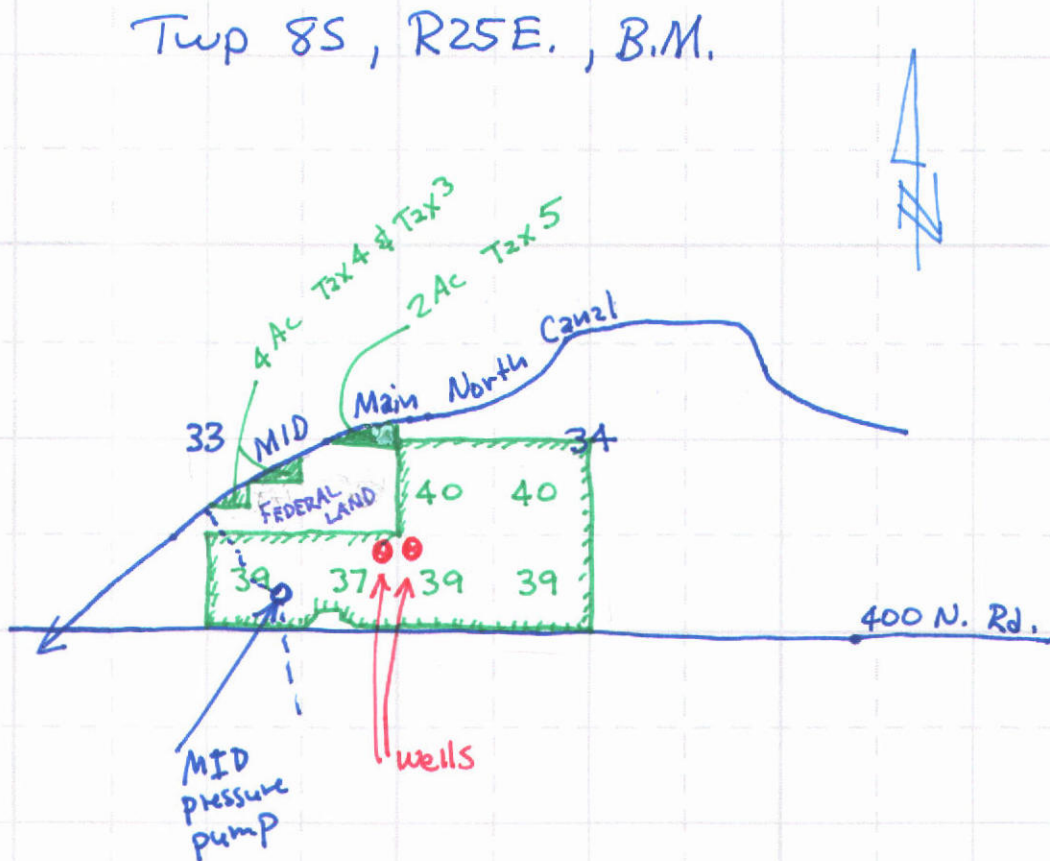


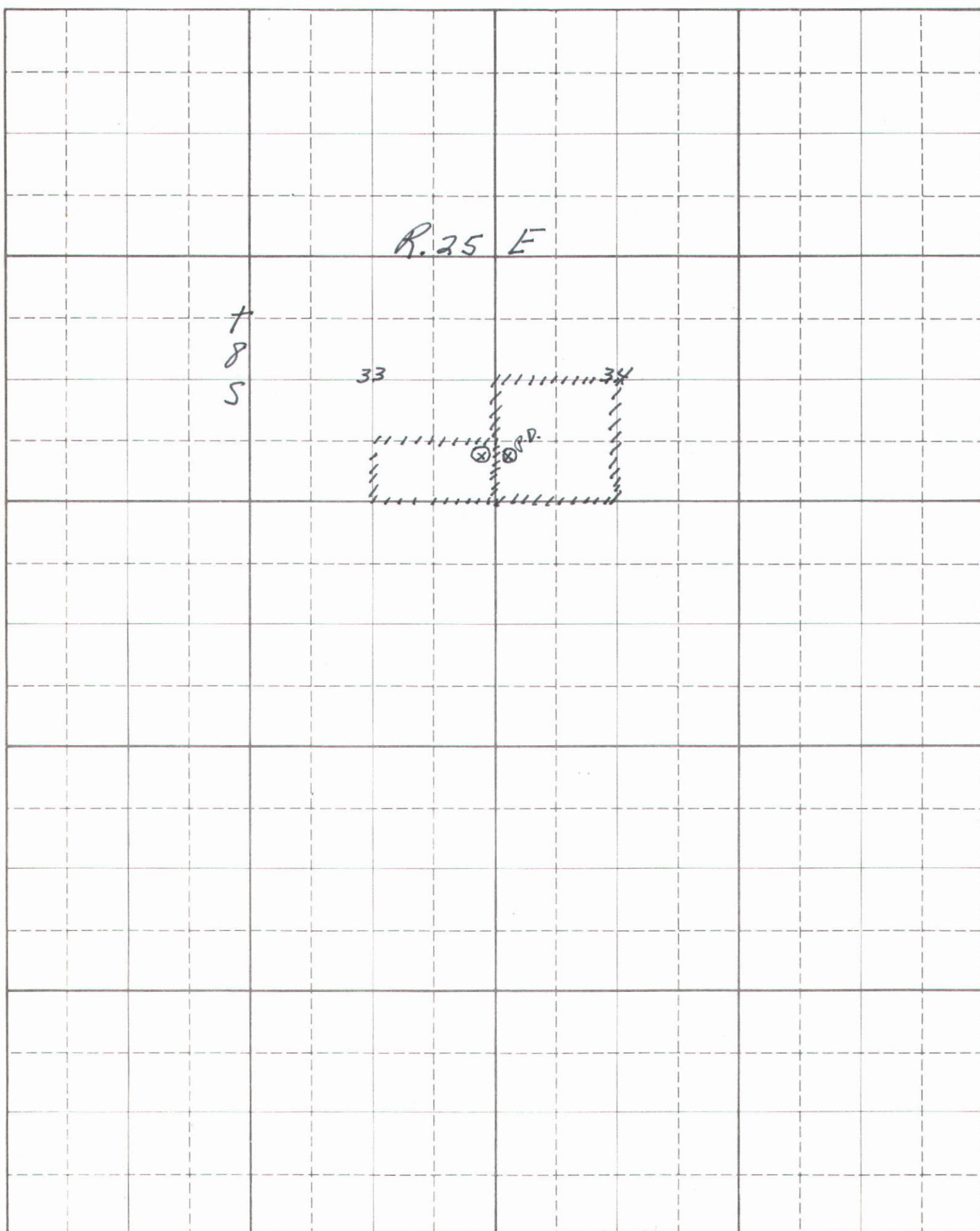
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



