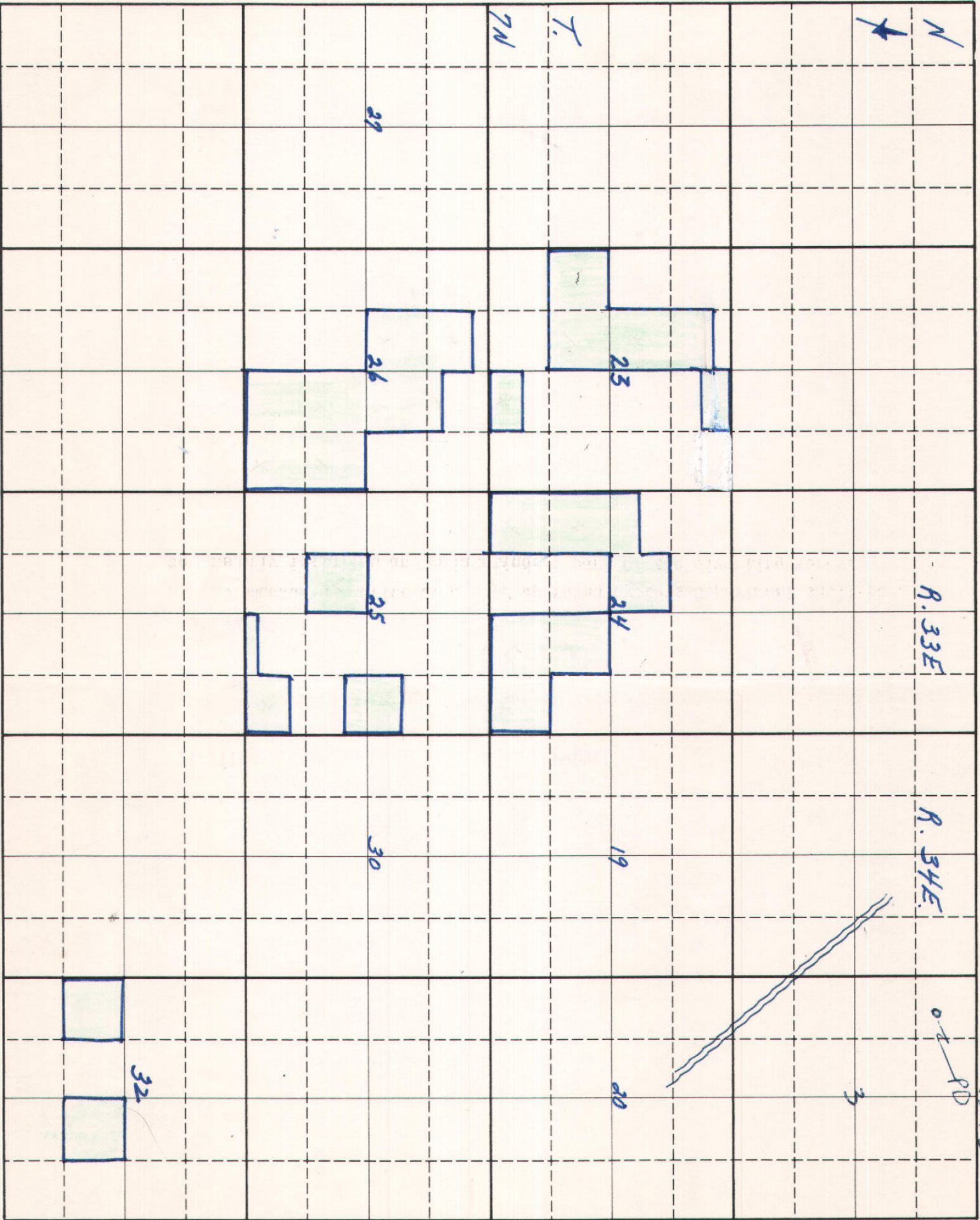


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Joe Hartwell
(Applicant)
Secretary, Jefferson Irrigation Co, Ltd.

Affidavit of Publication

THE RIGBY STAR

MAR 8 1974

STATE OF IDAHO,
County of Jefferson

ss.

Department of Water Administration
Eastern District Office

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said newspaper as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

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

28th day of *February*, 19*74*

and the last publication on the

7th day of *March*, 19*74*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth, and that there are at least two hundred bonafide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this *7th*

day of *March*, 19*74*
(SEAL)

R H Fenner

Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

My commission expires _____, 19____

Publication Fee: \$_____

MY COMMISSION EXPIRES JULY 15, 1974

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Jefferson Irrigation Co., Ltd., Montevideo, Idaho has on 2/22/74 submitted Application No. 31-7113 for a permit to appropriate 18.9 cubic feet per second of water from a ground-water source by means of well, pump and ditch within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T. 7N, R. 34E, B.M. Jefferson County; to be used from April 1 to November 1 for the irrigation of 945 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26 T. 7N, R. 33E, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 7N R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before March 18, 1974.

R. KEITH HIGGINSON
Director

Published in The Rigby Star, Rigby, Idaho on February 28 and March 7, 1974.

MICROFILMED

RECEIVED

FEB 11 1980

Affidavit of Publication

THE RIGBY STAR

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED
AMENDING OF
WATER PERMIT

NOTICE IS HEREBY
GIVEN that Permit No.
31-7113 in the name of
Jefferson Irrigation Co., Ltd.
was issued for the diversion
of 18.9 cfs of water from a
groundwater source with the
point of diversion within the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, Twp.
7N, Rge. 34E, B.M., Jeffer-
son County; to be used for
the irrigation of 945 acres
from April 1 to November 1
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23;
S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
24; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
25; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
SE $\frac{1}{4}$, Sec. 26; Twp. 7N, Rge.
33E, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp.
7N, Rge. 34E, B.M.

The permit holder now
proposes to amend Permit
No. 31-7113, changing the
place of use to the
NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
23; S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24; SW $\frac{1}{4}$,
Sec. 22; SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25; W $\frac{1}{2}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 26; Twp. 7N,
Rge. 33E, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec.
30; NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 32, Twp. 7N, Rge. 34E,
B.M.

Any protest to the propos-
ed amending of the permit
must be filed with the Idaho
Department of Water Re-
sources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401 on
or before February 18, 1980.

C. Stephen Allred
Director

Published January 30 and
February 6, 1980.

STATE OF IDAHO,

County of Jefferson

ss

I, Marie B. Nye
Publisher of THE RIGBY STAR, a weekly
newspaper as defined by Idaho Codes Annotated Section 58-106 as
amended, and that said newspaper is a weekly newspaper, printed and
published at Rigby, Jefferson County, Idaho, having a general circulation in
said county, and that said newspaper has been printed and published as a
weekly newspaper, in said county for more than 78 consecutive weeks prior
to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said
publication as per clipping attached, was published in said newspaper in the
regular and entire issue thereof, and not in any supplement issue thereof,
for 2 consecutive issues thereof; first publication having been made on
the

Thirtieth day of January, 19 80

and the last publication on the

Sixth day of February, 19 80

And affiant further says that at the times herein mentioned said
newspaper was made up of at least four pages of at least five columns each
printed from type matter of at least seventeen and three-fourths inches
depth; and that there are at least two hundred bonafide subscribers in
Jefferson County.

Marie B. Nye

Publisher

Subscribed in my presence and sworn to before me this Sixth
day of February, 19 80.

