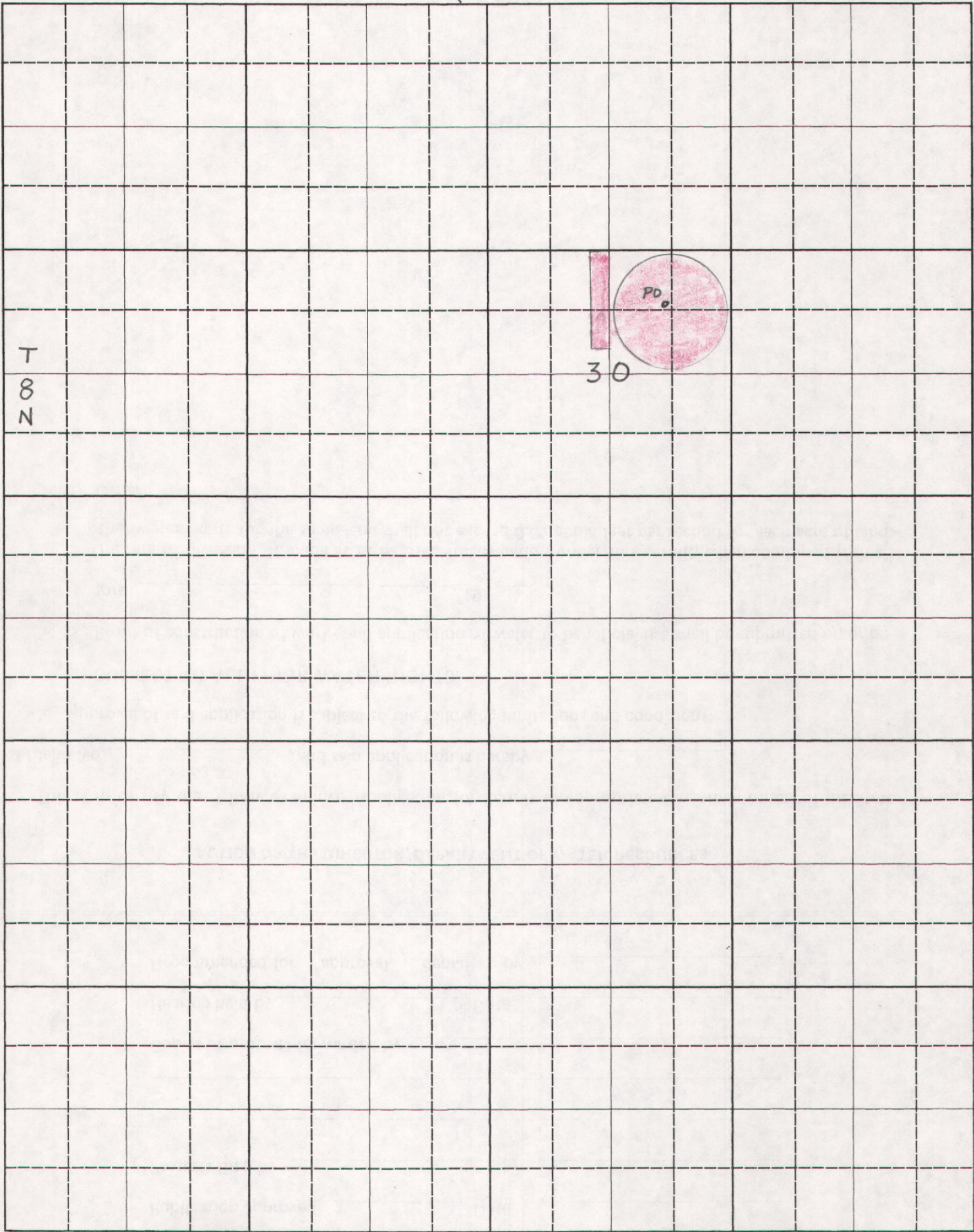


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R 37E



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.

Golden C. Linford, President
(Applicant)

MICROFILMED

THE CHRONICLE-NEWS
ST. ANTHONY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO }
County of Fremont } ss

Terry Weatherston

being first duly sworn, depose and say, that I am the printer of THE CHRONICLE-NEWS, a weekly newspaper printed and published weekly at St. Anthony, Fremont County, Idaho; and I do solemnly swear that the

Notice Of Application For Water Right

copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any

supplement issue thereof for 2 consecutive issues, the first publication having

been made on April 11, 1985 and the last publication having been made

on April 18, 1985

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

~~~~~

Subscribed to and sworn to before me

this April 19, 1985

*David Harnes*

MAY

Department of Water Resources  
Eastern District Office

NOTICE OF APPLICATION  
FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

31-7414

QUALITY FARMS INC.  
RT. 3, BOX 433-8, REXBURG, ID. 83440  
Source: GROUNDWATER  
Date Filed: 01/16/1984  
Diversion Pt: NWSE Sec. 30 T 08N R 37E  
Use: IRRIGATION (2.00 CFS)  
In: NESE NWSE SWSE SESE Sec. 30 T 08N R 37E FOR 100 ACRES

31-7415

QUALITY FARMS, INC.  
RT. 3, BOX 433-8, REXBURG, ID 83440  
Source: GROUNDWATER  
Date Filed: 01/16/1984  
Diversion Pt: NWNW NWSW Sec. 30 T 08N R 37E  
Use: IRRIGATION (1.90 CFS)  
In: SENE NESE SESE Sec. 25 T 08N R 36E SWNW NWSW Sec. 30 T 08N R 37E FOR 95 ACRES

31-7416

QUALITY FARMS, INC.  
RT. 3, BOX 433-8, REXBURG, ID 83440  
Source: GROUNDWATER  
Date Filed: 01/16/1984  
Diversion Pt: NWSW Sec. 30 T 08N R 37E  
Use: IRRIGATION (2.80 CFS)  
In: NENW SWNW SENW NESW SWSW SESW Sec. 30 T 08N R 37E FOR 140 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 29, 1985.

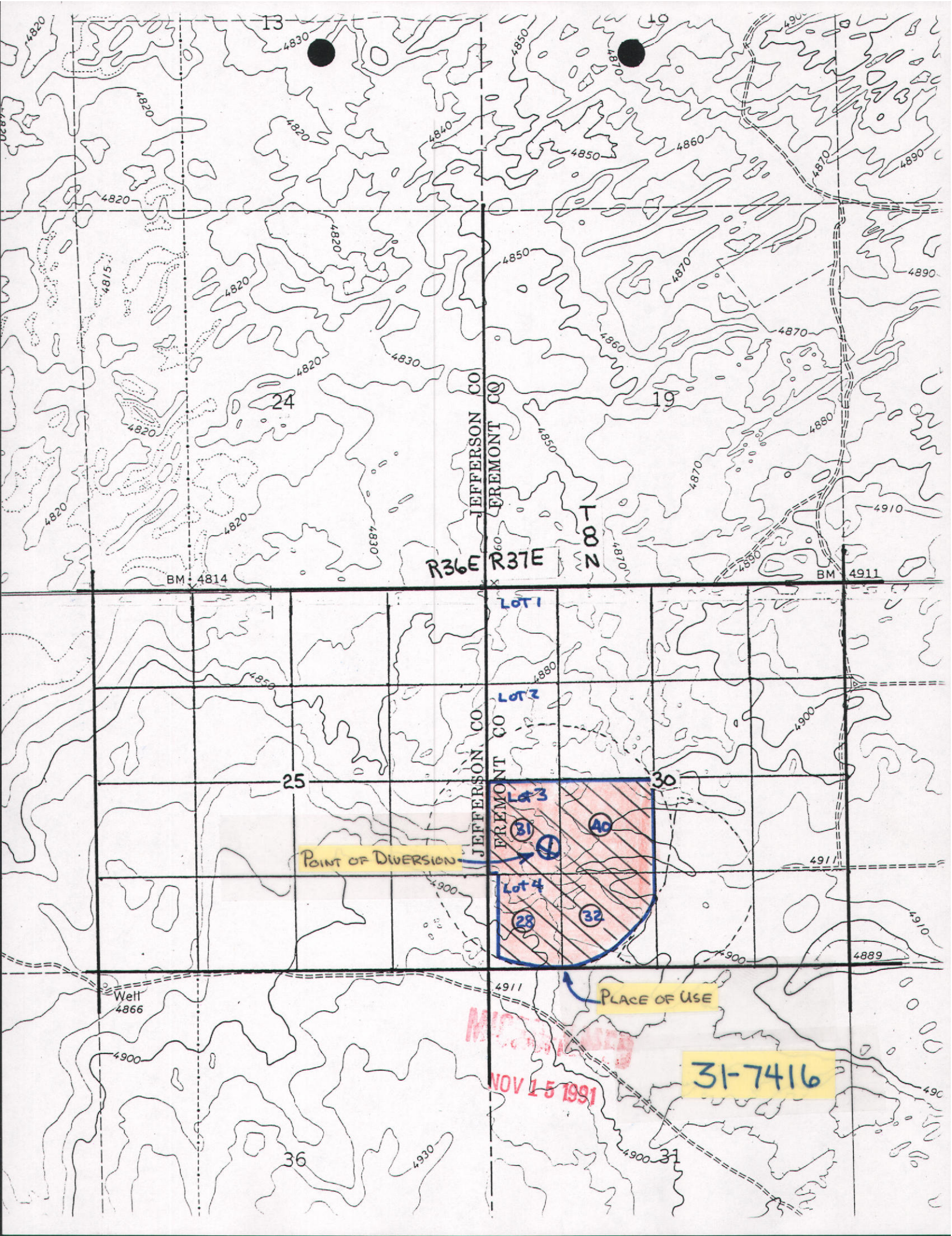
KEN DUNN  
Director

Publ. April 11 and 18, 1985CN

MICROFILMED



UNRECORDED  
NOV 15 1991



JEFFERSON CO  
FREMONT CO

R36E R37E

T18N

25

30

POINT OF DIVERSION

PLACE OF USE

31-7416

NOV 15 1991

Well  
4866

BM 4814

BM 4911

24 19  
25 30

31-7516

Lot 1

R36E R37E

Lot 2

T  
8  
N

R37E

②

76.5

#1291

4

④

16

16

Lot 3

31

23

31-7415

31-7416

40

5

POINT OF DIVERSION

Lot 4

28

12

32

25 30

36 31

210.4

PLACE OF USE

31-7416

R  
3  
6  
E

R  
3  
7  
E

T8N

NOV 15 1991

24 19  
25 30

Lot 1

R36E R37E

Lot 2

T8N

R37E

②  
765

4

16

16

Lot 3

31

23

31-7415  
31-7416

40

5

POINT OF DIVERSION

Lot 4

12

30

32

31-7417

25 30  
36 31

T8N

PLACE OF USE  
31-7415/7416

R36E

R37E

RECEIVED  
JAN 1981

1934年11月

Mapa Huan  
in 1948  
ASCS  
in Grand Rd

#29

1095

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363

NOV 20 1989

## Department of Water Resources

Boise, Idaho,

WD#1

April 12 1987

RECEIVED  
FROM \_\_\_\_\_

Alder Point

of

Lebung

\$250.00

DOLLARS

**FOR**

1986 Festival

\$ 1175 00

1987 Mental

\$ 117.50

31-7415/7416

\$ 2350.00

TOTAL - - - \$ 550 | 00

Allen Gray

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 31-07416

Priority: January 16, 1984

Maximum Diversion Rate: 2.29 CFS  
Maximum Diversion Volume:<sup>1</sup> 393.0 AF

This is to certify, that QUALITY FARMS INC  
2120 W 4200 S  
REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 16, 1984; and has submitted Proof of Beneficial Use on August 16, 1990. An examination indicates that the works have a diversion capacity of 3.670 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> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01       | 2.29 CFS                 | 393.0 AF             |

LOCATION OF POINT(S) OF DIVERSION: LOT 3( NWSW), Sec. 30, Township 08N, Range 37E  
FREMONT County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u>   | <u>ACRES</u>   | <u>TOTAL</u> |
|------------|------------|------------|--------------|----------------|----------------|--------------|
| 08N        | 37E        | 30         | NESW 40      | LOT 3(NWSW) 31 | LOT 4(SWSW) 28 |              |
|            |            |            | SESW 32      |                |                | 131          |

Total number of acres irrigated: 131

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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. The maximum combined rate of diversion under this right & Right No. 31-7415 shall not exceed 3.67 cfs.

