

RECEIVED

Affidavit of Publication

THE RIGBY STAR

SEP 8 1972

Department of Water Administration
Eastern District-Office

STATE OF IDAHO
County of Jefferson

ss.

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 said attached notice, advertisement or 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

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

17th day of Aug, 1972

and the last publication on the

24th day of Aug, 1972

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 bona fide subscribers in Jefferson County.

Hope B Jones
7th

Subscribed in my presence and sworn to before me this

day of September, 1972
(SEAL)

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

My commission expires _____, 19____

Publication Fee: \$ 10.07

MY COMMISSION EXPIRES JULY 15, 1973

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ray B. Potter, Montevieu, Idaho has on 8/4/72 submitted Application No. 31-7064 for a permit to appropriate 2.0 cubic feet per second of water from a ground-water source by means of well and pump within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 8N, R. 33E, B.M., Jefferson County; to be used from April 1 to November 1 for the irrigation of 320 acres within the SW $\frac{1}{4}$, Sec. 26; NE $\frac{1}{4}$ Sec. 27, T. 8N, R. 33E, 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, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before September 5, 1972.

R. KEITH HIGGINSON,
Director

Published in the Rigby Star, Rigby, Idaho on Aug. 17 and Aug. 24, 1972.

R33E

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State of Idaho
Department of Water Administration
WATER RIGHT LICENSE

License of Water Right No. 31-7064 Priority August 4, 1972 Amount 0.96 cfs

THIS IS TO CERTIFY, that RAY B. POTTER
of Montevue, Idaho, has complied with the terms and conditions of Permit
No. 31-7064 issued pursuant to Application for Permit dated August 4, 1972,
and has submitted proof to the Department of Water Administration on August 9, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 5.20 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>April 1</u> to <u>Nov. 1</u> at <u>0.96</u> cfs and			<u>407 acre feet or</u>
from _____ to _____ at _____ cfs and			<u>3.0 af per acre</u>
from _____ to _____ at _____ cfs and			

(both dates inclusive)

Subject, however, to the condition that no more than 0.96 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
* 407 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 27,
Twp. 8 N, Rge. 33 E, B. M. in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8 N	33 E	26									40	40	40	40					160.0
		27	38	38.5	38	37													150.5

Total number of acres irrigated 310.5

* Subject to the condition that the maximum volume per year shall not exceed
931.5 acre feet when combined with Licenses No. G-23947/31-2457 and
31739/31-2411.

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of
February, 19 74.

Director

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED**APPLICATION FOR PERMIT**

LICENSE ISSUED FOR 96 SEC. FI.
 LICENSE PAGE NO. _____

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

1. Name of applicant RAY B. POTTER
 post office address Montevue, Idaho 83435
2. Source of water supply Ground Water which is a tributary of --
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27 Township 8N
 Range 33E B.M. Jefferson County; additional points of diversion if any: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 8N, R. 33E, B.M.
- 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 0.96 ~~2.70~~ for irrig. 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. 0.96 ~~2.70~~ 680 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, surface irrigation

- 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 20 inches; proposed depth of well is 275 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years/
 b. Estimated construction cost is \$ 15,000.
8. Description of proposed uses:
 a. If water is **not** for irrigation: N.A.
 (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: _____

Total number of acres to be irrigated 320

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

5. ~~3.2 c.f.s.~~ (3.2 c.f.s.) and Permit No. 31-2411 (3.13 c.f.s.)