[SEAL]

Evelyn M. Fisher

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19

Publication Fee: \$ 22.55

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now JEFFERSON IRRIGATION Co. Ltd.

of (address) MONTEVIEW, IDAHO 83435, and represents to the
C/O BERT HARTWELL
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 31-7113, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4, Section 3, Township _____, Range 7N, B.M.,
County of 34E. Other points of diversion: JEFFERSON

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

No change
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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	33E	23		20			30			40	40	40					30		200
		24							20	40						40	40	40	180
		22									40	40	40	40					160
		25				30					40				15		10	30	125
		26		10	40		30			40									120
7N	34E	30					40			40									80
7N	34E	32									40					40			80
Total number of acres to be irrigated =																			945

4. a. Who owns the property at the point of diversion? No change
b. Who owns the land to be irrigated or the place of use? " "
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: No change

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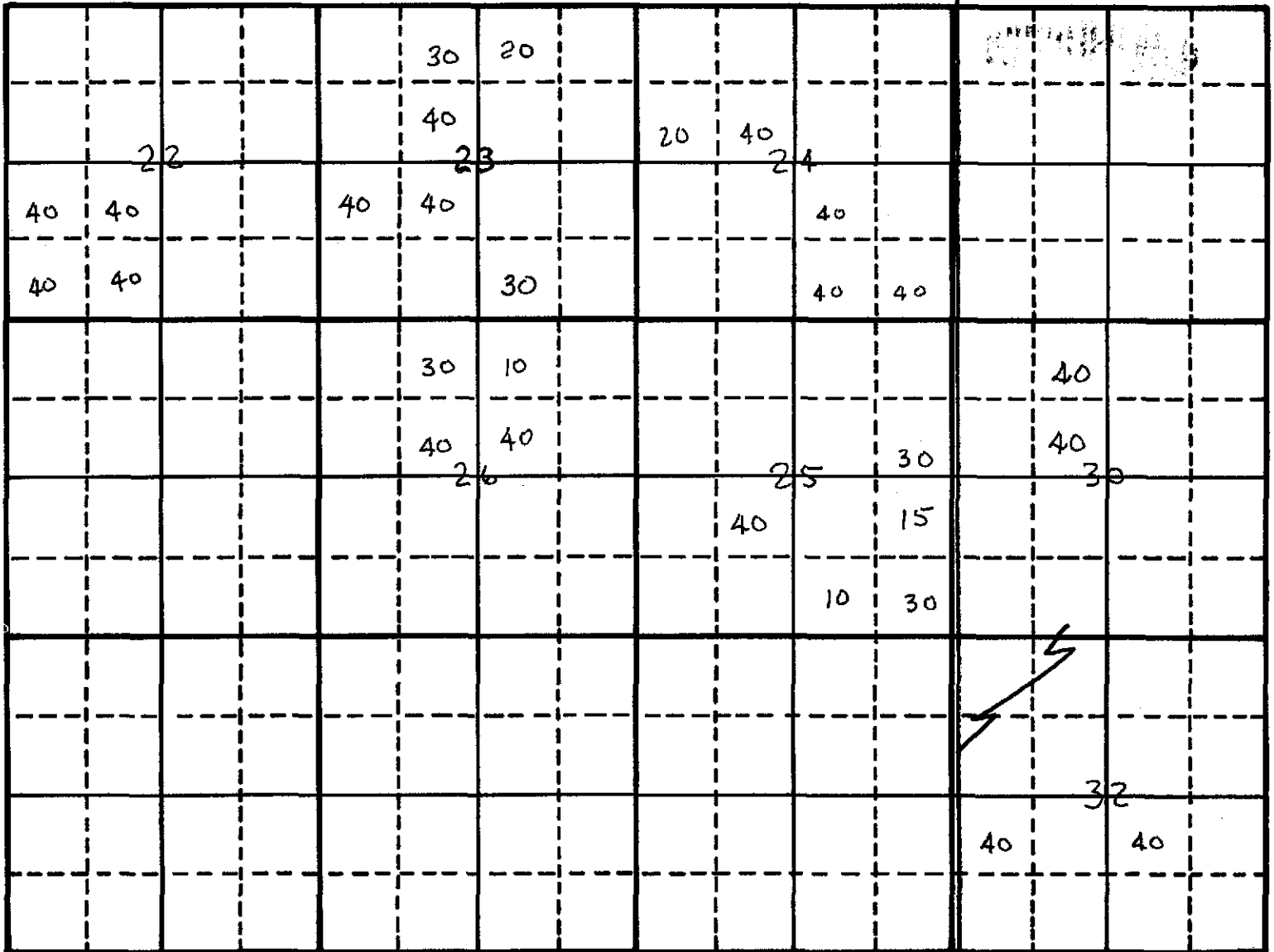
JAN 21 1980

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

T7N R33E

R34E



Scale: 2 inches equal 1 mile.

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

Signed at Boise, this 16 day of JAN, 19 80.

Bert Hartwell
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw J.J. Fee = \$20.00

Received by ry Date 1/31/80 1/16/80 #15777

Publication prepared by kw Date 1/24/80

Published in The Rigby Star

Publication dates 1/31/80 & 2/7/80

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Chief, Operations Bureau of the Department of Water Resources hereby

APPROVE this application for amendment submitted on Permit No. 31-7113 with the following condition: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 29th day of February, 19 80.

L. Glen Saxton
Chief, Operations Bureau

Identification No. 31 7113

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Jefferson Irrigation Co. Ltd.
 post office address Montevue, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 3 Township 7N
 Range 34E B.M. Jefferson County; additional points of diversion if any: _____

 b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 18.9 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 18.9 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 ditch

 b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
 c. Proposed well diameter is 28 inches; proposed depth of well is 150 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
 is 5 years.
 b. Estimated construction cost is \$ 25,000.00.
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
 Range _____ B.M. _____
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered _____

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

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	33E	23		20			30			40	40	40					30		200
		24							20	40		40	40			40	40	40	260
		25				30					40				15		10	30	125
		26		10	40		30			40					40	40	40	40	280
7N	34E	32										40				40			80

Total number of acres to be irrigated 945

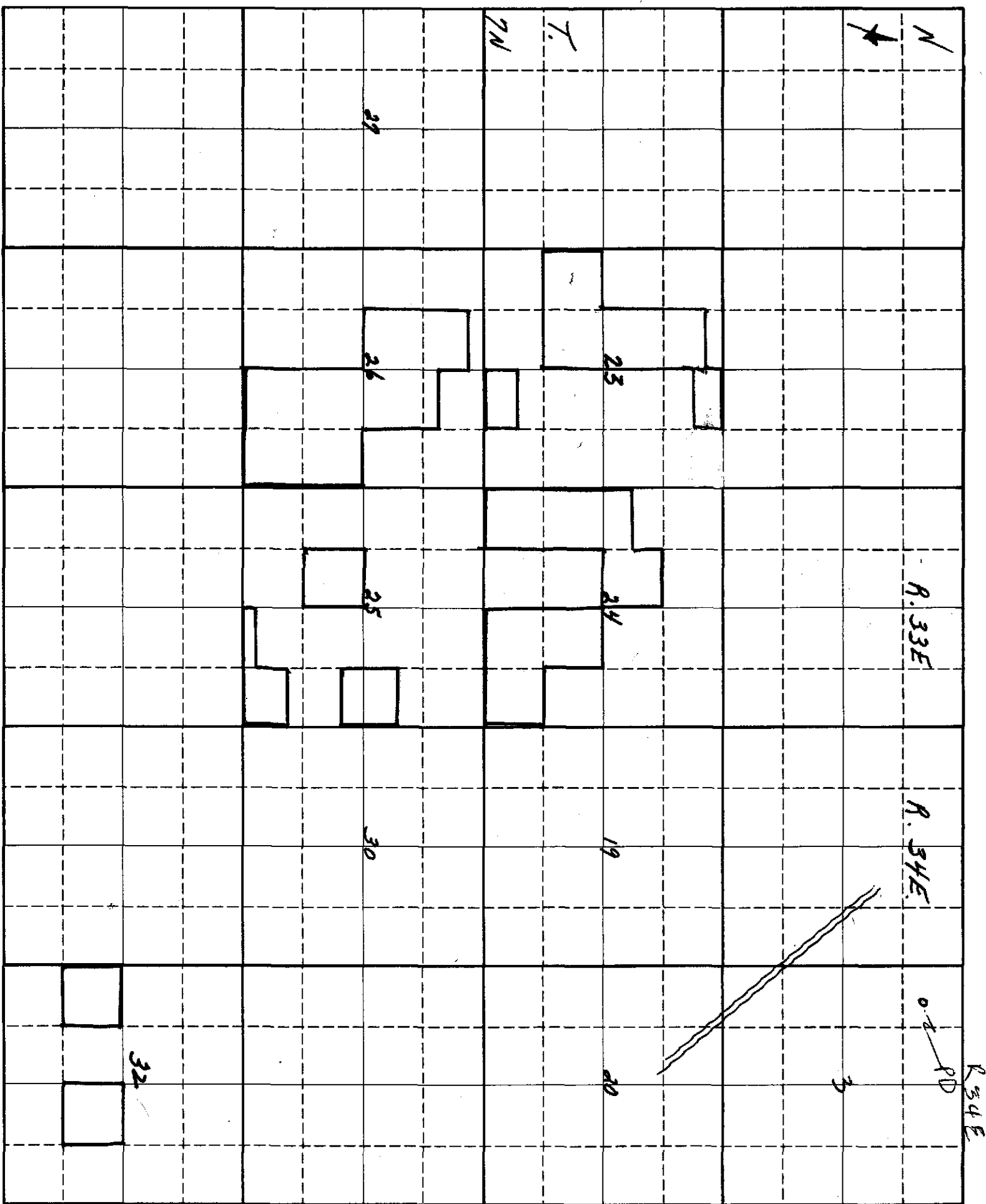
c. Describe any other water rights used for the same purposes as described above.
SEE REMARKS