NOV 15 1991

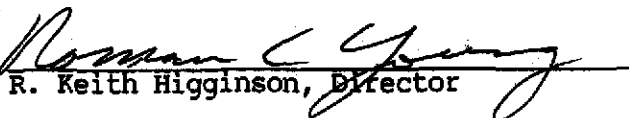
State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 31-07416

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 28<sup>TH</sup>  
day of OCTOBER, 1991.

Acting for

  
R. Keith Higginson, Director

NOV 15 1991

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 31-07416

Proposed Priority: January 16, 1984

Maximum Diversion Rate:

2.62 CFS

This is to certify, that **QUALITY FARMS INC.**  
2120 W. 4200 S.  
REXBURG, ID 83440

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 04/01 to 11/01       | 2.62 CFS                 |

LOCATION OF POINT(S) OF DIVERSION: LOT 3( NWSW), Sec. 30, Township 08N, Range 37E  
FREMONT County

PLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u> | <u>ACRES</u>       | <u>ACRES</u>   | <u>ACRES</u>   | <u>TOTAL</u> |
|--------------------|--------------------|----------------|----------------|--------------|
| 08N 37E 30         | NESW 40<br>SESW 32 | LOT 3(NWSW) 31 | LOT 4(SWSW) 28 | 131          |

Total number of acres irrigated: 131

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

16<sup>th</sup> day of November, 1989.

**MICROFILMED**

NOV 20 1989

*R. Keith Higginson*  
R. Keith Higginson, Director

RECEIVED

SEP 22 1989

Ident. No. 31-07416

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

AMENDED APPLICATION FOR PERMIT AMENDED

To appropriate the public waters of the State of Idaho

1. Name: QUALITY FARMS INC. 208-356-7220  
Address: 2120 WEST 4200 SOUTH  
REXBURG, ID 83440
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: LOT 3( NWSW), Sec. 30, Township 08N, Range 37E  
FREMONT County
4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 04/01 | 11/01 | 2.620 |      |    |
5. Total quantity to be appropriated is:  
2.620 CFS (and/or) AF
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc.  
WELL & PUMP
  - b. Height of storage dam feet; active reservoir capacity  
acre-feet; total reservoir capacity acre-feet; period of  
year when water will be diverted to storage: to inclusive.
  - c. Proposed well diameter is inches; proposed depth of well is  
feet.
  - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 5 years.
8. Description of proposed uses:  
IRRIGATION OF FIELD #27.
9. Place of Use: IRRIGATION

MICROFILMED

NOV 20 1989

| TWN                              | RGE | SEC | ACRES   | ACRES          | ACRES          | TOTAL |
|----------------------------------|-----|-----|---------|----------------|----------------|-------|
| 08N                              | 37E | 30  | NESW 40 | LOT 3(NWSW) 31 | LOT 4(SWSW) 28 | 131   |
|                                  |     |     | SESW 32 |                |                | 131   |
| Total number of acres irrigated: |     |     |         |                |                | 131   |

10. Describe any other water rights used for the same purposes.  
31-07415

11. a. Who owns the property at the point of diversion?  
APPLICANT  
b. Who owns the land to be irrigated or place of use?  
APPLICANT  
c. If the property is owned by a person other than the applicant,  
describe the arrangement enabling the applicant to make this filing.

12. Remarks:

13. Map of proposed point of diversion and place of use attached? [ ]

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.

Golden Chief, Inc.  
Applicant  
Quality Farms, Inc.

Amended App. dk 9/22/89 12:01  
Received by cw Date 1/16/84 Time 4:10 Preliminary check by hwj  
20.00 dk C011764 9/22/89  
Fee \$ 85.00 Receipted by bp # 33410 Date 1/16/1984

Publication prepared by RB Date 10-19-89 Published in Herald-Chronicle  
Publication approved CW Date 11-06-89

**MICROFILMED**

NOV 20 1989

THE FREMONT COUNTY HERALD-CHRONICLE

St. Anthony, Idaho  
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO  
County of Fremont

I, Terry Weatherston  
being first duly sworn, depose and say,  
that I am the printer of THE FREMONT  
COUNTY HERALD-CHRONICLE, a semi-weekly  
newspaper printed and published in  
Fremont County, Idaho; and I do solemnly  
swear that the Notice Of Application -  
a copy of which notice appears attached  
hereto, was published in the regular and  
entire issue of said newspaper, and not  
in any supplement issue thereof

for Two consecutive issues, the  
first publication having been made on  
October 19, 1989

and the last publication having been  
made on October 26, 1989

Further, that said newspaper is one  
of general circulation in said county;  
that it is a legal newspaper, conforming  
to legal specifications under Idaho  
statutes; that it has at least two  
hundred bona fide subscribers living  
within the county of publication; and  
that it has been continuously and  
uninterruptedly published in said county  
during a period of seventy-eight  
consecutive weeks prior to the first  
publication of said notice.

*Terry Weatherston*  
STATE OF IDAHO )  
COUNTY OF MADISON )

On this 27th day of October  
in the year of 1989, before me, a Notary  
Public, personally appeared Terry  
Weatherston, known or identified to me to  
be the person whose name subscribed to  
the within instrument, and being by me  
first duly sworn, declared that the  
statements therein are true, and  
acknowledged to me that he executed the  
same.

*Joseph C. Ladd*  
Notary Public for Idaho  
Residing at Rexburg, Idaho  
My commission expires: June 8, 1993

RECEIVED

NOV 3 1989

Department of Water Resources  
Eastern District Office

NOTICE OF APPLICATION  
FOR WATER RIGHT

The Following application(s) have been  
filed to appropriate the public waters of  
the State of Idaho:

21-07446

HENRYS FORK VILLAGE WATER  
COMP.

P.O. Box 266

ISLAND PARK, ID 83429

Source: GROUNDWATER

Diversion Pt: SWSE Sec 8 T 12N R 43E

Use: DOMESTIC (.300 CFS)

Date Filed: 9/18/1989

In: T12N R43E S08 NESW SESW  
NWSE SWSE

31-07415

QUALITY FARMS INC.

2120 WEST 4200 SOUTH

REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: LOT 1 (NWNW) Sec 30 T  
08N R 37E LOT 3 (NWSW) Sec 30 T 08N  
R 37E

Use: IRRIGATION (1,580 CFS)

Date Filed: 1/16/1984

In: T08N R36E S25 SENE NESE SESE  
R37E S30 Lot 2 (SWNW) SENW 79.0  
ACRES TOTAL

31-07416

QUALITY FARMS INC.

2120 WEST 4200 SOUTH

REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: LOT 3 (NWSW) Sec 30 T  
08N R 37E

Use: IRRIGATION (2,620 CFS)

Date Filed: 1/16/1984

In: T08N R37E S30 NESW Lot 3  
(NWSW) Lot 4 (SWSW) SESW 131.0  
ACRES TOTAL

The permit(s) will be subject to all prior  
water rights. Protests may be submitted  
based on the criteria of Sec. 42-203A,  
Idaho Code and/or the new public interest  
criteria of Sec. 42-203C, Idaho Code. Pro-  
tests must be filed with the Director, Dept.  
of Water Resources, 150 Shoup Ave.,  
Suite 15, Idaho Falls, Idaho 83402 on or  
before NOVEMBER 6, 1989.

R. KEITH HIGGINSON  
Director

Publ. Oct. 19 and 26, 1989HC.

MICROFILMED

NOV 20 1989

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

CONDITIONAL  
APPROVAL

1. Name of applicant Quality Farms Inc. Phone 356-7220

Post office address Rt. 3, Box 433-8 Rexburg, Idaho 83440

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 30 Township 8N

Range 37E B.M. Fremont County, additional points of diversion if any: \_\_\_\_\_

~~NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Sec. 30, T. 8N, R. 37E.~~

4. Water will be used for the following purposes:

Amount 2.8 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)  
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 2.80 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

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

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

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_

Range \_\_\_\_\_ B.M.

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

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

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

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

**MICROFILMED**

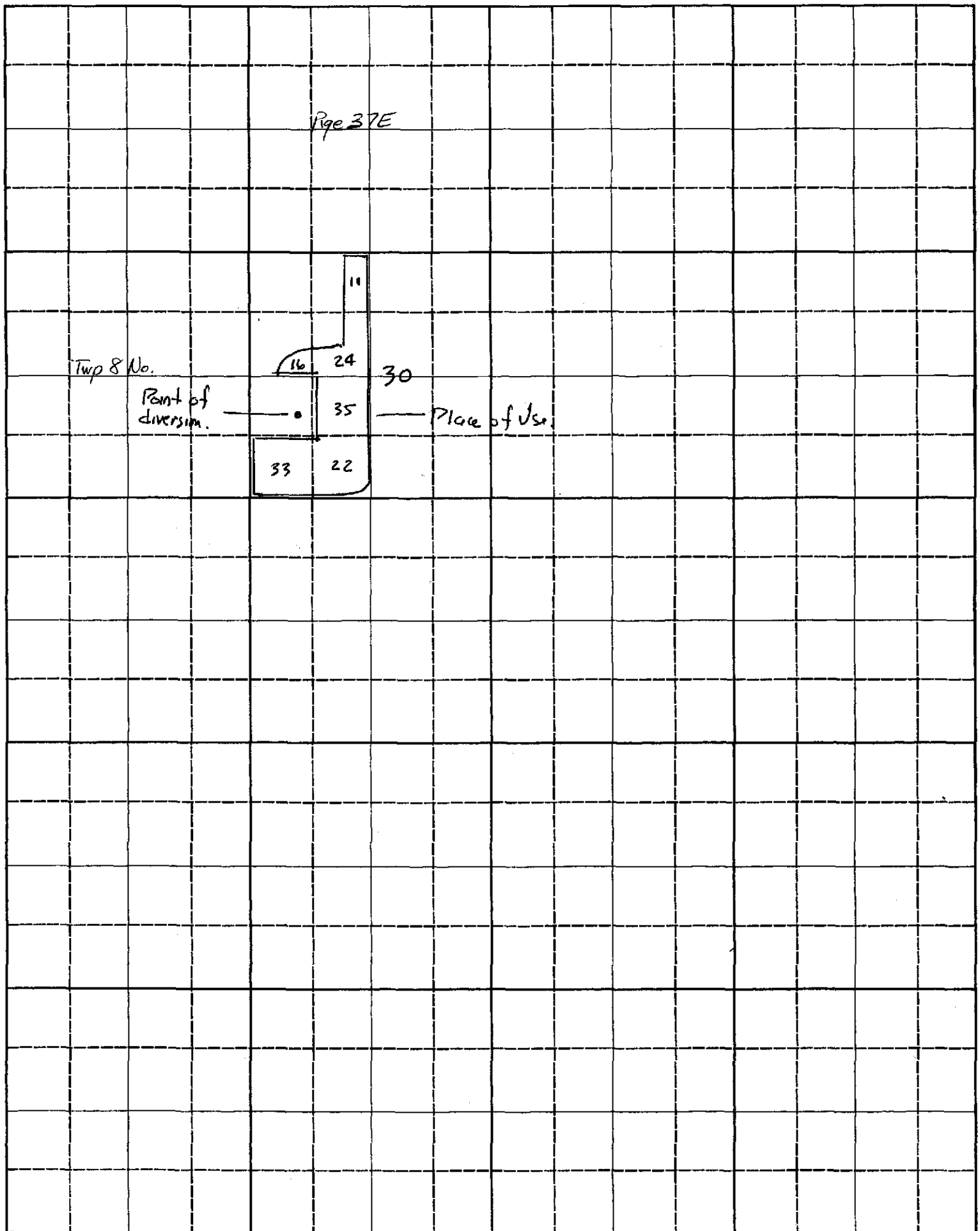
**MICROFILMED**

**Total number of acres to be irrigated** 140

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

10. Remarks

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.

