use of water under this exchange is subject to control by the Watermaster of State Water District No. 13-A, Cub River.
 - (3) Whenever the flow in the Cub River Drainage is not sufficient to fill all rights prior in time to Permit No. 13-7028, water pumped from the permit holder's wells shall be diverted into the Cub River at a single point of injection at a rate at least as great as that then being diverted from the spring in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, Twp. 15 S, Rge. 41 E, B.M. by the permit holder.

Witness my hand this 12th day of February, 19 74.

[Signature]
Director ~~State Reclamation Engineer~~
Idaho Dept. of Water Administration

FOR DEPARTMENT USE ONLY

Received by ymb Date 9-24-73 Time 4:20 p Preliminary check by NCY 9/24/73
Fee \$ 30.⁰⁰ ^{Receipt #10360} Received by ymb Date 9-24-73 Publication prepared by ymb
Date 10/5/73 Published in Preston Citizen, Preston Dates October 11 & 18, 1973
Affidavit of Publication received 10-25-73 Publication approved by CW- 10/25/73
Republished Dates N.A.

Protests Filed By:		Copies Forwarded			
Protestant	Address	Date Filed	by	Date	Action Taken
<u>Oliver J. Brownman</u>	<u>RFD Preston, ID</u>	<u>10-24-73</u>	<u>MB</u>	<u>10/25/73</u>	
<u>David A. Sharp</u>	<u>ft. 3 Preston, ID</u>	<u>10-24-73</u>	<u>Withdrawn</u>		

Agreement needed None Reg'd Agreement received N.A.
^{CONFERENCE} Hearings held at Franklin City Courthouse, Preston, ID Date 1-23-74 MB
Recommended for approval denial by NCY DIST. ENGR. 4/30/74
(Title)

FEE \$10.00

SEP 24 1973

Department of Water Administration
Eastern District Office

Receipt # 10360

OCT 9 1973

Department of Water Administration
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR AMENDMENT

APPROVED

Permit No. 13-7021

Comes now Thomas A. Robinson

_of (address)

Preston, Idaho

_____, Preston, Idaho _____, and represents to the State Reclamation
Department of Water Administration

No. 13-7021, and requests that the permit and permit map be changed as follows:

(2 points)

1. Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15S

R. 41E, B.M. Other points of diversion (2 pts.) NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; (3 pts.) NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day

mo. - day

Amount 1.00 for domestic * purpose from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 0.82 for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)

Amount 1.82 for TOTAL purpose from - - - to - - - (both dates inclusive)

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)

3. Place of use or land to be irrigated:

[illegible]

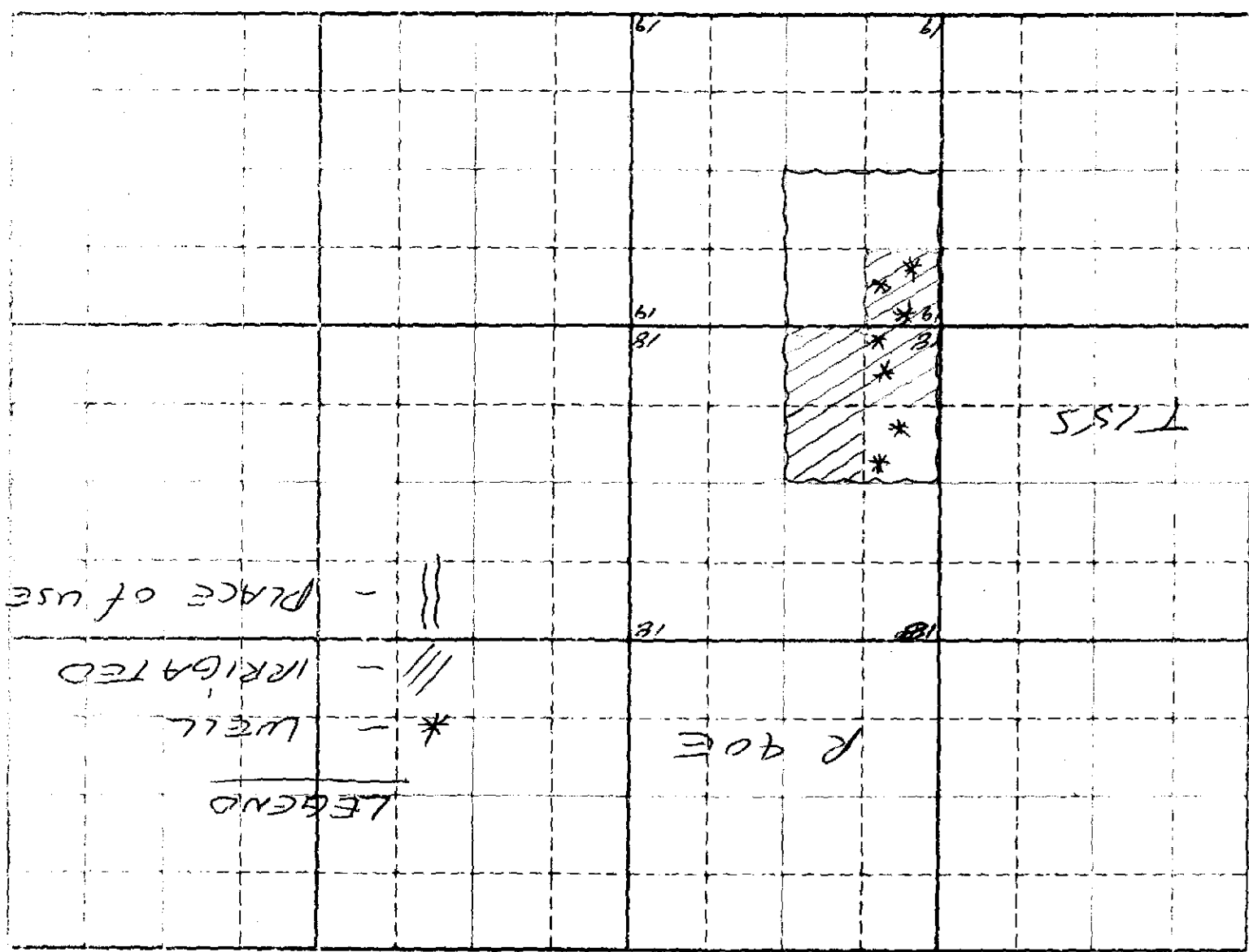
Total number of acres to be irrigated

U.S. DEPARTMENT OF WATER ADMINISTRATION
SALT LAKE DISTRICT OFFICE
100 N. HOLMES
SALT LAKE, IDAHO 83401

13 7021

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

13 7021



Scale. 2 inches equal 1 mile

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

Signed at Idaho Falls, Idaho, this 24 day of September, 1973

(Signature)
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration

hereby approve the above application for amendment for Permit No. 13-7021 with the condition that measuring devices of a type approved by this Department be permanently installed and maintained at each point of diversion.

Witness my hand this 12 day of February, 1974

(Signature)
Director

Identification No. 13-7021

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Thomas A. Robinson
post office address 154 N. 2nd East, Preston, Idaho 83263
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18 Township 15 S
Range 41 E B.M. Franklin County; additional points of diversion if any: _____

- 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 .20 for community ^{supply} purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for livestock ^{water} purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.60 for irrigation purpose from July 1 to Sept 1 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.82 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
well, pump, culinary water reservoir, pipes to houses and barns, pipes to sprinkler

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 10 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 4 years.
b. Estimated construction cost is \$ 5,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:

S $\frac{1}{2}$ 18

NW $\frac{1}{4}$ 19

Township 15 S

Range 41 E B.M.

(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 50 to 100 head - cattle & horses

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 5 or 10.
(5) If water is to be used for other purposes describe: livestock

Total number of acres to be irrigated 80 TOTAL

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

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

Range 41 East												
Section 19												
Irrigated	[]		Well →		Township		15 South					
Total Property	[]											
Section 19												

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.


(Applicant)

13 2021

Received by _____ Date 1-26-71 Time 8:00 AM
Preliminary check by W. J. Fee \$ 25.00
Received by W. J. Fee Date 1-27-71
Publication prepared by dg Date 2-2-71
Published in Preston Citizen
Publication dates 2-11 & 2-18, 71
Publication approved W. J. Fee Date 2-19-71
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by W. J. Fee BDF

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. 13-7021, 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 April 1, 19 75.

c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device at the point of diversion of a type approved by this Department.

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

Witness my hand this 23rd day of March, 19 71.

Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 13-7021 Name Thomas A. Robinson

Source ground water

Point of Diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15S, R. 41E, B.M., Franklin County

Quantity .20 Use community supply Period Jan. 1 - Dec. 31

Quantity .02 Use livestock watering Period Jan. 1 - Dec. 31

Quantity 1.60 Use irrigation Period July 1 - Sept. 1

Well Size _____ Diameter 10" Proposed Depth ? Feet

Use 10 families, 50 to 100 head - cattle & horses, 80 acres

Date Forwarded 2-2-71 Date Returned 2-12-71 Received by _____

COMMENTS: Water levels show some fluctuation (± 5 feet) but
period of record is too short to predict either increases or declines.
Primary aquifer is sand & gravel, probably not very productive.
Water levels very variable, 80 ft. (j).

RECOMMENDED:

Applied: Qty.	<u>1.60</u>	Use	<u>IRR.</u>	Period	<u>7/1-9/1</u>	AF/A	<u>3.5</u>	AF	<u>82</u>
	Qty. <u>.02</u>	Use	<u>STOCK</u>	Period	<u>1/1-12/31</u>	AF/A		AF	<u>-</u>
	Qty. <u>.20</u>	Use	<u>MULT. DOM.</u>	Period	<u>1/1-12/31</u>	AF/A		AF	<u>10</u>
Maximum: Qty.	<u>1.60</u>	Use	<u>IRR.</u>	Period	<u>4/1-11/1</u>	AF/A	<u>3.5</u>	AF	<u>280</u>
	Qty. <u>.02</u>	Use	<u>STOCK</u>	Period	<u>1/1-12/31</u>	AF/A		AF	<u>1.3</u>
	Qty. <u>.20</u>	Use	<u>MULT. DOM.</u>	Period	<u>1/1-12/31</u>	AF/A		AF	<u>10</u>

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial: _____

INVESTIGATION By Paul M. Castelin Title W.R.I. - I

Date Feb. 12, '71

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Haynes D. Bell

being duly sworn,

deposes and says:

That he is the *Co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

October 4

, 19 *73*, and ending

with the issue of

October 11

, 19 *73*

Haynes D. Bell

Fees, \$ *16.20*

Subscribed and sworn to before me this *24* day

of *October*, 19 *73*

William D. Ladd

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 13-7021 in the name of Thomas A. Robinson was issued for the diversion of 1.82 c.f.s. of water from a ground-water source with point of diversion within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15S, R. 41E, B.M., Franklin County, to be used from Apr. 1, to Nov. 1 for the irrigation of 80 acres within the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

The permit holder now proposes to amend Permit No. 13-7021, changing the point of diversion to (2 pts.) SW $\frac{1}{4}$ SW $\frac{1}{4}$,

(2 pts.) NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; (3 pts.) NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.; to be used for the irrigation of 60 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.; and for domestic purposes for 25 permanent homes, 25 summer homes and 25 campsites within the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the proposed amending of the permit may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before October 23, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on October 4 and October 11, 1973.