9. a. Who owns the property at the point of diversion BLM
b. Who owns the land to be irrigated or place of use Stockholders of Jefferson Irrigation Co.
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 The following listed licenses owned by the Jefferson Irrigation Co., Ltd. is not appurtenant to the above described land including
Transfer No. 949, 31-2134, 31-2243, 31-2270, 31-2272, 31-2311,
31-2312, 31-2313, 31-2451, and 31-2420 which reclaims seepage water.

Easement will be obtained from the BLM.

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.

John Hartwell
(Applicant)
Secretary, Jefferson Irrigation Co, Ltd.

Proposed Priority 2-22-1974

Received by MB Date 2-23-74 Time 10:25 A

Preliminary check by MB Fee \$205.00

Receipted by MB Date 2-23-74 #12752

Publication prepared by MB Date 2-23-74

Published in The Bigby Star

Publication dates Feb 28 - March 7, 1974

Publication approved MB Date 3/8/74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC 1/88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

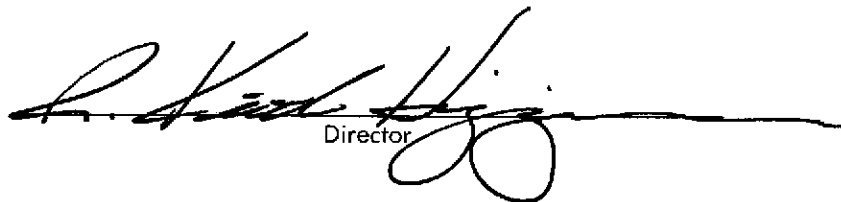
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7113, and said application is hereby APPROVED.

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 August 1, 1980.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 13 day of August, 19 75.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

(1) WR 2/22

Application No. 31-7113

(2)

- ☒ Source
☒ Point of Diversion Not on map OK
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☐ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map NA P.D. OK
☒ Signature
☒ Fee

(3) WR 2/22

In form to receipt

WR 2/22

Send Copies to:
☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☒ Bureau of Land Management

(4) WR 2/22

☐ Request Special Use Permit from U.S.F.S.
☒ Request Easement from B.L.M.
☐ Request Information from Applicant

(5) WR 2/22

In form for advertising

(6) WR 2/22

Located within Water District No. NA

(7) WR 2/22

Critical groundwater area: yes ☐ no ☒

(8) WR 2/22

Groundwater levels:

☐ Decline (comment) _____

☒ Stable (comment) Bull 27 + 2 Sec 4 7N 34E

☐ Increasing (comment) _____

(9) WR 2/22

Comments: No conflicting G.W. Rights

(10) MB 3/8/74

Affidavit of Publication received (date) March 8, 1974

(11) " 3/18/74

Final date for protests March 18, 1974

Protests received: yes ☐ no ☒

(12) " "

Date and Place of hearing NA

Decision reached at hearing NA

(13) RDC 8/12/75

All requested information received from agencies or applicant
yes ☐ no ☒

(14) " "

Action recommended:

☒ Approve

MAR 13 1975

Priority 2/22/74

☐ Deny

Department of Water Resources

Reason for Reduction _____

☒ Measuring device required

☐ See attached sheet for additional conditions of approval

☐ No additional conditions for approval

District E By RDC Date 8/12/75

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Copy
6/2/75

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO, }
County of Jefferson } ss.

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100 Consecutive issues thereof; first publication having been made on the

28th day of February, 1974

and the last publication on the

7th day of March, 1974

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth, and that there are at least two hundred bonafide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 7th

day of March, 1974.
(SEAL)

R. M. Ferguson

Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

My commission expires _____, 19____

Publication Fee: \$_____

MY COMMISSION EXPIRES JULY 15, 1974

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If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1615 Lincoln Road, Idaho Falls, Idaho 83401 on or before March 18, 1974.

R. KEITH HIGGINSON
Director

Published in The Rigby Star, Rigby, Idaho on February 28 and March 7, 1974.



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

June 12, 1985

Jefferson Irrigation Co., LTD
Montevieu, ID 83435

Re: Water Right Identification No. 31-7113 and 31-7327

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

- ☒ Proof of beneficial use has already been submitted for the water right.
- ☐ Proof of beneficial use is not applicable for existing licensed rights.
- ☐ Proof of beneficial use is not applicable for existing decreed rights.
- ☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.
- ☐ Other:

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

cc: Region

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: Ernest Carlson

Right Number _____ Applicant _____

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).
☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☐ Description of amended point(s) of diversion.
- ☐ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☐ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use. No
- ☐ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions Access Part.

By Ernest Carlson Date 2/22/80

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

MICROFILMED

Same Pod.

18.9 cfs Dec. $\frac{4}{1}$ $\frac{1}{1}$

TN 33 sec. 23 NWNE, E $\frac{1}{2}$ NW, N $\frac{1}{2}$ SW, SWSW
24 S $\frac{1}{2}$ NW, W $\frac{1}{2}$ SW, W $\frac{1}{2}$ SE, SESE
25 SENE, NESW, NESE, S $\frac{1}{2}$ SE
26 W $\frac{1}{2}$ NE, E $\frac{1}{2}$ NW, SE $\frac{1}{4}$.
TN 34E 32 NWSW, NWSE.

March 11, 1980

Jefferson Irrigation Company, Ltd.
c/o Bert Hartwell
Montevieu, ID 83435

Gentlemen:

Re: Permit No. 31-7113

Enclosed is a copy of the approved application for amendment submitted on
Permit No. 31-7113.

Sincerely,

JANBROVER
Water Rights Supervisor

JG:rf

Enclosure

MICROFILMED

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 31-7113 in the name of Jefferson Irrigation Co., Ltd. was issued for the diversion of 18.9 cfs of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, Twp. 7N, Rge. 34E, B.M., Jefferson County; to be used for the irrigation of 945 acres from April 1 to November 1 within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26; Twp. 7N, Rge. 33E, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 7N, Rge. 34E, B.M.

The permit holder now proposes to amend Permit No. 31-7113, changing the place of use to the NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24; SW $\frac{1}{4}$, Sec. 22; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 26; Twp. 7N, Rge. 33E, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 7N, Rge. 34E, B.M.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before February 18, 1980.

C. STEPHEN ALLRED

Director

Published in the Rigby Star on January 31 and February 7, 1980.

RECEIVED

FEB 11 1980

Affidavit of Publication

Department of Water Resources
Eastern District Office

THE RIGBY STAR

WATER PERMIT

NOTICE IS HEREBY GIVEN that Permit No. 31-7113 in the name of Jefferson Irrigation Co., Ltd. was issued for the diversion of 18.9 cfs of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, Twp. 7N, Rge. 34E, B.M., Jefferson County; to be used for the irrigation of 945 acres from April 1 to November 1 within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 25; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 26; Twp. 7N, Rge. 33E, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 7N, Rge. 34E, B.M.