RECEIVED
JAN 23 1996

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.

Ed Leno
(Applicant)

RECEIVED

MAR 10 1976

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth DeThomas, being first
duly sworn, deposes and says that she 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
two consecutive weeks, commencing
with the issue dated Mar 2,, 1976, and
ending with the issue dated Mar. 9, 1976.

Subscribed and sworn to before me this

9th day of March, 1976.
Dern Hunter Notary Public

Cost of Publication _____
Notary Fee _____
Total Cost _____

Department of Water Resources
Southern

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Ted &/or Neva L. Leno, Route
#4, Rupert, Idaho 83350, has

on 2-20-76 submitted Appli-
cation No. 36-7607 for a
permit to appropriate 4.80
cubic feet per second of water
from groundwater, by means
of well, pump & sprinklers,
with the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34,
Twp. 8S, Rge. 25E, B.M.,
Minidoka County; additional
points of diversion, SE $\frac{1}{4}$ -
SE $\frac{1}{4}$, Sec. 33, Twp. 8S, Rge.
25E, B.M., to be used from
April 1, to Nov. 1, for
irrigation of 240 acres, within
the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 33, SW $\frac{1}{4}$,
Sec. 34, Rge. 25E, Twp. 8S,
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 De-
partment of Water Resources,
1041 Blue Lakes Blvd., North,
Twin Falls, Idaho, 83301 on or
before March 19, 1976.

R. KEITH HIGGINSON
Director

Published in the Minidoka
County News on March 2, and
March 9, 1976.

No. 637-March 2,9, 1976

3/11/76
See memo
Tahoull
he SW $\frac{1}{4}$ SW $\frac{1}{4}$

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth DeThomas, being first
duly sworn, deposes and says that she is the
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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
two consecutive weeks, commencing
with the issue dated March 16, 1976, and
ending with the issue dated March 23, 1976.

Subscribed and sworn to before me this

25th day of March, 1976.

Jerry Hunter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

RECEIVED

MAR 30 1976

Department of Water Resources
Southern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Ted &/or Neva L. Leno, Route
#4, Rupert, Idaho 83350, has
on 2-20-76 submitted Appli-
cation No. 36-7607 for a
permit to appropriate 4.80
cubic feet per second of water
from groundwater, by means
of well, pump & sprinklers,
with the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34,
Twp. 8S, Rge. 25E, B.M.,
Minidoka County; additional
points of diversion, SE $\frac{1}{4}$ -
SE $\frac{1}{4}$, Sec. 33, Twp. 8S, Rge.
25E, B.M., to be used from
April 1, to Nov. 1, for
irrigation of 240 acres, within
the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 33, SW $\frac{1}{4}$,

Sec. 34, Rge. 25E, Twp. 8S,
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 De-
partment of Water Resources,
1041 Blue Lakes Blvd., North,
Twin Falls, Idaho, 83301 on or
before March 19, 1976.

R. KEITH HIGGINSON
Director

Published in the Minidoka
County News on March 2, and
March 9, 1976.

No. 637-March 16,23, 1976

O.K. cc
3/31/76

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

94-227

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 36-07607

Notice is hereby given that TED
LENO of Rupert, ID has applied
to the Department of Water
Resources to change the Place
of Use for the following
described water right(s)
pursuant to Section 42-222 of
IDAHO CODE and further
described as Transfer No. 4359.

The purpose of this change is
to correct original license and
Snake River Basin Adjudication
recommendation by moving water
from federal land to
applicant's private land.

WATER RIGHT AS RECORDED:

Water Right No. 36-07607
Basis: License
Date of Priority: 02/20/1976
Source: groundwater
Amount: 4.5 cfs
Use: irrigation
from 04/01 to 11/01
Point of Diversion: SESE, S33,
T08S, R25E; SWSW, S34, T08S,
R25E; Minidoka County.
Place of Use: 240 acres within
SE, S33, T08S, R25E; SW, S34,
T08S, R25E; Minidoka County.

A claim has been filed in the
Snake River Basin Adjudication.

WATER RIGHT NO. 36-07607 TO BE
CHANGED by changing place of
use to SENE, NWSE, S1/2SE, S33,
T08S, R25E; SW, S34, T08S,
R25E; Minidoka County.

Any protest against approval of
the proposed change of water
right application must be filed
with the Applicant and the
Department of Water Resources,
Southern Region, 222 Shoshone
Street East, Twin Falls, ID
83301 on or before June 30,
1994.

R. Keith Higginson, Director

Published in the South Idaho Press on June
13 and 20, 1994.

