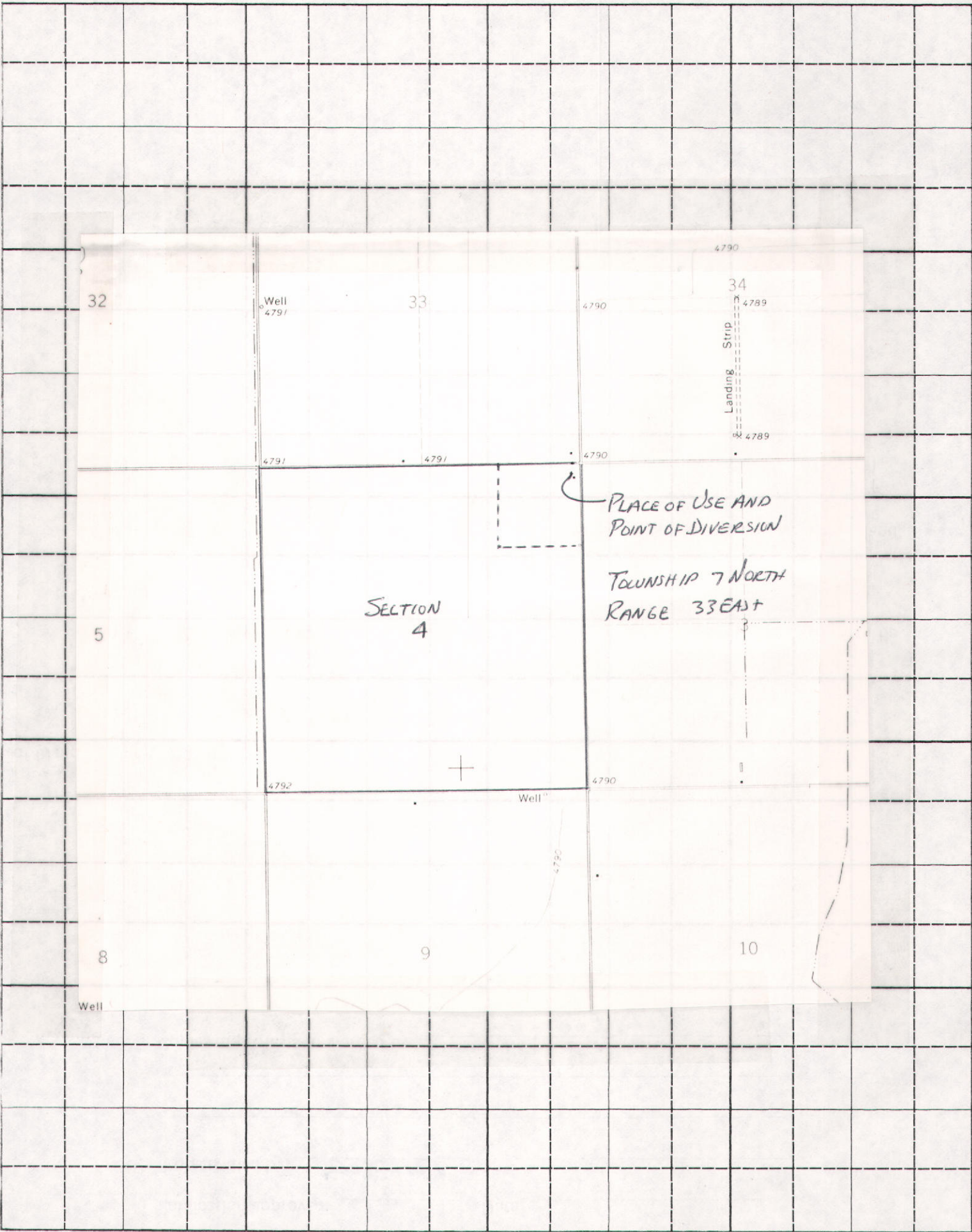


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

James R. Roper
(Applicant)