Legal No. 2474 — Pub. Oct. 4, 11, 1973.

13 7021

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Franklin

ss.

Wayne N. Bell

being duly sworn,

deposes and says:

That he is the *co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

October 18, 19 *73*, and ending with the issue of *October 18*, 19 *73*.

Wayne N. Bell
Fees, \$ *19.24*

Subscribed and sworn to before me this *24* day of *October*, 19 *73*.

W. L. Ladd

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*.

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that Thomas A. Robinson, 154 North 2nd East, Preston, Idaho, has applied to the Idaho Department of Water Administration for an exchange of water evidenced by Permit No. 13-7021, for 1.82 cubic feet per second of ground-water with a priority of January 26, 1971. An Application for Amendment is pending to change the point of diversion of this permit to SW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 pts.), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 pts.), Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (3 pts.), Sec. 19, T. 15S, R. 41E, B.M.; and the place and nature of use to irrigation of 60 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M. and domestic purposes for 25 permanent homes, 25 summer homes and 25 camp sites within the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

The proposed exchange is to divert 24 c.f.s. from an unnamed spring tributary to Litz Creek tributary to Cub River within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 15S, R. 41E, B.M. A like amount of water from Permit No. 13-7021 will be released into the Cub River at points within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the above exchange of water must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before October 29, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on October 11 and October 18, 1973.

Legal No 2479 — Pub. Oct. 11, 18, 1973.

13 7021

No 1906

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the Co-publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

February 11, 19 71, and ending with the issue of February 18, 19 71

Fees, \$ 8.74

Subscribed and sworn to before me this 18 day of February, 19 71.

DeAnn R. Liddis

Notary Public, Residing at Preston, Idaho

My Commission Expires March, 19 74

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas A. Robinson, 154 N. 2nd East, Preston, Idaho, has on January 26, 1971, submitted Application No. 13-7021 for a permit to appropriate 1.82 cubic feet per second of water from a ground water source by means of well, pump, reservoir, and pipes within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15S, R. 41E, B.M., Franklin County, to be used from January 1 to December 31 for community supply (0.2 cfs) and livestock watering (0.02 cfs) within the S $\frac{1}{2}$, Sec. 18; NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.; and from July 1 to September 1 for the irrigation of 80 acres (1.6 cfs) in the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, 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, Statehouse, Boise, Idaho 83707, on or before March 1, 1971.

Published in the Preston Citizen, Preston, Idaho, on February 11 and Feb. 18, 1971.

Legal No. 1906 — Pub. Feb. 11 and 18, 1971.

13 7021

ACKNOWLEDGEMENT

Date: 7/24/73

Re: Application No. _____

Transfer No. _____

Claim No. _____

Amendment No. _____

Exchanging To & Water Right # 13-7021

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Water Administration in the preparation of the above referenced instrument, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

13 7021

Signed: *Thomas Johnson*

ACKNOWLEDGEMENT

Date: 9/27/13

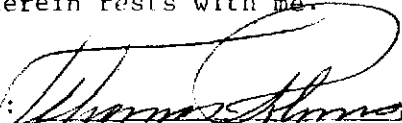
Re: Application No. _____

Transfer No. _____

Claim No. _____

Amendment No. 13-7021

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Water Administration in the preparation of the above referenced instrument, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed:  13 7021

February 26, 1990

THOMAS A. ROBINSON
RT. 3 BOX 607C
PRESTON, ID 83263

RE: PERMIT NO. 13-07021

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
MAR 02 1990

January 18, 1990

THOMAS A. ROBINSON
RT. 3 BOX 607C
PRESTON, ID 83263

RE: PERMIT NO. 13-07021

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 02 1990

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT 1\4 1\4 1\4	LT	#SOURCE	#NAME
1307021 1307065	15S	41E	18	SW SW		GROUNDWATER WASTE WATER	ROBINSON, THOMAS A. ROBINSON, THOMAS A.
1307021	15S	41E	18	NW SW		GROUNDWATER	ROBINSON, THOMAS A.
1307021 1307066	15S	41E	19	NW NW		GROUNDWATER SPRING	ROBINSON, THOMAS A. ROBINSON, THOMAS A.

MICROFILMED

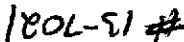
MAR 02 1990

[illegible]

NA.

N.A.

indicate how diversion systems are connected.



JURY

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

☐ Other
☒ None

221-18
A.C. Jones

Date _____

CONSULTANT SEAL

Steve McComb
7-9-87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

exchange { 13-7028
13-7021
Permit No.

1. **Measurement Calculations**

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

- a, Spring flow at overflow pipe in storage tank; by bucket & stopwatch
90 gpm or 0.20 cfs
- b, well #3 - open discharge to bucket & stopwatch; 60 gpm } total 90 gpm or
well #6 - " " " " ; 30 gpm } 0.20 cfs

allow 0.20 cfs for exchange

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

c) Volume Calculations for Other Uses:

$0.6 \text{ cfs} \times 18 \text{ allowable sites} = 10.8 \text{ cfs}$

2. **Overlap Review**

- a) Other water rights with same place of use: N.A.
- b) Other water rights with same point of diversion: N.A.
- c) Analysis:

MICROFILMED

MAR 02 1990

RECOMMENDED AMOUNTS

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder:

Address:

5. Source: _____ tributary to _____

6. Beneficial Use

Period of Use
From To

Rate of Diversion
Q (cfs)

Annual Volume
V (afa)

Domestic

12-51

000

8.01

Allowable Maximums:

0-20-f

10.8.01

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks:

10. Recommended Amendments

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

MICROFILMED

MAR 02 1990

11

Examiner's Signature

Checked in Regional Office by

Approved in State Office by

Date _____

Date _____

Date _____

5-13-87

68/11/11

MEMORANDUM

TO: Skip
FROM: Jim *Jim*
DATE: May 1, 1987
RE: 13-7021 & 13-7028

RECEIVED

MAY 5 1987

Department of Water Resources
Eastern District Office

It appears to me that Rt. 13-7028 is definitely limited to a maximum of 0.24 cfs but a change in nature of use can be allowed to accomodate the uses found developed to the extent that no expansion will occur.

To do this, we would have to estimate maximum volume and maximum consumptive use which would occur on the original uses identified under the permit.

The permit shows 6 summer homes at 0.02 cfs/home and 12 camp sites at 0.01 cfs/camp site.

Volume used annually:

You may have a better handle on this. I am going to assume that summer home water use is $\frac{1}{2}$ of normal volume. Therefore, the AFA would be $0.6 \times 6 = 3.6$. Also assume camp site AFA at 0.6 per camp site. On consumptive use we normally assume in-house use as non-consumptive. For this case, I assume all domestic and camp site use to be so small that it can be considered as non-consumptive. Therefore, the amount available for change in nature of use is:

Rate: 0.24 cfs
Volume: 10.8 AFA
Consumptive use: 0

Actual water use found was 81 domestic units and 22 acres irrigated. Using the parameters described above, the 0.24 cfs with 10.8 AFA could supply 18 of the 81 units. Water could not be used on any of the irrigated lands because of the consumptive use restriction.

In conclusion, I agree with the assessment that 18 units could be recognized under 13-7028. I went to more detail than perhaps was necessary, but I wanted to address the change in nature of use option.

Hope this helps.

MICROFILMED

MAR 02 1987

ACTION REQUIRED

RECEIVED

FROM: H. W. Jones

MAR 02 1980

APR 16 1987

TO: Jim Johnson

RE: Rough Draft of 13-7028 + 13-7021 Department of Water Resources

This "exchange" of permits addresses only an amt. of water listed as 0.24 cfs. However the permits themselves differ in the amt. of home sites served. Amended permit 13-7021 says 25 homes, 25 summer homes + 25 campsites or 75 lots subdivided in. Permit 13-7028 shows 6 homes + 12 campsites. Even so, the exchange was approved. In actual practice the spring water is used all the time and the wells only turned on to supplement the River flow when the 1972 priority of the spring is supposed to be viewed by the water master as shut off. (Continued)

#2 ACTION REQUIRED

FROM: H.W. Jones

MAR 02 1990

TO: Jim Johnson

During my field inspection I found 81 lots staggered. How does one interpret the "exchange". Can 75 lots be interpreted as the place of use as per 13-7021 or is the place of use limited to 6 homes & 12 campsites as per 13-7028 or do we ignore these numbers & just use 24cf as applicable to whatever I find it being used for?

Ernie feels that the permit for 13-7028 and its 18 sites is limiting & the use of the additional sites might require an additional application. Anyway hope to hear from you soon.

*P.S. See attached memo from Dave Futhill on exchanges

RECEIVED

APR 16 1987

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

WORK COPY

13-7028

~~13-7021~~

Permit No.

CONTACT WITH PERMIT HOLDER

Department of Water Resources

DATE

INITIALS

REMARKS

☐ Appointment letter mailed:☐ Telephone call made

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location).

ORIGINAL WRITE-UP - VOID

HWT

EXAMINATION

Date 1983 Accompanied by Thomas Robinson Total Q measured 0.20 cfsSource Groundwater Tributary to _____ Supp. annubar measurement sheet used? _____

If source is surface water, estimate total flow of source _____

Methods of measurement Bucket & stopwatch Meets permit requirements? _____Measurement calculations: Bucket & stopwatch at spring - 90gpm or 0.20 cfs - groundwater
is exchanged for this water from spring under permit 13-7028 so spring water can be
used continuously.Well #3 - 60gpm discharge } total 90gpm
Well #6 - 30gpm discharge } or 0.20 cfs

[Spring flow & well flow match for use in exchange]

Domestic $V = 81 \text{ outlets} \times 0.6 \text{ gfg} = 48.6 \text{ gfg}$ Irrigation $V = 22 \text{ acres} \times 3.5 \text{ gfg} = 77 \text{ gfg}$ $V = 0.20 \text{ cfs} \times 2146 \times 1.485 = 84.8$

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
#3	3	NA		NA		Bucket & watch		
#6	1.5	NA		NA		Bucket & watch		

System Description Spring with line to 30,000 gallon storage tank with lines to 81 outlets
(summer homes, trailer sites etc) 46 of which are in current use. The two functioning wells
are to be used to provide exchange water to be injected into the Cub river
so that the spring water will not be cut off (See exchange agreement)
by watermaster. (Well #3 140' deep, pump set at 110' - Well #6 140' deep, pump set at
120')

Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Domestic
IrrigationIrrigation requirement = 3.5

AFA/Acre

Q (cfs)

V (afa)