Golden Ringford, President  
(Applicant)

Quality Farms Inc.  
**MICROFILMED**

Received by Cw Date 1/16/84 Time 4:10pm  
Preliminary check by HWJ Fee \$ 85.00  
Receipted by BP Date 1/16/84 #33410  
Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_  
Published in Fremont Co. Chronicle  
Publication dates 4-11-84 4-18-85  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_  
Protests filed by: none  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by EMC kw

---

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7416, and said application is hereby CONDITIONALLY 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 is not required unless permit is reprocessed and approved in compliance with 42-203C, Idaho Code.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: See attachment for conditions d through k.

Witness my hand this 13<sup>th</sup> day of May, 1985.

A. Glen Saylor  
Chief, Operations Bureau

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

WITH RESPECT TO INTERIM APPROVAL OF

APPLICATION FOR PERMIT NO. 31-7416

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7416; and interim approval is granted subject to the following limitations and conditions:

- a. Subject to all prior water rights.
- b. A measuring device or an access port of a design approved by IDWR shall be installed prior to diverting water under the interim approval.
- c. The water user acknowledges that the interim approval does not convey a continuing right to divert water and does not convey any right to divert water except as specifically provided in the interim approval.
- d. The water user assumes all risk that he or she will be successful in obtaining a permit for water which may be reallocated under the Water Appropriation Rules and Regulations. The water user accepts all risk that storage water will be available and obtainable from the rental pool in future years to allow the interim approval procedure to continue, if storage water is required.
- e. Violation of interim approval conditions, provisions of the Idaho Code, or the Water Allocation Rules and Regulations is cause for cancellation of the interim approval and denial of future requests.
- f. By accepting and commencing diversion of water under this interim approval, the water user acknowledges and agrees that the Director of IDWR is authorized to disconnect the power supply from the pump motor used to divert water under the interim approval or to take other reasonable steps to insure that water is not diverted during any period the interim approval is suspended or revoked.
- g. The Director may impose additional conditions not a part of the original interim approval conditions as determined by the Director.
- h. The filing on which the interim approval is given may be reprocessed under the provisions of Section 42-203C, Idaho Code, at the request of the water user or as determined by the Director in compliance with pertinent adopted rules and regulations and statutes.
- i. Investments made by the water user to divert and use water under the interim approval will not be considered by IDWR when reprocessing the filing under the provisions of 42-203C, Idaho Code.
- j. The volume of stored water required to be rented from the Upper Snake River Water Supply Bank shall be equal to the volume of water consumptively used as determined by the Director. **MICROFILMED** In addition, the volume shall be two (2) acre feet per acre.

JUL 02 1987

- k. Water shall not be diverted unless storage water is available, rented, and on assignment to the Director of IDWR for purposes of replacing reductions of flow in the Snake River.
- l. The Director of IDWR will retain jurisdiction of this interim approval to enforce the provisions of the interim approval and to revise the volume of stored water, if appropriate.
- m. By accepting and commencing diversion of water under this interim approval, the water user acknowledges and agrees that the Director of IDWR may suspend the interim approval to divert water during any period that the required storage water supply is not available.

Witness my hand this 15<sup>th</sup> day of May, 1987.

J. Glen Saxton  
Chief, Operations Bureau

**MICROFILMED**

JUL 02 1987

## CONDITIONS OF APPROVAL

The following conditions are hereby made a part of the action of the Director of the Idaho Department of Water Resources (IDWR) on Application for Permit No. 31-7416.

- d. Issuance of this permit is on an interim basis until processing can be accomplished under Section 42-203, as amended, Idaho Code, and is contingent upon the permit holder assigning storage water to replace water taken from other water rights as determined by the Director of IDWR.
- e. Each irrigation season before water is diverted under this permit, evidence shall be provided to the Department that storage water has been rented through the Upper Snake River Water Supply Bank and assigned to the Director of IDWR for release to replace water taken from other water rights.
- f. The volume of stored water required to be rented from the Upper Snake River Water Supply Bank shall be equal to the volume of water consumptively used, as determined by the Director. For the 1985 irrigation season and each following year that this permit is to be used or until modified by Order of the Director of IDWR, the volume of stored water required is 280 acre-feet (140 acres x 2.0 acre-feet per acre = 280 acre-feet per year).
- g. Water shall not be diverted at any time that storage water is not available and on assignment to the Director of IDWR for purposes of replacing reductions of flow to other water right holders.
- h. The Director of IDWR retains jurisdiction of this permit to enforce the provisions of this permit, to revise the volume of stored water required, to cancel this permit for failure to comply with the conditions of approval, and to require procedural and substantive compliance with any subsequently adopted rules and regulations concerning exchange or augmentation of water supplies.
- i. By accepting and commencing diversion of water under this permit, the permit holder acknowledges and agrees that: (1) the Director of IDWR may suspend the right to divert water during any period that evidence of the required storage water supply needed for release is not on file with IDWR, and (2) the Director of IDWR is authorized to obtain a court order to disconnect the power supply from the pump motor used to divert water under this permit or by other reasonable means insure that water is not diverted at any and all times, that the right to divert water under this permit is suspended.
- j. This permit will be reprocessed under the provisions of Section 42-203D, Idaho Code, at the request of the permit holder or as determined necessary by the Director for compliance with Section 42-203D, Idaho Code, and Section 7D of the Swan Falls Agreement.
- k. A measuring device or an access port of a design approved by IDWR shall be installed prior to diverting water under this permit to allow the rate of diversion to be determined.

Witness my hand this 13<sup>th</sup> day of May, 1985.

  
Chief, Operations Bureau

WIPBOTT MED

RECEIVED

WATER BANK LEASE AGREEMENT FOR 1985

APR 1 1985

EXCHANGE AGREEMENT

Department of Water Resources  
Eastern District Office

The Committee of Nine, hereafter lessor, being authorized pursuant to Idaho Code §42-1765 to operate the Upper Snake River Water Supply Bank does agree to lease to Quality Farms, Inc. of Rexburg, hereafter lessee, 500 A.F. of water for the irrigation year starting April 1, 1985. This agreement is subject to the adopted Rules and Regulations of the Water Supply Bank and applicable conditions on the requisite water right permit granted by the Idaho Department of Water Resources.

Upon execution of this agreement and receipt of \$ 1250.00, the Snake River Watermaster will assign to the Director of the Department of Water Resources 500 A.F. of storage to be released at his discretion in exchange for water pumped from groundwater at a well(s) located within:

NW 1/4 SW 1/4, Sec. 30, T. 8N, R. 37E ;

Other: NW 1/4 NW 1/4, Sec. 30, NW 1/4 SE 1/4, Sec. 30, T. 8N, R. 37E.

For the irrigation of 250 acres of land within:

SE 1/4, NE 1/4 NW 1/4, S 1/4 NW 1/4, SW 1/4, Sec. 30, T. 8N, R. 37E

SE 1/4 NE 1/4, E 1/2 SE 1/4, Sec. 25, T. 8N, R. 36E

The lessee understands and agrees that this lease in no way obligates the lessor to future leases or in any other manner not specified above.

Gordon C. Lingford  
(Name)

Rt 3 Box 433-F Rexburg 83440  
(Address)

MICROFILMED

State of Idaho )

County of Bonneville )

On this 28 day of Mar., 1985, before me the undersigned Notary Public in and for said county and state, personally appeared Golden Linford, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written.

Cheryl Kemp

Notary Public in and for Idaho

Residing at :

I have accepted the request of Golden Linford, Quality Farms to purchase water from the Water Supply Bank this 1st day of April, 1985.

Ronald D. Coker

Watermaster, Water District No. 1

Agent for the Committee of Nine

**MICROFILMED**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

*VOID*

To appropriate the public waters of the State of Idaho

1. Name of applicant Quality Farms Inc. Phone 356-7220  
Post office address Rt. #3, Box 433-8 Rexburg, ID 83440  
2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_  
3. Location of point of diversion is NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 30 Township 8N  
Range 37E B.M. Fremont County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 2.8 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.8 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

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

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

c. Proposed well diameter is 14 inches; proposed depth of well is 80 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_

Range \_\_\_\_\_ B.M. \_\_\_\_\_

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

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

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

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

MICROFILMED

**MICROFILMED**  
below:

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

[illegible]

c. Describe any other water rights used for the same purposes as described above.

