

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
) ss.
STATE OF IDAHO,)

Ruth De Thomas, being first
duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News for

2 consecutive weeks, commencing
with the issue dated May 11, 1971, and
ending with the issue dated May 18, 1971.

Ruth De Thomas
Subscribed and sworn to before me this

3rd day of Aug, 1971
Gene Hunter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that
Dan Lindauer, Rupert Idaho,
has received an approved Per-
mit No. G-33486/36-2684 is-
sued by the Idaho Department
of Water Administration auth-
orizing the diversion storage of
6.4 cubic feet per second of
water from a ground water
source. The priority to be es-
tablished under this permit is
February 16, 1967 and the per-
mit was approved February 23,
1967.

Water is to be diverted by
well, pump and ditches from a
point within the NE1/4NE1/4,
Sec. 28, T. 7S, R. 25 E.B.M.
Minidoka County to be used for
Irrigation in the E1/2, Sec. 28,
T. 7S, R. 25E, B.M.

Proof of the application of the
water to beneficial use is to be
submitted to the Department
on or before February 23, 1972.
Any protest against the is-
suanee of the license for the
above referenced permit should
be filed with the Idaho Dept. of
Water Administration, State-
house, Boise, Idaho, 83707,
within ten (10) days of the
last date of publication of this
notice or prior to the licens-
ing of the permit. Licensing may
commence prior to the date
beneficial use proof is due with-
out further notice.

R. KEITH HIGGINSON

Director

Published in the Minidoka
County News, Rupert, Idaho,
on May 11th, and May 18th, ()
1971.