)
) ss
)

first duly sworn, deposes and says that she is the General Manager
press, a daily newspaper published at Burley, Idaho, in the county
the paper is of general circulation therein. Deponent further states
the paper attached hereto was duly published according to law in the
South Idaho Press for Two consecutive week(s), commencing
June 13 19 94, and ending with the issue
20, 19 94.

Kary W Miller

day of June in the year of 1994 before me, a Notary Public,
Kary Miller, known or identified to
me, whose name is subscribed to the within instrument, and being by me first duly
sworn, depose and say that the statements therein are true, and acknowledged to me that he executed the

Kelly Blommon
Notary Public for Idaho

Residing at Burley, ID

My commission expires: May 23, 1997

51-84
50
52-34

OK
MB
6/24/94

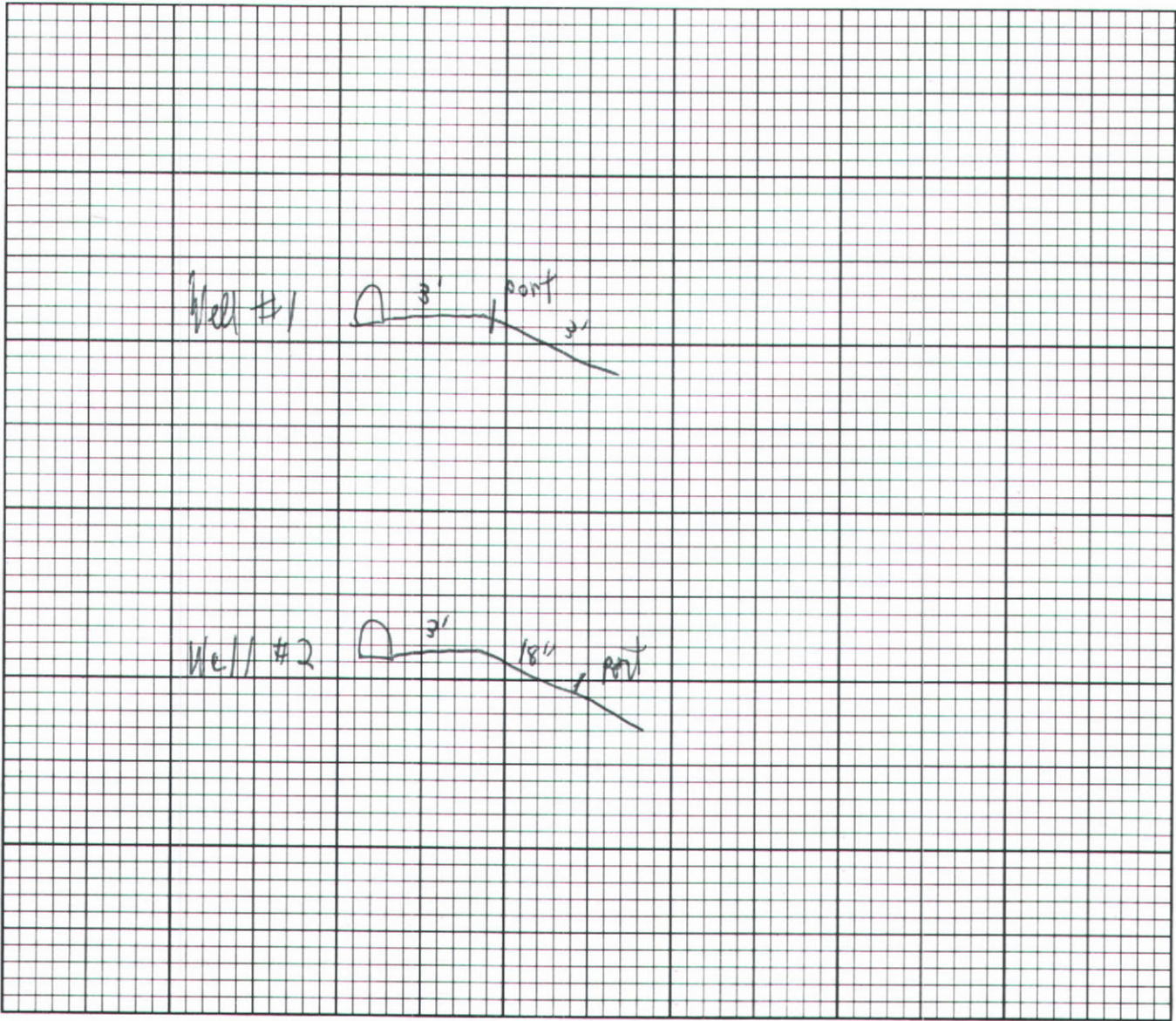
RECEIVED

JUN 24 1994

Department of Water Resources
Southern Region Office

JAN 23 1996

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Well #1 - access port just below bend in mainline, but reading was quite constant.
SE corner of property previously irrigated by portable mainline, but not irrigated for last
3 years. Will be irrigated again next year.
This system is actually irrigating about 45 acres more than can be licensed under
the permit. Canal water is also used on some of this extra ground.
15. Recommended Amendments
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other
16. Examiner's/Consultant's Signature J. F. Stanton Date 9-26-85
Consultant's License Number _____
IDWR Director's Authorization to Conduct
Beneficial Use Examination _____

Date

CONSULTANT SEAL

MICROFILMED

DEC 13 1989



T1679

SEE LII

(17A) 1.5
C 2.6
B 3.5
E 1.9
F 3.5
H 3.4
G 1.8
7.6
4.6

A31
(18A)

C 103

53.5
B 53.5

E 5.8
5.1
4.3

T1671
A220

OUT

(188A)

SEE LII

(43A)