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Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before February 18, 1980.

C. Stephen Allred
Director

Published January 30 and

STATE OF IDAHO,

County of Jefferson

ss

I, Marie B. Nye, do solemnly swear that I am the Publisher of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Thirteenth day of January, 19 80

and the last publication on the

Sixth day of February, 19 80

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Marie B. Nye
Publisher

Subscribed in my presence and sworn to before me this Sixth day of February, 19 80.
[SEAL]

[Signature]
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19

Publication Fee: \$ 22.55



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

July 24, 1979

RE: Permit No. 31-7113

Jefferson Irrigation Co., Ltd.
Montevue,
Idaho 83435

Gentlemen:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

COLLEEN WRAY
Sr. Secretary

cc: IDWR - State Office

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 31-7/13

Name(s) of Permit Holder:

Post Office Address:

Source of Water:

Extent of Use:

- ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation (acres)
☐ Other

Measuring Device:

Required?

☒ Yes ☐ No

Installed?

☒ Yes ☐ No

Access Port:

Required?

☐ Yes ☐ No

Installed?

☐ Yes ☐ No

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

6-15-79
 Date

Jefferson Irrigation Co. Inc.
P. J. Johnson Pres
 Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



RECEIVED

JUN 15 1979

Department of Water Resources
Eastern District Office

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 31-7113

Name(s) of Permit Holder:

Post Office Address:

Source of Water:

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes

☐ No

Installed?

☒ Yes

☐ No

Access Port:

Required?

☐ Yes

☐ No

Installed?

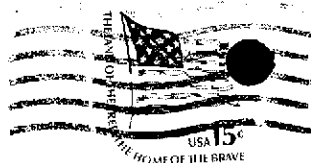
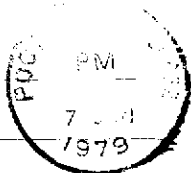
☐ Yes

☐ No

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

Date

Signature of Permit Holder



Department of Water Resources

**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

August 14, 1975

Re: Permit No. 31-7113

Jefferson Irrigation Co., Ltd.
Montevieu,
Idaho 83435

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 31-7113. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

cc: Farmers Home Administration

MICROFILMED

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho State Office
Room 398, Federal Building
550 W. Fort Street
P. O. Box 042
Boise, Idaho 83724

RECEIVED

AUG 12 1975

Ar Department of Water Resources
Eastern District Office

DECISION

RIGHT-OF-WAY GRANTED

Details of Grant

Serial number of grant: I-9032

Name of grantee: Jefferson Irrigation Company, Limited

Map showing the location and dimensions of grant:

Map designations: Irrigation Canal for Jefferson Irrigation
Company, Ltd.

Date filed: February 26, 1975

Permitted use by grantee: Irrigation canal

Authority for grant: Act of March 3, 1891 (26 Stat. 1101), as amended

Regulations applicable to grant:

Code reference: 43 CFR Parts 2800 and 2870

Date of grant: April 25, 1975

Expiration date of grant: --

Rental: none

Amount:

When payable by grantee:

Terms and Conditions of Grant

Pursuant to the authority vested in the undersigned by Order No. 701 of the Associate Director, Bureau of Land Management, dated July 23, 1964, (29 F.R. 10526), as amended, a right-of-way, the details of which are shown above, is hereby granted subject to the following terms and conditions:

1. All valid rights existing on the date of the grant.
2. All regulations specified above.
3. Filing of proof of construction within 5 years of the date of grant.
4. Further terms and conditions as follows:
 - (a) Pursuant to 43 CFR 2801.1-5, the District Manager, Idaho Falls
District Office, 940 Lincoln Road, Idaho Falls, Idaho,
has the authority to conduct all business with the grantee with
respect to use of lands and disposition of resources, and the grantee
is requested to contact him prior to the beginning of construction.
 - (b) Stipulations of Exhibit A attached hereto and made a part hereof.

Vincent S. Strobel

Vincent S. Strobel, Chief
Branch of L&M Operations

cc: District Manager, Idaho Falls

MICROFILMED

STIPULATIONS
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY I-9032

1. The permittee agrees in all operations under this permit to comply with the applicable State and Federal laws and regulations concerning the use of poisonous substances, including insecticides, herbicides, fungicides, rodenticides and other similar substances. Prior to the use of such substances on or near the right-of-way, the permittee shall obtain from the District Manager approval of a written plan for such use. The plan shall state the type and quantity of material to be used, the pest to be controlled, the method of application and such other information as he may require. All use of such substances on or near the right-of-way shall be in accordance with the approved plan. If the use of a poison is prohibited by the Secretary of the Interior, it shall not be used. If use of a poison is limited by the Secretary of the Interior, it shall be used only in accordance with that limitation.
2. Permittee shall survey and clearly mark the exterior limits of the right-of-way. All activities directly or indirectly associated with the construction or maintenance of the irrigation canal must be conducted within the limits of the right-of-way.
3. Permittee shall notify the Department of Anthropology, Idaho State University, Pocatello, of proposed construction under this application in order that the University may negotiate with the permittee for the purpose of undertaking, prior to construction of the project, an archeological survey and salvage excavation to be financed by the permittee.

Should additional sites, ruins, or artifacts be discovered during construction activities, construction will immediately be suspended and the BLM District Manager shall be notified. If the district manager finds the damage or destruction to historic or prehistoric remains or artifacts cannot be avoided as a result of planned construction activities, the permittee will be required to provide at his expense, proper scientific investigation. All investigation and salvage will be covered by an Antiquities Act Permit applied for by the agency doing the survey or salvage work.

4. Outer canal banks must have a minimum slope of 3:1 rather than 1½:1 as stated in the application.
5. Areas of soil disturbance will be reseeded with Sodar Wheatgrass (*Agropyron riparium*) at 10 pounds per acre and inoculated Madrid Yellow Sweetclover (*Melilotus officinates*). The seed will be drilled in and covered to a depth of 1/2 to 3/4 inch. Fall seeding after October 1 is recommended.

6. Permittee (or its agents) will provide adequate safety measures in development and operation of the canal. The general public, livestock and wildlife using the area should be reasonably protected.
7. The project site will be kept free of all debris and maintained in such a manner as to minimize any unsightly appearance.
8. The permittee is responsible for all damage caused, and suppression costs, on public lands, resulting from any fire originating from the permittee's operations.
9. The involved public lands will be used only for the purpose applied for. This permit in no way grants authority to initiate or control other uses of the public land.
10. Should the project be abandoned, appropriate measures for the repair of surface damage resulting from canal construction will be undertaken at the sole expense of the permittee. The area manager will review any rehabilitation projects before the permittee is free from these responsibilities.
11. The subject land lies within a livestock grazing allotment. In the event it becomes necessary to prevent livestock from trampling the canal banks, the applicant may need to construct a fence to protect the structure. Said fence construction and maintenance will be the sole responsibility of the permittee. Construction details will be supplied by the area manager.
12. Management of livestock forage and wildlife habitat is the sole responsibility of the permittee. Construction details will be supplied by the area manager.
13. Roads shall not be constructed or established other than in areas designated and approved by the area manager. Any existing roads that are in the way of the project shall be relocated at the permittee's expense and according to a plan approved by the area manager.
14. Any bridges required for crossing the proposed canal will be constructed at the expense of the permittee and in accordance with a plan approved by the area manager.

STIPULATIONS

1. Archaeological investigations must be conducted.
2. Outer canal banks must have a minimum slope of 3:1 rather than 1½:1 as stated in the application.
3. Areas of soil disturbance will be reseeded with Sodar Wheatgrass (*Agropyron riparium*) at 10 pounds per acre and inoculated Madrid Yellow Sweetclover (*Melilotus officinates*). The seed will be drilled in and covered to a depth of 1/2 to 3/4 inch. Fall seeding after October 1 is recommended.
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12. Any bridges required for crossing the proposed canal will be constructed at the expense of the permittee and in accordance with a plan approved by the Area Manager.

A. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

The proposed action involves granting an 80 ft easement approximately 1/4-mile long to Jefferson Irrigation District for purposes of constructing a canal between an existing well and an existing canal. The 12 ft wide canal will result from building up 5 ft high ditch banks by scraping dirt within the area of the easement. The location of the proposed action is in T. 7 N., R. 34 E., Section 3 in the Table Butte Planning Unit of the Medicine Lodge Resource Area. Legal description is attached.

The only alternative to the action would be not to grant the easement.

B. DESCRIPTION OF EXISTING ENVIRONMENT

The lands in the immediate vicinity are relatively flat, sloping gradually to the southwest. Lava outcroppings are numerous (20-30% of the area). Soil is generally a sandy loam with areas of sand. No perennial streams exist. Irrigation canals run from existing wells to the farming areas to the south and west. The quality of water in these canals is excellent. Air quality is very good. Erosion is minimal due to terrain and soil characteristics.

Plant life in the area is typical for the unit, comprised primarily of sagebrush, rabbitbrush, grass and forb mixtures.

Animals found or anticipated to be in the area include ground squirrels, mice, rabbits, coyotes, antelope. Birds include marsh hawk, magpie, lark sparrows, horned lark, plus a variety of waterfowl in the canals.

The existing ecological interrelationship cycles are typical to the region (predatory-prey, etc). The ecosystem is considered to be a mature one and relatively stable.

In addition to the existing canals, the primary use of the area is grazing. No dwellings exist on the entire Section.

C. ANALYSIS OF PROPOSED ACTION AND ALTERNATIVES

1. Environmental Impacts

a. Anticipated impacts

The impacts from this action will be minimal because of the small area involved and because the action is

consistent with general usage of the land and with previous actions in the vicinity. The loss of vegetal cover will have a temporary impact, but soil loss would be small. Operation of construction equipment will have some temporary local impact on air quality and noise level. The ditch banks will result in some visual change during development and post development. This action will not interfere with grazing and other present uses of the surrounding area.

b. Possible Mitigating or Enhancing Measures

- (1) Outside slopes of ditch banks should have a minimum slope of 3:1.
- (2) The ditch banks and other areas of soil disturbance should be reseeded with crested wheat grass. Areas of soil disturbance during development should be minimized.
- (3) To avoid ecological changes resulting from the use of herbicides, control of any noxious weeds invading the area of the easement should be by mechanical rather than chemical means.

c. Recommendations for Mitigation or Enhancement of Environmental Impact

Implement items (1) - (3) listed under C.1.b. above.

d. Residual Impacts

Minor visual impact of ditch banks after development. Native vegetation replaced by flowing water (or dry ditch bed) over area less than 1 acre total.

2. Relationship Between Short-Term Use and Long-Term Productivity

During the term of this action (that is while the canal is in use), the productivity of this small area can be considered to be vastly increased. It provides the means to move sufficient water to irrigate for food production approximately 1200 acres of nearby land, mostly new farm land.

3. Irreversible and Irretrievable Commitment of Resources

None

D. PERSONS, GROUPS AND GOVERNMENT AGENCIES CONSULTED

Soil Conservation Service, Terreton
Idaho Department of Water Administration, Idaho Falls
Jefferson Canal Co., Ltd., Montevue
STAFCO Associates, Idaho Falls

E. INTENSITY OF PUBLIC INTEREST

Anticipated interest is minor and favorable.

F. PARTICIPATING STAFF

None

G. RECOMMENDED ACTIONS ON ENVIRONMENTAL STATEMENT

Due to the nature of the action and the small amount of environmental impact, it is not deemed necessary to prepare an environmental statement. The proposed action should be approved.

H. SIGNATURES

George A. Freund

Nov 14, 1974
DATE

DATE

DATE

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

ENVIRONMENTAL ANALYSIS WORKSHEET

1. Action Granting of Easement for Irrigation Ditch
(Check list applies to area of easement)

2. Stages of implementation
Construct ditch (development) Maintain ditch (post dev)

3. DISCRETE OPERATIONS

Development
Post Development
No Action

4. COMPONENTS, SUBCOMPONENTS, AND ELEMENTS IMPACTED		5. ANTICIPATED IMPACTS					6. REMARKS
1. NONLIVING COMPONENTS	A. AIR						
	Carbon monoxide	-L	0	0			During operation of bulldozer
	Hydrocarbons	-L	0	0			
	Particulate matter	-L	0	0			
	B. LAND						
	Soil Erosion	-L	0	0			some until reseeding takes hold
	C. WATER						
	Hydrologic cycle	0	+M	0			provide means for putting water to productive use
	Ground water	0	-L	0			
							minor depletion