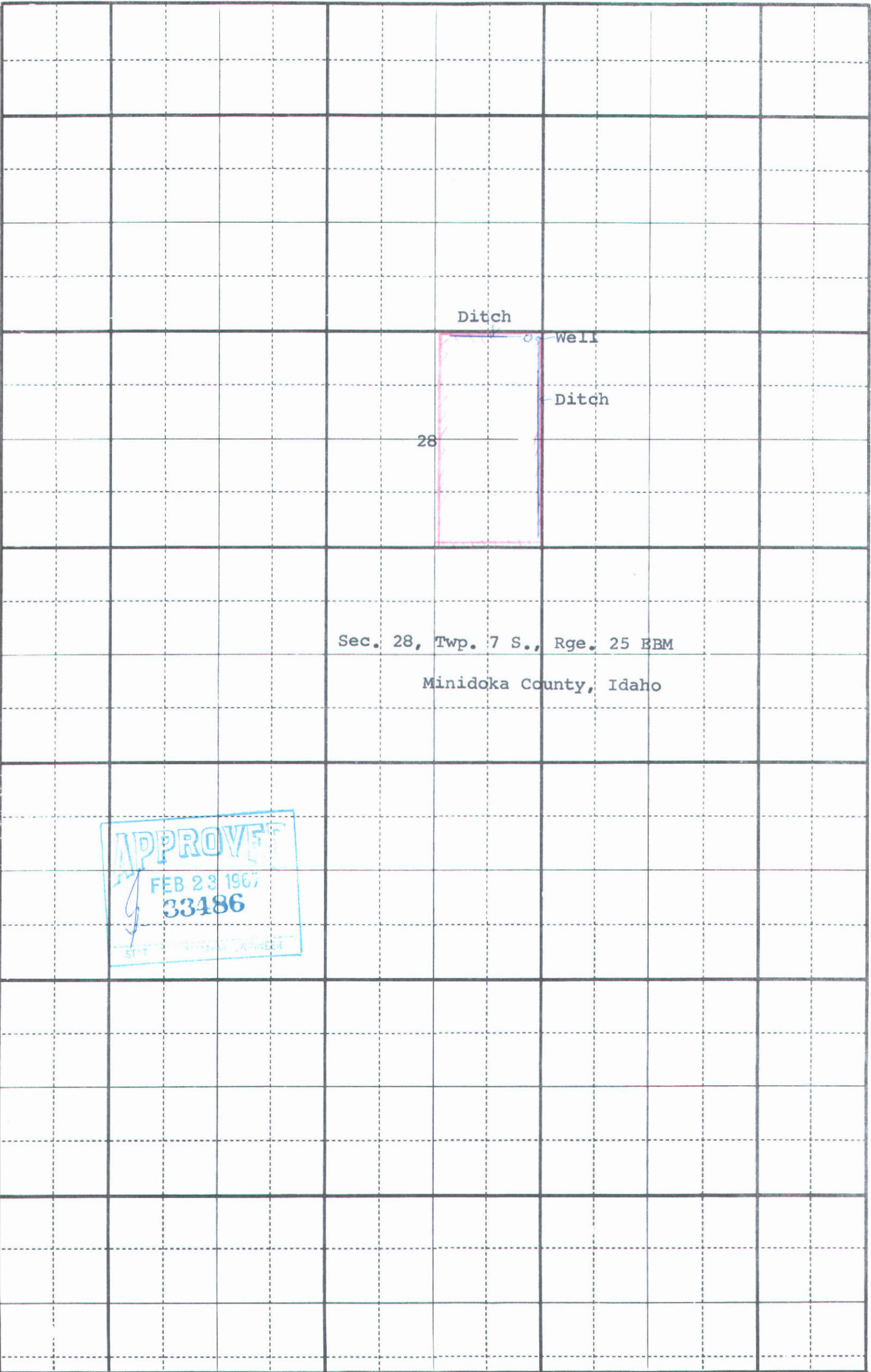
No. 171 May 11, 18, 1971

RECEIVED

SEP 2 1971

Department of Water Administration

36 2684



Sec. 28, Twp. 7 S., Rge. 25 EBM
Minidoka County, Idaho

APPROVED
FEB 23 1967
33486
STAT. ENGINEER

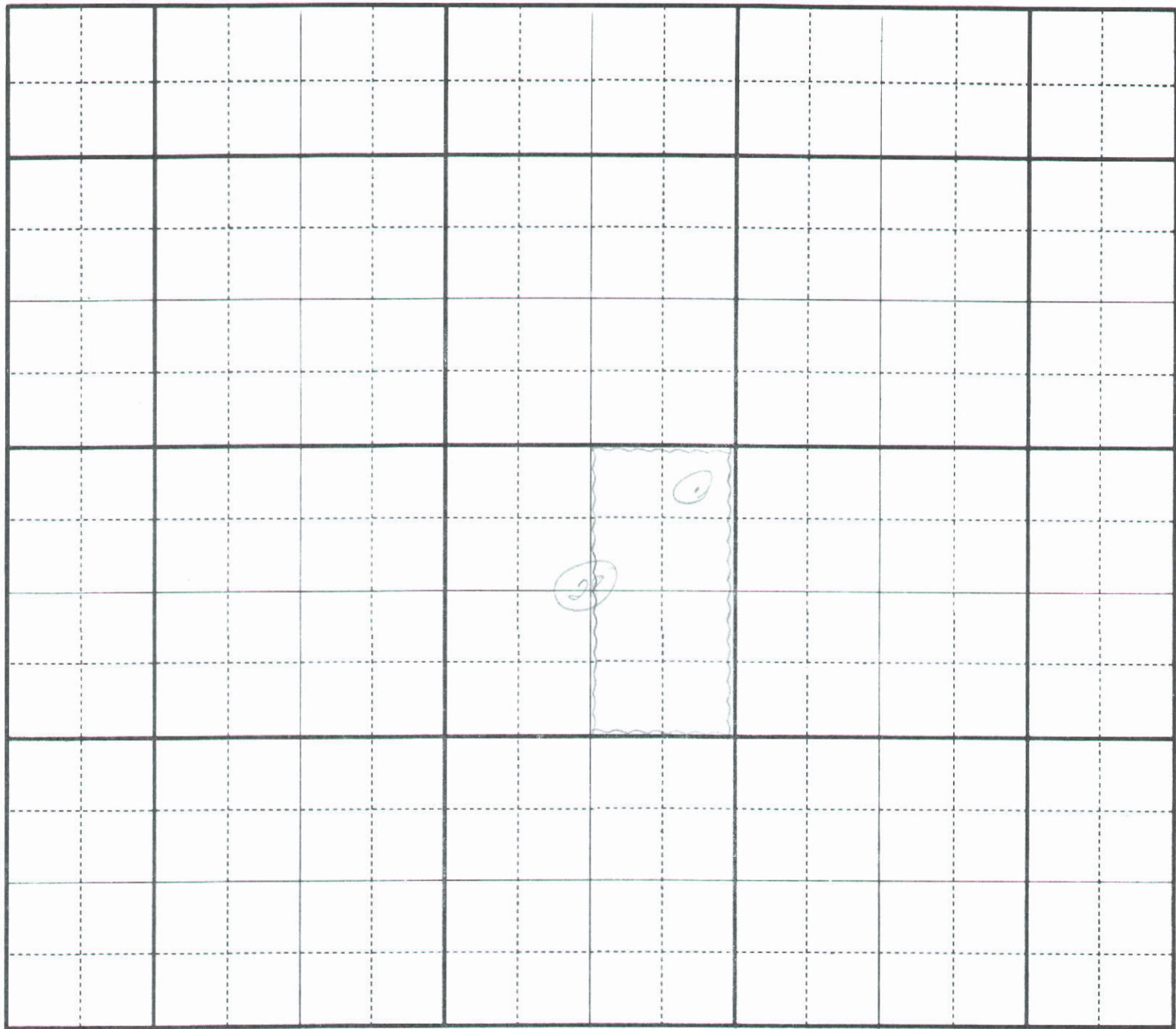


Diagram of System



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33486/36-2684 Priority March 2, 1967 Amount 5.36 cfs
(late proof)

THIS IS TO CERTIFY, that DAN LINDAUER
of Rupert, Idaho, has complied with the terms and conditions of Permit
No. 33486/36-2684 issued pursuant to Application for Permit dated February 16, 1967,
and has submitted proof to the Department of Water Administration on March 8, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.36 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 5.36 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 5.36 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, Twp. 7 S, Rge. 25 E, B. M.

in the county of Minidoka; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,280 acre feet per year or _____
4.0 acre feet per acre.