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31-7395

R33E

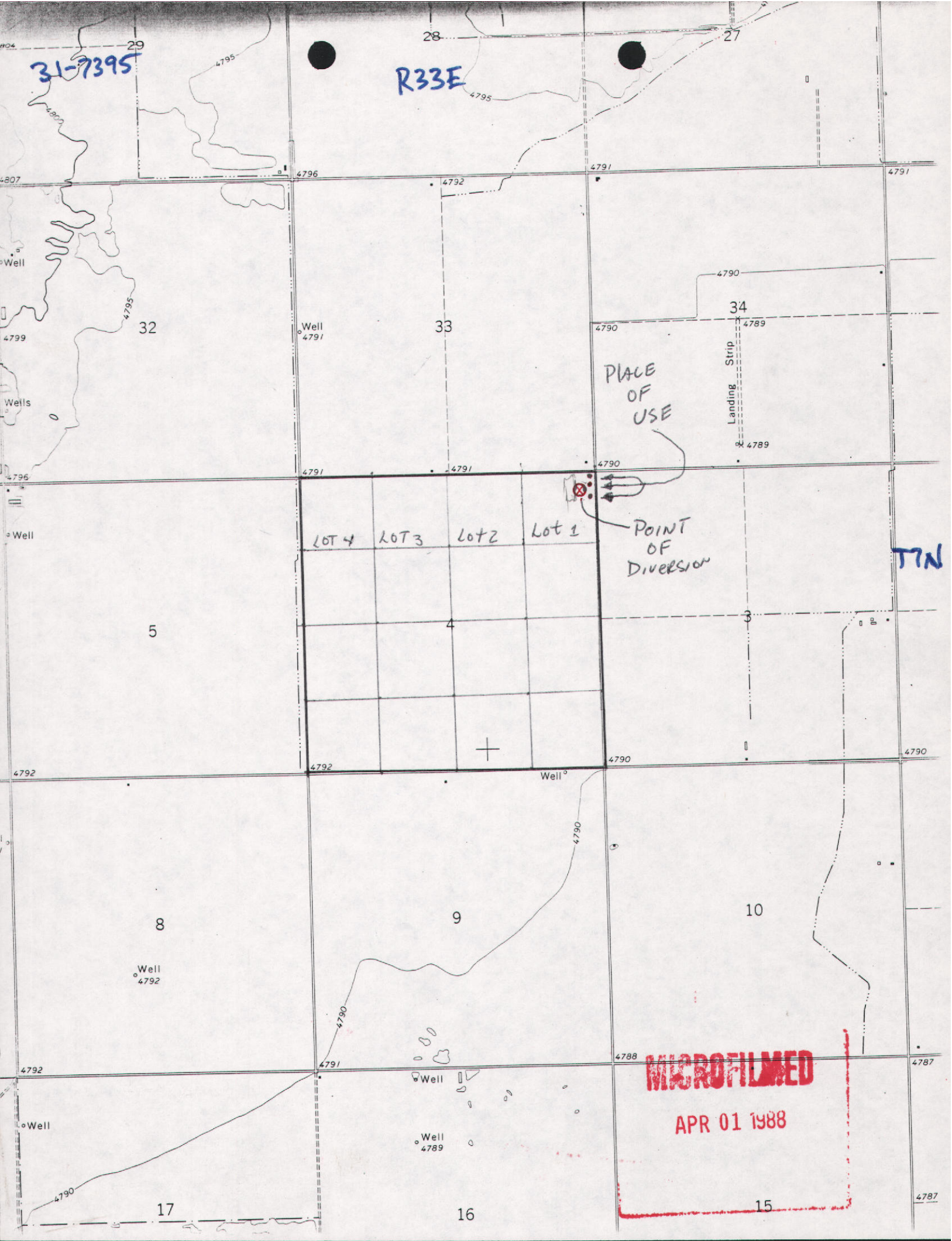
PLACE
OF
USE

POINT
OF
DIVERSION

T7N

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31-7395

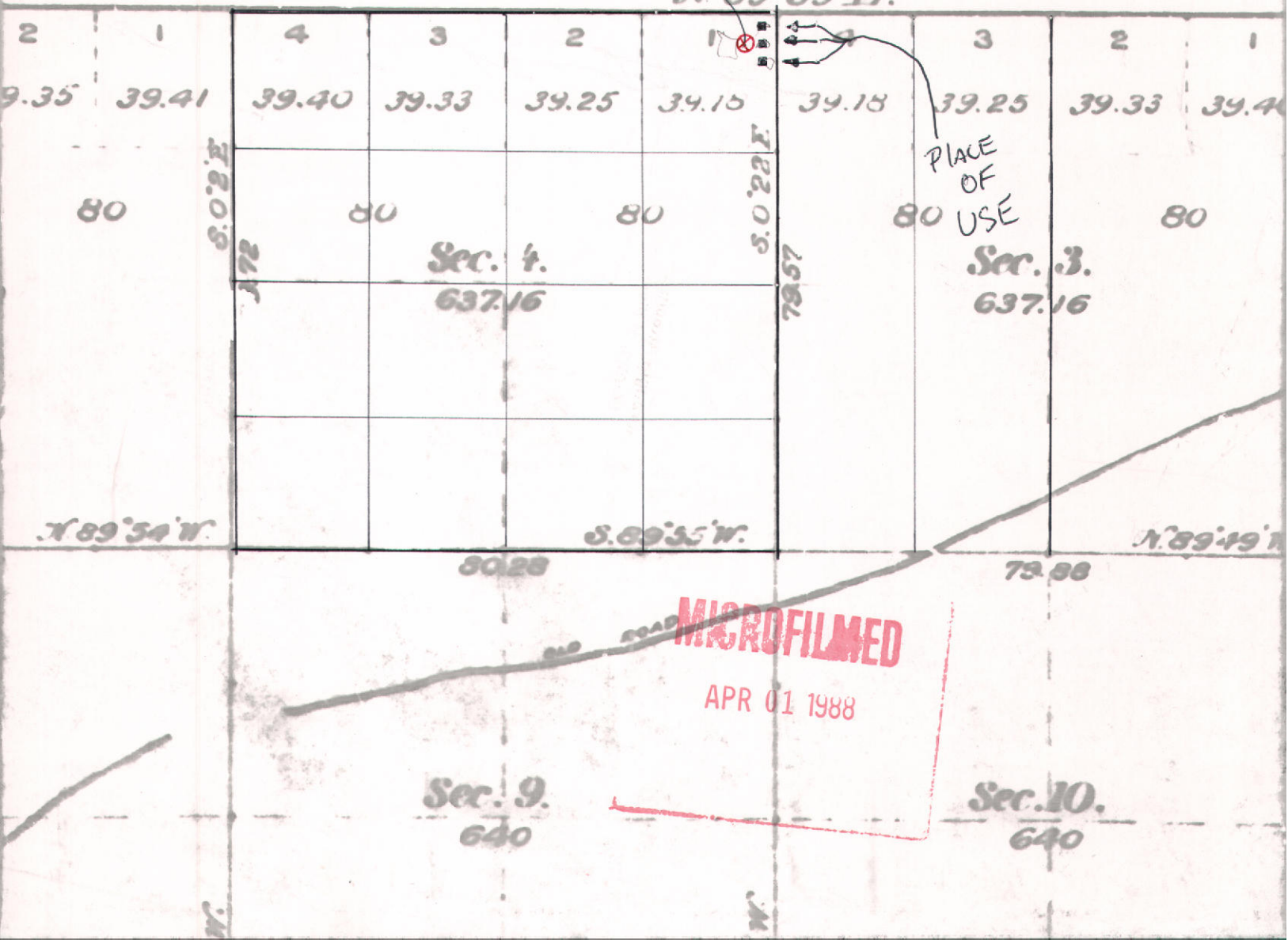
33E 7N

1, Range No 33 East of the

E d D c

Point of
DIVERSION

N 89° 59' E.



31 - 73 95



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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 31-7395

Priority: May 12, 1983 Amount: .15 CFS 21.2 AFA

This is to certify, that RIGBY BROTHERS

C/O JAMES RIGBY
HC 63 BOX 2275

MONTEVIEW, ID 83435

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 12, 1983, and has submitted proof to the Department of Water Resources on June 26, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .16 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	01/01 to 12/31	.07 cfs	17.6 afa
Domestic	01/01 to 12/31	.08 cfs	3.6 afa
	Totals	.15 CFS	21.2 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 1(NENE), Sec. 4, Township 7N, Range 33E
Jefferson County

PLACE OF USE: Stockwater

TWN RGE SEC

7N 33E 4 LOT 1(NENE)

PLACE OF USE: Domestic, same as Stockwater use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 3 homes.

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 21st day of March, 1988.

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Director

APR 01 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Rigby Brothers c/o James Rigby Phone 657-2521

Post office address HC 632275 Montevue, Idaho 83435

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

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 7N

Range 33E B.M. Jefferson County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.10 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .07 for Stockwater purposes from 1-1 to 12-31 (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. 0.17 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & Pump and pipelines to
four homes.

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 20 inches; proposed depth of well is 230 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 7N

Range 33E 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 500 head of Dairy Cows

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

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

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Total number of acres to be irrigated