33 34

A40

A39

A439
(51A)

(47A)

T1675

MICROFILMED

DEC 1, 1963

(45A)

174 174

B 20.9 20.9

A 342

(55A)

16.6
6.6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 4359
WATER RIGHT NO. 36-07607

This is to certify that: **TED LENO**
RT 4
RUPERT ID 83350

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.50 CFS	960.0 AF

SOURCE

GROUNDWATER

Priority: 02/20/1976

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 33, Township 08S, Range 25E
SWSW , Sec. 34, Township 08S, Range 25E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 25E 33	SENE 2	NESE 34	NWSE 19	
	SWSE 39	SESE 37		131
34	NESW 40	NWSW 40	SWSW 39	
	SESW 39			158
		Total number of acres irrigated:		* 289

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

JAN 23 1996

AMENDED

TRANSFER NO. 4359
WATER RIGHT NO. 36-07607

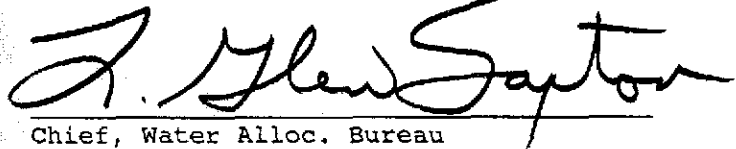
AMENDED

CONDITIONS OF APPROVAL AND REMARKS

2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- * 6. Right No. 36-07607 is limited to the irrigation of 240.0 acres in the place of use described above in a single irrigation season.

Dated this 21st day of

December, 1995


Chief, Water Alloc. Bureau

JAN 28 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4359
WATER RIGHT NO. 36-07607

This is to certify that: **TED LENO**
RT 4
RUPERT ID 83350

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IRRIGATION	04/01 to 10/31	4.50 CFS	960.0 AF

SOURCE

GROUNDWATER

Priority: 02/20/1976

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 33, Township 08S, Range 25E
SWSW , Sec. 34, Township 08S, Range 25E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	25E	33	SENE 2	NWSE 4	SWSE 39	82
			SESE 37			
		34	NESW 40	NWSW 40	SWSW 39	158
			SESW 39			240

Total number of acres irrigated: 240

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

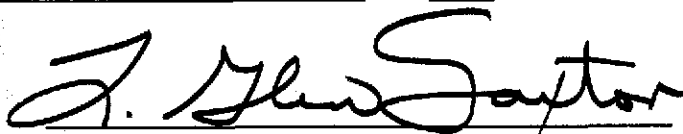
RECEIVED
JAN 23 1976

TRANSFER NO. 4359
WATER RIGHT NO. 36-07607

CONDITIONS OF APPROVAL AND REMARKS

3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. The right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

Dated this 8th day of December, 1995


Chief, Water Alloc. Bureau

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4359

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APR 10 1994

Department of Water Resources
Name of applicant Ted Leno Phone 436-6089
Southern Region Office
Post Office address Rt 4 Rupert, ID 83350

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To remove acres from federal land and place them on private land to resolve objection to right in SRBA by federal gov't.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 36-07607 Priority 2/20/1976 Amount (cfs/ac-ft) 4.50 Nature of Use Irrig. Period of Use 4/1 to 10/31
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 4.50 cubic feet per second and/or 960 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	SE	33	8S.	25E	Minidoka	
	NW	SW	SW	34	8S.	25E	Minidoka	

5. Lands irrigated or place of use:

Twp.	Rge.	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	
8S.	25E.	33				2										4	39	37	82
8S.	25E.	34									40	40	39	39					158

Total acres 240

PART 1

6. General Information:

- a. Description of diversion system The east well in Sec. 34 has a 100 H.P. pump & the west in Sec 33 has a 75 H.P. pump. Both wells serve a common mainline system. (Note MID water is comingled in this system.)
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The federal land will continue to be irrigated from MID shares on the federal land. The pump supplying these lands is a 50 H.P. pump located in the SWSE ^{Sec 33} which is also connected to the sprinkler system. supplied by the wells described above & the water is comingled.
- d. Remarks:

This transfer is to correct original license & SRBA recommendation which placed acres watered on federally owned land. The transfer is to place the acres served on those solely owned by applicant.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

RECEIVED
JAN 25 1996

JAN 25 1996

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-07607 SRBA DIRECTORS REPORT

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.50 CFS	960.0 AF

SOURCE

GROUNDWATER

Priority: 02/20/1976

LOCATION OF POINT(S) OF DIVERSION:NESESE , Sec. 33, Township 08S, Range 25E
NWSWSW , Sec. 34, Township 08S, Range 25E
MINIDOKA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	25E	33	NESE 34	NWSE 15	SWSE 20	
			SESE 32			101
		34	NESW 34	NWSW 32	SWSW 38	
			SESW 35			139
						240

Total number of acres irrigated: 240

CONDITIONS/REMARKS:RECEIVED
JAN 23 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 36-07607 issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 2-20-1976

5. Water is used for the following purpose:

amount 4.50 cfs for Irrig. purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.5 cubic feet per second and/or 960 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	33	8S	25E	Minidoka	
		SW	SW	34	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
8S	25E	33													24	4	20	34	82
		34									40	40	37	37					158