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

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

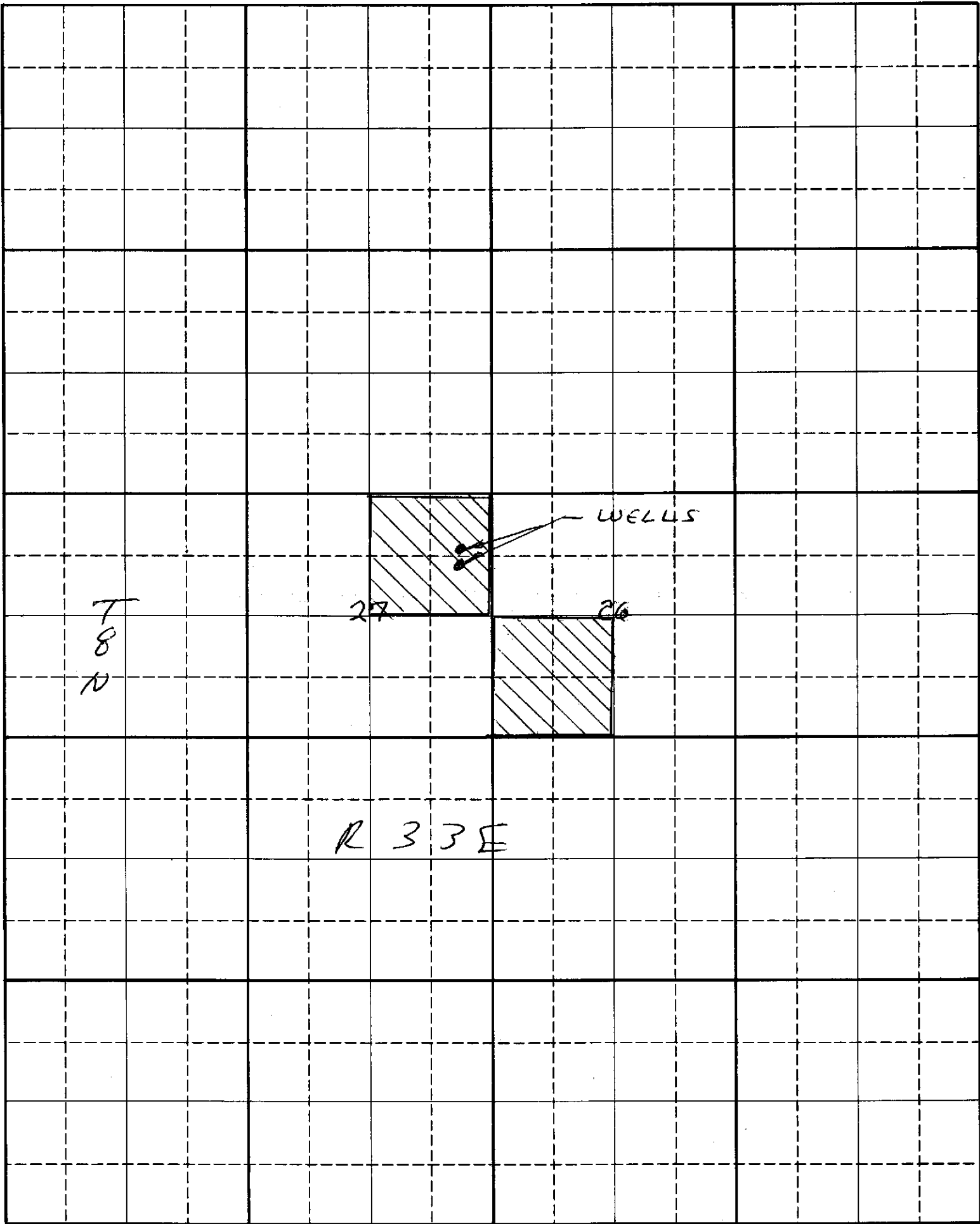
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

applicant to make this filing.

10. Remarks	More than 1"/acre is required for surface irrigation using the system I
-------------	---

have (see attached letter from S.C.S.)

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.

Ray B. Potter
(Applicant)

Received by Dr Date 8/4/72 Time 3:30 pm
Preliminary check by MCY Fee \$ 35.00
Received by Dr Date 8/4/72 # 1937
Publication prepared by Dr Date 9-11-72
Published in Boysen
Publication dates 8-17-24-72
Publication approved WMA Date 9/1/72
Priority reduced to 8/4/72 Reason W/A

Protests filed by: W/A
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WMA

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. 31-7064, 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 October 1, 1973.

c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

2. ~~Detail by said applicant of the following items: Maximum rate of diversion shall not exceed 0.96 c.f.s.~~

Witness my hand this 22 day of September 1972.

Director

RECEIVED

JUL 24 1972

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Department of Water Administration
Eastern District Office

July 21, 1972

Norman C. Young
District Engineer
Dept. of Water Administration
240 South Holmes Ave.
Idaho Falls, Idaho 83401

Dear Mr. Young,

Mr. Ray B. Potter of Montevue, Idaho contacted me concerning having his water license increased to the maximum legal limit for his farm. He pumps out of a series of wells to obtain irrigation water for his 320 acre farm.