None

Applicant

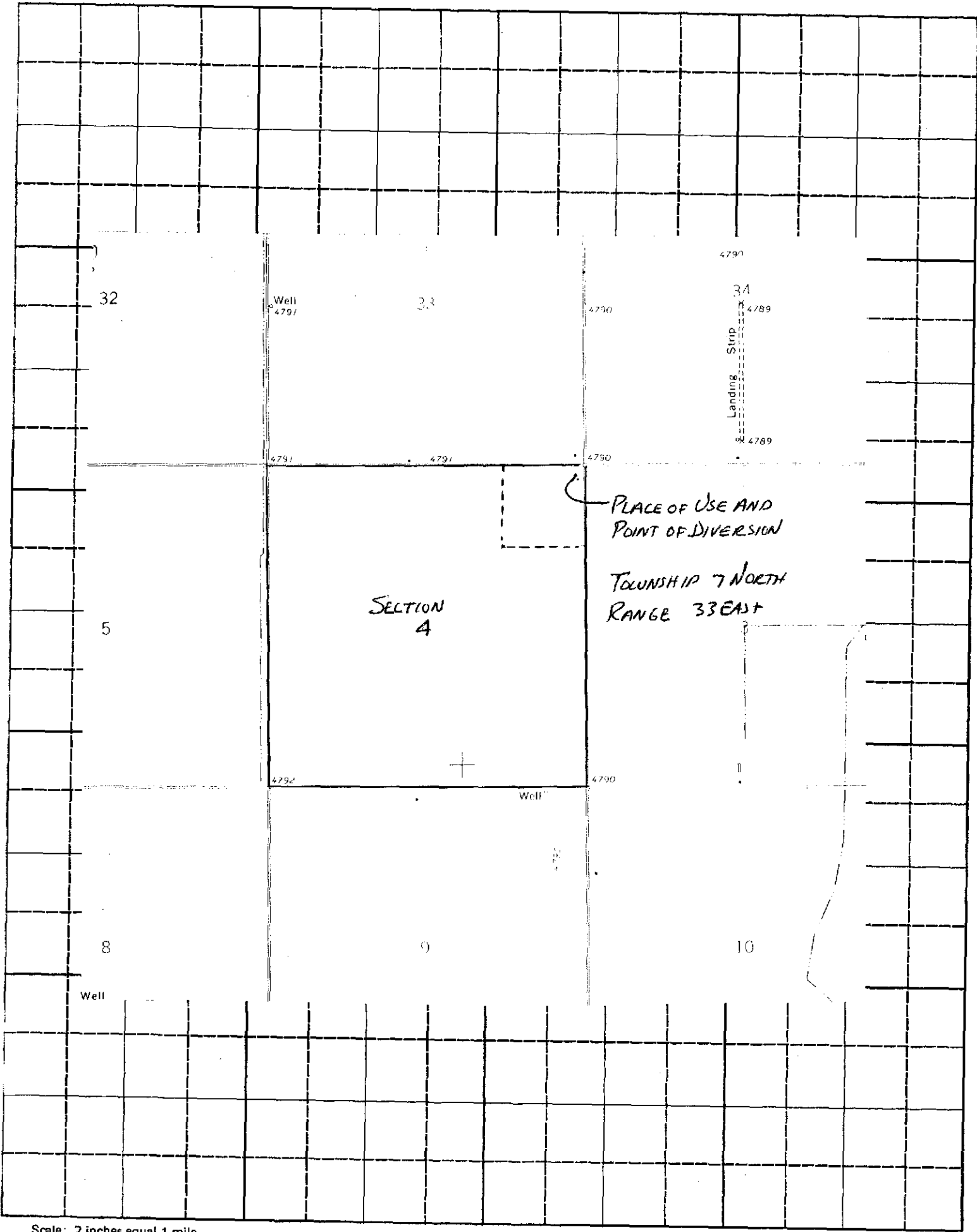
Applicant

applicant to make this filing.

10. Remarks

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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



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.

James R. Roper
(Applicant)

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Proposed Priority 5/12/83

Received by SM Date 5/12/83 Time 2:55pm

Preliminary check by HWS Fee \$ 30.00

Receipted by BP Date 5/12/83 # 26214

Publication prepared by ay Date 2-6-85

Published in Jefferson Star

Publication dates 2-14 & 2-21-85

Publication approved cu Date 2-8-85

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. 31-7395, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 86.
- 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: 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.

Witness my hand this 15th day of May, 1985.

A. Glen Saxton
Chief, Operations Bureau

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice Of Application For Water Right

a 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 February 13, 1985
and the last publication having been made

on February 20, 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 con-
secutive weeks prior to the first publication of the
said notice.