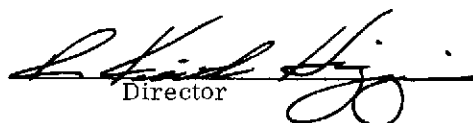
Description and location of place of use:

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 $\frac{1}{4}$	
7 S	25 E	28	40	40	40	40									40	40	40	40	320

Total number of acres irrigated 320

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 29 day of
November, 19 73.


Director

36 2681

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
) ss.
STATE OF IDAHO,)

Ruth De Thomas, being first
duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
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duly published according to law in the regular
weekly editions of The Minidoka County News for
2 consecutive weeks, commencing
with the issue dated May 11, 1971, and
ending with the issue dated May 18, 1971.

Subscribed and sworn to before me this

3rd day of Aug, 1971
Gene Hunter Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Dan Lindauer, Rupert Idaho, has received an approved Permit No. G-33486/36-2684 issued by the Idaho Department of Water Administration authorizing the diversion storage of 6.4 cubic feet per second of water from a ground water source. The priority to be established under this permit is February 16, 1967 and the permit was approved February 23, 1967.

Water is to be diverted by well, pump and ditches from a point within the NE1/4NE1/4, Sec. 28, T. 7S, R. 25 E.B.M. Minidoka County to be used for Irrigation in the E1/2, Sec. 28, T. 7S, R. 25E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 23, 1972. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Administration, Statehouse, Boise, Idaho, 83707, within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
Director

Published in the Minidoka County News, Rupert, Idaho, on May 11th, and May 18th, 1971.
No. 171

RECEIVED

SEP 2 1971

Department of Water Administration

36 2684

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33486/36-2684)

in the name of Dan Lindauer

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

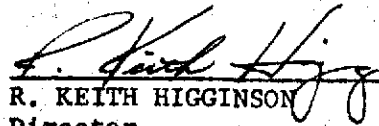
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-33486 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 23rd day of October, 1970.


R. KEITH HIGGINSON
Director

RKH/DG

36-2684
33486

36-1

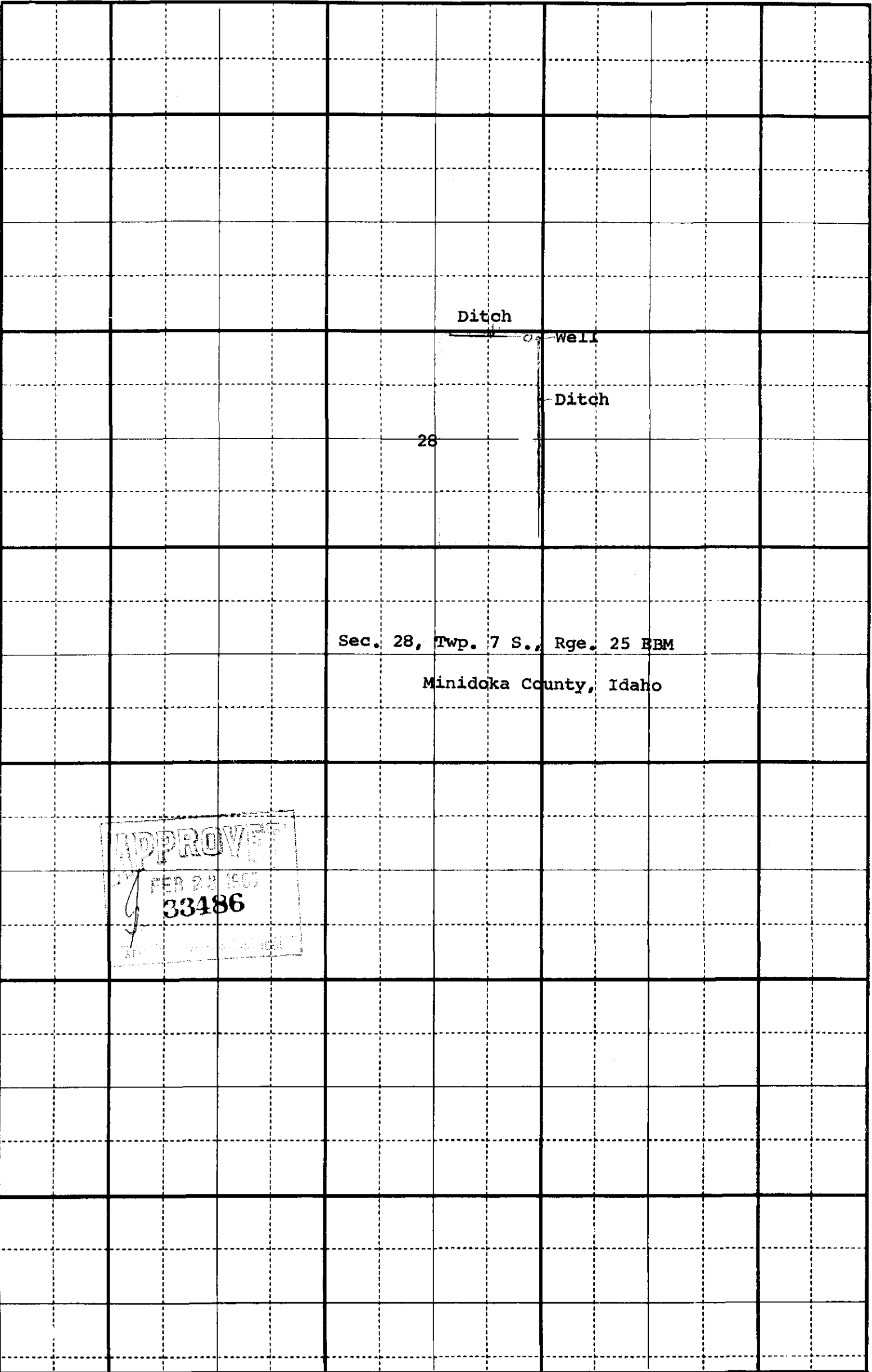
APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41726
Permit No. G- 33486
District No.