I recommend that Mr. Potter's water license be increased to the maximum legal limit because of the short growing season in the area, the excessive drying conditions due to the wind and also due to the sandy condition of a part of the soil. The soil on about one half of the farm is mapped as Lidy sandy loam. Layers of loam may occur below 18 or 20 inches. It is 36 to 60 inches to sand and gravel. Fields are all nearly level. Water holding capacity ranges from 1.5 to 2.25 inches per foot of soil. Permeability is moderate (from 0.8 to 2.0 inches per hour).

The remainder of the farm is mapped as Montevue Silty Clay loam. The water holding capacity of this soil is between 2.0 and 2.5 inches of water per foot of soil. The subsoil permeability is slow to moderately slow.

Length of runs vary from a few hundred feet on some fields to a maximum length of about 1320 feet on 27 acres of the farm. Border method of irrigation is used on all fields. The entire farm is in alfalfa hay at this time. The peak consumptive use month on alfalfa for this area is July. According to the Soil Cons. Service "Irrigation Guide", 6.51 inches of water is the net requirement for alfalfa. Many farms get less than 50% efficiency on irrigation water.

In the event of power failure, pump trouble, etc. that may cause the loss of water flow for a few days, Mr. Potter would be in need of a larger flow for fewer days in order to irrigate his crop.

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Attached is a line drawing of the Soils map for Mr. Potter's farm.

Sincerely

Clair H. Leavitt

Clair H. Leavitt
Soil Cons. Service
Rigby, Idaho

CC: Ray B. Potter

Affidavit of Publication

THE RIGBY STAR

SEP 8 1972

Department of Water Administration
Eastern District Office

STATE OF IDAHO
County of Jefferson

SS.

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 said attached notice, advertisement or 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

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

_____ day of _____, 1972
and the last publication on the

_____ day of _____, 1972

And affiant further says that at the times herein mentioned said news paper 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 bona fide subscribers in Jefferson County.

Lape B Jones

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

day of September, 1978
(SEAL)

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

My commission expires _____, 19____.

Publication Fee: \$ 10.07

MY COMMISSION EXPIRES JULY 15, 1973

B. Potter, Montevieu, Idaho has on
 8/4/72 submitted Application No.
 31-7064 for a permit to appropriate
 2.0 cubic feet per second of water
 from a ground-water source by
 means of well and pump within the
 NE¼NE¼, SE¼NE¼, Sec. 27, T.
 8N, R. 33E, B.M., Jefferson County,
 to be used from April 1 to November
 1 for the irrigation of 320 acres
 within the SW¼, Sec. 26; NE¼ Sec.
 27, T. 8N, R. 33E, B.M.

If issued, this permit will be sub-
 ject to all prior water rights. Pro-
 tests against the granting of the per-
 mit must be filed with the Idaho De-
 partment of Water Administration, 240
 South Holmes, Idaho Falls, Idaho,
 83401 on or before September 15,
 1972.

R. KEITH HIGGINSON,
Director

Published in the RICHMOND NEWS-LEADER
 AUG. 17 1944

ACKNOWLEDGEMENT

Date: 8-4-72

Re: Application No. 31-7064

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No.

31-7064, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed:


Applicant

31 7064



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

November 27, 1987

Jeffrey C. Fereday
Givens, McDevitt, Pursley,
Webb & Buser
P.O. Box 2720
Boise, ID 83701

Dear Jeff:

This correspondence is to inform you of items still necessary to complete the application for transfer of the water rights originally identified on the draft transfer application.

There were four (4) permits identified on the transfer:

Permit 31-7064 requires an amendment of permit before a license can be issued. The permit holder of record is Jack R. Bond, South Slope Farms, Montevieu, ID. He would be required to sign the amendment or assign the permit to someone else.

Permit 31-7069 also requires an amendment prior to licensing. The name of the permit holder is the same as permit 31-7064.

Permit 31-7096 has been split into five (5) parts. Parts C, D, and E require amendments of permit prior to licensing. Parts G and F are ready to license. The permit holder of record is Sauer Farms Inc., Rt. 5, Box 160, Idaho Falls, ID. A signature of a representative of Sauer Farms Inc. is required on the amendment.

Permit 31-7320 is not yet ready for licensing. The field exam is in the regional office. The exam has been completed except for measurement of the points of diversion added to the permit by an amendment submitted during the period that the right was being examined. It is our understanding that the wells identified are used only for back-up. Therefore, it is difficult to determine when a measurement can be accomplished.