Terry Weatherston

~~~~~

Subscribed to and sworn to before me  
this February 21, 1985

*Doris Kanner*

Notary Public.

(SEAL)

My commission expires life

RECEIVED

MAR 7 1985

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.

31-7395

RIGBY BROS.  
HC 682275, MONTEVIEW, ID 83435

Source: GROUNDWATER  
Date Filed: 05/12/1983  
Diversion Pt: NENE Sec 04 T 07N R 33E  
Use: STOCKWATER (0.07 CFS),  
DOMESTIC (0.10 CFS)  
In: NENE Sec 04 T 07N R 33E

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 MARCH 4, 1985.

KEN DUNN  
Director

Publ. Feb. 13 and 20, 1985RS

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

JUN 20 1985

Permit No. 31-7395

Name(s) of Permit Holder(s):

Ruby Bros. & James Ruby

Post Office Address:

H C 632275

Montpelier ID

Tel. No.

657-2521

☒ I hereby certify that construction of diversion works for the above referenced permit began on 1974

I understand that I must continue to develop the water system with all agencies to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:

\*Note: A financing difficulty is not an acceptable reason.

6-26-85

Date

James Ruby  
Signature of Permit Holder

PLACE  
STAMP  
HERE



**RECEIVED**

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE

JUL 1 1985 BOISE, IDAHO 83720

Department of Water Resources

March 28, 1988

RIGBY BROTHERS  
C/O JAMES RIGBY  
HC 63 BOX 2275  
MONTEVIEW, ID 83435

RE: Permit No. 31-7395

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

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APR 01 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**LICENSING REPORT**

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

**1. Measurement Calculations**

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

b) Volume Calculations for Irrigation:

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

c) Volume Calculations for Other Uses:

*stock* { Dairy cows = 450 hd. x 0.0391 = 17.6  
Horses = 2 hd. x 0.0134 = 0.02  
17.62 AFA  
Allow 17.6 -

**2. Overlap Review**

a) Other water rights with same place of use: \_\_\_\_\_

b) Other water rights with same point of diversion: \_\_\_\_\_

c) Analysis:

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pd. \$50.00  
exam fee

RECOMMENDED AMOUNTS

10 day

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

31-7395 5-12-1983 0.15cfs 5-12-1983 6-26-1985 0.16 cfs  
Rigby Brothers % James Rigby  
Address: HC. 63, Box 2275, Montevieu, ID 83435

5. Source: g w tributary to

| Beneficial Use | Period of Use | Rate of Diversion | Annual Volume |
|----------------|---------------|-------------------|---------------|
| Stockwater     | 1-1 12-31     | 0.07cfs           | 17.6 AFA      |
| Domestic (3)   | 1-1 12-31     | 0.08cfs           | 3.6 AFA       |

6. Allowable Maximums: 0.15cfs 21.2 AFA

| No. | Govt. Lot | % | %  | %  | Sec. | Twp. | Rge. | County    |
|-----|-----------|---|----|----|------|------|------|-----------|
|     | 1         |   | NE | NE | 4    | 7N   | 33E  | Jefferson |

| Place(s) of Use       |      |      |        |        |        |        |        |        |
|-----------------------|------|------|--------|--------|--------|--------|--------|--------|
| Point(s) of Diversion |      |      |        |        |        |        |        |        |
| Twp.                  | Rge. | Sec. | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4 | SE 1/4 |
| 7N                    | 33E  | 4    |        |        |        |        |        |        |
| Total Acres           |      |      |        |        |        |        |        |        |

9. Recommended Conditions/Remarks: D/3 units.

10. Recommended Amendments: none

APR 01 1988

11. Examiner's Signature

Checked in Regional Office by  
Approved in State Office by

R. Walker

Date 1-25-88

February 23, 1988

RIGBY BROTHERS  
C/O JAMES RIGBY  
HC 63 BOX 2275  
MONTEVIEW, ID 83435

RE: Permit No. 31-7395

Dear Permit Holder(s):

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

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

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

APR 01 1988

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

**A. GENERAL INFORMATION**

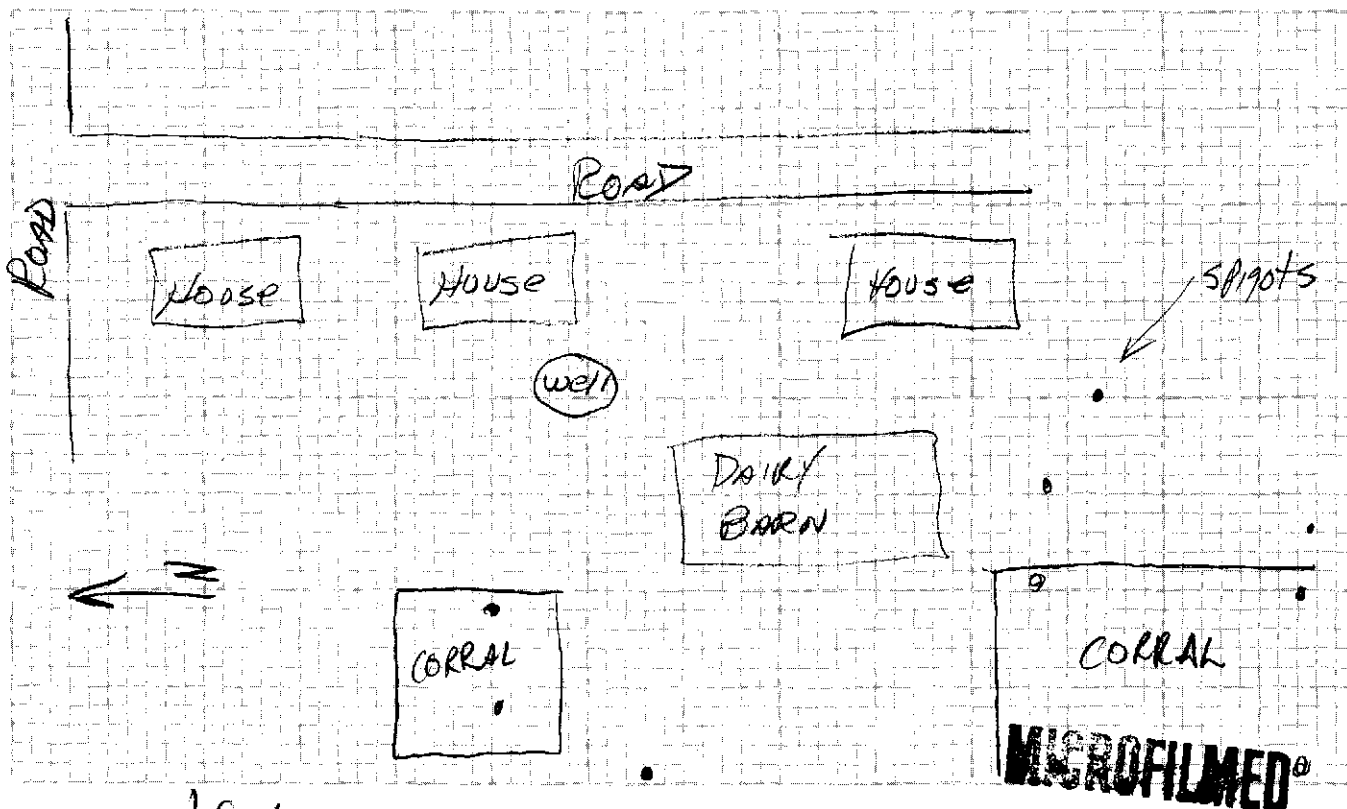
1. Owner: Raby Brothers & James Raby Permit No. 31 7395  
Current Address: HC 63 Box 2275 Montevideo ID 83435 Phone No. 657-2821  
2. Accompanied by: JAMES RABY EXAM. DATE: 6-16-87  
Address: SAME Phone No. \_\_\_\_\_  
Relationship to Permit Holder: \_\_\_\_\_  
3. Source: GROUNDWATER tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

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

**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" = No Scale

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

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

a 3 HP submersible pump that supplies water

to 3 Homes and one dairy barn. He has

12 spots that supply water to 450 dairy cows