Total acres 240

9. Describe any other water rights used for the same purpose as described above M.I.D. shares

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

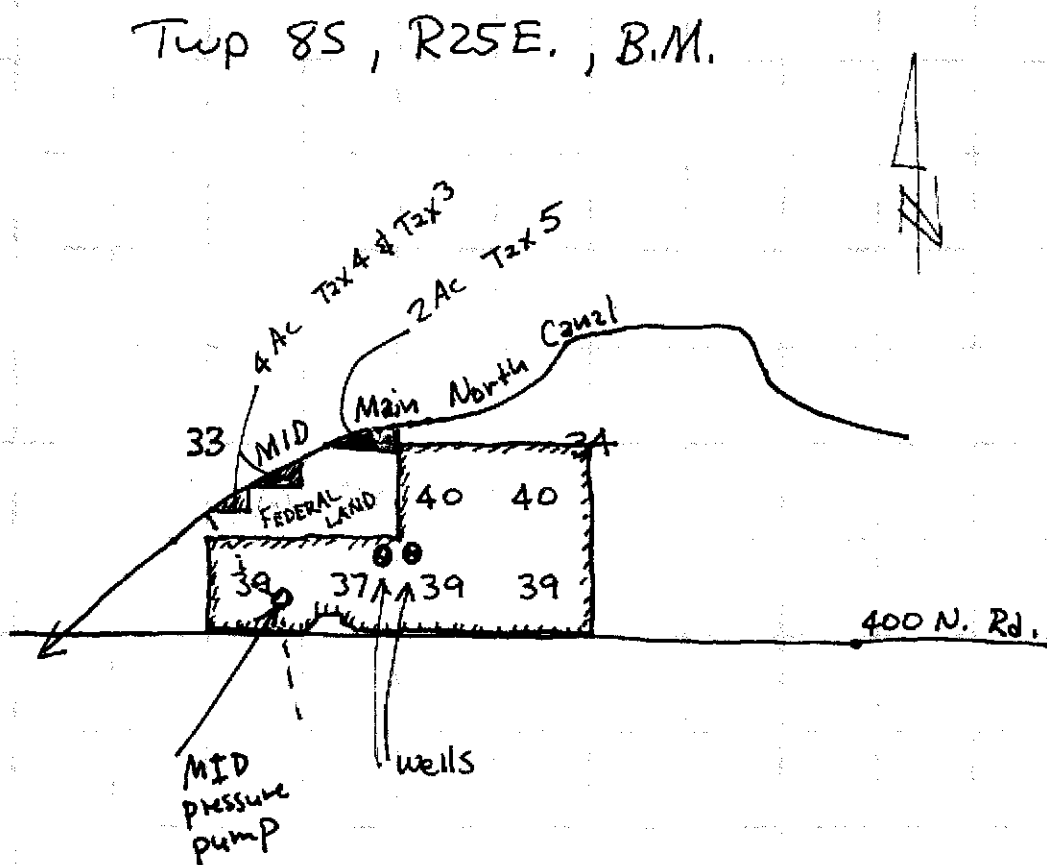
3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



JAN 23 1996

PART 3

B. CHANGES IN NATURE OF USE

N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Teal Leno

(Signature of Applicant)

Subscribed and sworn to before me this 8th day of Feb., 19 94.And Mante

(Notary Public)

My commission expires 6/30/94

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachmentsReceived by MTS Date 4-14-94Protest filed by NonePrelim. check by J.P. Stanton Fee \$50.00Receipted by MTS 5016761 Date 4-14-94Published in to the Press

Copies of protest forwarded by

Pub. dates 6/13 * 6/20/94

Hearing held by Date

Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

rec'd.

by ADM

Copy of transfer sent to lien holder

JAN 23 1995

7 # 4359

JAN 23 1996

RECEIVED

PARCEL MASTER INQUIRY

PARCEL RP 08S25E337900 A
EFFECTIVE DATE 91037 EXPIRE DATE
NAME AND LENO, TET
ADDRESS RT 4 BOX 7
RUPERT ID 83350

CAT YD QUANTITY UNIT
1 90 5000 AC
5 90 1000 AC
19 90 920 AC

VALUE
2446
19

LEGAL TAX 4 N2NW4SE4
6 TAX 5 N2SW4NW4SE4
6 TAX 5 S2NE4
33-5-25

CODE AREA 00500 TYPE LOCATION
PREVIOUS PARCEL #
COMMENT

WORKFILE 2

----- 6920 *** 2455
COMMAND KEYS:
1=TAX 5=SPEC
2=WKFILE 3=MASTER 11=UPDAT
7=SCJ 10=ENTRY 14=ADDRS
12=EX PG 13=NAME
ENTER COMMAND OR PARCEL #
PARCEL--> RP 08S25E337900 A