Two of the three licenses (Nos. 31-2299 and 31-2415) are acceptable to identify on a transfer application as they are, however, license 31-7131

Page 2

overlaps with a decreed right 31-0160 and claim 31-4011. In order to use right 31-7131 on a transfer application, all of the rights appurtenant to the land have to be included. No prior mention has been made of decree 31-0160.

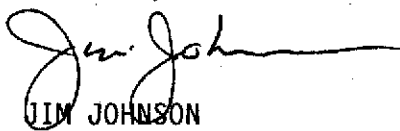
Finally, there is claim 31-4011. As you are aware, the Department requires that a full exam be conducted prior to an approval of a transfer that contains a claim. The field exam was made on September 30, 1987. There was no diversion being made at the time of the exam by the point of diversion identified on the claim, nor had it appeared that any diversion had occurred during the 1987 irrigation season. Most of the land under the claim was irrigated using Jefferson Canal Co. water rights with exception of 4 40-acre tract areas that were under a non-irrigation set-aside program.

Therefore, if the claim is to be used on a transfer application, then all of the water rights used to irrigate this land must also be included to assure that lands are not irrigated on the original lands after the transfer is approved.

In summary, if you desire to continue with submitting the transfer application, you must arrange for the authority to act on behalf of the permits which require amendments; otherwise, they will be forwarded to the permit holder(s) of record. The delay in licensing of permit 31-7320 must be resolved. The water rights that overlap with claim 31-4011 and license 31-7131 must be included on the transfer application.

We will delay the mailing of the permits needing amendments for 15 days to allow you to make arrangements for transferring ownership. If you have any questions, please let us know.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:sc

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

February 21, 1974

Re: Permit No. 31-7064

Ray B. Potter
Montevue,
Idaho 83435

Dear Mr. Potter:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

31-7064

February 5, 1974

Re: Permit No. 31-7064

Ray B. Potter
Montevieu, Idaho 83435

Dear Mr. Potter:

A representative of this Department has made an examination of the works covered by your Permit No. 31-7064 and has found the following:

Quantity of water diverted: 5.20 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.96 cfs

The maximum quantity diverted shall not exceed *407 acre feet per year.

Beneficial use: For irrigation of 310.5 acres within the SW 1/4, Sec. 26; NE 1/4, Sec. 27, Twp. 8 N, Rge. 33 E

Point of diversion: NE 1/4, Sec. 27, Twp. 8 N, Rge. 33 E, B.M.

Priority date established: August 4, 1972

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

* Subject to the condition that the maximum volume per year shall not exceed 931.5 acre feet when combined with Licenses No. G-23947/31-2457 and 31739/31-2411.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

31-7024

11.8
5
16.8

18.0
5

19.35
.25
19.60

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

AUG 20 1973

1. Name of permit holder Ray B. Potter
- Post office address Monteview, Idaho 83435 P.O. address Department of Water Administration
Phone Eastern District Office
- Person to contact % Henry Lundgren Phone _____
Monteview, Ida.
2. Source of water supply: Groundwater ☒ Surface water ☐ (name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:
- Amount 0.96 c.f.s. for irrigation
_____ AF/Annum (nature of use)
- Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)
- Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)
- Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)
- Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)
- Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)
- Other uses: _____

Permit No. 31-7064
Examination for b/u

4. Total amount to be appropriated:
- Max Rate of Diversion 0.96 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:
- Township 8N N/S, Range 33E E/W, B.M., Section 27, Subdivision SE $\frac{1}{4}$ NE $\frac{1}{4}$, Jefferson
County
- Township 8N N/S, Range 33E E/W, B.M., Section 27, Subdivision NE $\frac{1}{4}$ NE $\frac{1}{4}$, Jefferson
County
- Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County
- Other Points of Diversions: _____

Description of diverting works: Pump 10" Col., 125 hp motor, 16" casing, 225' total depth, 75' Static level, 175' Total D. Down.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8N	33E	26									40	40	40	40					160
		27	40	40	40	40													160