Creason and Creason, Attorney at Law
P.O. Box 335
Rupert, Idaho 83350

1. Name of Applicant: Dan Lindauer
Postoffice address: Rupert County: Minidoka State: Idaho
2. Quantity of water claimed:
(a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE 1/4 of the NE 1/4 of Section 28
Twp. 7 S , Rge. 25 E , B.M., County of Minidoka
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: well and pump, gravity flow ditches.
8. Estimated cost of works: \$ 26,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 5
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

EXPIRATION DATE FOR 5.36 SEC. FT.
LICENSE PAGE NO. 1



APPROVED
FEB 23 1967
33486

Address all communications to:

Creason & Creason, Attorneys at Law,
P. O. Box 335,
P. O. Rupert, Idaho 83350

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41726

33486

Permit No. G _____

Water District No. _____

RECEIVED
FEB 16 1967
9:50 A.M.
Department of Reclamation

1. Name of applicant: Dan Lindauer

Post office address Rupert County Minidoka State Idaho

2. Quantity of water claimed: 320-inches 6.4 C.F.

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28

Twp. 7 S., Rge. 25 E., B.M., County of Minidoka

5. Water is to be used for: Irrigation

6. If for domestic, municipal, industrial or recreational purposes give:

(a) Point of use of water is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____,

Twp. _____, Rge. _____, B.M.

(b) Waste water or sewage effluent is to be returned to _____

at a point in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.

7. Kind of Works: Well and Pump - gravity flow ditches

8. Estimated cost of works: \$ 26,000.00

9. (a) Is reservoir to be used? _____

(b) Capacity of reservoir: _____

10. The time required for the completion of such work and complete application of the water to the proposed use is

5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation: _____

(b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____

(d) Names and addresses of directors: _____

ok ALM
D-1116

4-221810

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand; \$_____

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources: _____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) _____ (Cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

H-332/010

Remarks:

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.

Dan Lindauer

Applicant

By _____ Agent

Approval of State Reclamation Engineer

33486

The number of this permit is G

Recorded in Book 117 Page 33486 Approved FEB 23 1967

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed before

One-fifth of the work above specified to be completed on or before August 23, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made

on or before February 23, 1972

Witness my hand this 23rd day of February 19 67

R. Keith Higgins
State Reclamation Engineer

IN TESTIMONY WHEREOF, We DON SAMUELSON, Governor of the State of Idaho,

and EDSON H. DEAL, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

hereunto affixed, this 23rd day of February 19 67

Countersigned

STATE OF IDAHO

By

Edson H. Deal
Secretary of State

By

Don Samuelson
Governor

No. G 33486

PERMIT

Date of first receipt at office of State Reclamation Engineer

February 16, 1967 9:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 6.50

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

2-23-181

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2190



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

December 3, 1973 •

Re: Permit No. 33486/36-2684

Dan Lindauer
717 14th Street
Rupert, Idaho 83350

Dear Mr. Lindauer:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

November 15, 1973

Re: Permit No. 33486/36-2684

Dan Lindauer
717 14th Street
Rupert, Idaho 83350

Dear Mr. Lindauer:

A representative of this Department has made an examination of the works covered by your Permit No. ~~33486/36-2684~~ and has found the following:

Quantity of water diverted: 5.36 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 5.36 cfs

The maximum quantity diverted shall not exceed 1,280 acre feet per year.

Beneficial use: irrigation of 320 acres within the NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec. 28, Twp. 7 S, Rge. 25 E

Point of diversion: NE $\frac{1}{4}$ Sec. 28, Twp. 7 S, Rge. 25 E, R.M.