None

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

**Applicant**

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

Applicant

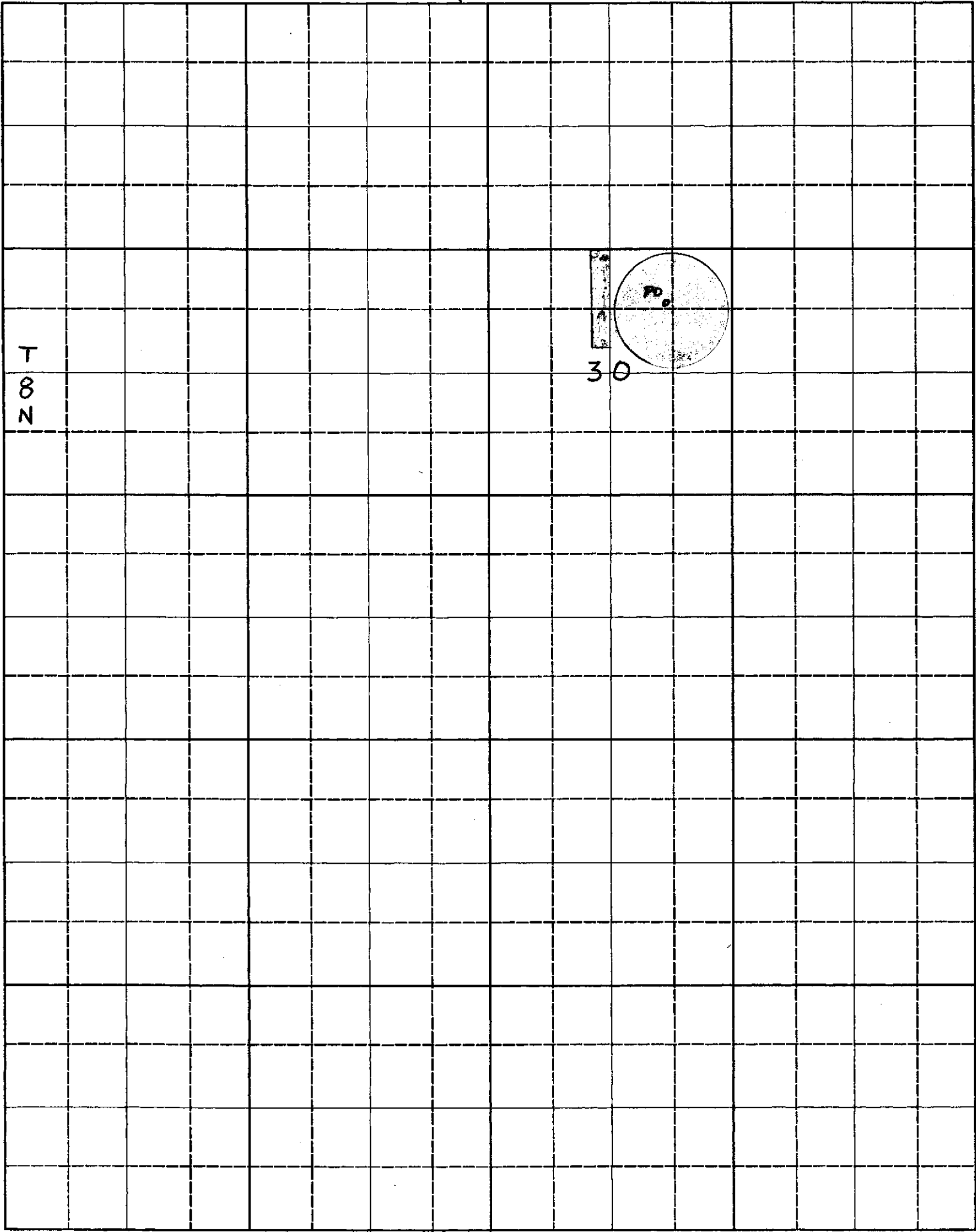
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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.

R 37E



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.

*Golden C. Linford, President*  
(Applicant)

MICROFILMED

**MICROFILMED**

Received by CW Date 1-16-84 Time 4:10

Preliminary check by HWS Fee \$ 85<sup>00</sup>

Receipted by BP Date 1/16/84 # 33410

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_

Publication dates \_\_\_\_\_

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by \_\_\_\_\_

---

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

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

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 \_\_\_\_\_, 19 \_\_\_\_.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

THE CHRONICLE-NEWS  
ST. ANTHONY, IDAHO

AFFIDAVIT OF  
PUBLICATION

STATE OF IDAHO }  
County of Fremont }

ss

Terry Weatherston

being first duly sworn, depose and say, that I am  
the printer of THE CHRONICLE-NEWS, a weekly  
newspaper printed and published weekly at St.  
Anthony, Fremont County, Idaho; and I do  
solemnly swear that the

Notice Of Application For Water Right

copy of which notice appears attached here-  
to, was published in the regular and entire issue  
of said newspaper, and not in any

supplement issue thereof for 2  
consecutive issues, the first publication hav-

ing been made on April 11, 1985  
and the last publication having been made

on April 18, 1985

Further, that said newspaper is one of general  
circulation in said county; that it is a legal  
newspaper, conforming to legal specifications  
under the Idaho Statutes; that it has at least two  
hundred bona fide subscribers living within the  
county of publication; and that it has been  
continuously and uninterrupted published in said  
county during a period of seventy-eight con-  
secutive weeks prior to the first publication of the  
said notice.

*Terry Weatherston*

Subscribed to and sworn to before me

April 19, 1985

115

*D. L. Garner*

MAY

Department of Water Resources  
Eastern District Office

NOTICE OF APPLICATION  
FOR WATER RIGHT

The following application(s) have been filed  
to appropriate the public waters of the State  
of Idaho:

31-7414

QUALITY FARMS INC.  
RT. 3, BOX 433-8, REXBURG, ID. 83440  
Source: GROUNDWATER  
Date Filed: 01/16/1984  
Diversion Pt: NWSE Sec. 30 T 08N R 37E  
Use: IRRIGATION (2.00 CFS)  
In: NESE NWSE SWSE SESE Sec. 30 T  
08N R 37E FOR 100 ACRES

31-7415

QUALITY FARMS, INC.  
RT. 3, BOX 433-8, REXBURG, ID 83440  
Source: GROUNDWATER  
Date Filed: 01/16/1984  
Diversion Pt: NWNW NWSW Sec. 30 T  
08N R 37E  
Use: IRRIGATION (1.80 CFS)  
In: SENE NESE SESE Sec. 25 T 08N R  
38E SWNW NWSW Sec. 30 T 08N R 37E  
FOR 96 ACRES

31-7416

QUALITY FARMS, INC.  
RT. 3, BOX 433-8, REXBURG, ID 83440  
Source: GROUNDWATER  
Date Filed: 01/16/1984  
Diversion Pt: NWSW Sec. 30 T 08N R 37E  
Use: IRRIGATION (2.80 CFS)  
In: NENW SWNW SENW NESW SWSW  
SESW Sec. 30 T 08N R 37E FOR 140  
ACRES

The permit(s) will be subject to all prior  
water rights. Protests must be filed with the  
Director, Dept. of Water Resources, 150  
Shoup Ave., Suite 15, Idaho Falls, Idaho  
83402 on or before APRIL 29, 1985.

KEN DUNN  
Director

Publ. April 11 and 18, 1985CN

MICROFILMED

October 30, 1991

QUALITY FARMS INC  
2120 W 4200 S  
REXBURG ID 83440

RE: WATER RIGHT NO. 31-07416

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS  
Technical Records Specialist

SC:blm

Enclosure

RECEIVED

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# LICENSE REVIEW CHECKLIST

Permit No. 31-7416

Name/Address change?        ok ✓

Priority date Advance? yes        no ✓

Memo to advance         
Order to reinstate needed? yes        no ✓

Total cfs Limited by fee ok

Limited by capacity       

Total volume Limited by flow       

Chart checked for AF rate/ac ✓ 3.0

Capacity Actual measurement checked ✓

Theoretical checked       

If greater than permit, check for other rts       

Source Changed? yes        no ✓

If so, is memo needed to clarify?       

P/D Verify with map ✓ permit ✓

More than one per 1/4? Remember remark       

Check p/d overlap       

Uses Check irrigation period of use w/ chart ✓

P/U Verify with map ✓ permit ✓

> 5 acres irrigated, run overlap       

Remarks More than one p/d in 1/4       

Description of non-irrig uses       

Special overlap condition       

## Conditions -

Measuring device permit cond.  
W.Master control Complied with  
Overlap         
Water quality         
Other       

## Dates/Misc. -

Water Dist         
App Rec'd         
Proof Rec'd       

Comments/Changes to Examiner's Recommendations:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

License ✓ 10-day        30-day       

50 Date 10/23/91 Review time 10 min.

**PROCESSED**

NOV 15 1991

*OK Jim*  
*10-26-91*



(WATER RIGHT NUMBERS THAT BEGIN WITH AN '\*' ARE ADJUDICATION CLAIMS)

| WR-NUMBER  | SOURCE        | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | SUM |
|------------|---------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| L3107416   | T08N R37E S30 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
|            |               |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 131 |
| 3102335    | GROUNDWATE    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 80  |
| A3102335   | GROUNDWATE    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 80  |
| 3102365    | GROUNDWATE    | 40 |    |    |    | 40 |    |    |    |    |    |    |    |    |    |    |    | 80  |
| A3102365   | GROUNDWATE    | 40 |    |    |    | 40 |    |    |    |    |    |    |    |    |    |    |    | 80  |
| 3107091    | GROUNDWATE    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 64  |
| 3107268    | GROUNDWATE    |    | 20 | 30 |    |    | 30 |    |    |    |    |    |    |    |    |    |    | 110 |
| A3107268   | GROUNDWATE    |    | 20 | 30 |    |    | 30 |    |    |    |    |    |    |    |    |    |    | 110 |
| 3107303    | GROUNDWATE    |    | 10 |    |    |    | 30 |    |    |    |    |    |    |    |    |    |    | 60  |
| A3107303   | GROUNDWATE    |    | 10 |    |    |    | 30 |    |    |    |    |    |    |    |    |    |    | 60  |
| 3107414    | GROUNDWATE    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 100 |
| 3107415    | GROUNDWATE    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 39  |
| 3107416    | GROUNDWATE    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 131 |
| --86 MAP-- | C43Q-W 41     | 34 | 29 | 30 | 38 | 31 |    |    |    |    |    |    |    |    |    |    |    | 405 |

See Exam map for overlap more info

NOV 15 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

1. Owner: Golden Linford Permit No. 31-7416  
Current Address: 2120 W. 4200 S. Rexburg, ID 83440 Phone No. 356-7220  
2. Accompanied by: Same EXAM. DATE: 7-11-90  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: holder  
3. Source: Groundwater tributary to \_\_\_\_\_

**RECEIVED**  
OCT 21 1991

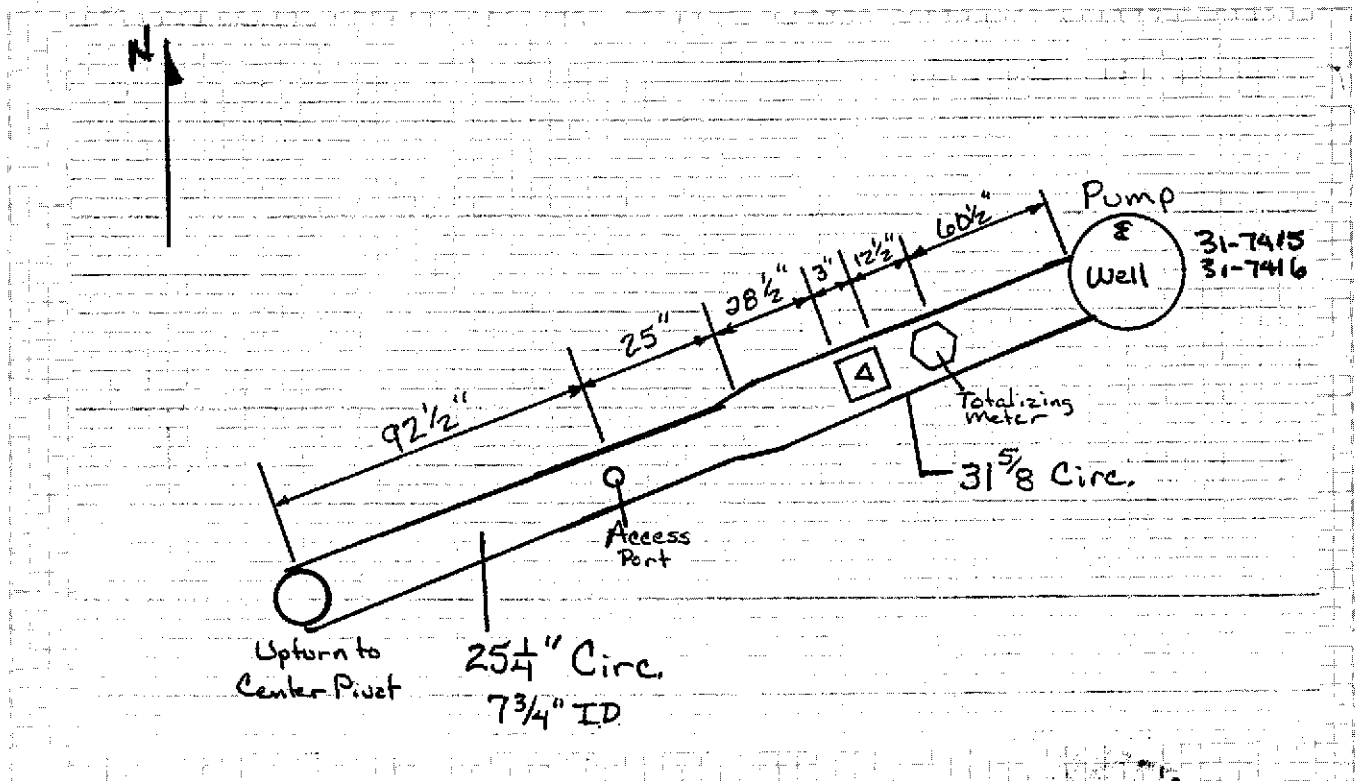
**B. OVERLAP REVIEW**

1. Other water rights with same place of use: NONE  
\_\_\_\_\_  
☐ Copies Attached  
2. Other water rights with same point of diversion: 31-7415  
\_\_\_\_\_  
☐ Copies Attached ☐ Copies of Field Exam's Attached

Department of Water Resources

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = \_\_\_\_\_

2. ☐ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).  