31-7064

TOTAL ACREAGE 320

T
8
N

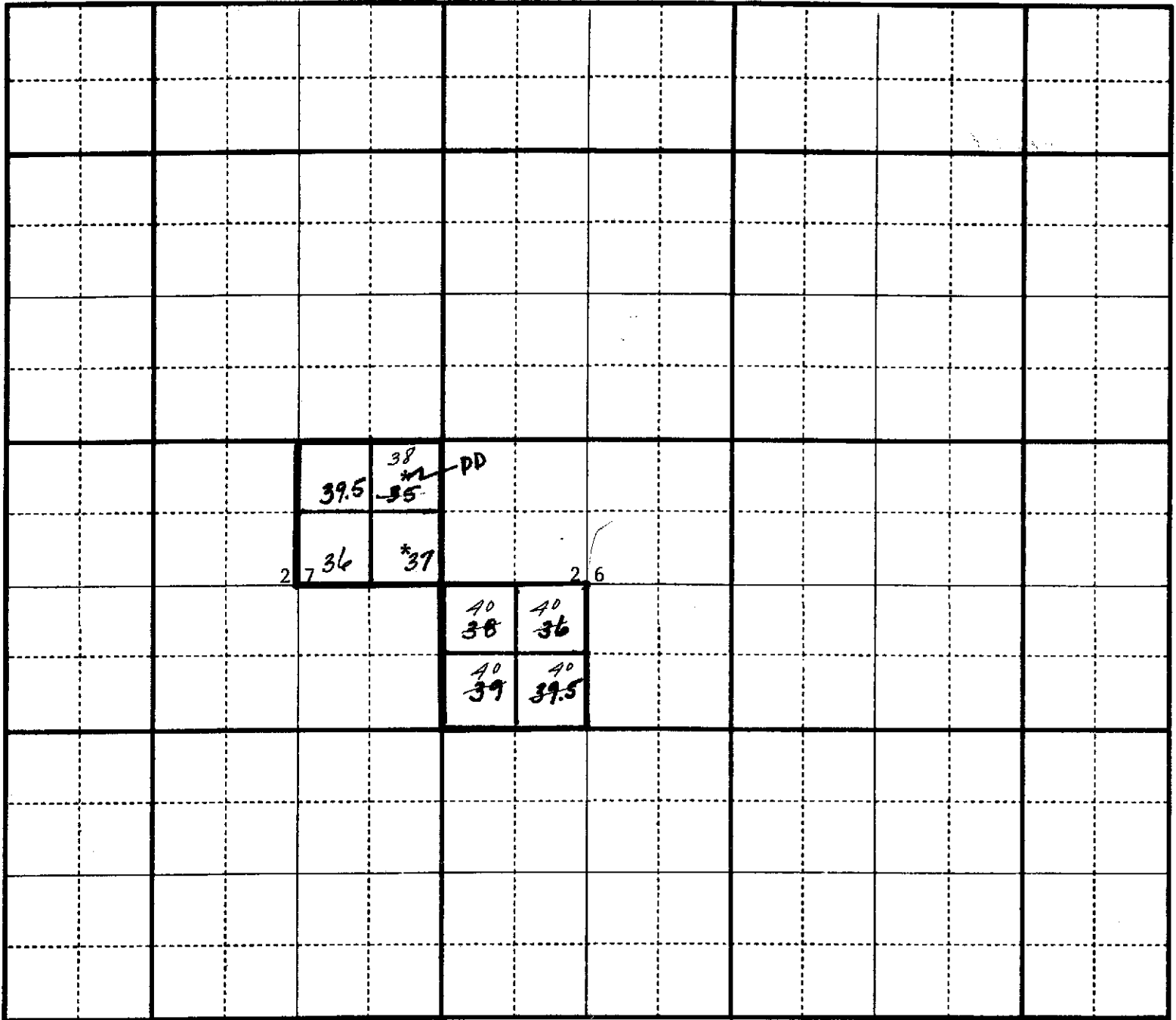
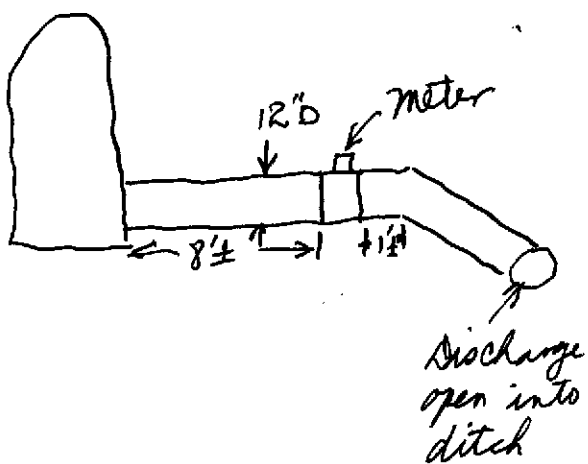