FROM

TO

0.20

48.6

1-1

12-31

0.20

77

4-1

11-1

MICRO LIMITED

MAR 02 1990

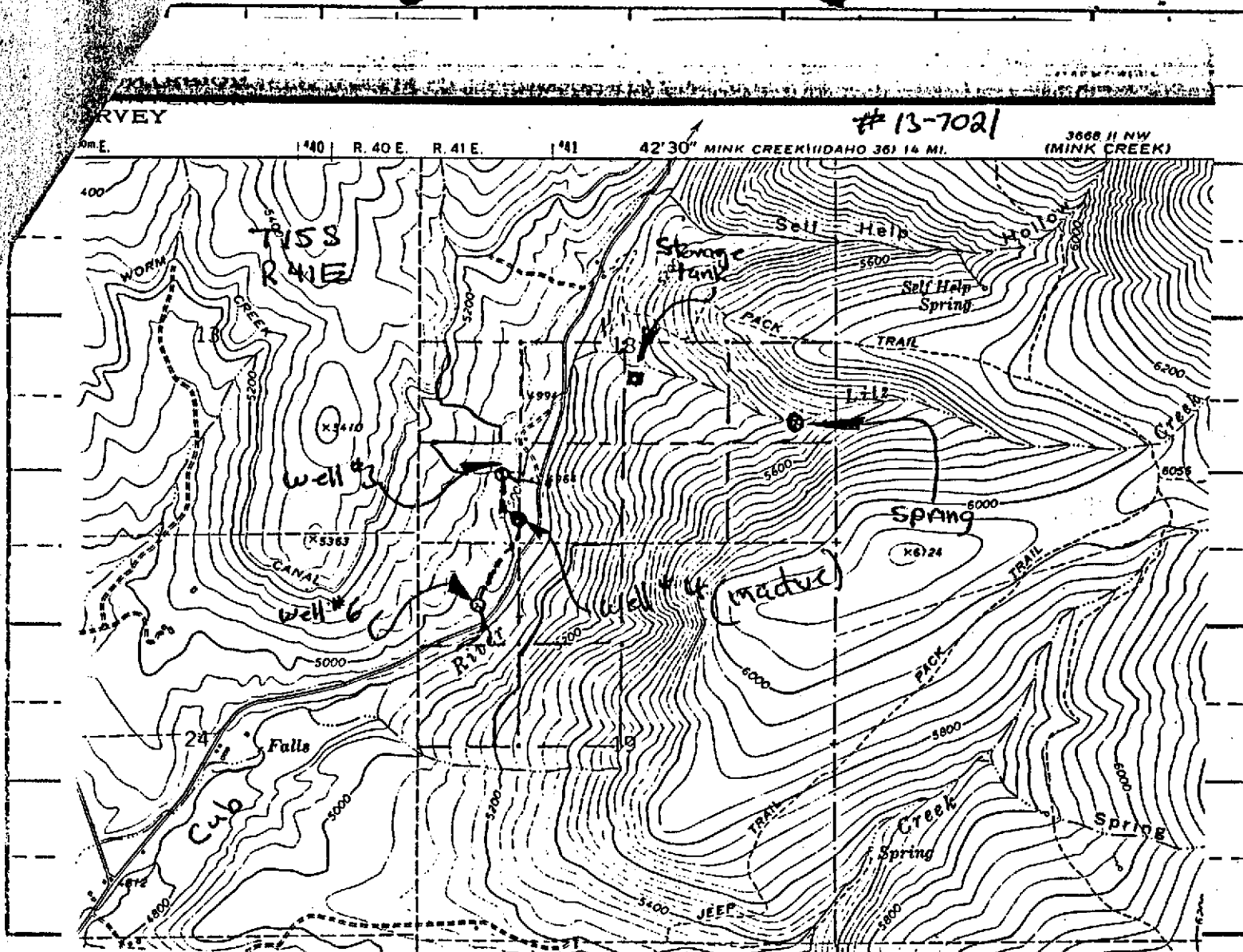
Net

Total

0.20 cfs

125.6 gfg

Remarks I recommend only allowing for 1/4 acre of irrigation per summer home
site as only small lawns or no lawns would be planted with a number
of the sites heavily forested. Also there is not sufficient water available
from the spring to do more than provide for the domestic needs of these
sites. Also there is an interconnecting line that runs from well #3 to
#4 & then to #6. Also see application for exchange of rights
between 13-7028 and 13-7021



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

No measuring device on spring or wells.
Bucket & stop watch was used

Point(s) of diversion: (well #3) SW 1/4 SW 1/4 Sect. 18 and (well #6) NW 1/4 NW 1/4
Sect. 19 T15S R41E

Place(s) of Use[illegible]

Total 22 acres

Recommended Amendments:

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

Examiner's Signature

Checked by

Approved by

Date 10-21-85

Date _____

Date

MAR 02 1990

MEMORANDUM

TO: Ron Carlson, et al.
FROM: Dave Tuthill *DT*
THRU: Bob Fleenor *Bob*
DATE: April 6, 1983
RE: Memos Dated March 10, 1983 and March 25, 1983, Attached

RECEIVED
MAY 1 1983
Department of Water Resources
Eastern District Office

Based on a request from Skip Jones, et al., this office reviewed in detail the issue of licensing a water right that has been perfected via an exchange. As a result, we prepared a memo, dated March 25, 1983, Re: Exchange of a Decreed Surface Water Right with a Newly Developed Groundwater Permit. The guidelines expressed in the memo were intended to be general enough to apply to most practical situations.

On the day the memo was to be mailed to the regional office we received the memo dated March 10, 1983, which outlined a case-in-point. The general guidelines from the March 25, 1983 memo can be applied to answer the questions raised in the final paragraph of the memo dated March 10, 1983, as follows:

1. Yes, the two permits (34-7096 and 34-7097) can be licensed even though the well has never provided water to the permitted place of use because the exchange methodology was described in the approved exchange of 34-0032A.
2. As indicated in the memo dated March 25, 1983, the exam should include measurements of the rates of flow of (1) the exchange well, (2) diversion into the Moore Canal, (3) conveyance into the Utah Construction Canal, and (4) redirection from the Utah Construction Canal. Also, the lands irrigated as described by Permits Nos. 34-7096 and 34-7097 and the lands irrigated by the exchange well must be quantified.
3. The land lists for the recommended licenses for Permits Nos. 34-7096 and 34-7097 will be limited to the number of acres currently irrigated via the exchange well in Sec. 17, (limited to 226 by the exchange). The rates of flow for the recommended licenses will be limited to the lesser of the surface diversion system and the exchange well diversion system.
4. The seepage loss in the canal should be addressed in remarks, as described in the memo dated March 25, 1983.

It appears that the situation described in the memo dated March 10, 1983, is adaptable to the guidelines described in the memo dated March 25, 1983.

MICROFILMED
MAR 02 1990

Schedule Water Use as of 8/13/82

A - Permanent Home B - Summer Home

C - Used Tract (campsite) D - unused out lot

Tract #	A	B	C	D	Comment
1				✓	
2				✓	
3				✓	
4			✓		
5		✓	✓		summer cabin
6			✓		
# 28 (No water)					
7 " "					
8			✓		
9		✓			Summer cabin
10		✓			" "
11			✓		
12			✓		
13			✓		
No 14 or 15					
16 (No water)			✓		
17					
18, 19 & 20	✓				Knudsone
21			✓		
22			✓		
23			✓		
No 24					
25				✓	
26				✓	
27 A & 27 B				✓	
28 (see above)					
29			✓		
30			✓		
31			✓		
32		✓	✓		
33/109			✓		
No 34 thru 39			✓		
40				✓	
41				✓	
42				✓	
43				✓	
44		✓		✓	summer cabin
45				✓	
46				✓	
47				✓	
48				✓	
49				✓	
Season 19 — 50		✓			summer cabin
Season 18 — 51	✓				?
52			✓		
53 thru 60 (one tract)			✓		Dondridge tract
?	✓				Holt Dondridge
?					(" " Lot)

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MAR 02 1990

Tract #	A	B	C	D	Comment
?	✓				Brain Rotunda
70 + 72 (No 71)	✓				Tom Robinson
No 73					
74	✓				chutick
75				✓	
76, 77 + 78	✓				Larry Buckhead
79 + 80			✓		
81				✓	
82				✓	
No 83 + 84					
85		✓			
86				✓	
87		✓			
88				✓	
89			✓		
90				✓	
91				✓	
No 92 thru 100					
101, 102 + 103			✓		
104				✓	(unused cabin)
105				✓	
106	✓				Woolery
107				✓	
108			✓		
33/109 (see 33)			✓		
110			✓		
111				✓	
112				✓	
113				✓	
114				✓	
115				✓	
116			✓		
117				✓	
118				✓	
119		✓			
120			✓		
121			✓		
122			✓		
123			✓		
124			✓		
125			✓		