Priority date established: March 2, 1967 (late proof)

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.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Needs Correction
factor, my



Redone

7-16-73

36 2684

~

Storehouse. 4 miles Nth of

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Dan Lindauer *436 4664 call after 6:00*
Post office address Rupert, Idaho Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Subterranean
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 6.4 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from May 1 to Oct. 15
(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. 33486/36-2684
Examination for B/U

4. Total amount to be appropriated:

Max Rate of Diversion 6.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7S N/S, Range 25E E/W, B.M., Section 28, Subdivision NE 1/4 NE 1/4, Minidoka
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Other Points of Diversions: _____

Description of diverting works: 200 h.p. Johnson spump and motor; 250 feet to water, continued on to 300 foot well, 10" casing, water pumped into cement ditches and water conveyed to ground by ditches.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	25E	28	40	40	40	40									40	40	40	40	320

N

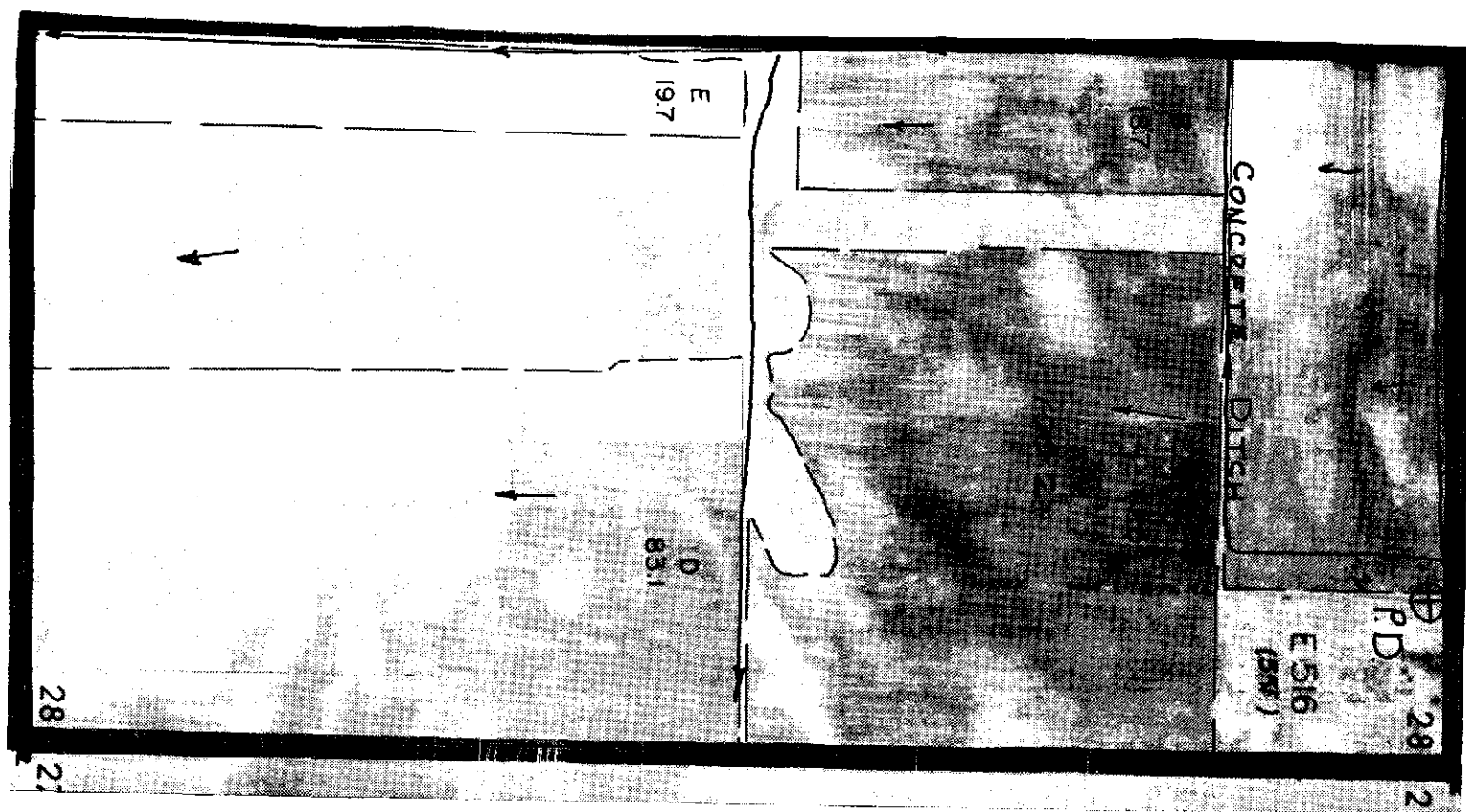
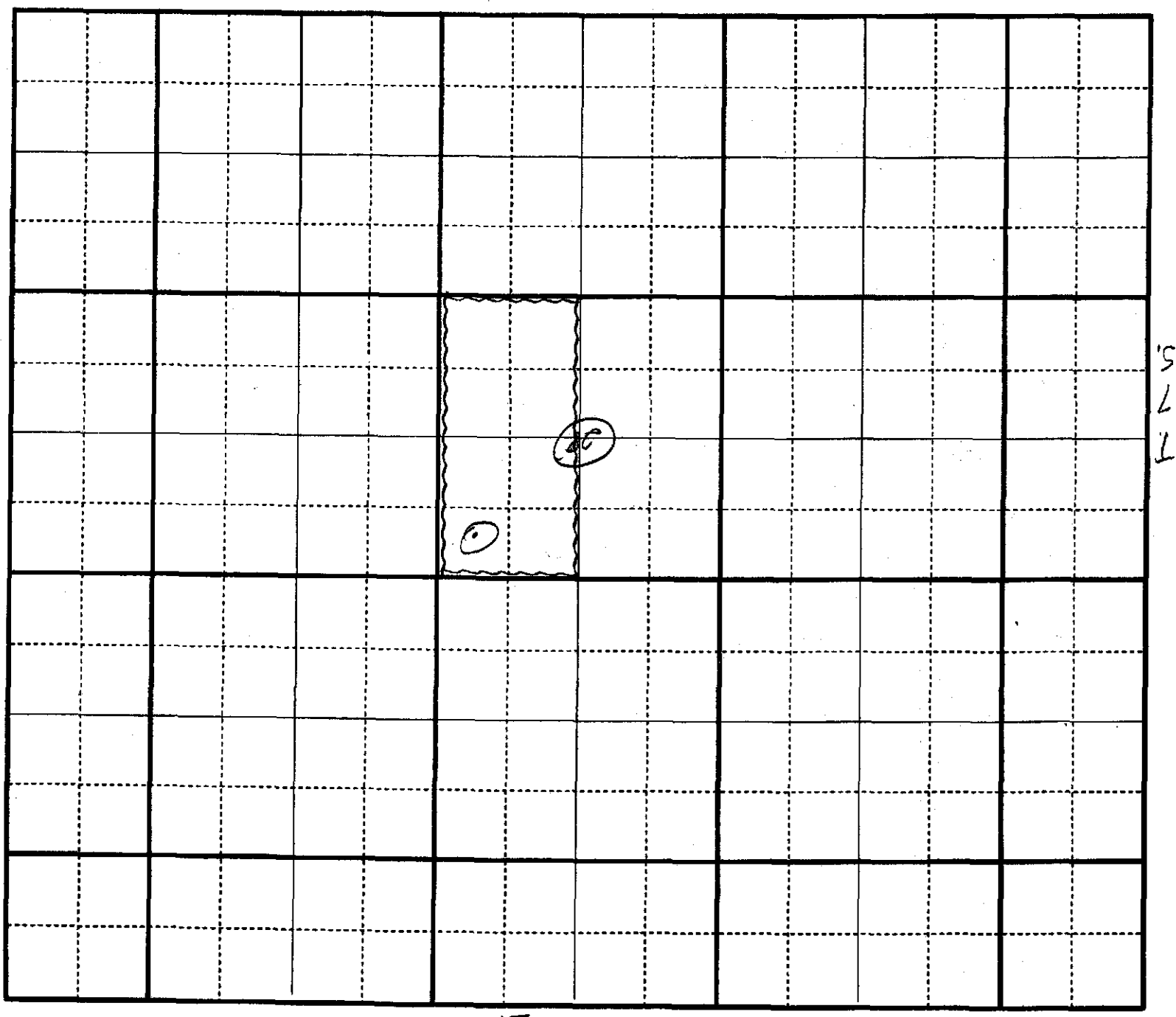