☐ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater).  
☐ Aerial Photo Attached  
(required for irrigation of 10 acres or more).

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3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well, pump Mainline to 13 tower. Centre Pilot

☐ See Remarks on page 4 for continuation

|                                       |         |         |         |         |         |
|---------------------------------------|---------|---------|---------|---------|---------|
| Well or Diversion Identification No.* | 215-216 | 215-216 | 215-216 | 215-216 | 215-216 |
| Motor Make                            | 215-216 | 215-216 | 215-216 | 215-216 | 215-216 |
| Hp                                    | 215-216 | 215-216 | 215-216 | 215-216 | 215-216 |
| Motor Serial No.                      | 215-216 | 215-216 | 215-216 | 215-216 | 215-216 |
| Pump Make                             | 215-216 | 215-216 | 215-216 | 215-216 | 215-216 |
| Pump Serial No. or Discharge Size     | 215-216 | 215-216 | 215-216 | 215-216 | 215-216 |

\*Code to correspond with No. on map and aerial photo

**5. Point(s) of Diversion:**

[illegible]

Indicate Method of Determination.

**6. Place(s) of Use:**

[illegible]

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type             | Make       | Model No. | Serial No. | Size  | Calib. Date |
|-----------------------|------------------|------------|-----------|------------|-------|-------------|
| Gage                  | Pressure         | Rambold    |           |            | 0-160 |             |
| Flow Indicator        | Totalizing Meter | McCrometer |           |            | 60    |             |
|                       |                  |            |           |            |       |             |
|                       |                  |            |           |            |       |             |

2. Measurements:

0.01 af / 118.6 sec Circ at McCrometer =  $3\frac{1}{8}"$

105 psi operating pressure

$7\frac{3}{4}"$  id Circ  $25\frac{1}{4}"$  at flow measurement point

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = 3.67 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$\text{Theoretical } Q = 3.41 \text{ cfs}$$

#### F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3) ; Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)

Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 131 \text{ ac} \times 3.0 = 393 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (2.29 \text{ cfs})(214)(1.9835) = 972.0$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 393 \text{ af}$$

2. Volume Calculations for Other Uses:

NOV 15 1987

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use |    | Period of Use |     | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (af) |
|----------------|----|---------------|-----|------------------------------|-------------------------|
| From           | To | From          | To  |                              |                         |
| Irrigation     |    | 4/1           | 4/1 | 2.29 cfs                     | 393 af                  |
|                |    |               |     |                              |                         |
|                |    |               |     |                              |                         |
|                |    |               |     |                              |                         |
|                |    |               |     |                              |                         |
|                |    |               |     |                              |                         |
|                |    |               |     |                              |                         |
|                |    |               |     |                              |                         |
|                |    |               |     |                              |                         |

2. 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

J. AUTHENTICATION

Field Examiner's Name Kent C. Wilson Signature Kent C. Wilson

Certification Date \_\_\_\_\_

Field Report Preparation Date 7-22-1991

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOV 15 1991



NOV 15 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
LICENSING REPORT

31-7416

Permit No.

Measurement Calculations

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

Theoretical Capacity       $h_p = 200$        $eff = 70\%$   
                                          $Lift = 119$        $psi = 105$

$$Q = \frac{h_p (8.814) eff}{Lift + (psi \times 2.308)} = \frac{200 (8.814) (0.7)}{119 + (105 \times 2.308)} = 3.41 \text{ cfs}$$

Measured Capacity      0.01 af in 118.6 sec

$$Q = \left( \frac{0.01 \text{ af}}{118.6 \text{ sec}} \right) \left( \frac{43560 \text{ ft}^2}{\text{ac}} \right) = \underline{3.67 \text{ cfs}}$$

$$Q = 3.67 \text{ cfs}$$

Total acres permitted under 31-7415 & 31-7416 = 210 ac

Total acres irrigated under 31-7415 & 31-7416 = 210 ac

$$\text{Rate per acre} = 3.67 \text{ cfs} / 210 \text{ ac} = 0.017 \text{ cfs/ac} < 0.02 \text{ cfs/ac}$$

Therefore:

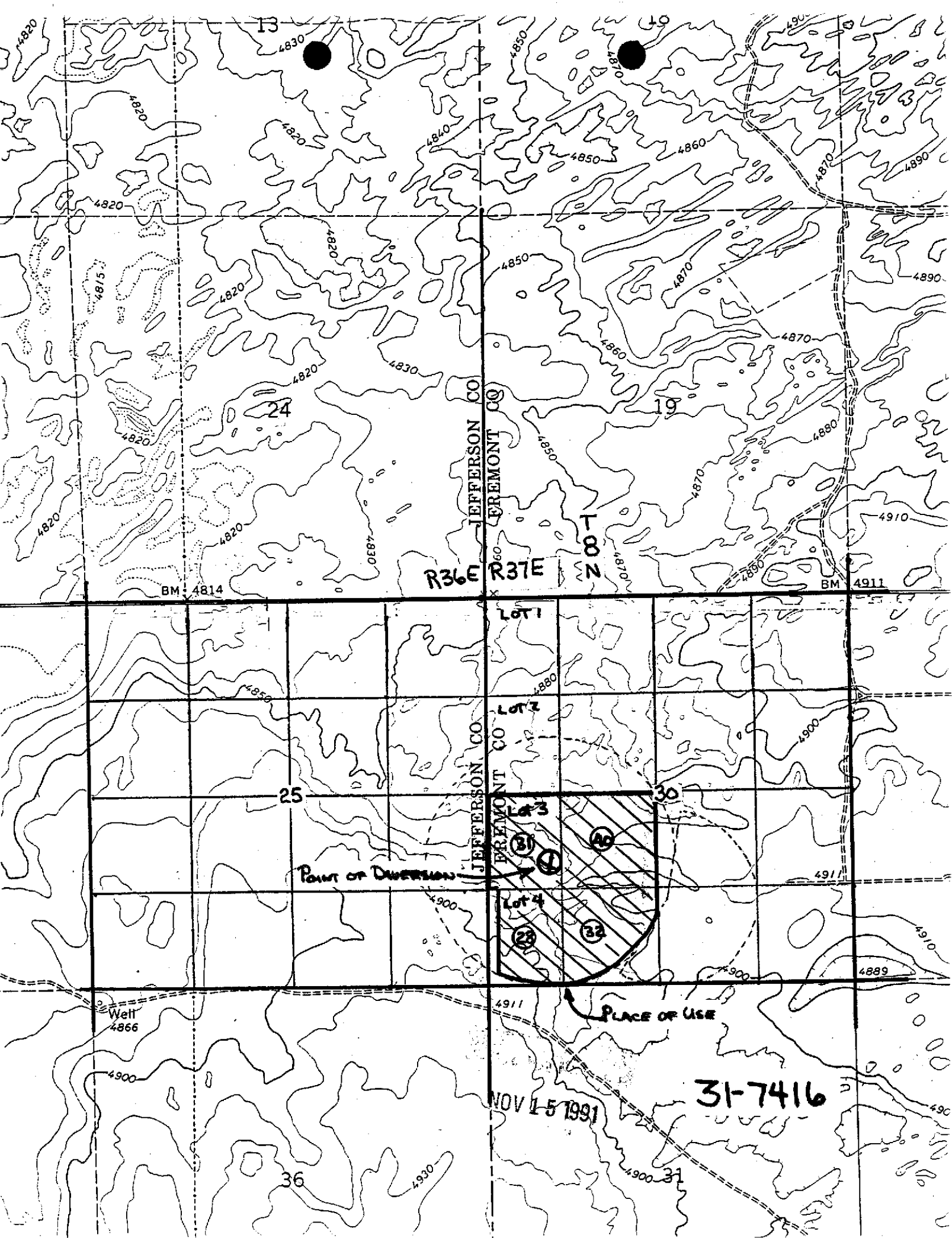
$$31-7415 \text{ with } 79 \text{ acres would receive } \frac{79}{210} (3.67 \text{ cfs}) = 1.38 \text{ cfs}$$

$$Q_{31-7415} = 1.38 \text{ cfs}$$

$$31-7416 \text{ with } 131 \text{ acres would receive } \frac{131}{210} (3.67 \text{ cfs}) = 2.29 \text{ cfs}$$

$$Q_{31-7416} = 2.29 \text{ cfs}$$

NOV 15 1991



R36E R37E

T 8 N

Point of Diversion

PLACE OF USE

31-7416

NOV 15 1991

24 19  
25 30

31-7516

Lot 1

R36E R37E

Lot 2

T8N

R37E

②

4

116

116

Lot 3

31

23

31-7415

31-7416

40

5

POINT OF DIVERSION

Lot 4

12

28

32

25 30  
36 31

PLACE OF USE

31-7416

R36E

R37E

T8N

24 19  
25 30

Lot 1

RULE R37E

Lot 2

R37E

Lot 3

31-7415  
31-7416

POINT OF DIVERSION

Lot 4

25 30  
31 31

PLACE OF USE  
31-7415/7416

RULE  
R37E

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 31-7416

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 8N, Rge 37E, Sec. 30, NW 1/4 SW 1/4 or Lot 3.