PROP ADDR

MINDOKA COUNTY ASSESSOR
BOX 474
RUPERT, IDAHO 83350

Copy of records
from Assessor's office
for 12x lots
3,4,5 in Sec 33
T8S, R2SE

T # 4359

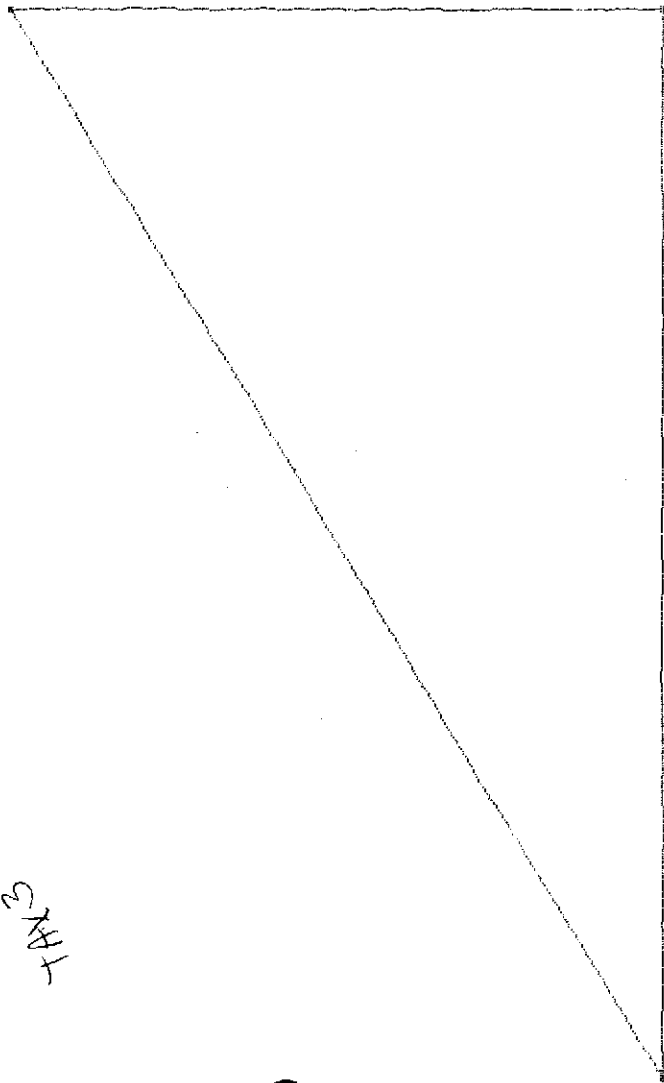
JAN 23 1996

6.00

PLAT OF DEED CALLS FOR TEST

LEND

TAX 3



North for Beginning Tract Indicated by Arrow: Beginning Point Indicated by Box

SQFT= 77693: SCALE= 70 FT/IN: PERIMETER= 1,402.71 FT: PRECISION=> 1/999999
ACRES= 1.784: CLOSING ERROR= 0.00 FT: ERROR BEARING= NONE

- 1. N90E 503.55'
- 2. NOW 508.58'
- 3. S58.2959W 590.579'

6587-#1

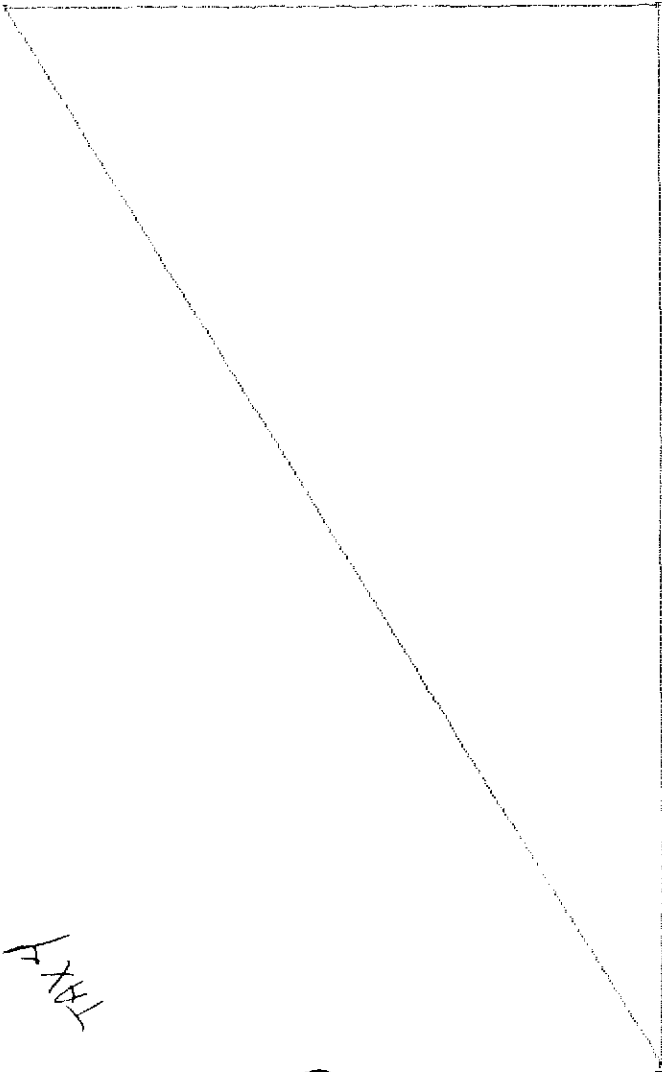
JAN 28 1996

6587-#1

PLAT OF DEED CALLS FOR TEST

LEAD

TAXY



North for Beginning Tract Indicated by Arrow: Beginning Point Indicated by Box

SQFT= 97844: SCALE= 79 FT/IN: PERIMETER= 1,574.15 FT: PRECISION= 1/999999
ACRES= 2.246: CLOSING ERROR= 0.00 FT: ERROR BEARING= NONE

190E 545.1

2. NOW 346.29

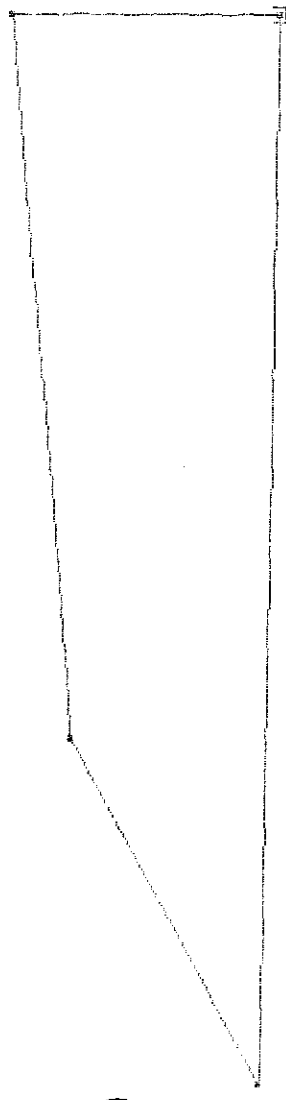
3. 858.300IN 642.763

T # 4359

JAN 28 1996

PLAT OF DEED CALLS FOR TEST
LEND

TAX 5



North for Beginning Tract Indicated by Arrow: Beginning Point Indicated by Box

80FT= 125582: SCALE= 117 FT/IN: PERIMETER= 1,941.50 FT: PRECISION= 1/555303
ACRES= 2.892: CLOSING ERROR= 0.01 FT: ERROR BEARING= N35.2302W