Diagram of System

average changed to correspond
w/ existing business!
dr

NENE 5.27



R33E



PG-38E

COUNTY ROAD

395

Figure 6

013



100

33

37

TWP BN

5
120

165

237

DATE OF EXAM Aug 20, 1973

ACREAGE
Found 300
Recommended 300

Irrigation Requirement 3 Ac Ft/Ac

USE
Irrigation Q = 0.96 c.f.s. V = 409 AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes ☒ no _____

Name source: groundwater from Lic 31-2411 & 623947
twp. 8 N/S Rge 33 E/W, B.M., Sec. 26 Sub. NE 1/4 SW 1/4 Jefferson
27 SE NE County
27 NE NE

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S Rge _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____
County

Point of injection:
twp. _____ N/S Rge _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____
County

Point of exchange:
twp. _____ N/S Rge _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____
County

Total Q measured 5.2 CFS Method of measurement NEWE 527: McCrometer meter

Total Q recommended .96 CFS Meter No. 7312176 Type saddle Condition Good

Total V recommended 409 AF

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

NEWE 527 435.6 cu ft in 84 sec = .52 CFS

$V = (300)(3) = 900 > (.96)(1.983)(215) = 409$

SYSTEM DESCRIPTION:

NEWE 527: 125 HP U.S. Motor # R2039783 w/ ~~623~~ Byron Jackson pump # 71150260
12" discharge south 10' into ditch

REMARKS: See notes on other licenses on back of exam. This well capable of irr flood irrigation in sandy soil with 1/4 - 1/2 mile ~~run~~ runs.

REMARKS:

System shown by owner - Only 1" PD which is on line between NEWE & SENE. - License data on other ground water diversions on back.
Clearwith SCS representative from Rigby recommends 6.51 inches of water on alfalfa for this farm per letter dated July 21, 1972

Examiner's Signature John Hershauer Date Aug 20, 1973

Checked by W. R. Rhoads Date Jan 28, 1972

Approved by _____ Date _____

31-7064

Water Rights for same purpose: groundwater
License 31-2411

$$Q = 3.13 \text{ CFS}$$

4 pts of diversion in the SENE $\frac{1}{4}$ (4 points) S. 27 T8N R33E
NE $\frac{1}{4}$ NE $\frac{1}{4}$ (3 points) S. 27 T8N R33E

Place of use:

NE $\frac{1}{4}$ S. 27 T8N R33E

NENE Acres
38

NWNE 38

SWNE 30

SENE 31.6

137.6 Acres Total

Priority Feb 26, 1964

License G-23947 Priority March 23, 1953

Points of Diversion:

4 pts in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 26 Twp 8N Rge 33E

$$Q = 4.0 \text{ CFS}$$

Place of Use:

Twp 8N Rge 33E

Sec 27 NENE = 10
SWNE = 10
SENE = 20
40

Sec 26 NESW = 40
NWSW = 40
SWSW = 40
SESW = 40
160

$$\begin{array}{r} 1.14 \\ 320 \\ \hline 8.06 \end{array}$$

31-7064

2.7
4
1.4

August 15, 1973

Re: Permit No. 31-7064

Ray B. Potter
Montevieu,
Idaho 83435

Dear Mr. Potter:

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

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

If you have any questions regarding the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely,

D. Darlane Reich
Water Rights Supervisor

DDR:JC

31 7064

RECEIVED

AUG 9 1973

Department of Water Administration
Eastern District Office

Identification No. 31-7064

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Ray B. Potter
b) Post Office Address Monteview, Idaho 83435
2. Permit Number 31-7064
3. Date of Priority that you are prepared to establish August 4, 1972
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 27
Township 8N, Range 33E, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
amount 2.0 for irrigation purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.0 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Commercial in-line flow meter, Al Justin of Sanke River Equipment Co.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Diverted by way of ditch to irrigate SW 1/4 of Sec. 26; pumped into ditch to irrigate NE 1/4 of Sec. 27. All flood irrigated.
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump 10" Col., 125 hp motor, 16" casing, 225' total depth, 75' Static level, 175' Total D. Down
b) Describe the type and size of measuring device which you have installed at your point of diversion: Commercial CFS-AF in-line 12" diameter flow meter
c) Give well drillers name and address and date the well was completed Glen L. Hopkins, Thornton, Idaho - March 1970

Exam typed 8/15/73 by jrc

31 7064

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

• 4015

[illegible]

Total number of acres irrigated 320

10. Remarks: SCS indicates more than 1" per acre is required for surface irrigation using

the indicated system.