Permitted Areas 8

Summer " 9

Used Tracts 29

46 current outlets

6th -

35 including ~~4~~ above reservoir

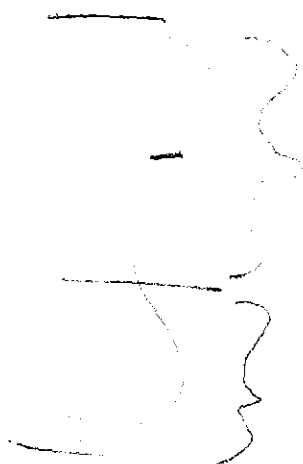
Total outlets 81

MAR 02 1990

MICROFILMED

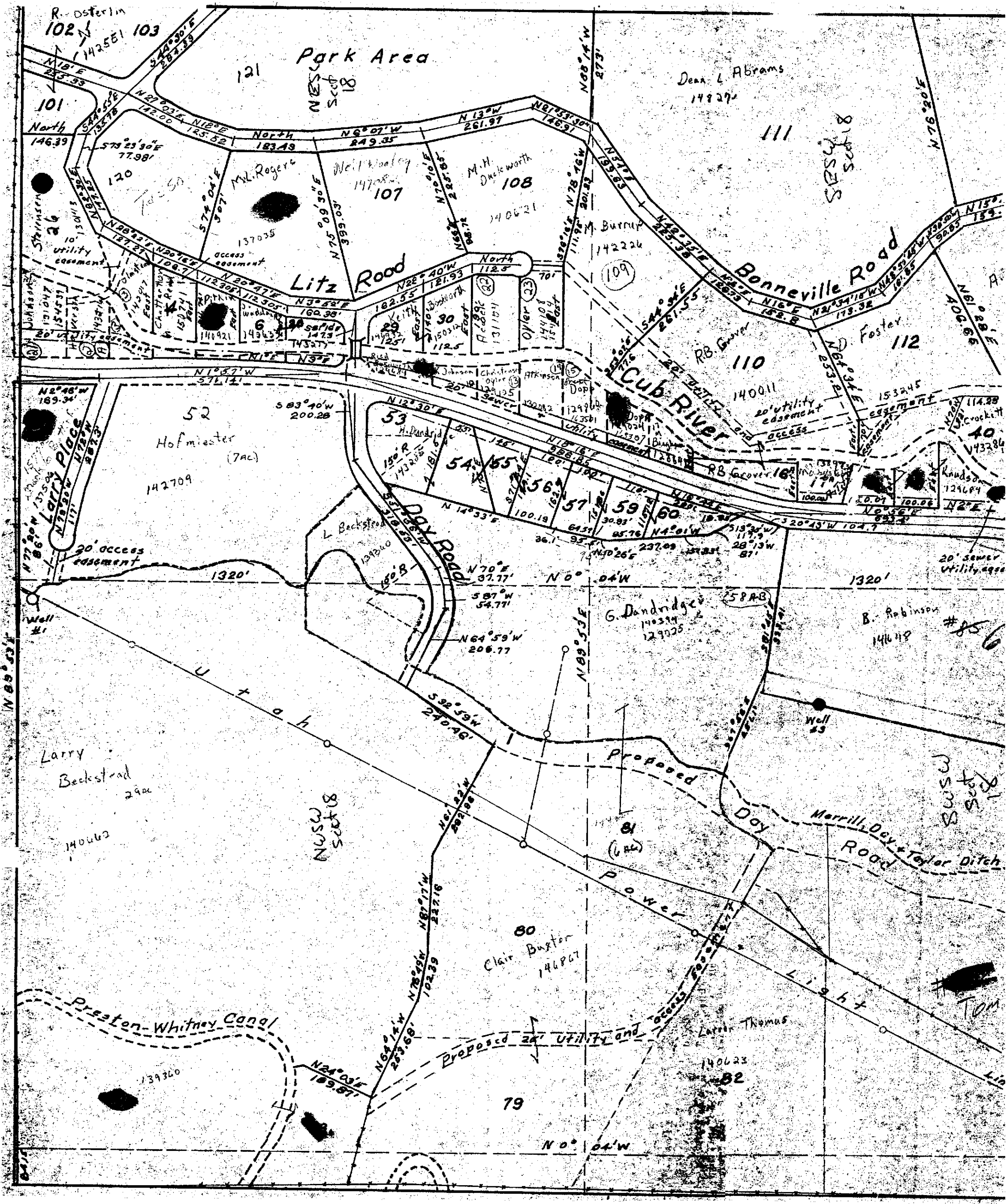
Well # Tests

240' deep	1.		not involved
140' deep pump at 110 3hp	2.	38 gpm	Drilled, cased, tested with connecting pipes installed - no pump installed
140' deep	* 3.	60 gpm 40 gpm	In use
	4.	40 gpm (est)	Drilled, cased, with connecting pipes - no pump installed
	5.	—	Not drilled or considered necessary at this time
140' deep 1.5hp pump at 120'	* 6.	28 gpm	Drilled, cased, pump installed - connecting pipes - in use
	7.	—	Same as 5



MICROFILMED

MAR 02 1990



Division number One

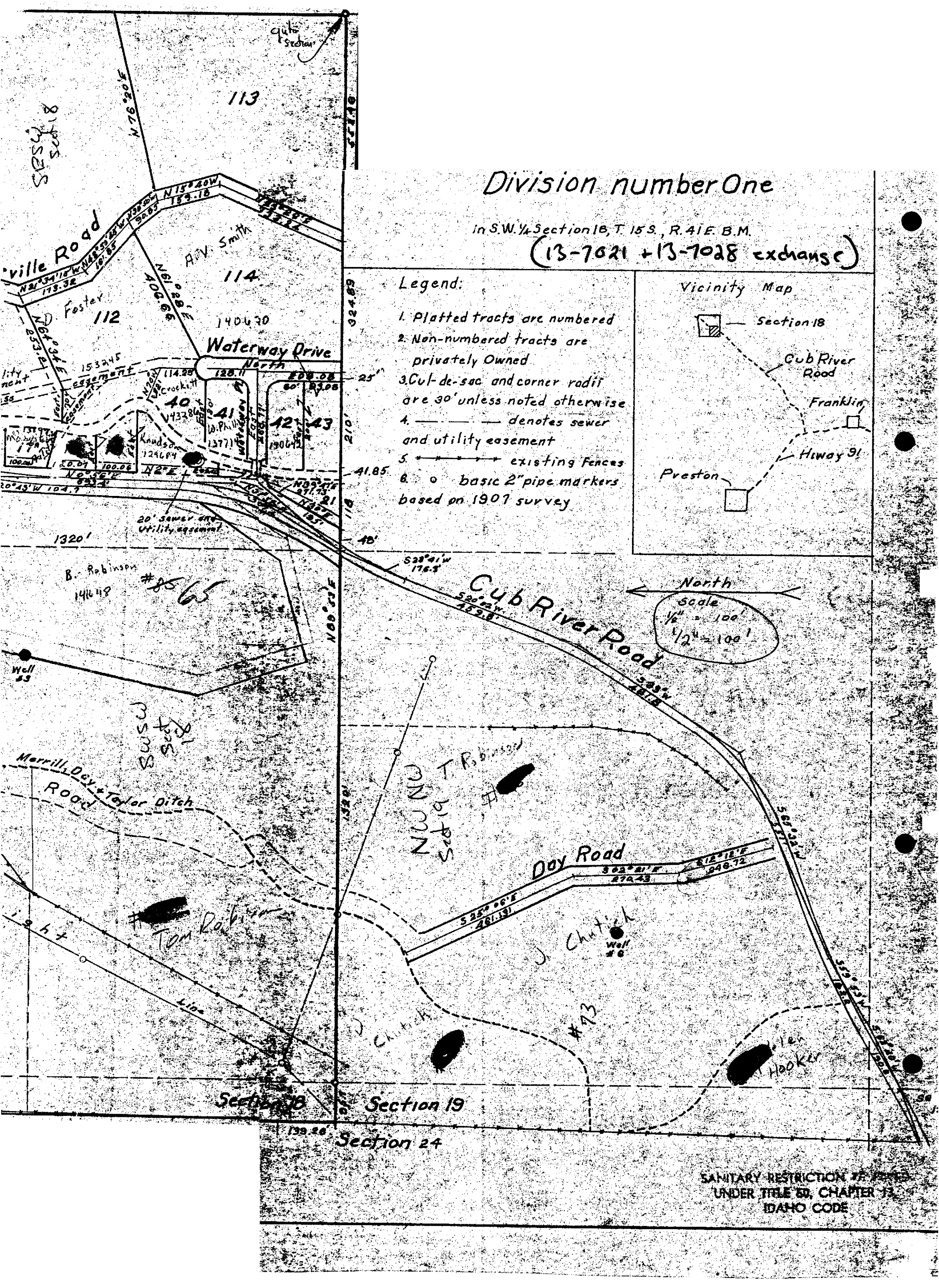
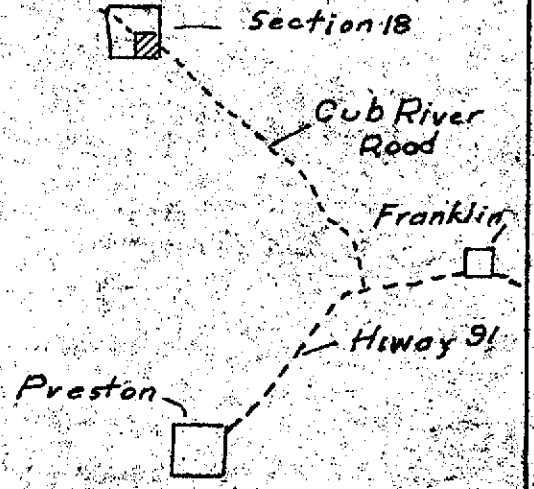
in S.W. 1/4 Section 18, T. 15 S., R. 41 E. B.M.

(13-7021 + 13-7028 exchange)

Legend:

1. Platted tracts are numbered
2. Non-numbered tracts are privately Owned
3. Cul-de-sac and corner radii are 30' unless noted otherwise
4. ——— denotes sewer and utility easement
5. * * * * * existing fences
6. o basic 2" pipe markers based on 1907 survey

Vicinity Map



13-7028

MICROFILMED

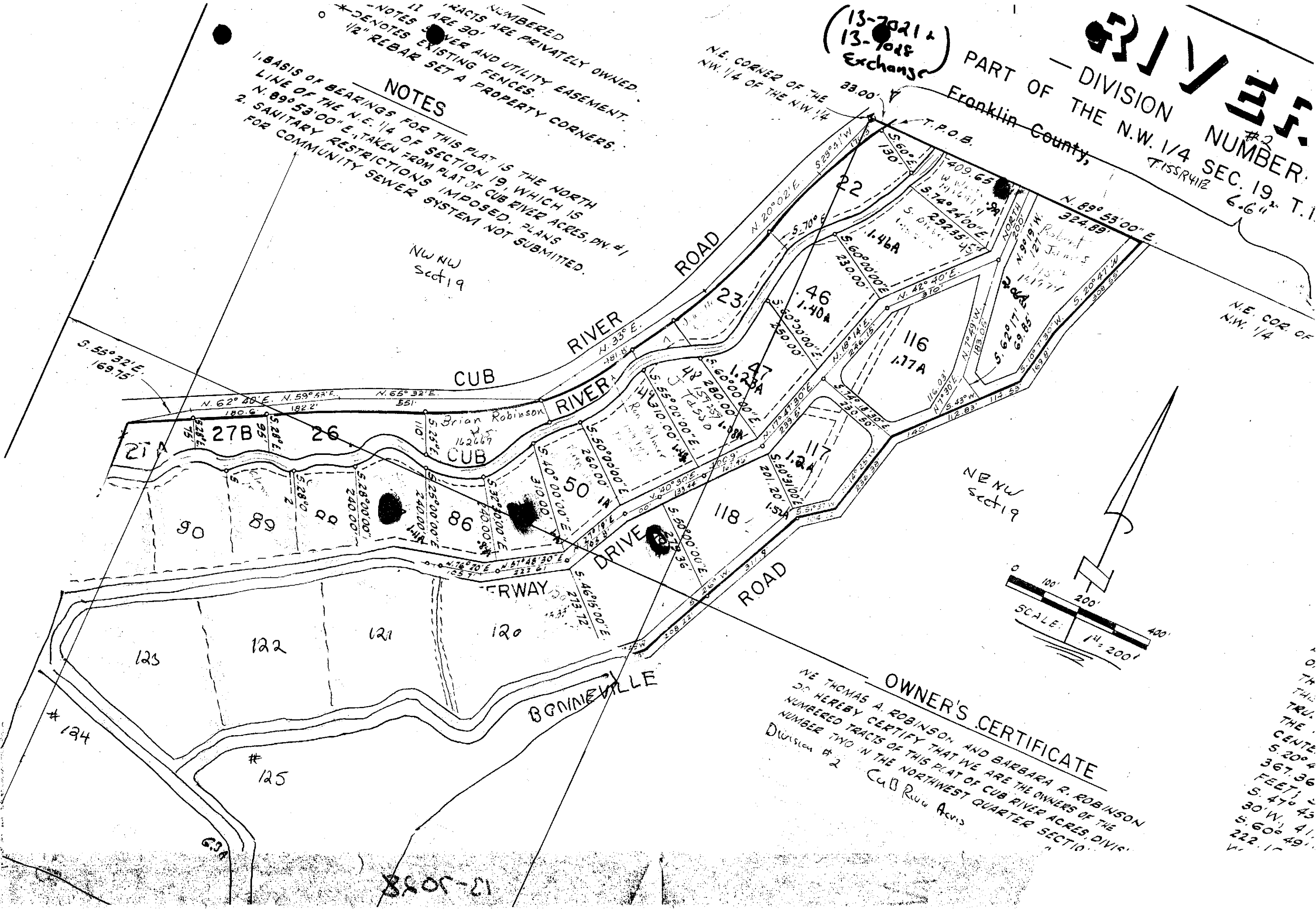
MAR 02 1990

(13-7021 &
13-7028
Exchange)

PART OF
Franklin County,

DIVISION
THE N.W. 1/4 SEC. 19, T.1
NUMBER #2
T.155R412

NOTES
1. BASIS OF BEARINGS FOR THIS PLAT IS THE NORTH
LINE OF THE N.E. 1/4 OF SECTION 19, WHICH IS
N. 89° 53' 00" E. TAKEN FROM PLAT OF CUB RIVER ACRES, DIV. #1
2. SANITARY RESTRICTIONS IMPOSED. PLANS
FOR COMMUNITY SEWER SYSTEM NOT SUBMITTED.