2 Holsteins. The dairy has 12 milking cows & 8 milkings.

James started taking the state H2O level twice daily. 1/1/00

was 60 feet and the well goes down to 160 feet

☐ See Remarks on page 4 for continuation

|                                       |            |      |                  |           |                                   |
|---------------------------------------|------------|------|------------------|-----------|-----------------------------------|
| Well or Diversion Identification No.* | Motor Make | Hp   | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|                                       | JACKSON    | 3 HP | 2623028203       |           |                                   |
|                                       | JACKU221   |      |                  |           |                                   |
|                                       |            |      |                  |           |                                   |
|                                       |            |      |                  |           |                                   |

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

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

|               |              |   |   |   |      |      |      |        |                                 |          |  |  |  |  |  |  |  |  |  |
|---------------|--------------|---|---|---|------|------|------|--------|---------------------------------|----------|--|--|--|--|--|--|--|--|--|
|               |              |   |   |   |      |      |      |        |                                 |          |  |  |  |  |  |  |  |  |  |
|               |              |   |   |   |      |      |      |        |                                 |          |  |  |  |  |  |  |  |  |  |
|               |              |   |   |   |      |      |      |        |                                 |          |  |  |  |  |  |  |  |  |  |
| Ident.<br>No. | Gov't<br>Lot | % | % | % | Sec. | Twp. | Rge. | County | Method of Determination/Remarks | USGS MAP |  |  |  |  |  |  |  |  |  |

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

**Indicate Method of Determination**

[illegible]

**Do not use this space**

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**WAS POLLUMED**

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| Theoretical           |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

Static H<sub>2</sub>O level = 60'

Theoretical Capacity =  $\frac{3 \times 8.814 \times 80\%}{60' + (30\text{psi} \times 2.308)} = .16 \text{ cfs}$

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Theoretical Capacity = .16 cfs

2. Alternate Method for Checking Purposes:

#### 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 Ampsx .001732 = \_\_\_\_\_ (6)

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

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

V<sub>I.R.</sub> = (Acres Irrigated) x (Irrigation Requirement) = \_\_\_\_\_

V<sub>D.R.</sub> = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = \_\_\_\_\_

V = Smaller of V<sub>I.R.</sub> and V<sub>D.R.</sub> = \_\_\_\_\_

2. Volume Calculations for Other Uses:

3 Homes x 1.2 afa/home = 3.6 afa  
401-500 Head = 4.2 afa  
= 6.7 afa

RECORDED

APR 01 1988

**I. RECOMMENDATIONS**

1. Recommended Amounts

| Beneficial Use | From | To    | Period of Use | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (af) |
|----------------|------|-------|---------------|------------------------------|-------------------------|
| Domestic       | 1/1  | 12/31 | 12/31         | 0.8                          | 3.6                     |
| Stockwater     | 1/1  | 12/31 | 12/31         | 0.7                          | 6.7                     |
| Totals:        |      |       |               | 1.5                          | 10.3                    |

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

☐ Other

**J. AUTHENTICATION**

Field Examiner's Name: SAMUEL J. FLETT

Signature: [Signature]

Certification Date: 8-7-1987

Field Report Preparation Date: \_\_\_\_\_

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

#### 1. Recommended Amounts

Domestic  
STOCK WATER

Rate of Diversion  
Q (cts)  
~~0.8~~  
~~0.7~~

Annual Volume  
V (ata)  
3.6  
6.7

~~1% 0.15 / 10.3 of~~

## 2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

**Signature**

Field Report Preparation Date

78b1-L-8

SAMUEL D FILETTI  
donor 27.11.11

CONSULTANT SEAL

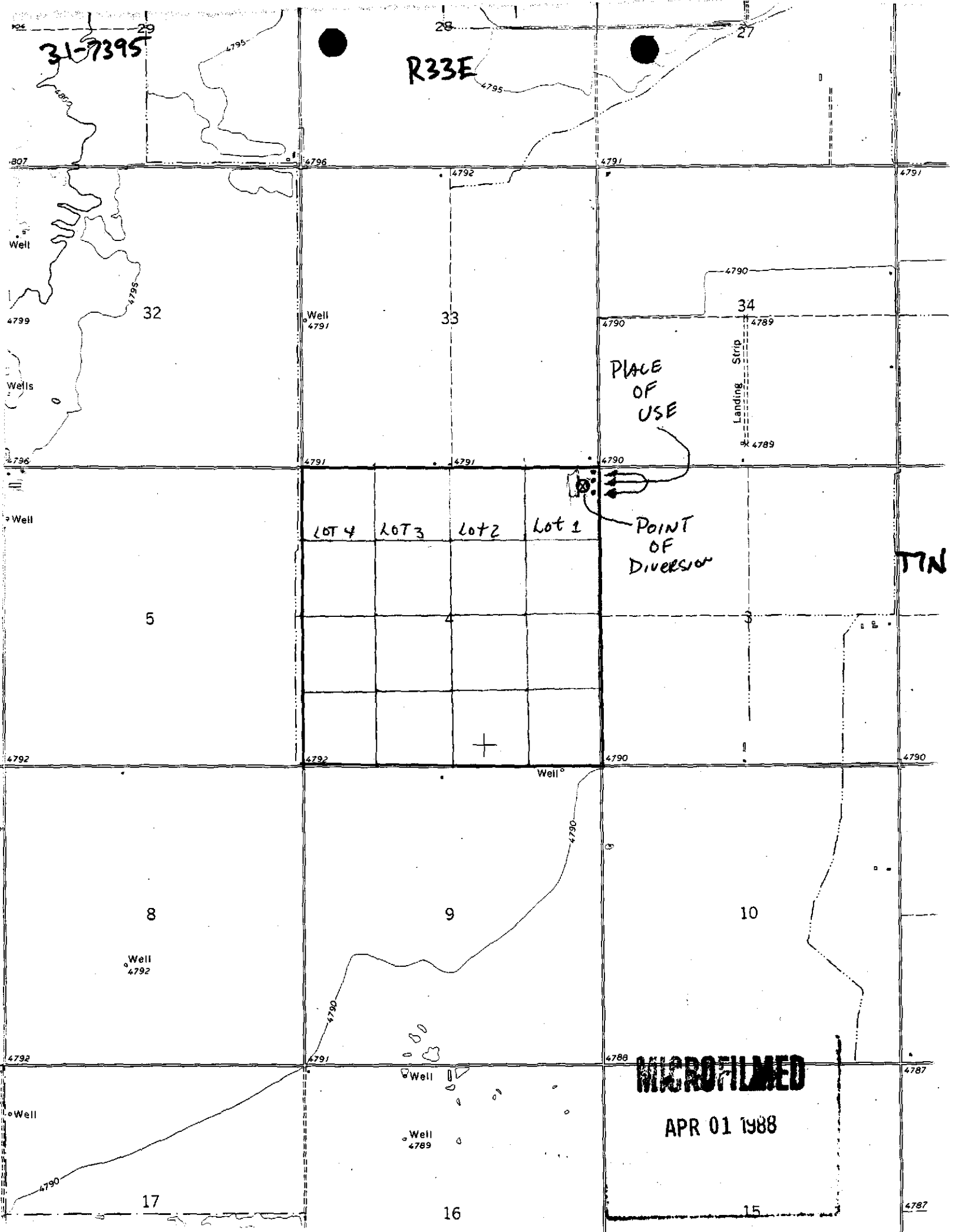
Steuern

APR 01 1988

**REPRODUCTION**

31-7395

R33E



PLACE  
OF  
USE

POINT  
OF  
DIVERSION

T1N

**MICROFILMED**

APR 01 1988



31 - 73 95



**MICROFILMED**

APR 01 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

8-11-1986  
31-7395  
Permit No.  
Ernest

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form  
☒ Copy of Permit  
☒ Copies of any Amendments/Orders with conditions of approval  