2. Owner: Golden Linford  
Address 2120 W. 4200 S., city Rexburg st IO

3. Casing  $\geq$  12 inches above ground: Yes ☐ No ☐

4. Access Port: Yes ☒ No ☐ Static Water Level:   
Pressure Gauge: Yes ☐ No ☒ Casing Diameter:   
Flowing: Yes ☐ No ☒ Temperature:

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ☐ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOV 15 1991

December 17, 1990

QUALITY FARMS INC.  
2120 W. 4200 S.  
REXBURG, ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-07416

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

**MICROFILMED**

JAN 64 1991

ANALYSIS SHEET  
for  
PROOF OF BENEFICIAL USE

Permit No. 31-7416

Date 12-14-90

GENERAL CONSIDERATIONS

Y Name same as permit?  
N Address change? If yes, prepare data entry form.  
Y Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

   Surface water source  
✓ Ground water source  
N Drill permit req'd? drilled 1977 Copy in file?  
   Well log in file?  
   Amt paid for drilling permit?    Correct?

LICENSE EXAMINATION FEE

Y Required?  
150 Amount submitted?  
Y Correct amount?

MEASURING DEVICE

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

DEFICIENCIES OR ACTION ITEMS

*proof acceptable*

PRIORITY CALCULATION

|                     |                   |                     |
|---------------------|-------------------|---------------------|
| Date proof received | <u>          </u> | <u>          </u>   |
| Date proof due      | <u>          </u> | - <u>          </u> |
| No. of days late    | <u>          </u> | = <u>          </u> |
| Priority date       | <u>          </u> | + <u>          </u> |
| NEW PRIORITY DATE   | <u>          </u> | = <u>          </u> |

*[Signature]*

**RECEIVED**  
AUG 16 1990

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
PROOF OF BENEFICIAL USE

Department of Water Resources

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

Permit No. 31-07416 Telephone No. 356-7220

Name(s) of Permit Holder(s): Quality Farms Inc. % Golden Linford

Post Office Address: 2120 W. 4200 S. Rexburg Id 83440

Source of Water: GROUNDWATER

\* If ground water, well driller's name: Kendle Well Drilling. \* Date drilled: Sept. 1977.

Extent of Use:  
Domestic \_\_\_\_\_ (No. of households) Irrigation 131 (No. of acres)  
Stockwater \_\_\_\_\_ (No. and type of stock) Other \_\_\_\_\_

Total rate and/or volume for which proof is submitted 2.62 cfs \_\_\_\_\_ acre/feet

Show date water was first diverted and beneficially used under this permit: March 1985.

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? Yes ☒ No ☐ Installed? Yes ☐ No ☐

\* Fee Enclosed: \$ 150.00 (See License Examination Fee Schedule)

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

Golden Linford  
Name

Same as Above  
Address

Telephone No. \_\_\_\_\_  
**MICROFILMED**  
JAN 04 1991

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

\* 8/15/90  
Date

\* Quality Farms Inc. by Golden Linford, Pres.  
Signature (and title if on behalf of a company or organization)

S T A T E   O F   I D A H O  
D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

-----

Statehouse  
Boise, Idaho 83720  
(208) 327-7900  
November 17, 1989

QUALITY FARMS INC.  
2120 W. 4200 S.  
REXBURG, ID 83440

P E R M I T   A P P R O V A L   N O T I C E

RE: PERMIT NO.      P31-07415

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

**MICROFILMED**

NOV 20 1989

[ ]

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

**MICROFILMED**

NOV 20 1989



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

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

**FINAL REGIONAL PROCESSING REVIEW**

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

Yes No Publication dates & paper, recorded on application  
Yes No Protests received  
Final date for protest 11-06-89  
Yes No Protests, dates, resolution of protest, recorded on application  
Yes No Recommendations attached  
Yes No Measuring device required  
Yes No Access port required  
Yes No Will water be delivered by watermaster? If yes, what Dist. 31-PO5  
Yes No Special conditions of approval or cover letter below.

Date of priority recommended See below for additional information  
By Date 1-16-1984

STATE OFFICE REVIEW P05, P23, P03, P17 46 26 013

By kw See below for additional information  
Date 11/13/89

**ADDITIONAL INFORMATION**

App. in TRUST Area -  
allow 2 yrs. for development

31-07416

QUALITY FARMS INC.  
2120 WEST 4200 SOUTH  
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: LOT 3 (NWSW) Sec 30 T 08N R 37E

Use: IRRIGATION ( 2.620 CFS)

Date Filed: 1/16/1984

In: T08N R37E S30 NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW  
131.0 ACRES TOTAL

RECORDED

NOV 20 1989

OK



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 15, 1989

RE: Application for Permit Nos. 31-7415 & 31-7416

Golden C. Linford  
Quality Farms Inc.  
Rt. 3, Box 433-B  
Rexburg, ID 83440

Dear Mr. Linford:

Enclosed are amended Applications for Permit Nos. 31-7415 and 31-7416.

After reviewing the original applications along with the evidence you recently submitted, I noted that the place of use legal descriptions on the applications do not actually match the actual place of use shown as field number 27 on the ASCS photos which you submitted. You will also note that the two applications as originally filed combined for a total of 235 acres. The aerial photo which you submitted shows 210 acres and our review of the photo confirms this figure.

I have gone ahead and drafted amended versions of applications 31-7415 and 31-7416 to reflect the actual place of use and acres irrigated. The total number of acres therefore have been reduced from 235 acres to 210 acres. The 210 acres were developed prior to October of 1984. The department can not at this time authorize the approval of the remaining 25 acres because they were not developed prior to October of 1984.

In order to expedite processing, I urge you to endorse the enclosed amended applications. Please review the applications and if the changes are satisfactory, you should sign and return them along with a \$20.00 amending fee for each application as soon as possible. If the changes are for some reason not satisfactory or if you have questions concerning these applications, please contact me.

Sincerely,

TIM LUKE  
Sr. Water Resource Agent

TL:sc

Enclosures

**RECEIVED**

NOV 20 1989

MEMORANDUM

TO: FILE/PERMIT NO.S 31-7415 & 31-7416

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 9-7-89

---

The applicant has provided the department with evidence from the Jefferson County ASCS office (see file) that the lands under the application were irrigated in 1984 (prior to 10/1/84). Review of the department's report of irrigated acreage using 1986 landsat data confirms that these fields were irrigated in 1986.

Based on the evidence submitted and the additional information available here at the department, I recommend that the department exempt these filings from the review requirements of Section 42-203D and remove them from the Swan Falls process list. I further recommend that the department approve the applications to permit as soon as possible.

Note: The two applications together combine to form one large system. The total number of irrigated acres which should be licensed should be limited to the number of acres under the large circle/pivot system identified as field number 27 on copy of aerial photos in file. The ASCS shows this field as 210.4 acres. Both applications should be condition so that when combined, the total number of acres should not exceed 211 acres.

MICROFILMED

NOV 20 1989



United States  
Department of  
Agriculture

Agricultural  
Stabilization and  
Conservation Service

Jefferson County ASC Committee  
182 East Fremont  
Rigby, Idaho 83442

September 5, 1989

TO WHOM IT MAY CONCERN:

Our slides and crop report records for the 1984 crop year show Circle # 28 and Circle # 29 in potatoes. Circle # 27, operated by Steve Mortensen, was in Wheat.

By

Kaye Chapman

**MICROFILMED**

**NOV 24 1989**

291

23 30

2001 8 1

③

measured on 0.5

①  
165 C

②  
165

④  
165

③  
165

①  
210-45

36

31

1004 of 0.5 flight  
per the wind from west  
was Dashed by ASOS



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

August 30, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: Application for Permit Nos. 31-7415 and 31-7416

Golden C. Linford  
2120 W. 4200 S.  
Rexburg, ID 83440

Dear Mr. Linford:

I have received your letter of August 21, 1989 along with a copy of an ASCS aerial photo and a brief explanatory memo from Ernest Carlsen of our Idaho Falls office.

Upon reviewing your letter and Mr. Carlsen's note, I assume that you are seeking to have the department exempt the above referenced filings from the review requirements of Section 42-203D, Idaho Code (i.e., sequential priority date processing of applications affected by Swan Falls litigation and moratorium). The exemption can be granted if the lands under the applications were irrigated prior to October of 1984. The exemption status would allow the department to expedite the approval of these applications.

As I review the situation, it appears that you were licensed to irrigate 200 acres in the field that is marked number 27 on the map you submitted. This land was then placed in set-aside in 1984. That same year, you filed transfers and moved the 200 acres in field 27 to different locations (to fields 28 and 29). Prior to October of 1984, you were irrigating only 200 acres of ground. These 200 acres were authorized by the two existing licenses, 31-7268 and 31-7303. The 200 plus acres under the applications represent different and additional lands which were undeveloped prior to 1984.

I cannot recommend exemption of these applications from the Swan Falls review requirements. The applications, therefore, cannot be approved at this time. Approval may be given when the department reviews filings with 1984 priorities such as yours. We are currently processing filings with priorities as late as 1981. There is a very good chance that 1984 filings will be reviewed next year.

If you feel my analysis is in error or have questions concerning this matter, please feel free to contact me directly at 327-7864.

Sincerely,

TIM LUKE  
Sr. Water Resource Agent

TL:sc

INDEXED

NOV 20 1989

# ACTION REQUIRED

FROM: Ernest Carlson 21 Aug 89.

TO: Jim Lake.



AUG 28 1989

Department of Water Resources

RE: 31-7415 & 31-7446

I helped Mr. Linford prepare the ~~document~~ attached letter based on the water right record & his recollection of what transpired. The licenses confirm the land was irrigated prior to 1985 so I did not feel it was necessary to submit affidavits and other documentation.

TX

Ernest.

21 August 1989  
2120 W. 4200 S.  
Rexburg, ID. 83440

Tim Luke  
Dept. of Water Resources  
1301 N. Orchard  
Boise, ID 83720

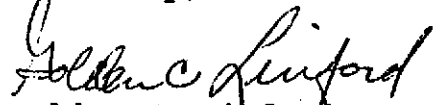
RE: Applications for Permit 31-7415 and 31-7416.

Dear Mr. Luke:

The majority of land listed under applications 31-7415 and 31-7416 were originally covered by licenses 31-7268 and 31-7303. The attached aerial photos, obtained from the ASCS, illustrate the extent of development in 1978.

In 1984, the land under these licenses, identified as field 27, was placed in government set aside. Since this field was idle we decided to transfer the water rights to two smaller pivots, fields 28 and 29, just north of field 27. The transfers, numbered 3009 and 3010, were necessary because fields 28 and 29 had been developed that year and were under crop but the Department had ceased issuing permits due to the Swan Falls controversy. When field 27 was withdrawn from set aside, we filed the two applications in question. Subsequently, the Department granted interim approval to once again irrigate field 27.