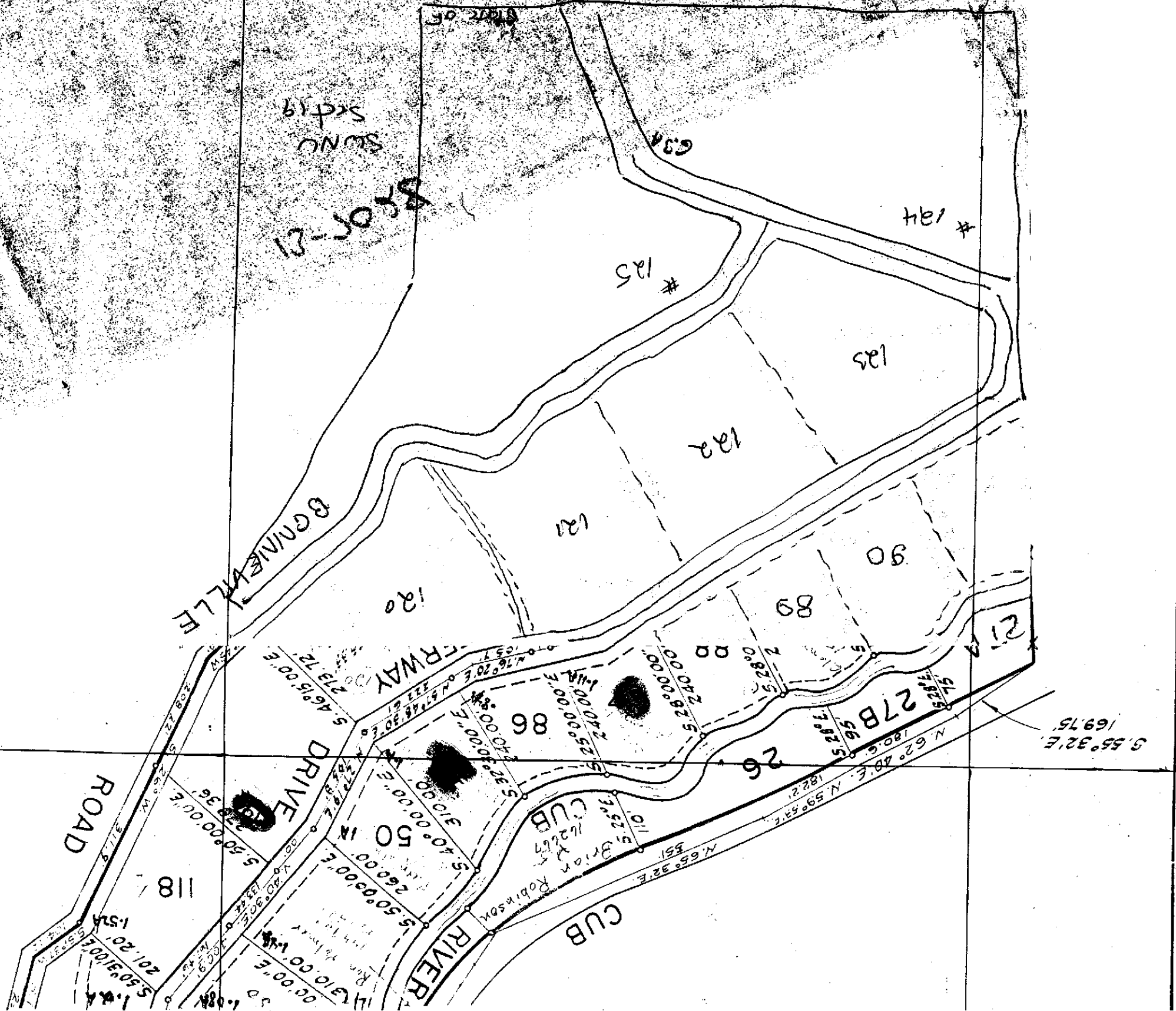


OWNER'S CERTIFICATE
WE THOMAS A. ROBINSON AND BARBARA R. ROBINSON
DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE
NUMBERED TRACTS OF THIS PLAT OF CUB RIVER ACRES, DIVIS
NUMBER TWO IN THE NORTHWEST QUARTER SECTION
DIVISION #2 CUB River Acres

0.
TH
THE
TRU
THE
CENTE
S. 20° 4
367.36
FEET
S. 47° 43
30' W. 41
S. 60° 49
222.17
W.

8205-21

OWNER'S CERTIFICATE





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

April 20, 1979

Thomas A. Robinson
Route 3,,Box 607C
Preston, ID 83263

Dear Mr. Robinson:

Re: Permit No. 13-7021

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

March 19, 1979

RECEIVED

MAR 21 1979

Department of Water Resources

Mr. C. Stephen Allred
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

Dear Mr. Allred,

The affidavit form of beneficial water use forwarded in your form letter of January 30, 1979 and concerning Permit No. 13-7021, is herewith returned.

It should be noted that the original permit was amended in 1974 with related matters explained in my letter of February 10, 1975, copy enclosed.

Since 1975, the well has been deepened and its total flow established at 60 gpm. It is now one of several authorized wells to be used exclusively as replacement and culinary water for the Cub River Acres subdivision. This is further explained in the engineers report to the Idaho Division of Environment, dated August 16, 1978. Copy of applicable Enclosure 5, Calculation Sheet, herewith enclosed.

If convenient, it would be helpful to delay the field examination until summer in case the examiner wishes to see the system in operation. We normally do not request the power company to turn on the power until it is needed in order to avoid unnecessary expense.

Sincerely yours,


Thomas A. Robinson

Encl: Proof of Application of Water to Beneficial Use
Copy of Letter dated February 10, 1975
Calculations Sheet, Engineers report dated August 16, 1978

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

APR 21 1979

1. a) Name of permit holder Thomas A. Robinson
b) Post office address Rt. 3, Box 607C, Preston, Idaho 83263
2. Permit number 13-7021
3. Date of priority that you are prepared to establish September 24, 1973
4. a) Source from which water was appropriated groundwater (Well #3)
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 18
Township 15 S, Range 41 E Boise Meridian. Other points of diversion: Note:
See application for exchange of water 13-7021 dated February 12, 1974.
5. a) The amount of water and use to which the water has been applied:
Amount 60 cfs for domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated _____ 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:
Water meter read by the watermaster of State Water District No. 13-A,
Cub River
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:
Buried pipe lines
b) Describe the agreement of understanding by which you take water from the works: Easement for
pipes included in Warranty Deed. Ownership of well site retained
by permit holder.
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):
1 1/2 hp submersible Tait pump in 10" casing 140 feet depth of well
b) Describe the provision for making a measurement which you have at your point of diversion:
(i.e., installed measuring device, access port, other)
1 1/2" Badger water meter

MICROFILMED

4-9-79 DPT

Ivan Bortz, Grace, Idaho (Now deceased)

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

None

[illegible]

as explained in the following letter the original permit

Approved for use as a means of establishing capacity for domestic use.

[The following text is mirrored bleed-through from the reverse side of the page.]

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

(Date) _____

(Signature) _____

FRANKLIN)
/ of

10/10/2017 10:10:10 AM

mission expires amttatit

February 10, 1975

Mr. R. Keith Higginson, Director
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

Dear Mr. Higginson:

Your form letter of January 31, 1975, concerning water permit No. 13-7021, forwarded an Affidavit form to submit proof of beneficial use and requested either a completed form or a request for an extension of time to be submitted prior to April 1, 1975.

A review of your records will indicate permit No. 13-7021 was amended on February 12, 1974. This amendment authorizes the total of seven wells if necessary to provide the water authorized by the original permit. The original well became No. 3 of the complex of seven.

To date, none of the afore wells drilled indicate sufficient water for irrigation purposes, but they do indicate adequate amounts for the culinary requirements of the small recreational subdivision involved in the permit. This subdivision is being developed on a steady, but somewhat modest rate.

Although the wires, pipes and pumps for the installation of wells No. 3 and No. 6 are either on hand or have been installed, the final installation is not expected to be for sometime, because the water is not required until the critical irrigation season this summer at the earliest. Final hookup of all wells will not be required for several years.

Furthermore, it appears logical to deepen well No. 3 before drilling any more new wells, and final installation of this well should be made after its total water capacity is established.

For the reasons stated above, it is respectfully requested that an extension of time be authorized for this permit to four years from the amended permit dated February 12, 1974.

Yours truly,

THOMAS A. ROBINSON

TAR:dp

MICROFILMED

ENCLOSURE 5

CALCULATION SHEET

1. The Cub River Acres Recreational Subdivision consists of three generally different types of land tracts: Small farm and pasture acreages running from $1\frac{1}{2}$ to 30 acres in size, wooded forest tracts averaging about 2 acres, and stream frontage tracts with 100 to 800 feet of frontage and from $\frac{1}{4}$ acre to 4 acres in size. There are 11 mini ranches involved including those of the developer and his son. There are 46 stream frontage tracts sold or planned for sale. 16 Wooded tracts are sold or platted. One mini ranch has two additional water outlets authorized and 2 more outlets are planned from the spring above the reservoir for one homesite and one campsite making the total number of $\frac{5}{8}$ " culinary water outlets 77.

2. Some mini ranches have irrigation water rights, but there is no way culinary water can be allocated to property owners on the basis of the area of their property. The water from the Cub River Acres water system will be metered to each user through a $\frac{5}{8}$ inch meter. All existing connections have meter boxes and some have meters. All users will have meters installed within one year and all hook-ups from now on will include meters. Older water users from Preston, Idaho, where water has been short primarily due to water stealing for 50 years on an unmetered system, want no part of that situation on this fine new subdivision.

3. Water from the main spring tapers off gradually from an irrigation ditch stream in early spring to about 100 gallons per minute during the summer. As noted otherwise, reservoir water has not even been used to date although some careless owners have left sprinklers running constantly for up to 2 weeks on one spot. The new additional 30,000 gallon reservoir shown on the plans to be built in 1980 should, with the spring water alone, handle the requirements of this project for from 10 to 20 years, once the metered system of water allocation is implemented during the irrigation season.

4. Water flow from wells drilled to date are as follows:

Well #	Flow	Well #	Flow
1	8 gpm	5	Not drilled
2	30 gpm	6	25 gpm
3	60 gpm	7	Not drilled
4	50 gpm		Additional Ranch Springs-15 gpm.

Due to the handy availability of well water in the aquifer located between 100 and 120 feet below the surface there appears to be no reason to utilize either well #1 or available additional ranch spring water. Well #6 is currently rigged for and being used to pump water into the river during the irrigation season. In 1979 and 1980, well #3, also rigged and in commission, will be used for this purpose.

MICROFILMED

Depending on requirements, #5 will be used with #3 for the next 4 or 5 years, then #2 will be rigged and water pumped into the river. When #2 and #5 are insufficient to replace spring water #4 will be used as needed for this purpose. When demands exceed spring capacity, #3 will be rigged with a suitable size pump with culinary water system qualifications to handle needed additional water. This well was used for culinary water in 1973 and 1974. If and when more water is needed, wells #5 and/or #7 will be drilled and put on the river lines and #4 put on the culinary system.