Diagram of System



R. 05 E. 36 2684

DATE OF EXAM JUNE 26, 1973

ACREAGE
Found 320
Recommended 320

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 5.36 c.f.s. V = 1280 AF/Ann. from MAY 1 to OCT 15
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: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

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 5.36 c.f.s. Method of measurement SPARKLING METER

Total Q recommended 5.36 c.f.s. Meter No. 54580 Type SPARKLING METER Condition GOOD

Total V recommended 1280 AF/ANN

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$Q = 2500 \text{ gal/min.} = 5.58 \text{ c.f.s.}$ Correction Factor = 5.36 c.f.s.
 $V = (320 \text{ Acres}) (\text{Irrigation Req. } 4.0) = 1280 \text{ AF/ANN}$
 $10 \text{ REV} = 435.60 \text{ CU FT in } 78 \text{ Sec}$
CLP

SYSTEM DESCRIPTION:

WELL & Motor w/pump delivers the water to a concrete ditch which conveys the water to the place of use. Diphone tubes are used to divert the water. U.S. Electrical Motor, Johnston pump. SK62781H1A 200 Hp.

REMARKS:

Examiner's Signature Samuel J. Henderson Date 7-16-73

Checked by RD Shawndrew Date 7-19-73

Approved by _____ Date _____

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33486/)
36-2684 in the name of DAN LINDAUER)
_____)

ORDER OF REINSTATEMENT

WHEREAS, on February 16, 1967, Dan Lindauer applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 6.4 cubic feet per second of water from a ground water source from a point within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 28, Twp. 7 S, Rge. 25 E, B.M., Minidoka County, to be used for irrigation purposes; and,

WHEREAS, on February 23, 1967, the Department approved said application and issued Permit No. G-33486/36-2684 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before February 23, 1972; and,

WHEREAS, on December 1, 1971, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on March 3, 1972, the Department notified the permit holder that Permit No. G-33486/36-2684 had lapsed for failure to submit the required proof of beneficial use; and,

WHEREAS, on March 8, 1972, the Department received the required proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. G-33486/36-2684 be REINSTATED and the priority advanced to March 2, 1967.