☐ Computer Data Proof Report  
☒ Copy of U.S.G.S. Quad  
☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index KW 08 APR 87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?  
Type of Overlap? ☐ Add acres or uses to existing system  
☐ Increase rate of flow or volume  
☐ Other: \_\_\_\_\_

Check of P/U index KW 08 APR 87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?  
Type of Overlap? ☐ Increase rate of flow or volume  
☐ Add P/D's  
☐ Increase number of acres within tracts  
☐ Other: \_\_\_\_\_

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? \_\_\_\_\_ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form  
☐ Photographs of Point of Diversion and Place of Use  
☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed S.F. 6-16-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent WJ 8-3-87 (Initial and date)

Exam Reviewed by Manager of Regional Office SM 8-4-87 (Initial and date)

Exam Date Entered in Computer \_\_\_\_\_ (Initial and date)

Exam sent to State Office \_\_\_\_\_ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File \_\_\_\_\_ (Initial and date)

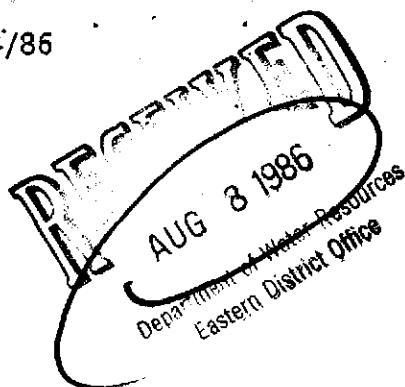
**CONTACT WITH PERMIT HOLDER**

- ☐ Appointment letter mailed:
- ☐ Telephone call made
- ☐ (List Telephone No. used)
- ☐ Appointment scheduled for:
- (Date, time, location)

DIRECTIONS:

[illegible]

4/86



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EXAMINATION FEE INFORMATION

For Office Use Only  
Fee Received 500<sup>00</sup>  
Date 8-8-86  
Receipt # 39820  
Receipt by ms  
Sent to S.O. \_\_\_\_\_

RECEIVED  
AUG 21 1986

1. Permit No. 31-7395

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Rigby Bros

3. Post Office Address: H.C. 63 Box 2275 Montevue Idaho  
83435 Telephone No. 657-2521

4. Source of Water: under Ground

5. Extent of Use:

Domestic 3 (No. of households) Stockwater 500 Head cattle (No. and type of stock)

Irrigation \_\_\_\_\_ (acres) Other/Remark \_\_\_\_\_

6. Total rate &/or volume for which proof is submitted .17 cfs \_\_\_\_\_ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1952 started using Aplied for in 1983

8. Person to contact to accompany the department representative during the field examination:

James Rigby (Name)

H.C. 63 Box 2275 Montevue Idaho 657-2521  
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

8-3-86  
Date

James Rigby (Partner)  
Signature of Permit Holder (and title, if appropriate)

APR 01 1988

copy returned

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second  
AF = acre feet)

| cfs          | AF          | Fee    |
|--------------|-------------|--------|
| 0 - 0.04     | 0 - 4       | \$ 0   |
| .05 - 0.20   | 5 - 20      | 50.00  |
| .21 - 1.0    | 21 - 100    | 100.00 |
| 1.01 - 2.0   | 101 - 200   | 125.00 |
| 2.01 - 3.0   | 201 - 300   | 150.00 |
| 3.01 - 4.0   | 301 - 400   | 175.00 |
| 4.01 - 5.0   | 401 - 500   | 200.00 |
| 5.01 - 6.0   | 501 - 600   | 225.00 |
| 6.01 - 7.0   | 601 - 700   | 250.00 |
| 7.01 - 8.0   | 701 - 800   | 275.00 |
| 8.01 - 9.0   | 801 - 900   | 300.00 |
| 9.01 - 10.0  | 901 - 1000  | 325.00 |
| 10.01 - 11.0 | 1001 - 1100 | 350.00 |
| 11.01 - 12.0 | 1101 - 1200 | 375.00 |
| 12.01 - 13.0 | 1201 - 1300 | 400.00 |
| 13.01 - 14.0 | 1301 - 1400 | 425.00 |
| 14.01 - 15.0 | 1401 - 1500 | 450.00 |
| 15.01 - 16.0 | 1501 - 1600 | 475.00 |
| 16.01 - 17.0 | 1601 - 1700 | 500.00 |
| 17.01 - 18.0 | 1701 - 1800 | 525.00 |
| 18.01 - 19.0 | 1801 - 1900 | 550.00 |
| 19.01 - 20.0 | 1901 - 2000 | 575.00 |
| 20.01 & over | 2001 & over | 600.00 |

Checks should be made payable to the  
Department of Water Resources

No fee is required for single family  
domestic use or stockwater use.

DEPARTMENT OF WATER RESOURCES

8881 10 89A



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans  
Governor

150 Shoup — Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

A. Kenneth Dunn

Dir: 31-7395  
RIGBY BROS.  
HC 632275  
MONTEVIEW, ID 83435

June 16, 1986

138753  
CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change another certified examiner.

Certified water right examiners are licensed engineers or geologists certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water

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right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Eastern Region

Idaho Dept. of Water Resources  
150 Shoup Avenue  
Suite 15  
Idaho Falls, ID 83401  
Phone: 525-7161

Sincerely,

*Ron D. Carlson*  
RONALD D. CARLSON  
Regional Manager

Enclosure

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APR 01 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup, Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

SEPTEMBER 16, 1985

RIGBY BROS.  
C/O JAMES RIGBY  
HC 63, BOX 2275  
MONTEVIEW

ID 83435

RE: Permit No. 31-7395

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,  
s/HAROLD W. JONES  
Sr. Resource Asent

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