5. Assuming 40 gpm from #5 and #7 for future planning and neglecting #1 and additional spring water available, the total well water available adds up to about 250 gpm. Utilizing 60,000 gallons in storage and the following maximum foreseen construction requirements, there appears to be sufficient water available indefinitely, particularly in comparison with recent energy and water savings trends:

Use	Estimated Construction	Each user		Total
		gpm	gp day	gpm
Permanent Homes	30	2.5	3600	75
Summer Homes	30	2.0	2880	60
Recreation Vehicles	17	1.5	2160	25.5
				Total 160.5 gpm

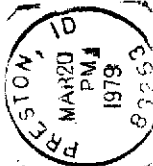
6. With 6" lines on the main trunks and the natural fall of the canyon property below the reservoir excess water pressure is a more serious problem than low pressure, hence a pressure relief valve in the division number two lower systems.

7. The one 3/4 horsepower and two 1 1/2 horsepower multiple stage submersible pumps (Tait model 7 EC35) now on hand will meet requirements for many years. Electrical and piping installations will permit up to 5 horsepower if required in the future. Pumps and pumping activities will not be required in winter.

Thomas A. Robinson
Rt. 3, Box 607C
Preston, Idaho 83263

RECEIVED
MAY 10 1978

Mr. C. Stephen Allred
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720





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

CERTIFIED MAIL

January 30, 1979

Re: Permit No. 13-7021

108666

Thomas A. Robinson
154 North 2nd East
Preston, ID 83263

Dear Mr. Robinson:

One of the conditions of approval of your water Permit No. 13-7021 (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 April 1, 1979. 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.

RITA FLECK
Water Rights

Encl: Proof affidavit

MICROFILMED

February 13, 1975

Re: Permit No. 13-7021

Thomas A. Robinson
154 North 2nd East
Preston, ID 83263

Dear Mr. Robinson:

Enclosed is an Order which extends the proof due date in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to April 1, 1979.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

MICROFILMED

Captain Thomas A. Robinson, U.S. Navy (ret.)
154 North, Second East
Preston, Idaho 83263

February 10, 1975

Mr. R. Keith Higginson, Director
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

Dear Mr. Higginson:

Your form letter of January 31, 1975, concerning water permit No. 13-7021, forwarded an Affidavit form to submit proof of beneficial use and requested either a completed form or a request for an extension of time to be submitted prior to April 1, 1975.

A review of your records will indicate permit No. 13-7021 was amended on February 12, 1974. This amendment authorizes the total of seven wells if necessary to provide the water authorized by the original permit. The original well became No. 3 of the complex of seven.

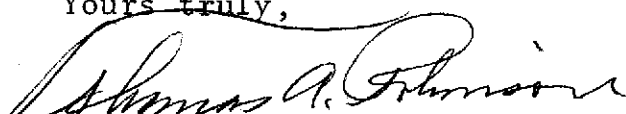
To date, none of the afore wells drilled indicate sufficient water for irrigation purposes, but they do indicate adequate amounts for the culinary requirements of the small recreational subdivision involved in the permit. This subdivision is being developed on a steady, but somewhat modest rate.

Although the wires, pipes and pumps for the installation of wells No. 3 and No. 6 are either on hand or have been installed, the final installation is not expected to be for sometime, because the water is not required until the critical irrigation season this summer at the earliest. Final hookup of all wells will not be required for several years.

Furthermore, it appears logical to deepen well No. 3 before drilling any more new wells, and final installation of this well should be made after its total water capacity is established.

For the reasons stated above, it is respectfully requested that an extension of time be authorized for this permit to four years from the amended permit dated February 12, 1974.

Yours truly,


THOMAS A. ROBINSON

TAR:dp

MICROFILMED

- **SENDER:** Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **DELIVER ONLY TO ADDRESSEE** and
show to whom and date delivered..... 65¢
☐ **DELIVER ONLY TO ADDRESSEE** and
show to whom, date, and address of
delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

560446

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

DATE OF DELIVERY

2-2-75

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

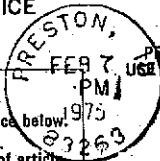
R.S.P.

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

January 31, 1975

CERTIFIED MAIL

#26446

Re: Permit No. 13-7021

Thomas A. Robinson
154 North 2nd East
Preston, ID 83263

Dear Mr. Robinson:

One of the conditions of approval of your water Permit No. 13-7021 (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 April 1, 1975. 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.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Mechelle

TO Darlene

SUBJECT PROTESTED AMENDMENT & EXCHANGE No. 13-7021

Please file

DATE Feb 12, 1974

RECEIVED

FEB 13 1974

Department of Water Administration

Attached is a copy of the certified cards for the above subject apps. The original cards are in protested application No. 13-7065. Sorry I neglected to put copies in those applications.

Mechelle

SIGNATURE

13-7021

13

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. ☐ SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO. 277 ☐ 1 ☐ SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO. ☐ 2

DATE DELIVERED 12-26-73 ☐ 3

13

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. ☐ SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO. 276 ☐ 1 ☐ SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO. ☐ 2

DATE DELIVERED 12-26-73 ☐ 3

13

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. ☐ SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO. 278 ☐ 1 ☐ SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO. ☐ 2

DATE DELIVERED DEC 27 1973 ☐ 3

13

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. ☐ SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO. 280 ☐ 1 ☐ SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO. ☐ 2

DATE DELIVERED 12/26/73 ☐ 3

13

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. ☐ SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO. 279 ☐ 1 ☐ SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO. ☐ 2

DATE DELIVERED 26 Dec 73 ☐ 3

SENDER: Be sure to follow instructions on other side 13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☒ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. _____

CERTIFIED NO. 280

INSURED NO. _____

DATE DELIVERED 12/26/73

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) 1 *Cut River Irrigation Co.*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY 2 *William J. Erdelyi*

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code) 3

SENDER: Be sure to follow instructions on other side 13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. _____

CERTIFIED NO. 279

INSURED NO. _____

DATE DELIVERED 26 Dec 73

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) 1 *Barbara K. Robinson*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY 2

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code) 3

SENDER: Be sure to follow instructions on other side 13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. _____

CERTIFIED NO. 278

INSURED NO. _____

DATE DELIVERED DEC 27 1973

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) 1 *John Sharp*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY 2 *Eugene W. Bush*

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code) 3

SENDER: Be sure to follow instructions on other side 13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. _____

CERTIFIED NO. 277

INSURED NO. _____

DATE DELIVERED 12-26-73

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) 1 *Robin M. Mical*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY 2

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code) 3

SENDER: Be sure to follow instructions on other side 13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO. _____

CERTIFIED NO. 276

INSURED NO. _____

DATE DELIVERED 12-26-73

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) 1 *Robert T. Benson*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY 2

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code) 3

13-7021

February 12, 1974

Re: Permit No. 13-7021

Mr. Thomas A. Robinson
154 N. 2nd East
Preston, Idaho 83263

Dear Mr. Robinson:

Enclosed herewith is an approved copy of the application for amendment and application for exchange of water in connection with the above referenced permit.

We direct your attention to the conditions of approval as listed on the third page of the exchange.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Copy of amendment
Copy of exchange

cc: Mr. Roland Carter
Mr. J.W. Crowther
Eastern District Office - IDWA

13 7021

1 INTER-DEPARTMENT MEMO — 1

FROM Norm

DATE January 30, 1974

TO Bob Fleenor

SUBJECT Exchange and Amendment on Permit No. 13-7021

RECEIVED
JAN 31 1974
Department of Water Administration

I believe that the exchange and amendment to #13-7021 are ready for approval. I am not certain that the third condition for approval of the exchange is necessary, but I have included it for two reasons: 1. I want to be sure that Mr. Robinson exchanges only ground water and not other surface water that might have reached Cub River anyway. 2. I believe at the point of injection that the exchange should be limited to only one ~~point~~^{point} because it would add an extra and unnecessary hardship on the watermaster to have to check the additional points of diversion that were requested.

13 7021

I APPROVE OF THIS DECISION

NCY

SIGNATURE

AND AGREE THAT RETURN TO
THE RIVER SHOULD BE AT ONLY
ONE POINT.

RKH

13 7021

M E M O R A N D U M

RE: Conference on Exchange of Water Right No. 13-7021

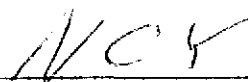
A conference was held at Preston, Idaho, on January 22, 1974, to consider the protest against approval of the above referenced exchange. The permit holder, Thomas A. Robinson, was present and represented by Attorney John Sharp of the firm Sharp, Anderson and Bush of Idaho Falls, Idaho. The protestant, Glen T. Bowman, was present and represented by Attorney J. W. Crowther of Preston, Idaho. The Department of Water Administration was represented by Bobby D. Fleenor, hearing officer, and Norman C. Young. A brief conference was held to determine the nature of the protest and to allow the permit holder to clarify his project. As a result of this brief conference, the protestant through his attorney agreed to withdraw his protest under the condition that any water diverted from the spring would be measured and that a like amount of water would be measured into the Cub River from the wells. A signed conditional withdrawal of protest was received by the Department on January 24, 1974.

Therefore, it is recommended that the above referenced amendment be approved subject to the following conditions:

1. Totalizing measuring devices be installed and maintained at the points of diversion on the spring and at the place of injection into the Cub River.
2. Use of water under this exchange is subject to control by the watermaster of State Water District No. 13-A, Cub River.
3. Whenever the flow in the Cub River Drainage is not sufficient to fill all rights prior in time to Permit No. 13-7028, water pumped from the permit holder's wells shall be diverted in the Cub River at a single point of injection at a rate at least as great as that then being diverted from the spring in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 15S, R. 41E, B.M. by the permit holder.

13 7021

Dated this 30th day of January, 1974.



NORMAN C. YOUNG
District Engineer

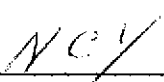
13 7021

MEMORANDUM

RE: Conference on Amendment of Permit No. 13-7021

A conference was held at Preston, Idaho on January 22, 1974, to consider the protest against approval of the above referenced amendment. The permit holder, Thomas A. Robinson, was present and represented by Attorney John Sharp of the firm Sharp, Anderson and Bush of Idaho Falls. The protestant, Glen T. Bowman, was present and represented by Attorney J. W. Crowther of Preston, Idaho. The Department of Water Administration was represented by Bobby D. Fleenor, hearing office, and Norman C. Young. A brief conference was held to determine the nature of the protest and to allow the permit holder to clarify his project. As a result of this brief conference, the protestant through his attorney agreed to withdraw his protest. A signed withdrawal of protest was received by the Department on January 24, 1974.

Therefore, it is recommended that the above referenced amendment be approved with the condition that measuring devices be installed and maintained at all points of diversion.



NORMAN C. YOUNG
District Engineer

January 30, 1974

13 7021

RECEIVED

JAN 24 1974

Department of Water Administration
Eastern District Office

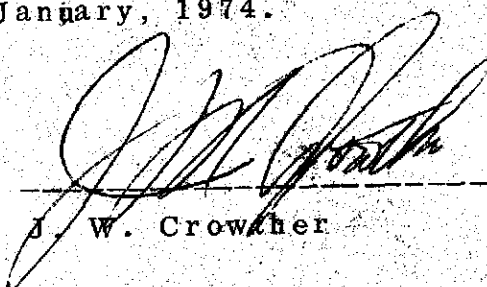
BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of Protests against approval	CONDITIONAL
of Application for Exchange of Water)	WITHDRAWAL
#13-7021 and Application for Ammendment)	OF PROTEST
#13-7021.)	