Sincerely,



Golden C. Linford, President  
Quality Farms, Inc.

**RECEIVED**

NOV 20 1989

Mapa Moun  
in 1948  
Blans Rd  
ASCS

#29

1035

①

#30

915

⑤

5240

212.5  
- 2.7  
209.8

①

209.8  
- 1.7  
208.1

25 30  
36 31

645

#28

②

414

6E

1253  
1241.2  
11.2

NOV 20 1988



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 5, 1988

Quality Farms, Inc.  
Route No. 3, P.O. Box 433-8  
Rexburg, ID 83440

Re: Interim Approvals

Dear Gentlemen:

In January, 1988, the Department sent you a letter regarding interim approvals for Application Nos. 31-7415 and 31-7416. The letter confirmed that you received interim approval for diversion of water during the 1987 irrigation season. It also set forth the requirements to qualify for interim approval during the 1988 irrigation season. One of the requirements for interim approval during 1988 was that you must lease replacement water from the Upper Snake River Supply Bank.

I spoke to Ron Carlson, District 01 Watermaster, on March 18, 1988 and again on April 4, 1988, regarding water availability from the Upper Snake River Supply Bank. Ron informed me that unless there are extraordinary increases in the snow pack, there will be no water to lease as replacement water during the 1988 irrigation season. As a result, interim approvals will not be issued by the Department during the 1988 irrigation season.

Please be advised that you cannot irrigate any portion of your lands not covered by water rights by relying on the remote possibility that storage water will be available for lease during 1988. If you plan to irrigate the lands previously covered by interim approvals on Application Nos. 31-7415 and 31-7416, some other source of water must be found. The Department will happily discuss possible alternatives with you.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Allocation Section

GS:jf

NOT RECORDED

NOV 20 1989



State of Idaho

# DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS  
Governor

January 15, 1988

R. KEITH HIGGINSON  
Director

Quality Farms, Inc.  
Route #3, P.O. Box 433-8  
Rexburg, ID 83440

Re: Interim Approval

Gentlemen:

Department records show that you were issued an interim approval for Application Nos. 31-7415 and 31-7416. Interim approvals were a temporary measure to allow users to divert and use water until the Department could process the application under the provisions of the Swan Falls Agreement. Despite the passage of congressional legislation that may resolve the Swan Falls stalemate, it appears that your applications will not be processed prior to the 1988 irrigation season. If you intend to divert water under your interim approval, you must lease replacement water for the coming irrigation season from the Upper Snake River Water Supply Bank.

If replacement water is not leased and assigned to the Director by April 1, 1988, the Department will cancel the interim approval. After cancellation, diversion of water under the application will not be authorized. The application will then be held until it can be reviewed under the permit process.

Regional office personnel of the Department will field inspect the places of use listed on all cancelled interim approvals. Idaho statutes dictate penalties for the unauthorized diversion and use of water, and the Department will seek civil penalties for diversion of water on lands previously covered under an interim approval that has been cancelled.

For information on the availability of storage water from the Upper Snake River Supply Bank, you should contact the water supply bank at 150 Shoup Avenue, Suite 15, Idaho Falls, ID 83401, telephone 525-7161.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Allocation Section

NOV 20 1989

GS:jf



State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

A. KENNETH DUNN  
Director

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

May 18, 1987

RE: Water Right Nos. 31-7415/7416

Quality Farms Inc.  
Rt. 3, Box 433-B  
Rexburg, ID 83440

Gentlemen:

Enclosed are your interim approvals for the 1987 irrigation season.

The copies of the applications for permit to appropriate water attached to the interim approvals define the various components of your interim approvals. The inclusion of the copies of the applications is only for the purpose of definition, and any terms contained therein are limited by the conditions of the interim approvals.

Sincerely,

GARY SPACKMAN  
Supervisor, Water Allocation Section

GS:sc

Enclosures

cc: Eastern Region  
Tom Nelson

**MICROFILMED**

JUL 02 1987

# ACTION REQUIRED

April 27, 1987

FROM: Colleen - Water District No. 1

TO: Gary Spackman

RE: Rental Water for Quality Farms, Inc., No. 31-7415 and  
31-7416 - we have received rental money for 190 AF under  
31-7415 & 280 AF under 31-7416 on 4/13/87.

**RECEIVED**  
MAY 01 1987

Department of Water Resources

**MICROFILMED**

JUL 02 1987

STATE OF IDAHO

Department of Water Resources

No 39149

Boise, Idaho,

WD#1

April 12, 1987

RECEIVED  
FROM

Malden District

of

Leiburg

\$ 2350<sup>00</sup>

DOLLARS

FOR

1986 Rental \$ 1175 00

1987 Rental \$ 1175 00

\$

31-7415/7416 \$

TOTAL - - - \$ 2350 00

Patricia Gray



State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

A. KENNETH DUNN

Director

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

April 1, 1987

Quality Farms, Inc.  
Rt. #3, P.O. Box 433-8  
Rexburg, ID 83440

Re: Interim Approval

Gentlemen:

## NOTICE OF PENDING INTERIM APPROVAL CANCELLATION

Department records show that you were previously issued an interim approval for Application Nos. 31-7415 and 31-7416, and that you were notified on January 26, 1987, that your interim approval must be renewed for the 1987 irrigation season. To initiate the renewal process, you were informed that you must rent storage water from the Upper Snake River Water Supply Bank.

The Department has not received the necessary proof of rental of storage water. Unless you submit: (1) notification of intent to divert water in 1987, (2) proof of rental of storage water, and (3) any required readvertising fees, you will not be authorized to divert water in 1987. Please be advised that you must process the interim approval renewal by May 1, 1987, or your interim approval will be cancelled. Diversion of water for irrigation of lands listed in your applications without interim approval is illegal under the laws of the State of Idaho.

For more information on interim approval, you should contact the Department's eastern regional office at 150 Shoup Avenue, Suite 15, Idaho Falls, ID 83401, telephone 525-7161

Sincerely,

GARY SPACKMAN, Supervisor  
Water Allocation Section

GS:jf  
CC: Eastern Region

**MICROFILMED**

JUL 02 1987



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

January 26, 1987

Quality Farms, Inc.  
Rt. #3, P.O. Box 433-8  
Rexburg,, ID 83440

Re: Interim Approval

Gentlemen:

Department records show that you were issued an interim approval for Application Nos. 31-7415 and 31-7416. As you know, interim approvals were a temporary measure to allow users the opportunity to divert and use water until the Department could consider processing the application under the provisions of the Swan Falls Agreement. Since FERC has not approved the Swan Falls Agreement, the agreement is not fully effective, making it necessary for you to lease replacement water for the coming irrigation season from the Upper Snake River Water Supply Bank if you intend to divert water authorized by the interim approval.

If replacement water is not leased and assigned to the Director by April 1, 1987, the Department will cancel the interim approval and diversion of water under the application will not be authorized. The application will then be held until it can be processed under the provisions of the Swan Falls Agreement.

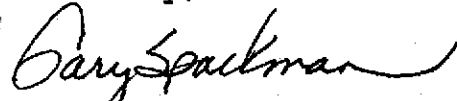
Regional office personnel of the Department will field inspect the place of use for all continuing interim approvals and for all canceled interim approvals, since the Idaho statutes now dictate penalties for the unauthorized diversion and use of water.

**MICROFILMED**

JUL 02 1987

For information on the availability of storage water from the Upper Snake River Water Supply Bank, you should contact the Departments Eastern Regional office at 150 Shoup Avenue, Suite 15, Idaho Falls, ID 83401, telephone, 525-7161.

Sincerely,



GARY SPACKMAN, Supervisor  
Water Allocation Section

GS;jf

CC: Eastern Region

**MICROFILMED**

JUL 02 1987

**RECEIVED**  
AUG 28 1986

INTER-DEPARTMENT MEMO — 1

FROM KEITH C. WILSON

DATE 27 AUGUST 1986

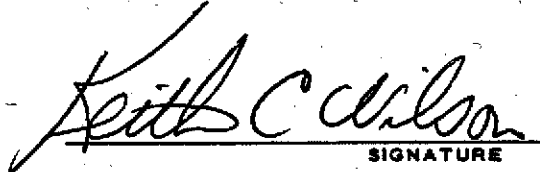
Department of Water Resources

TO FILE 31-7414/31-7415/31-7416

SUBJECT PUMPING W/O VALID PERMITS.

THE LAND UNDER THIS APPLICATION 31-7414, & CONDITIONAL APPROVAL PERMITS 31-7415/31-7416 HAD A CROP OF GRAIN UNDER EACH CENTER PIVOT DURING THE FIELD INSPECTION ON 21 AUGUST 1986. NO IRRIGATION WAS OCCURRING AT THE TIME OF INSPECTION.

I RECOMMEND THAT A FIELD INSPECTION BE CONDUCTED IN THE SPRING OF 1987 TO DETERMINE IF THE LAND WILL BE IRRIGATED AND APPROPRIATE ACTION TAKEN IF THE LAND IS BEING IRRIGATED.

  
SIGNATURE

**MICROFILMED**  
JUL 02 1987

May 29, 1986

RE: Interim Approval for Permit No. 31-7415 & 31-7416

Quality Farms Inc.  
Rt. 3, Box 433-8  
Rexburg, ID 83440

Gentlemen:

During 1985 you received interim approval for application No. 31-7415 and 31-7416. This approval was for one year and was conditioned upon your leasing replacement storage from the Water Bank. If you are planning on diverting water during 1986, it appears it will be necessary for you to again lease replacement storage. In April, the Idaho Power Company filed suit to prevent implementation of the Department's rules and regulations, which would have allowed the Department to resume the processing of water right applications. This suit virtually guarantees that the rental of replacement water will be necessary again this year.

If you have any questions, please feel free to contact this office.

Very truly yours,

RONALD D. CARLSON  
Watermaster

RDC:cw

**MICROFILMED**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

**MICROFILMED**

SNAKE RIVER



HYDRO POWER

# IDAHO POWER COMPANY

BOX 70 • BOISE, IDAHO 83707

July 11, 1985  
LOGAN E. LANHAM

Senior Vice President - Public Affairs

RECEIVED  
JUL 15 1985

Mr A Kenneth Dunn  
Director  
Idaho Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Department of Water Resources

Re: Interim Approvals for Seasonal Exchanges

Dear Ken:

This will acknowledge Idaho Power Company's entitlement to call certain waters provided through storage leases as the basis for the Idaho Department of Water Resources's (IDWR) approval of the development of certain wells. The following is a list of the amounts of water that the Idaho Power Company is presently aware of that it can call from the rental pool pursuant to those interim IDWR approvals:

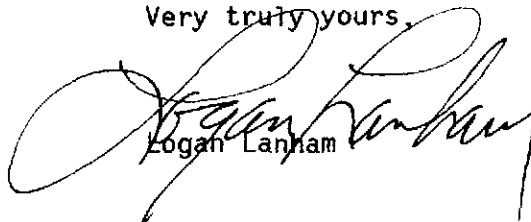
| <u>Name</u>          | <u>IDWR No</u>     | <u>Acre-feet of Water</u> |
|----------------------|--------------------|---------------------------|
| Dennis L Marlow      | 27-7402            | 120                       |
| LaVerelle Stecklein  | 27-7399            | 240                       |
| Dwight Horsch        | 35-8082            | 120                       |
| LDS Church           | 27-7381            | 190                       |
| Samuel J Huffman     | 27-7405            | 190                       |
| Quality Farms, Inc   | 31-7415            | 190                       |
| Quality Farms, Inc   | <del>31-7416</del> | 280                       |
| N D Collaer, Trustee | 27-7361            | 56                        |
| Alan Weaver          | 31-7430            | 264                       |
| Alan Weaver          | 31-7431            | 264                       |
| Alan Weaver          | 31-7432            | 264                       |
| Alan Weaver          | 31-7433            | 264                       |
| Total                |                    | 2,386                     |

It is our understanding that Idaho Power Company is entitled to call this water from the pool in a similar fashion to the leased water which it calls from the pool, and at the same time as that leased water is called. This understanding is the same as set out in Mr Tom Nelson's letter to me of June 27, 1985, which you are shown as receiving a copy of.