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

Aug 9 1973 (Date)

(Signature)

State of INDIA
County of Bonneville ss.

47b

On this 9th day of August, 1973, personally appeared before me the signers of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires

6/10/75

Notary Public residing

Notary Public residing at 1909 Everest
Herman C Young
Ibade Falls, Ia 440

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

54683

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

8-4-73

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to
restrict delivery, or to have the address of delivery
shown on this receipt, check block(s) on other side.
Block(s) suggested ends and attach this card to back of
article.

RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83701

31 7084



August 1, 1973

CERTIFIED MAIL

#24683

Re: Permit No. 31-7064

Ray B. Potter
Montevideo,
Idaho 83435

Dear Mr. Potter:

One of the conditions of approval of your water Permit No. 31-7064 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

31 7064

September 25, 1972

Ray B. Potter
Montevideo,
Idaho 83435

Dear Mr. Potter:

Enclosed is a copy of your approved Application for Permit No. 31-7064. We direct your attention to the conditions of approval as listed on the fourth page.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

31 704

M E M O R A N D U M

TO: File No. 31-7064

DATE: September 21, 1972

In reviewing this application it is noted that Water License 32-2091 has been partially assigned and the net result provides for one inch per acre or 160 acres of ground. Also, we reviewed Water License 31-2411 which provides for 1.14 inches for each of the 137.6 acres. At the time of issuing ~~this~~ this permit the applicant submitted justification to the satisfaction of the Department that the whole of the required the total of this amount. Since these files overlap with application 31-7064, we feel that the entire project could require 1.14 inches per acre. Therefore, we recommend that 31-7064 be approved for .96 cubic feet per second, which will bring the total on the entire 320 acres to 1.14 inches per acre.



31 7064

INTER-DEPARTMENT MEMO — 1

DATE September 12, 1972

FROM Eastern District Office

TO State Office

SUBJECT Application No. 31-7064

The above subject application has been processed at the Eastern District Office and is ready for final action by the State Office.



SIGNATURE

31 7064

M E M O R A N D U M

TO: Bob Fleenor
FROM: Mike Turnipseed
RE: Application No. 31-7064
DATE: September 12, 1972

I recommend that Application No. 31-7064 be approved for only 0.44 c.f.s., or that it be approved for the full amount under the condition that his total diversion rate be restricted to 6.4 c.f.s.

The applicant already has a permit (No. 31-2411) with three points of diversion which has been examined for 2.76 c.f.s. and is ready for licensing. He also has an unknown (to this office) number of points of diversion under License No. 32-2091 for 3.2 c.f.s.


RICHARD M. TURNIPSEED

31 7064

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☒ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☒ Maximum rate of diversion shall not exceed .96 cfs c.f.s. ~~or 2729 ac/Ann.~~

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☒ Other: None

September 5, 1972

Re: Application for Permit No. 31-7064

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

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 newspaper on August 17 and 24, 1972.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

31 7064

August 11, 1972

Re: Application No. 31-7064 - Ray B. Potter

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 our review before publication.

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

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

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

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

NCY:BA
Enc: Legal notice

*Bill submitted to
Laise 9/8/72
C.W.*

31 7064

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ray B. Potter, Montevue, Idaho

has on 8/4/72 submitted Application No. 31-7064
for a permit to appropriate 2.0 cubic feet per second ~~none feet per second~~
of water from a ground-water source
by means of well and pump
within the ~~NE 1/4, SE 1/4, NE 1/4, Sec. 27, T. 8N, R. 33E, B.M., Jefferson County;~~

to be used from Apr. 1 to Nov. 1
for the irrigation of 320 acres

within the SW 1/4, Sec. 26; NE 1/4, Sec. 27, T. 8N, R. 33E, 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, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before September 5, 1972.

R. KEITH HIGGINSON

Director

Published in the Rigby Star, Rigby, Idaho

on August 17 and August 24, 1972

31 7064

NCY