PROOF OF BENEFICIAL USE

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JUN 26 1985

Department of Water Resources  
Eastern District Office

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 31-7395

Name(s) of Permit Holder: Rigby Bros c/o James Ryby

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JUL 8 1985

Post Office Address: HC 632275 Monticello, ID 83435

Department of Water Resources

Telephone No. 657-2521

Source of Water: Groundwater

Extent of Use:

Domestic Four (number of households)

Stockwater See head of Dairy Cows (number and type of stock)

Irrigation \_\_\_\_\_ (acres)

Other/Remarks \_\_\_\_\_

Indicate the date water was first diverted and beneficially used under this permit: 5-12-83

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

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

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

See above  
(Name)

(Address)

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(Telephone Number)

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

6-25-85  
Date

James Ryby  
Signature of Permit Holder (and Title, if appropriate)

kw

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

RIGBY BROS.  
HC 632275  
MONTEVIEW, ID 83435

MAY 21, 1985

RE: PERMIT NO. 31-7395

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

YOU SHOULD BE AWARE THAT THE GROUND WATER 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 GROUND WATER 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 FOR INTERFERENCE.

THE 1982 IDAHO LEGISLATURE ADDED A 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 INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

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RE: PERMIT 31-739!

PAGE 01  
MAY

21, 1985

SINCERELY,

DAVID R. TUTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

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State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWT

APPLICATION NUMBER: 31 7395

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 Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☒ No Other rights on same place of use. \_\_\_\_\_  
☒ Yes ☐ No\* In form for advertising.  
☐ Yes ☒ No Final date for protests: 3-4-85  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3-7-85  
☒ 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  
☒ 5/12/1985 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_

app. released in 3rd S.F. dismissal

By: Ernest Carlson

Date: March 19, 1985

STATE OFFICE REVIEW:

205,217

26

- ☐ See attached sheet for more information.

By: EW

Date: 5/13/85

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MAR 21 1985

Department of Water Resources

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POINT OF DIVERSION AND STREAM INDEX INFORMATION

| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------------------------|-----|-----|-----|--------------|---------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |              |               |       |

| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------------------------|-----|-----|-----|--------------|---------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |              |               |       |

| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
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| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------------------------|-----|-----|-----|--------------|---------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |              |               |       |

| TRACT                   | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------------------------|-----|-----|-----|--------------|---------------|-------|
| IDAHO STREAM CODE INDEX |     |     |     |              |               |       |

March 5, 1985

Jefferson Star  
P.O. Box 37  
Rigby, ID 83442

RE: Application for Permit #31-7395

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 February 14 and 21, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

CHERYL ZEMP  
Secretary

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shour Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

FEBRUARY 6, 1985

The Risby Star  
P. O. Box 37  
Risby, Idaho 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 4, 1985.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

**MICROFILMED**

NOTICE OF APPLICATION FOR WATER RIGHT

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

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 MARCH 4, 1985.

KEN DUNN, Dir.

Published 2/14 & 2/21/85.

**MICROFILMED**

31-2395-

RIGBY BROS.

HC 632275, MONTEVIEW, ID 83435

Source: GROUNDWATER

Date Filed: 05/12/1983

Diversion Pt: NENE Sec 04 T 07N R 33E

|                 |            |
|-----------------|------------|
| Use: STOCKWATER | (0.07 CFS) |
| DOMESTIC        | (0.10 CFS) |

In: NENE Sec 04 T 07N R 33E

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