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We would like to be kept informed of these interim approvals for seasonal exchanges as they arise.

Very truly yours,

  
Logan Lannam

LL/NRY:slp

cc: T A Spofford  
P L Jauregui  
T G Nelson  
R D Carlson

**MICROFILMED**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

July 9, 1985

Thomas G. Nelson  
Nelson, Rosholt, Robertson,  
Tolman & Tucker  
P.O. Box 1906  
Twin Falls, ID 83303

Re: Interim Approvals for Seasonal Exchanges

Dear Mr. Nelson:

In response to your letter dated June 27, 1985 to Logan E. Lanham, the Department has issued the following interim approvals:

| <u>Water Right No.</u> | <u>Name</u>               | <u>Rate</u> | <u>Vol.</u> |
|------------------------|---------------------------|-------------|-------------|
| 27-7361                | N. D. Collaer             | 0.56 cfs    | 56 AF       |
| -7381                  | LDS Church                | 0.3         | 30          |
| -7399                  | LaVerelle Stecklein       | 2.4         | 240         |
| -7402                  | Dennis and Mary Jo Marlow | 1.2         | 120         |
| -7405                  | Samual J. Huffman         | 0.12        | 12          |
| 31-7378                | Martin Family Trust       | 4.54        | 454         |
| -7415                  | Quality Farms, Inc.       | 1.9         | 190         |
| -7416                  | Quality Farms, Inc.       | 2.8         | 280         |
| -7430                  | Alan Weaver               | 2.64        | 264         |
| -7431                  | Alan Weaver               | 2.64        | 264         |
| -7432                  | Alan Weaver               | 2.64        | 264         |
| -7433                  | Alan Weaver               | 2.64        | 264         |
| 35-8082                | Dwight W. Horsch          | 1.2         | 120         |
| -8572                  | Dwight W. Horsch          | 0.4         | 40          |

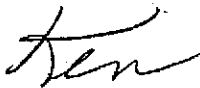
Please note that the volume of water associated with Water Right No. 27-7381 should be 30 AF rather than 190, and the volume for Water Right No. 27-7405 should be 12.0 rather than 190. The volumes calculated were in error and are being corrected by Order.

**RECORDED**

Thomas G. Nelson  
July 9, 1985  
Page 2

As additional interim approvals are granted, the Department will forward copies to you as in the past.

Sincerely,



A. KENNETH DUNN  
Director

AKD/LGS/lr

cc: Eastern Region

**MICROFILMED**

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER  
Chartered

ATTORNEYS AT LAW  
142 3RD AVE NO.

MAILING ADDRESS: P.O. Box 1906  
TWIN FALLS, ID 83303-1906  
TELEPHONE (208) 734-0700  
SUN VALLEY (208) 726-4661

RECEIVED  
JUL 1 1985

Department of Water Resources

THOMAS G. NELSON  
JOHN A. ROSHOLT  
J. EVAN ROBERTSON  
STEVEN K. TOLMAN  
JAMES C. TUCKER

TERRY T. UHLING  
LAIRD B. STONE  
GARY D. SLETTE

June 27, 1985

*SAROK*  
*draft response*  
*10-11-85*

Mr. Logan E. Lanham  
Idaho Power Company  
P. O. Box 70  
Boise, Idaho 83707

Re: Interim Approvals for  
Seasonal Exchanges

Dear Logan:

You and I have previously discussed the program going on mostly around Blackfoot whereby IDWR is approving seasonal storage leases as a basis for approving development of wells. With the irrigation season fairly well along, perhaps the last of those has now been seen for this year, although I received one yesterday. In any event, I want to give you a list of the amounts of water that the Company is entitled to call from the rental pool pursuant to those interim approvals:

|                           |             |               |                |
|---------------------------|-------------|---------------|----------------|
| Dennis L. Marlow          | No. 27-7402 | 120 acre feet |                |
| LaVerelle Stecklein       | No. 27-7399 | 240 acre feet |                |
| Dwight Horsch             | No. 35-8082 | 120 acre feet |                |
| LDS Church                | No. 27-7381 | 190 acre feet | ← 30 AF        |
| Samuel J. Huffman         | No. 27-7405 | 190 acre feet | ← Should be 17 |
| Quality Farms, Inc.       | No. 31-7415 | 190 acre feet |                |
| " " "                     | No. 31-7416 | 280 acre feet |                |
| N. D. Collaer,<br>Trustee | No. 27-7361 | 56 acre feet  |                |

By the terms of my understanding with Mr. Dunn, the Company is entitled to call this water from the pool in a similar fashion to the leased water which it calls from the pool, and at the same time as that leased water is called. The reason for the last condition is the inability to measure extremely small amounts of water past Milner Dam.

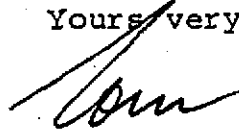
MICROFILMED

Mr. Logan E. Lanham  
June 27, 1985  
Page 2

By copy of this letter to Mr. Dunn, I am informing him of the interim permits known to me and asking him to notify us if there are any others.

If you need anything further, or need any copies of the actual documents, I will be happy to send them to you.

Yours very truly,



Thomas G. Nelson

TGN:gjc

cc: A. Kenneth Dunn  
T. A. Spofford  
P. L. Jauregui

**MICROFILMED**



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

May 21, 1985

RE: Permit Nos. 31-7415 & 31-7416

Quality Farms Inc.  
Rt. 3, Box 433-8  
Rexburg, ID 83440

Gentlemen:

Enclosed are the approved interim permits to allow use of groundwater provided that you comply with the conditions of approval listed on the permits.

These permits will be reprocessed under provisions of 42-203C, Idaho Code, to determine if the trust waters made available under 42-203B and the Snake River Water Rights Agreement can be allocated to the proposed use. Reprocessing will occur after rules and regulations have been adopted to guide processing of applications under the criteria of 42-203C and will be in accordance with those adopted rules and regulations.

By issuing the interim approvals, the Department is not committing to issuance of permits for the trust water, and the investments you make pursuant to these interim approvals will not influence the future decision as the permits are reprocessed. You assume all the risk that you will be successful in obtaining permits for the reallocated water and thereby eliminate the need to provide replacement storage water. You are also assuming all risk relative to the availability of storage water from the rental pool in future years to allow use of water under the interim approvals to continue.

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

JJ:sc

Enclosures

cc: Tom Nelson

**MICROFILMED**

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

APPLICATION NUMBER: 31 1116

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other \_\_\_\_\_

Copies sent by: \_\_\_\_\_

Date: \_\_\_\_\_

PROCESSING:

- ☐ Yes ☒ No  
☐ Yes ☒ No  
☒ Yes ☐ No\*  
☐ Yes ☒ No

Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_

Other rights on same place of use. \_\_\_\_\_

In form for advertising.

Final date for protests: 4-29-85

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5-06-85 11-6-87  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☒ No Measuring device required.  
☒ Yes ☐ No Access port required.  
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 31  
☒ 1-16-1984 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_

See attached <sup>interim</sup> conditions of approval.

~~P/D in S.F. Boundaries - PD 5/14/87~~  
App. in TRUST area -

By: Ernest Carlson.

Date: May 7, 1985.

STATE OFFICE REVIEW:

105, 103, 117

26 OK

See attached conditions  
attached

- ☐ See attached sheet for more information.

By: KW

Date: 5/13/85

NOV 09 1989

Dep. of Water Resources  
**MICROFILMED**

POINT OF DIVERSION AND STREAM INDEX INFORMATION

| TRACT                   | SEC | TWP | RGE | GOV <sup>1</sup> lot | rediv. (R) | REACH |
|-------------------------|-----|-----|-----|----------------------|------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |                      |            |       |

| TRACT                   | SEC | TWP | RGE | GOV <sup>1</sup> lot | rediv. (R) | REACH |
|-------------------------|-----|-----|-----|----------------------|------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |                      |            |       |

| TRACT                   | SEC | TWP | RGE | GOV <sup>1</sup> lot | rediv. (R) | REACH |
|-------------------------|-----|-----|-----|----------------------|------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |                      |            |       |

| TRACT                   | SEC | TWP | RGE | GOV <sup>1</sup> lot | rediv. (R) | REACH |
|-------------------------|-----|-----|-----|----------------------|------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |                      |            |       |

| TRACT                   | SEC | TWP | RGE | GOV <sup>1</sup> lot | rediv. (R) | REACH |
|-------------------------|-----|-----|-----|----------------------|------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |                      |            |       |

April 30, 1985

Fremont County Chronicle  
Box 258  
Ashton, ID 83420

RE: Applications for Permit Nos. 31-7415 & 31-7416.

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on April 11, and 18, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

CHERYL ZEMP  
Secretary

**MICROFILMED**

31-7416

QUALITY FARMS, INC.

RT. 3, BOX 433-8, REXBURG, ID 83440

Source: GROUNDWATER

Date Filed: 01/16/1984

Diversion Pt: <sup>NWSW</sup> ~~NENE~~ Sec 30 T 08N R 37E

Use: IRRIGATION (2.80 CFS)

In: ~~NENE NENE SENE SENE NENE SENE~~ <sup>NENW SWNW SENW NESW SWSW</sup> Sec 30 T 08N R 37E FOR 140 ACRES

31-7416

QUALITY FARMS, INC.  
RT. 3, BOX 433-8, REXBURG, ID 83440  
Source: GROUNDWATER  
Date Filed: 01/16/1984  
Diversion Pt: NWSW Sec. 30 T 08N R 37E  
Use: IRRIGATION (2.80 CFS)  
In: NENW SWNW SENW NESW SWSW  
SESW Sec. 30 T 08N R 37E FOR 140  
ACRES

The permit(s) will be subject to all prior  
water rights. Protests must be filed with the  
Director, Dept. of Water Resources, 150  
Shoup Ave., Suite 15, Idaho Falls, Idaho  
83402 on or before APRIL 29, 1985.

KEN DUNN  
Director

Publ. April 11 and 18, 1985CN

*Changes  
made on  
computer*

**MICROFILMED**