DISCRETE OPERATIONS

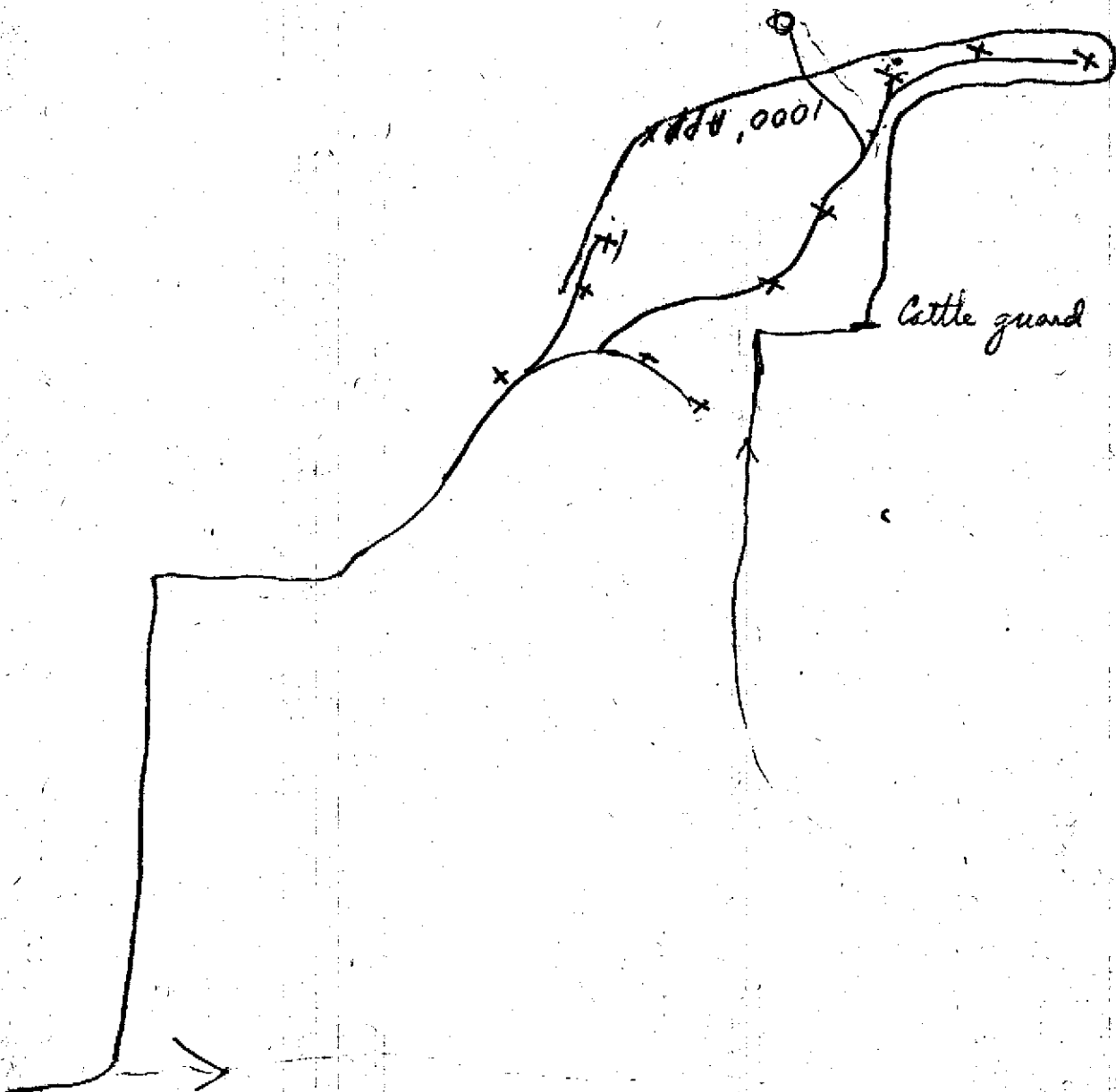
Development
Post Development
No Action

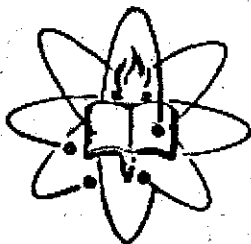
COMPONENTS, SUBCOMPONENTS, AND ELEMENTS IMPACTED		ANTICIPATED IMPACTS				REMARKS
II. LIVING COMPONENTS (Con.)	B. PLANTS (Terrestrial)					
	Shrubs	-M	-L	0		Will recover after period of time; reseeding will probably increase grass cover
	Grasses	-M+L		0		
	Herbs	-M+L		0		
	C. ANIMALS (Aquatic)					
		0	0	0		
	D. ANIMALS (Terrestrial)					
	Mammals	-L	0	0		some temporary disturbance of habitat
	Birds	-L	0	0		
	Reptiles	-L	0	0		
III. INTERRELATIONSHIPS	A. ECOLOGICAL PROCESSES					
	Food relationships	-M	X	0		In area involved a small amount of grazing land lost but more grass as a result of reseeding
IV. HUMAN VALUES	A. LANDSCAPE CHARACTER					
	Harmonious	-L	0	0		Other similar structures in immediate vicinity
	B. SOCIOCULTURAL INTERESTS					
		0	0	0		No known past or planned future use of this land involving such interests

INSTRUCTIONS

1. Action - Enter action being taken, analytic step for which worksheet is being used, environmental viewpoint of impact, and any assumptions relating to impact.

5. Anticipated Impact - Evaluate anticipated impact on each element and place an entry in the appropriate square indicating degree of impact as low (L), medium (M), high (H), (0) or und eval or unreliable (X). P





STAFCO Associates

505 Longx St.
P. O. Box 2249
Idaho Falls, Idaho 83401
Phone 208-523-7252

April 10, 1975

Jefferson Canal Company, Ltd.
Monteview, Idaho 83435

Attention: Mr. Jerry Nordstrom

Gentlemen:

In accordance with federal legislation requiring attention to archaeological sites and features affected by activities on public lands, I examined the BLM area (Jefferson County, T7N, R34E, Sect. 3) included in the application by the Jefferson Irrigation District for construction of an irrigation ditch from a well to an existing canal.

On April 7, 1975, in the company of Mr. Jerry Nordstrom of the Jefferson County Canal Co., I surveyed the area, including a proposed 80-foot easement for the ditch, and determined that this project would affect no visible historic, prehistoric or paleontological resources. This area consists of scattered vegetation (Atriplex, Chrysothamnus, Halogeton, and clumps of grasses dominant) with open areas of exposed sandy, alkaline soil. No archaeological sites have been registered for this section, and nearby lava outcrops showed no obsidian sources common to aboriginal use of this area of the Snake River plain.

From an archaeological standpoint, this immediate area can be cleared for other uses.

Sincerely,

Susanne J. Miller

SUSANNE J. MILLER
Consultant

SJM:hb

cc: BLM, Idaho Falls Office ✓

Jefferson Irrigation Company, Limited
c/o James Stewart, Secretary
Montevue, Idaho
February 5, 1975

AMENDED

APPLICATION FOR RIGHT-OF-WAY FOR IRRIGATION FACILITIES OF
JEFFERSON IRRIGATION COMPANY, LIMITED

Bureau of Land Management
Idaho State Office
Department of the Interior
United States of America
P.O. Box 042
Boise, Idaho, 83702

Gentlemen:

Application is hereby made pursuant to the Act of March 3, 1891 and the applicable regulations contained in 43 CFR, Group 2800, (Title 43 CFR, Group 2800) for a right-of-way for irrigation facilities in Lots 3 and 4 and the Southeast Quarter Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 3, Township 7 North, Range 34 East of the Boise Meridian, in Jefferson County, Idaho. The applicant hereby agrees that the right-of-way, if approved, will be subject to the terms and conditions of both the heretofore referred act of March 3, 1891 and the applicable regulations in 43 CFR Group 2800.

The facility proposed to be constructed is a ditch or canal, 12 feet across the bottom and on a one-half to 1 slope on either bank in the center of a 66 foot right-of-way 33 feet on either side of the center of the bottom of the canal. A typical section of which canal is more particularly contained in the map accompanying this application. This facility extends from a well in Lot 4, Section 3, Township 7 North Range 34 east of the Boise Meridian to the existing canal of the applicant in Lot 3, Section 3, Township 7 North, Range 34 East of the Boise Meridian and is more particularly set forth both in the vicinity sketch and with particularity in the map accompanying this application. The existing well has already been drilled, under the authority of the Department of Water Administration of the State of Idaho, and is identified as Identification Number 31 7113. The well itself consists of a deep well approximately 150 feet deep, 28 inches in diameter and proposes to produce approximately 18.9 cubic feet per second

February 5, 1975
Bureau of Land Management
Page 2

of water. While these works have already been constructed and, or placed on the job at the well site, this application merely is for the construction of the facilities from the well site to the existing canal. This well proposes to develop and will develop, approximately 1,000 miner's inches of additional supplemental water to existing water rights for the purpose of irrigating 15,360 acres of land. The above quoted figure of 15,360 acres of land includes existing water rights both from natural flow existing in the Jefferson Irrigation Company, Limited by reason of the decree in the Federal District Court of the United States for the District of Idaho, Eastern Division, in the case of Ernest Sauve, Plaintiff, vs. W. H. Abbott, et. al. and through a series of water permits for 9 other wells which have been drilled, and for which water permits have been granted.

It is proposed that this application be in existence in perpetuity for forever.

The proposed right-of-way is approximately $3/4$ of a mile, linear feet, but appears more particularly on the attached map. It is for an irrigation ditch heretofore outlined running into the existing irrigation canal belonging to the applicant.

To date there has been no unauthorized use of this right-of-way and the applicant has not been using the land without the benefit of a prior right-of-way, lease permit or other form of approved authorization. The purpose of this application is to make the granting of the right-of-way a condition precedent to the use of such right-of-way for the purpose of its construction and subsequent use.

As a part of this application and attached hereto is a certified, true copy of the Articles of Incorporation of Jefferson Irrigation Company, Limited, showing their organization and authority. Attached hereto also is a linen drawing in conformity with your Information Bulletin Number 10, under date of October 1972. In addition to the linen drawing there are 4 executed blueprints of the original linen drawing.

The evidence of the water right for this right-of-way is contained in a photostatic copy of Identification of Application for Permit, Identification number 31 7113, a copy of which, is attached hereto and marked as well number

February 5, 1975
Bureau of Land Management
Page 3

10. It is to be noted that the final approval of this application for permit is contingent upon the easement for which this application is made. In other words, the applicant is in the dilemma of not being able to have a permit granted until the application for the right-of-way from the Bureau of Land Management has been approved. On the other hand, the requirements of your office under your Information Bulletin Number 10, under date of October 1972, requires that there be filed evidence of water rights approved by the State Department of Water Administration, Statehouse, Boise, Idaho. The applicant can and will furnish you a certification from the Department of Water Administration that the application for the permit, Identification Number 31 7113, will be approved by the State Department of Water Administration upon the approval of the right-of-way, or conversely advance permission to construct would permit the applicant to file an approved permit with this application.