Dated this 15 day of March, 1972.


R. KEITH HIGGINSON
Director

36 2684

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Dan Lindauer
- b) Post Office Address 717 4th Street, Rupert, Idaho
2. Permit Number G-33486/36-2684
3. Date of Priority that you are prepared to establish February 23, 1967
4. a) Source from which water was appropriated Subterranean
- b) Location of the point of diversion: NE 1/4 NE 1/4, Section 28
Township 7 S., Range 25 E., Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 6.4 CF for irrigation purposes from May 1 to Oct. 15 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 6.4CF 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: Raymond Commons
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: _____
- 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) 200HP Johnson Pump & Motor; 250 feet to water, continued on to 300 foot well, 10" casing, water pumped into cement ditches and water conveyed to ground by ditches.
- b) Describe the type and size of measuring device which you have installed at your point of diversion: None
- c) Give well drillers name and address and date the well was completed Raymond Commons
Rupert, Idaho
May, 1967

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 subdivision: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	25E	28	40	40	40	40									40	40	40	40	320

Total number of acres irrigated 320

10. Remarks: _____

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

March 7, 1972
(Date)

Don Lindauer
(Signature)

State of IDAHO)
County of Minidoka) ss.

On this 7th day of March, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

John Clark

Notary Public residing at Rupert, Idaho

My commission expires Oct 1 - 1974
Feb. 28, 1974

STATE OF IDAHO,)
)
) ss.
)
County of Minidoka.)

Dan Lindauer, being first duly sworn on oath, deposes and says:

That I am the holder of Permit No. 33486/36-2684; that affiant states that on or about the first day of December, 1971, he received by certified mail, form for making proof of application of water to beneficial use of said permit on or before the 23rd day of February, 1972; that affiant was in ill health at said time and said form was placed away for safe keeping until such time as this affiant could take care of the same;

That due to affiant's illness and the lack of understanding as to the importance of applying for extension of time, or, having said proof submitted, he neglected filing said proof.

Affiant states that said well was drilled, pump and motor installed during the month of May, 1967 and that said land was irrigated the crop season of 1967 and each subsequent year.

Affiant herewith submits proof of application of water to beneficial use.

Don Lindauer

SUBSCRIBED and sworn to before me, this 7th day of March, 1972.

Ken Clark
Notary Public for Idaho
Residing at Rupert, Idaho

36 2784

March 15, 1972

Re: Permit No. G-33486/36-2684

Mr. Dan Lindauer
717 - 4th Street
Rupert, Idaho 83350

Dear Mr. Lindauer:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order of Reinstatement; please note that the priority has been advanced.

Before a license can be issued, a field examination must be made by a representative from 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 someone other than you should be contacted by the examiner, please advise.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

36-2684

BDF:DR
Enc: Order of Reinstatement
cc: H. V. Creason
Creason & Creason
Box 335, Rupert, Idaho

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO 83350

H. V. CREASON
C. H. CREASON

March 7, 1972

BOX 335
436-4131

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

Re: Dan Lindauer
Permit No. 33486/36-2684

Attn: Mr. R. Keith Higginson

Dear Mr. Higginson

I wish to advise you that Mr. Lindauer contacted our office today upon receipt of your letter to him of March 3 stating to him that as provided by statute, Permit above referred to has lapsed.

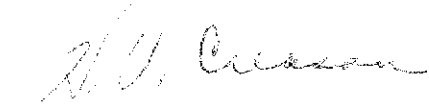
Mr. Lindauer is of ill health and advanced in age and by reason thereof did not take care of filing his final proof in the above matter.

We enclose herewith affidavit, together with Proof of Application of Water to Beneficial Use and trust you will find the same in order.

Awaiting your further advise, I remain,

Yours very truly

CREASON & CREASON


H. V. Creason

HVC:hc

Encls.

36 2684

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

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

March 3, 1972

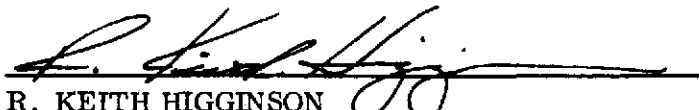
Re: Permit No. 33486/36-2684

Dan Lindauer
717 - 4th Street
Rupert, Idaho 83350

Dear Mr. Lindauer:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit 33486/36-2684 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:DR

36 2684

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.

23201

1

Don Lindauer Emma

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

122-71

36 2684

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. Moistens gummed ends and attach this card to back of article.