COMES NOW, Glen T. Bowman, by and through his Attorney J. W. Crowther, and does hereby withdraw his protest against the application of Thomas A. Robinson for the ammendment of permit #13-7021 and conditionally withdraws his protest of the application of Thomas A. Robinson for exchange of water under permit #13-7021.

Said withdrawal is specifically conditioned on the guarantee of adequate safeguard to insure that the quantity of water replaced by said applicant is at least equal to the quantity of water withdrawn and used by said applicant.

DATED THIS 23rd day of January, 1974.


J. W. Crowther

13 7021

IDAHO DEPARTMENT OF WATER ADMINISTRATION

EASTERN DISTRICT OFFICE

1515 LINCOLN RD.

IDAHO FALLS, IDAHO 83401

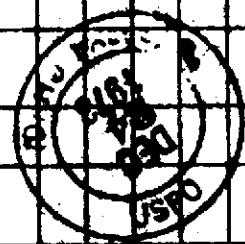
Indicate type of mail:
☐ Registered ☐ Registered
☒ Certified ☐ C.O.D.

Attach stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	INS	R. E. YES	NO	ACTUAL VALUE	SURCHARGE	REMARKS
1	276 Blue J. Brown RFD Center, Idaho	08	30	15				18-7015-16
2	277 H. J. (Cremier) 755 State Center, Idaho	08	30	15				"
3	278 (Cremier) 490 Howard Dr. Idaho Falls, ID	08	30	15				"
4	279 (Cremier) 154 N. 2nd E. (Center), Idaho	08	30	15				"
5	280 (Cremier) 108 N. 2nd E. (Center), Idaho	08	30	15				"
6								
7								
8								
9								
10								
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16								
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18								
19								
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Sum by certified mail 12/20/73
 148

Edward M. Thompson - same certified



TOTAL NO. OF ARTICLES LISTED BY ADDRESSEE

TOTAL NO. OF ARTICLES LISTED BY ADDRESSEE

POSTAGE AND FEE

STAMP HERE IF ISSUED AS CERTIFICATE OF MAILING OR FOR ADDITIONAL COPIES OF THIS BILL.

44-2-67B-13

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval)
of Application for Amendment #13-7021,)
Application for Exchange of Water #13-7021,)
Application for Permit #13-7065 and Application)
#13-7066 in the name of THOMAS A. ROBINSON)

NOTICE OF CONFERENCE
AND/OR HEARING

On September 24, 1973, Thomas A. Robinson, 154 North Second East, Preston, Idaho, filed with the Department of Water Administration an Application for Amendment #13-7021 and an Application for Exchange of Water #13-7021. On October 5, 1973, Robinson filed an Application for Permit #13-7065 and on October 12, 1973, filed an Application for Permit #13-7066. On October 24, 1973, the Department received protests from Glen T. Bowman against the approval of Amendment #13-7021, Exchange #13-7021 and Application #13-7065 and on November 6, 1973, Bowman protested Application #13-7066. On November 1, 1973, a protest against Application #13-7065 was received from Cub River Irrigation Co. On November 2, 1973, Cub River Irrigation Co. submitted a protest against Application #13-7066.

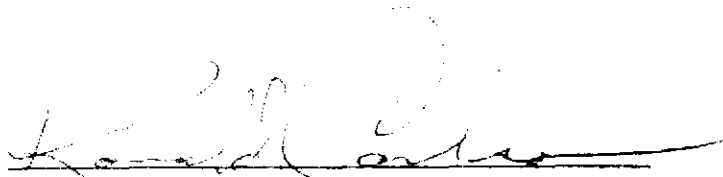
The Department has set the matter of protests for conference and/or hearing for Tuesday, January 22, 1974, at 2:00 p.m., in the Courtroom of the Franklin County Courthouse, Preston, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the applications. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 2 day of December, 1973.

13 7021


RONALD D. CARLSON

Secretary of the District Engineer

1515 Lincoln Road

December 19, 1973

Franklin County Courthouse
Clerk of the District Court
Preston, Idaho 83263

Dear Sir:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Tuesday, January 22, 1974, at 2:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

13 7021

1515 Lincoln Road

October 29, 1973

Re: Application for Permit No. 13-7065
Application for Amendment No. 13-7021
Application for Exchange of Water No. 13-7021

Mr. J. W. Crowther
75 South State
Preston, Idaho 83263

Dear Mr. Crowther:

This is to acknowledge receipt of your letter dated October 26, 1973 withdrawing Mrs. Vaudis A. Sharp's protests against the above referenced applications. As of this date, the protests are of no further effect.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

cc: Vaudis A. Sharp

13 7021

J. W. CROWTHER

ATTORNEY AT LAW

~~XXXXXXXXXX~~

~~PROSECUTOR XXXXXXXX~~

60 NORTH MAIN MALAD CITY, IDAHO
PHONE 766-2644

AND
75 South State Preston, Idaho
852-2610

October 26, 1973

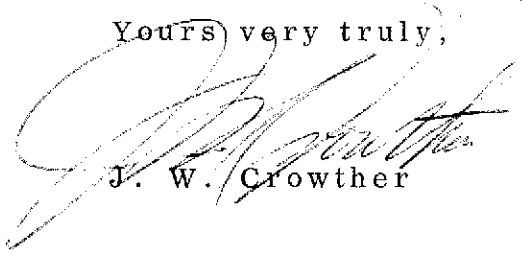
Mr. Norman C. Young
District Engineer
State of Idaho Department of Water Administration
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Application # 13-7065
Application for Exchange # 13-7021
Permit # 13-7021
Thomas A. Robinson

Dear Mr. Young:

Reference is made to the Notice of Protest of Mrs. Vaudis A. Sharp, Route 3, Preston, on the above applications. After further consideration and investigation Mrs. Sharp has directed me to withdraw her protest. You are, therefore, instructed to disregard Mrs. Sharp's protest and consider it withdrawn and of no further effect as of this date.

Yours very truly,


J. W. Crowther

JWC:hm

cc: Thomas A. Robinson

13 7021

1515 Lincoln Road

October 25, 1973

Re: Application for Exchange of Water No. 13-7021

Mr. Thomas A. Robinson
154 North Second East
Preston, Idaho 83263

Dear Mr. Robinson:

We have enclosed a copy of the protests filed against the issuance of the exchange pursuant to your Application No. 13-7021. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying the application for exchange of water (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow an exchange for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code).

An application for exchange of water issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer
Enc: Copy of Protests

13 7021

XXXXXXXXXXXXXXXXXXXX

1515 Lincoln Road

October 25, 1973

RE: Application for Exchange No. 13-7021

Mr. Glen T. Bowman
R. F. D.
Preston, Idaho 83263

Dear Mr. Bowman:

This is to acknowledge receipt of your protest to issuance of an exchange of water pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for an exchange (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of an exchange of water, partially approve the exchange, approve the exchange for a quantity of water less than applied for, or approve the exchange subject to special conditions.

An Application for Exchange of water issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:cw

cc: J. W. Crowther

13 7021

XXXXXXXXXXXXXXXXXXXX

1515 Lincoln Road

October 25, 1973

RE: Application for Exchange No. 13-7021

Ms. Vaudis A. Sharp
Rt. #3
Preston, Idaho 83263

Dear Ms. Sharp:

This is to acknowledge receipt of your protest to issuance of an exchange of water pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for an exchange (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of an exchange of water, partially approve the exchange, approve the exchange for a quantity of water less than applied for, or approve the exchange subject to special conditions.

An Application for Exchange of water issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

13 7021

NORMAN C. YOUNG
District Engineer
NCY:cw

cc: J. W. Crowther

1515 Lincoln Road

October 25, 1973

Re: Application for Amendment No. 13-7021

Mr. Thomas A. Robinson
154 North Second East
Preston, Idaho 83263

Dear Mr. Robinson:

We have enclosed a copy of the protests filed against the issuance of the amendment pursuant to your Application No. 13-7021. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow an amendment for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code).

An application for amendment issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb
Enc: Copy of Protests

13 7021

1515 Lincoln Road

October 25, 1973

Re: Permit No. 13-7021

Mr. Glen T. Bowman
R.F.D.
Preston, ID 83263

Dear Mr. Bowman:

This is to acknowledge receipt of your protest to issuance of an amendment pursuant to the above referenced permit. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of an amendment, partially approve the amendment, approve the amendment for a quantity of water less than applied for, or approve the amendment subject to special conditions.

An application for amendment issued by this office is subject all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

cc: J. W. Crowther

13 7021

1515 Lincoln Road

October 25, 1973

Re: Permit No. 13-7021

Mr. Vaudis A. Sharp
Route #3
Preston, ID 83263

Dear Mr. Sharp:

This is to acknowledge receipt of your protest to issuance of an amendment pursuant to the above referenced permit. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of an amendment, partially approve the amendment, approve the amendment for a quantity of water less than applied for, or approve the amendment subject to special conditions.

An application for amendment issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

cc: J. W. Crowther

13 7021

NOTICE OF PROTEST

COMES NOW VAUDIS A. SHARPE of Rt #3, Preston, Idaho and enters her protest to the application of Thomas a. Robinson to amend Permit No. 13-7021 to change the point of diversion and to exchange water. Said protest is based on the belief of protester that said amendments will deplete and inhibit the flow of water from springs heretofore appropriated for agricultural purposes and applied to beneficial use by protester in Section 24, T. 15 So. R. 40 E.B.M., and will deprive her of the full flow of the waters appropriated by her.

The undersigned requests that a date be set to receive and hear evidence on said application and protest.

Dated this 22nd day of October, 1973, at Preston, Idaho.

Vaudis A. Sharpe
Vaudis A. Sharpe

J. W. Crowther
75 South State
Preston, Idaho
Attorney for Protester
852-2610

13-7021

137021

OCT 24 1973

Department of Water Administration
Eastern District Office

NOTICE OF PROTEST

Comes now Glen T. Bowman, R.F.D. Preston, Idaho and enters his protest to the application of Thomas A. Robinson to amend Permit No. 137021 to change the point of diversion and to exchange water. Said protest is based on the belief of protester that said amendments will deplete and inhibit the flow of water from springs heretofore appropriated for agricultural purposes and applied to beneficial use by protester in Section 24, T. 15 S. R. 40 E.B.M., and will deprive him of the full flow of the waters appropriated by him.

The undersigned requests that a date be set to receive and hear evidence on said application and protest.

Dated this 22nd day of October, 1973, at Preston, Idaho.

Glen T. Bowman
GLEN T. BOWMAN

J. W. Crowther
75 So. State
Preston, Idaho
852-2610

13 7021

1515 Lincoln Road

October 23, 1973

Re: Application for Permit No. 13-7061 Richard Lemmon
No. 13-7062 James D. McElfish
No. 13-7063 Kent C. Porter
Application for Amendment No. 13-7021 Thomas A. Robinson

Preston Citizen
P. O. Box 472
Preston, ID 83263

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 4 and October 11, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

13 7021

10/22/73

13-7021 (Amend)

NAME OF PARTY

Wesley Crowther Aff @ Peerton

EMPLOYEE

N4

RE:

Called asked procedure for protesting amendments & exchanger. I explained. He indicated he would put protests in mail today.