NOW 212.93

- 2. 555.0844 573.27
- 3. 551.170 311.32
- 4. 553.5555 844.38

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-07607

Priority: February 20, 1976

Maximum Diversion Rate: 4.50 CFS
Maximum Diversion Volume:¹ 960.0 AF

This is to certify, that TED LENO
NEVA L. LENO

RT. 4

RUPERT, ID 83350

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 20, 1976; and has submitted Proof of Beneficial Use on September 20, 1985. An examination indicates that the works have a diversion capacity of 4.500 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	4.50 CFS	960.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 34, Township 08S, Range 25E
SESE , Sec. 33, Township 08S, Range 25E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	25E	33	NESE 24	NWSE 4	SWSE 20	82
			SESE 34			
		34	NESW 40	NWSW 40	SWSW 39	158
			SESW 39			

Total number of acres irrigated: 240

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

MICROFILMED

DEC 13 1989

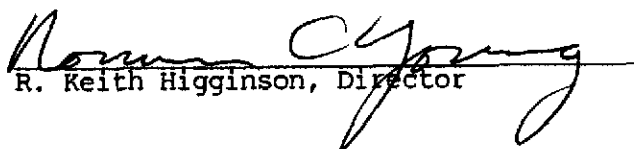
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-07607

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24th
day of NOVEMBER, 1989.


R. Keith Higginson, Director

RECEIVED
WATER RIGHTS DIVISION

DEC 13 1989

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-07607

APPROVED

Date of Priority: February 20, 1976

Maximum Diversion Rate: 4.50 CFS
Maximum Diversion Volume:¹ 960.0 AF

Comes now

TED LENO
NEVA L. LENO

RT. 4
RUPERT, ID 83350

and represents to the 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. 36-07607, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	4.50 CFS	960.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 34, Township 08S, Range 25E
SESE , Sec. 33, Township 08S, Range 25E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 25E 33	NESE 24	NWSE 4	SWSE 20	82
	SESE 34			
34	NESW 40	NWSW 40	SWSW 39	158
	SESW 39			

Total number of acres irrigated: 240

MICROFILMED

DEC 12 1989

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

Signed at Twin Falls, ID., this Sept 19, 1989

Ted Leno
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-07607

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 Received by 16 Date 9/19/89
3009238

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 36-07607 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 24th day of NOVEMBER, 1989.

R. Keith Higginson
R. Keith Higginson, Director

RECEIVED

OCT 13 1989

300

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

RECEIVED
FEB 10 1981
Department of Water Resources
Southern District Office

Ted for Neva L. Leno of Rt. 4, Rupert
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 36-7607.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before April 1, 19 81.

That he has heretofore performed the following work described under said permit: Drilled one well and has irrigated all of the lands listed on the permit from the well.

Costing \$ \$12,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Unable to drill second well to develop remainder of requested diversion rate because of economic reasons.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to April 1, 19 86.

Ted Leno
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to April 1, 1986.

Signed this 23rd day of February, 19 81.

A. Glen Saxton
Chief, Operations Bureau

MICROFILMED

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

\$15 fee received by Ag Date 2-19-1981 Receipt # 18405

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 36-7607

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "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"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

Identification No. _____

Application No. 36-7607

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Ted &/or Neva L. Leno Phone: 436-6089
post office address Route #4, Rupert, Idaho 83350
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 8S
Range 25E B.M. Minidoka County; additional points of diversion if any: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T8S, R25E, 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 4.80 cfs for Irrigation purpose from April 1 to November 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. 4.80 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, & sprinklers
- 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 12 inches; proposed depth of well is 125 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 \$ 1,500.00
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: _____

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	
8S	25E	33															40	40	80
		34									40	40	40	40					160