RETURN
TO



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

36-2684

NOTION

December 1, 1971 CERTIFIED MAIL

#23201

Re: Permit No. G-33486/36-2684

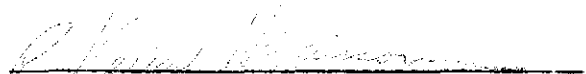
Dan Lindauer
717 - 4th Street
Rupert, Idaho 83350

Dear Mr. Lindauer:

One of the conditions of approval of your water Permit No. G-33486/36-2684 (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 February 23, 1972. 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
dr

36 2684

September 14, 1971

Re: Permit No. G-33486/36-2684

Mr. Dan Lindauer
717 - 4th Street
Rupert, Idaho 83350

Dear Mr. Lindauer:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Since proof of beneficial use of water is not required until February 23, 1972, the Department will notify you sixty days in advance of the due date as to further requirements.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

36 2684

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

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

August 25, 1971

Re: Permit No. G-33486/36-2684

Dan Lindauer
Rupert,
Idaho 83350

Dear Mr. Lindauer:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until February 23, 1972. However, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Minidoka County News and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Donald W. McEldowney
Appropriation Supervisor

DWM/BB

Enclose is affidavit of publication. Thanks

Dan Lindauer
RECEIVED

36 2684

SEP 2 1971

Department of Water Administration

August 25, 1971

Re: Permit No. G-33486/36-2684

Dan Lindauer
Rupert,
Idaho 83350

Dear Mr. Lindauer:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until February 23, 1972. However, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Minidoka County News and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM/BB

36 2684

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO 83350

H. V. CREASON
C. H. CREASON

April 29, 1971

BOX 335
436-4131

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

Re: Permit No. G-33486 (new No. 36-2684)
Dan Lindauer

Gentlemen:

At the request of Dan Lindauer, we enclose herewith
Notice of Existing Water Permit for publication.

Yours very truly

CREASON & CREASON



H. V. Creason
C

HVC:hc

Encl.

36 2684

May 3, 1971

Re: Permit No. G-33486/36-2684

Mr. Dan Lindauer
Rupert,
Idaho 83350

Dear Mr. Lindauer:

The legal notice for the above-referenced permit is being published in the
Minidoka County News, Rupert, Idaho on May 11th

and May 18th, 1971.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

May 3, 1971

Re: Permit No. G-33486/36-2684 - Dan Lindauer

Minidoka County News
625 Fremont Avenue
Rupert, Idaho 83350

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to 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 the Department of Water Administration immediately.

The expense of the publication is to be paid by Dan Lindauer
Rupert, Idaho 83350, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB
Enc: legal notice

36 2684

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Dan Lindauer, Rupert, Idaho

_____ has received an approved Permit No. G-33486/36-2684 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 6.4 cubic feet per second ~~acre/feet~~ ~~per/acre~~ of water from a ground water source.

The priority to be established under this permit is February 16, 1967
and the permit was approved February 23, 1967.

Water is to be diverted by well, pump, and ditches
from a point within the NE 1/4, Sec. 28, T. 7 S., R. 25 E., B. M., Minidoka
County

to be used for irrigation

in the E¹. Sec. 28, T. 7 S., R. 25 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 23, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Minidoka County News, Rupert, Idaho
on May 11th and May 18th, 1971

Permit No. 36-2684

Director:

You are hereby authorized to have the above notice published at my expense in the Minidoka County News of Rupert, Idaho; published in the county in which the works are situated.

Dan Lindauer
(Signature)

717 4th Street
(Address)

April 29, 1971
(Date)

Rupert, Idaho

36 2684

October 30, 1970

Re: Permit No. G-33486 (new no. 36-2684)

Mr. Dan Lindauer
Rupert,
Idaho 83350

Dear Mr. Lindauer:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: order

advertising package

cc: Creason and Creason, Attorneys-at-Law

36-2684
33486

February 28, 1967

Re: Permit No. G-33426

Dan Landauer

Creason and Creason
Attorneys at Law
P.O. Box 335
Rupert, Idaho 83350

Gentlemen:

We enclose Permit No. G-33426 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-11363 which was issued covering payment in the amount of \$ 6.50 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit, receipt

M. RUSSELL BOSCH
Office Manager

MRB:ejw

2-33426

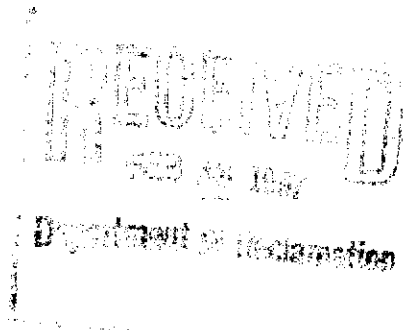
CREASON & CREASON
ATTORNEYS AT LAW
RUPERT, IDAHO 83350

H. V. CREASON
C. H. CREASON

February 15, 1967

B7X 335
436-4131

33486



Donald J. Watts, Engineer,
State of Idaho,
Department of Reclamation,
State House,
Boise, Idaho 83701

Re: Application of
Dan Lindauer, Rupert,
Idaho.

Dear Mr. Watts:

We enclose herewith application to appropriate subterranean waters of the State of Idaho of Dan Lindauer, together with our check in the amount of \$6.50 for filing fee.

Thank you for your consideration in this matter.

Very truly yours,

CREASON & CREASON

CHC:mm
Encs.

By

A handwritten signature in dark ink, appearing to read "Charles H. Creason", written over a horizontal line.

33486