The applicant is prepared to provide proof of construction upon the granting of the right-of-way and to subsequently file a certification as to the perfection and completion of the construction on the right-of-way within a period of months but prior to the irrigation season of 1975 once the application is granted.

Existant rights-of-way for roads to all existing 9 wells and the existing canal of the applicant for ingress and egress have heretofore been in existance for many years. The right-of-way for ingress and egress to the lands sought under this application is included within the described description on the accompanying maps.

In addition to the foregoing and in conformity with the Bureau of Land Management Manual Release Number 1-913, under date of June 17, 1974, attached to this application is an environmental analysis prepared in accord with the requirements of your office under Bureau of Land Management Manual Reg. 1-913, dated June 17, 1974.

In the event this application is in any way defective or does not meet the requirements of your office, we will be pleased to supplement it with whatever information you may desire upon your advice. It is essential that this matter

February 5, 1975
Bureau of Land Management
Page 4

be given your earliest consideration in view of the fact that it has been pending for such a period of time that it threatens to impede the use of this water in the irrigation season of 1975 which is required to meet these irrigation requirements.

Respectfully submitted,

JEFFERSON IRRIGATION COMPANY, LIMITED

By: John A. Johnson
President

ATTEST:

By: James E. Stewart
Secretary

1301 0 f

THOMPSON PROFESSIONAL ENGINEERING
AND LAND SURVEYING
Rt. No. 2 — Box 354-G
Telephone 745-7833
Elgin, Idaho 83442

JEFFERSON IRRIGATION DISTRICT

Legal description for a canal easement on Bureau of Land Management property located in Jefferson County, State of Idaho, Section 3, Township 7 North, Range 34 East, of the Boise Meridian, more particularly described as follows: Beginning at the North ($\frac{1}{4}$) Quarter corner of Section 3, T7N, R34E, B.M.; thence S67°59'21"W for a distance of 1769.10 feet to the true point of beginning, said point is also the location of Well Number 10 and is the beginning of a canal easement. An easement over a strip of land 80 feet wide, the center line of which is described as follows: Commencing at the true point of beginning, thence along the center line bearing S30°12'00"E for a distance of 89.3 feet, to the beginning of curve left (delta = 35°40'00", tangent = 300.0 feet, radius = 855.0 feet); thence along the arc of the curve for a distance of 577.0 feet to the point of tangent; thence S68°52'00"E for a distance of 450.7 feet to the beginning of curve right (delta = 55°43'00", tangent = 100.0 feet, radius = 189.2 feet); thence along the arc of the curve for a distance of 184.0 feet to the point of tangent which lies in the center of the existing canal and is the end of the 80 feet easement.



6/18/75
5/9/75

TC - JERRY COOLIGE
BCM

Coolige said an
easement for 31-7113
has been granted
and indicated he
would send me
a copy.

MICROFILMED

R

10/21/74

JJC Ltd.

still needs easement
from BLM for canal
right of-way.

they have the well
sit easements.

Joe

T. Harold Lee says he will have
everything in order soon.

CONVERSATION MEMORANDUM

DATE August 6, 1974

FILE 31-2243 & 31-7113

NAME OF PARTY Russ Gibler

EMPLOYEE Norman C. Young *NCY*

RE: At Mr. Gibler's request I checked on the status on the Bureau of Land
Management easements on which the approval of these applications await. Jerry
Coolige of B.L.M. indicated that the easements are forthcoming and should be signed
next week. I reported this to Mr. Gibler and he requested that when the water
right applications are approved that Farmers Home Administration of Rigby, Idaho
be provided with copies.

RECEIVED

MEMORANDUM

TO: File

FROM: Norman C. Young

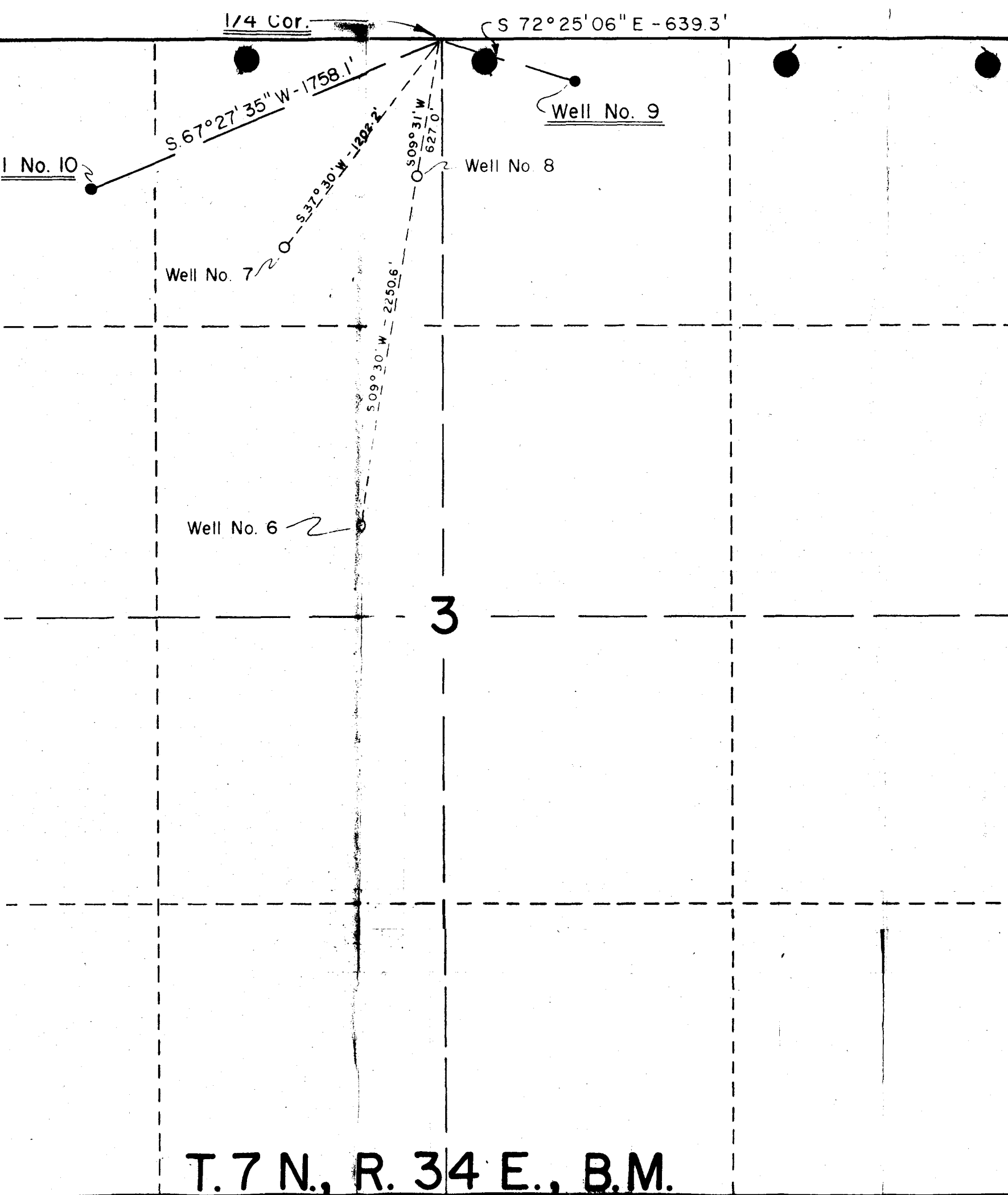
RE: Application for Transfer No. 31-2243 & Application for Permit No. 31-7113

DATE: June 13, 1974

A gentlemen from FHA in Rigby, Idaho was in this date and indicated that they would like to be notified when the above referenced applications are approved.

NCY/MB

MICROFILMED



JEFFERSON WELLS

LOCATION BY BEARING & DISTANCE OF
WELLS NO.S 9 & 10 LOCATED IN JEFFERSON
COUNTY, IDAHO.

THIS PLAT WAS MADE FROM NOTES OF
FIELD SURVEY APRIL 22, 1974.