I told him T. would consider his phone call as an intent to protest & a hearing would be held if he followed it up in writing; however protestant might use timeliness as an item to be considered @ the hearing if the protest were not received in this office tomorrow.

1515 Lincoln Road

October 5, 1973

Re: Application for Exchange of Water No. 13-7021 Robinson
Application for Permit No. 13-7065 Robinson

Preston Citizen
Box 472
Preston, Idaho 83263

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 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. 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

Bill submitted 10-15-73 by MB

13 7021

NCY:mb
Enc: Legal Notices (2)

**NOTICE OF APPLICATION
FOR EXCHANGE OF WATER**

Notice is hereby given that Thomas A. Robinson, 154 North 2nd East, Preston, Idaho, has applied to the Idaho Department of Water Administration for an exchange of water evidenced by Permit No. 13-7021, for 1.82 cubic feet per second of ground-water with a priority of January 26, 1971. An Application for Amendment is pending to change the point of diversion of this permit to SW¹/₄SW¹/₄ (2 pts.), NW¹/₄SW¹/₄ (2 pts.), Sec. 18; NW¹/₄NW¹/₄ (3 pts.), Sec. 19, T. 15S. R. 41E. B.M.; and the place and nature of use to irrigation of 60 acres within the NE¹/₄SW¹/₄, S¹/₂SW¹/₄, Sec. 18; NW¹/₄NW¹/₄, Sec. 19, T. 15S. R. 41E. B.M. and domestic purposes for 25 permanent homes, 25 summer homes and 25 camp sites within the SW¹/₄, Sec. 18; NW¹/₄, Sec. 19, T. 15S. R. 41E. B.M.

The proposed exchange is to divert 24 c.f.s. from an unnamed spring tributary to Litz Creek tributary to Cub River within the NE¹/₄SE¹/₄, Sec. 18, T. 15S. R. 41E. B.M. A like amount of water from Permit No. 13-7021 will be released into the Cub River at points within the NE¹/₄SW¹/₄, SE¹/₄SW¹/₄, Sec. 18; NW¹/₄NW¹/₄, Sec. 19, T. 15S. R. 41E. B.M.

Any protest to the above exchange of water must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before October 29, 1973.

R. KETH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on October 11 and October 18, 1973.

Legal No 2479 Pub. Oct. 11,
13 1973

13-7021

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that Thomas A. Robinson, 154 North 2nd East, Preston, Idaho, has applied to the Idaho Department of Water Administration for an exchange of water evidenced by Permit No. 13-7021, for 1.82 cubic feet per second of groundwater with a priority of January 26, 1971. An Application for Amendment is pending to change the point of diversion of this permit to SW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 pts.), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 pts.), Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (3 pts.), Sec. 19, T. 15S, R. 41E, B.M.; and the place and nature of use to irrigation of 60 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M. and domestic purposes for 25 permanent homes, 25 summer homes and 25 camp sites within the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

The proposed exchange is to divert .24 c.f.s. from an unnamed spring tributary to Litz Creek tributary to Cub River within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 15S, R. 41E, B.M. A like amount of water from Permit No. 13-7021 will be released into the Cub River at points within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the above exchange of water must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before October 29, 1973.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho on October 11 and October 18, 1973.

NCY
CW-R.I.
NW-A

13 7021

XXXXXXXXXXXXXXXXXXXX 1515 Lincoln Road

September 27, 1973

Re: Application for Permit No. 13-7063 Kent C. Porter
No. 13-7061 Richard Lammon
No. 13-7062 James D. McElfish
Application for Amendment No. 13-7021 Thomas A. Robinson

Preston Citizen
P. O. Box 472
Preston, ID 83263

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 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. 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

Bill submitted 10-25-73 by MB

NCY:mb
Enc: Legal Notices (4)

13 7021

NOTICE OF PROPOSED
AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 13-7021 in the name of Thomas A. Robinson was issued for the diversion of 1.82 c.f.s of water from a ground-water source with point of diversion within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15S, R. 41E, B.M., Franklin County, to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the SW $\frac{1}{4}$, Sec. 18; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

The permit holder now proposes to amend Permit No. 13-7021, changing the point of diversion to (2 pts.) SW $\frac{1}{4}$ SW $\frac{1}{4}$, (2 pts.) NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; (3 pts.) NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.; to be used for the irrigation of 60 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.; and for domestic purposes for 25 permanent homes, 25 summer homes and 25 campsites within the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the proposed amending of the permit may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before October 23, 1973.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho on October 4 and October 11, 1973.

13 7021

*AW-2
AW-2
AW-2*

March 26, 1971

Thomas A. Robinson
154 N. 2nd East
Preston, Idaho 83263

Dear Mr. Robinson:

Enclosed is a copy of your approved Application for Permit No. 13-7021. 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. FLEENOF
Assistant Director

BDF:kh

Enclosures

13 7021

March 11, 1971

Re: Application No. 13-7021 - Thomas A. Robinson

C
Preston Citizen
Box 472
Preston, Idaho 83263

O
Gentlemen:

We are herewith returning the certified bill in connection with the above referenced application. Please be advised that we cannot submit the bill for payment until we are in receipt of the affidavit of publication.

P
We would appreciate it if you would submit the affidavit and bill as soon as possible.

Very truly yours,

Y
Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

13 7021

THE PRESTON *Citizen*

Phone 852-0155

Published Thursdays

PRESTON, IDAHO

March 21, 1971

State of Idaho
Department of Water Administration
Statehouse--Annex 2
Boise, Idaho 83707

Gentlemen:

Both affidavits have been mailed to you.
The amount owing is just \$ 8.74.
We will try to send these affidavits out to you sooner in the future.

Thank You,

Sincerely,
J. Walter Ross
Co-publisher

13 7021

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Thomas A. Robinson, 154 N. 2nd East, Preston, Idaho, has on January 26, 1971, submitted Application No. 13-7021 for a permit to appropriate 1.82 cubic feet per second of water from a ground water source by means of well, pump, reservoir, and pipes within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15S, R. 41E, B.M., Franklin County, to be used from January 1 to December 31 for community supply (0.2 cfs) and livestock watering (0.02 cfs) within the S $\frac{1}{2}$, Sec. 18; NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.; and from July 1 to September 1 for the irrigation of 80 acres (1.6 cfs) in the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, 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, Statehouse, Boise, Idaho 83707, on or before March 1, 1971.

Published in the Preston Citizen, Preston, Idaho, on February 11 and Feb. 18, 1971.

Legal No. 1906 — Pub. Feb. 11 and 18, 1971.

February 2, 1971

Re: Application No. 13-7021 - Thomas A. Robinson

Preston Citizen
Box 472
Preston, Idaho 83263

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,

Dorian Clay,
Appropriation Examiner

DC/DG
Enc: legal notice

*Bill submitted
3-17-71
ds*

13 7021

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas A. Robinson, 154 N. 2nd East, Preston,

Idaho

has on January 26, 1971 submitted Application No. 13-7021

for a permit to appropriate 1.82 cubic feet per second /acre/foot/per/annum

of water from a ground water source

by means of well, pump, reservoir, and pipes

within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 15S, R. 41E, B.M., Franklin County

to be used from January 1 to December 31 for community supply (0.2 cfs) and livestock

watering (0.02 cfs) within the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.; and

from July 1 to September 1 for the irrigation of 80 acres (1.6 cfs) in the SW $\frac{1}{4}$, Sec. 18;
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 15S, R. 41E, B.M.

ADDITIONAL

issued

If Admitted, 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, Statehouse, Boise, Idaho, 83707, on or before March 1, 1971.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho

on February 11 and February 18, 1971.

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215

January 27, 1971



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Thomas A. Robinson
154 N. 2nd East
Preston, Idaho 83263

Dear Mr. Robinson:

Returned herewith is Departmental Receipt No. 5554 in the amount of
\$25.00 for Application for Permit,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

13 7021

Captain Thomas A. Robinson, U.S. Navy (ret.)

154 North, Second East

Preston, Idaho 83263

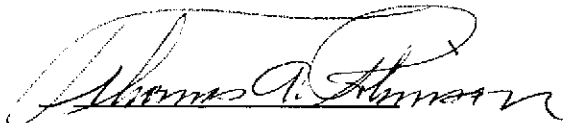
January 25, 1971

Mr. Dorian Clay
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Clay,

This letter responds to yours of January 22, 1971. Thank you for your assistance in preparing the application properly. I return it herewith signed as directed with the required twenty-five dollar filing fee.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Thomas A. Robinson", written in dark ink.

Thomas A. Robinson

TAR/ber

Enc: re-typed and signed application

103 702

January 22, 1971

Mr. Thomas A. Robinson
154 North 2nd, East
Preston, Idaho 83263

Dear Mr. Robinson:

Pursuant to your letter of January 15, 1971, we are returning your application for permit and personal check #92-171, in the amount of \$20.00. As you will note, for your convenience, we have re-typed the application, filling in the spaces that you have left blank. Please review the application thoroughly and if you are in agreement with the changes and recommendations, sign it on page three (3) and return it with the required \$25.00 filing fee.

The information concerning your transfer will be forwarded to you shortly under a separate cover letter.

If we may be of any further assistance, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: #92-171 (check)
original application
re-typed application

13 7021

January 18, 1971

Mr. Thomas A. Robinson
154 North 2nd, East
Preston, Idaho 83263

Dear Mr. Robinson:

We are returning your application for permit and personal check #92-171, in the amount of \$20.00. We have taken the liberty of re-typing the application for your convenience, with the following requirements: Please note under item #4 that we have listed 0.20 of a cubic foot per second for community supply. In your application, you have indicated that there will be approximately ten (10) families serviced with water from your domestic system. The maximum quantity that we could approve is 0.02 cubic feet per second per family, thus making a total of 0.2 cubic feet per second. Also note that we have listed 1.60 of a cubic foot per second for irrigation. Again, this figure was determined by the maximum allowable quantity of water, which is 0.02 cubic feet per second per irrigated acre.

Please review the application thoroughly and if you are in agreement with these changes, sign it on page three and return it with a \$25.00 filing fee, and we shall begin its processing.

If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: original application
re-typed application
check #92-171 (\$25.00)

13 7021

Captain Thomas A. Robinson, U.S. Navy (ret.)

154 North, Second East

Preston, Idaho 83263

January 13, 1971

Mr. Dorian Clay
Appropriation Examiner
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Clay,

Thank you for your letter of December 14, 1970 concerning authority to develop a well.

Herewith enclosed is my application for permit prepared as directed to the best of my knowledge. It would likely be helpful to me as you suggested if you would assist me in preparing the form.

I have purchased a rather run-down ranch up Cub River and would like to drill a well for both culinary purposes and livestock and also to water with a small sprinkler system in the late summer when our irrigation water supply is turned off.

Please call me collect at Preston 852-1164 and confirm the information for spaces left blank or tentatively suggested by me in pencil.

Sincerely yours,



Thomas A. Robinson

Enclosed:
Application

check

TR/ber
2 copies

13 7023