CLAYTER F. FORSGREN
CIVIL ENGINEER
IDAHO NO. 1323

REXBURG, IDAHO



Scale
1" = 500'

MICROFILMED

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 43-R0996

SPECIAL LAND-USE APPLICATION AND PERMIT
APPLICATION

Serial Number

INSTRUCTIONS ON REVERSE

1. Name (first, middle initial, and last)
Joe Hartwell

Address (include zip code)
Montevideo, Idaho 83435

2. Give legal description of public lands for which you are applying

TOWNSHIP	RANGE	SECTION	SUBDIVISION
7 N.	34 E.	3	NE 1/4

Meridian	State	County	Acres (number)
Boise	Idaho	Jefferson	Less than .1

3. For how many years are you requesting this permit?

4a. Are you 21 years of age or over?
☒ Yes ☐ No

b. Are you a citizen of the United States or have you declared your intention? ☒ Yes ☐ No

c. As applicant, are you a ☐ Partnership ☐ Association ☒ Corporation; or an agency of ☐ Federal Government ☐ State Government ☐ Political subdivision of any state?

d. Are the statements required by Instruction Number 2 attached? ☐ Yes ☐ No ☒ Not applicable

5. Are you making this application for your own use and benefit? ☐ Yes ☒ No (If "no," explain)

For Jefferson Irrigation Co., Ltd.

6. Are the lands now improved, occupied, or used? ☐ Yes ☒ No (If "yes," describe improvements and purposes, identify users and occupants)

7a. What do you propose to use the lands for?

Drill well

b. What improvements, including sanitation facilities, do you intend to make? (Describe improvements and attach drawings, if convenient) **N.A.**

c. What is the estimated cost of proposed improvement? **\$ 25,000.**

d. What is the proposed source of water for domestic or other uses?
Irrigation

8. Have you enclosed filing fee of \$10? ☒ Yes ☐ No (See Instruction Number 3)

I CERTIFY That the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

5/16/74
(Date)

Jefferson Irrigation Co.
Joe Hartwell
(Signature of Applicant)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

CONVERSATION MEMORANDUM

DATE

4/17/74

FILE

31-2243

NAME OF PARTY

Joe Hartwell

EMPLOYEE

J. F.

RE:

Indicated he would contact BLM immediately to secure easement - Thanked you for your letter of 4/16/74 advising him of this requirement

RECORDED

April 16, 1974

Re: Application for Transfer of Water Right No. 31-2243

Mr. Joe Hartwell
Jefferson Irrigation Co.
Montevieu, Idaho 83435

Dear Joe:

This is to inform you we have not received the copies of the required easement of right-of-way from the Bureau of Land Management, allowing the Jefferson Irrigation Co., Ltd., access to B.L.M. property for the drilling of wells and construction of canals. We must have this easement before further processing can proceed with the above referenced applications.

In reviewing the files, I found our first letter dated March 1, 1974, notifying you of the need of this easement. At that time, I enclosed a copy of the letter from the B.L.M. informing us you would need such an easement. Our letter of March 18, 1974, indicates processing of both of your applications was at a stand-still awaiting the easement. Therefore, we must have a copy of the easement of right-of-way allowing you access to these lands on or before May 15, 1974. If not received by this date, we will have to begin procedures of voiding the applications.

If we assist you in any way, please do not hesitate to contact this office.

Very truly yours,

LOY H. JOHNSON
Water Resource Supervisor

LHJ:mb

March 18, 1974

Re: Application for Transfer of Water Right No. 31-2243
Application for Permit No. 31-7113

Mr. Joe Hartwell
Jefferson Irrigation Company
Montevideo, Idaho 83435

Dear Mr. Hartwell:

Please be advised that the above referenced applications have been processed. However, until we have received a copy of the easement of right-of-way allowing access to the Bureau of Land Management property for these three wells and to convey the water to their place of use, final action cannot be taken.

Your immediate attention to the above matter will expedite the processing of both applications.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

XXXXXXXXXXXXXXXXXXXX

1515 Lincoln Road

March 1, 1974

Mr. Joe Hartwell
Jefferson Irrigation Company
Montevideo, Idaho 83435

Dear Joe:

Please find enclosed a copy of a letter from the BLM in regard to your new application for permit No. 31-7113. I believe that it is self-explanatory.

You should secure your right-of-way over the ELM land for this permit and the transfer, since they are in two different locations.

We are obligated by policy agreement to notify the BLM of any permits or other filings that indicate that the diversion works or conveyance systems are on or cross federal lands.

Your immediate attention to the above matter will expedite the processing of both the new application and the transfer.

Very truly yours,

LEY H. JOHNSON
Water Resource Supervisor

LHJ:cb

Enclosure

RECEIVED
MAR 1 1974
BLM
MONTANA



UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Idaho Falls District
940 Lincoln Road
Idaho Falls, ID 83401

February 27, 1974

Re: Application for Permit No. 31-7113

State of Idaho
Department of Water Administration
Eastern District Office
1515 Lincoln Road
Idaho Falls, ID 83401

RECEIVED
FEB 28 1974
Department of Water Administration
Eastern District Office

Attention: Norman C. Young
District Engineer

Dear Mr. Young:

Jefferson Irrigation Company, Ltd. has not filed for a right-of-way to drill a well or to construct any irrigation ditches on the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 7 North, Range 34 East.

Until they have a approved right-of-way, we would appreciate you not granting the application to appropriate any waters.

Sincerely yours,

William F. Townsend
William F. Townsend
Area Manager

Attachment

RECORDED

XXXXXXXXXXXXXXXXXXXX

1515 Lincoln Road

February 26, 1974

Re: Application for Permit No. 31-7113

Bureau of Land Management
940 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 3-week period and we are required to take final action shortly thereafter.

Also, please send us a copy of the easement allowing the applicant access to the land in the NW¹/₄, Sec. 3, T. 7N, R. 34E, B.M. Jefferson County.

Thank you for your cooperation in this matter.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

Enclosure

RECEIVED

XXXXXXXXXXXXXXXXXXXX 1515 Lincoln Road

February 22, 1974

Re: Application for Permit No. 31-7113 Jefferson Irrigation Co., Ltd.
Application for Transfer No. 31-2243 " " "

The Rigby Star
Box 37
Rigby, ID 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

(signature of claimant)

Very truly yours,

Bill submitted 3-8-74 by MB

NORMAN C. YOUNG
District Engineer

RCY:MB

Enc: Legal Notice (2)

RECORDED
INDEXED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Jefferson Irrigation Co., Ltd.

Montevue, Idaho

has on 2/22/74 submitted Application No. 31-7113
for a permit to appropriate 18.9 cubic feet per second ~~acre feet per annum~~
of water from a ground-water source
by means of well, pump and ditch
within the NW1/4, Sec. 3, T. 7N, R. 34E, B.M. Jefferson County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 945 acres

within the NW1/4, E1/4, N1/2SW1/4, SW1/4SE1/4, Sec. 23, S1/2NW1/4, W1/2SW1/4, W1/2SE1/4, SE1/4SE1/4, Sec. 24,
SE1/4NE1/4, NE1/4SW1/4, E1/2SE1/4, SW1/4SE1/4, Sec. 25, W1/2NE1/4, E1/2NW1/4, SE1/4, Sec. 26, T. 7N, R. 33E;
NW1/4SW1/4, NW1/4SE1/4, Sec. 32, T. 7N, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 18, 1974.

R. KEITH HIGGINSON

Director

Published in the Rigby Star, Rigby, Idaho

on February 28

and March 7, 1974.

MICROFILMED

ab-A

XXXXXXXXXXXXXXXXXXXX

1515 Lincoln Road

February 22, 1974

Re: Application for Permit No. 31-7113

Jefferson Irrigation Co. Ltd.
Montevue
Idaho 83435

Gentlemen:

Attached herewith is departmental receipt No. 12752 in the amount of \$205.00 for the above referenced application which was received in this office under the above date.

Very truly yours,

RONALD D. CARLSON
Asst. to the District Engineer

RDC:MB

Attachment

RECEIVED
FEB 23 1974