Total number of acres to be irrigated 240

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

None

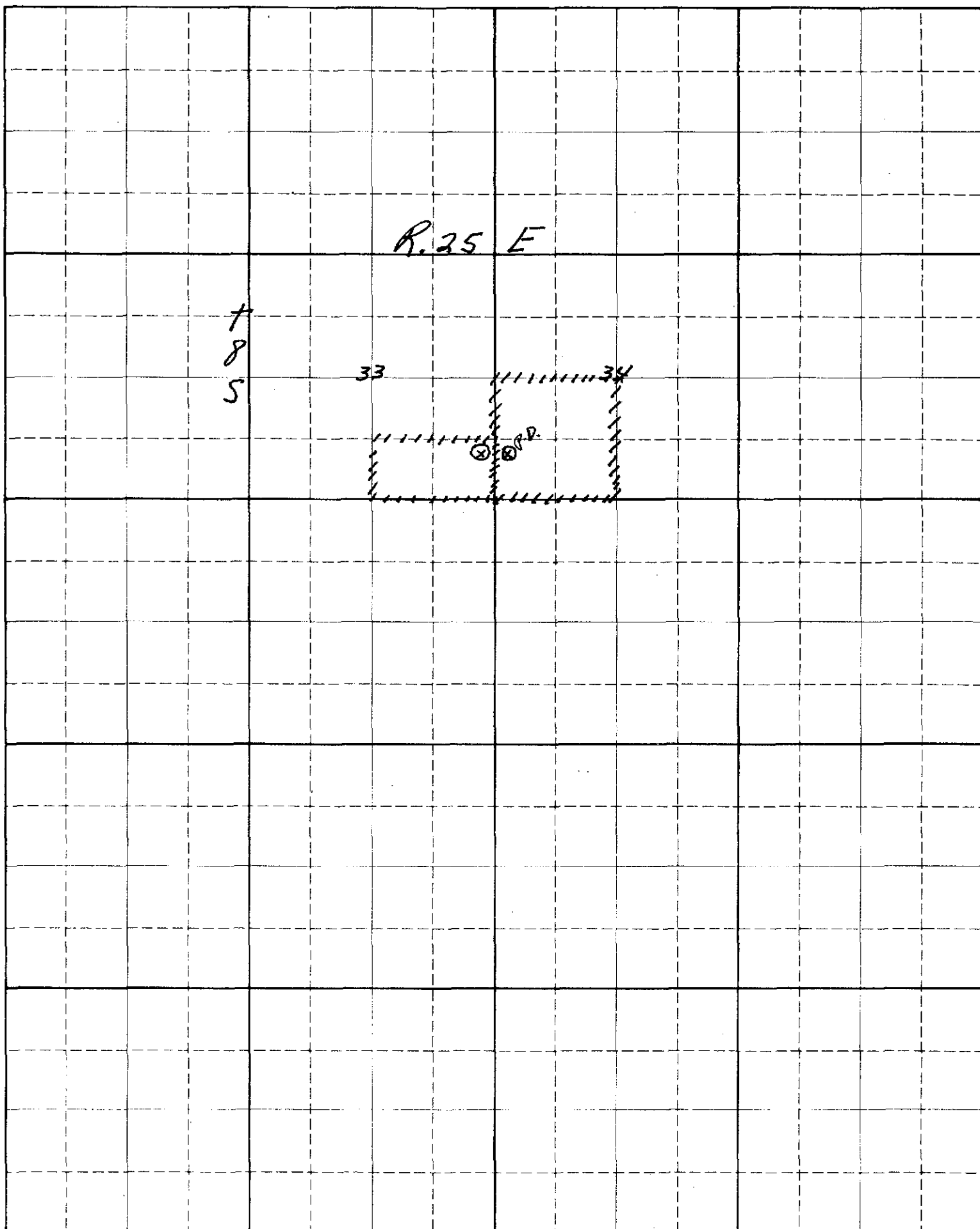
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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



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.

Ed Leno
(Applicant)

Proposed priority 2-20-76

Received by CC Date 2-20-76 Time 11:30 a.m.

Preliminary check by MS Fee \$ 65.00

#2024

Received by CC Date 2-20-76

Publication prepared by MS Date 2-20-76

Published in Minidoka County News

3/11/76: Readvertised on
3/16 & 3/23/76. cc

Publication dates 3-2 & 3-9-76

Publication approved CC Date 3-31-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MS DET

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

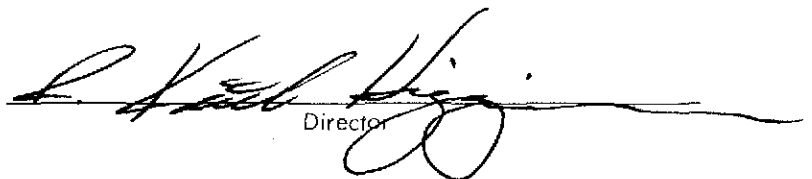
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7607, and said application is hereby APPROVED.

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 April 1, 1981.
- c. Other: A measuring device of a type approved by the Director 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 7 day of April, 1976.


Director

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Ruth DeThomas, being first
duly sworn, deposes and says that she 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
two consecutive weeks, commencing
with the issue dated March 16, 1976, and
ending with the issue dated March 23, 1976.

Ruth DeThomas
Subscribed and sworn to before me this
15th day of March, 1976.
Dennis Shultice Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Ted &/or Neva L. Leno, Route
#4, Rupert, Idaho 83350, has
on 2-20-76 submitted Appli-
cation No. 36-7607 for a
permit to appropriate 4.80
cubic feet per second of water
from groundwater, by means
of well, pump & sprinklers,
with the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34,
Twp. 8S. Rge. 25E. B.M.,
Minidoka County; additional
points of diversion, SE $\frac{1}{4}$ -
SE $\frac{1}{4}$, Sec. 33, Twp. 8S, Rge.
25E, B.M., to be used from
April 1, to Nov. 1, for
irrigation of 240 acres, within
the S $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, SW $\frac{1}{4}$.

Sec. 34, Rge. 25E, Twp. 8S,
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 De-
partment of Water Resources,
1041 Blue Lakes Blvd., North
Twin Falls, Idaho, 83301 on or
before March 19, 1976.

R. KEITH HIGGINSON
Director

Published in the Minidoka
County News on March 2, and
March 9, 1976.

No. 637-March 16,23, 1976

O.K. cc
3/31/76

MAR 10 1976

RUPERT, IDAHO

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

Ruth DeThomas

Ruth DeThomas, being first
duly sworn, deposes and says that She is the
editor of The Middle Street

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

two consecutive weeks, commencing with the issue dated Mar 2, 1976, and ending with the issue dated Mar. 9, 1976.

Subscribed and sworn to before me this

9th day of March, 1976
Don Hunter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

Departamento de
Sociologia

FOR WATER PERMIT

Notice is hereby given that
Ted &/ or Mary L. [redacted] Route
#4, Rupert, Idaho 83443 has

On 1-14-75 submitted Application No. 36-7607 for a permit to appropriate 4.80 cubic feet per second of water from groundwater, by means of well, pump & sprinklers, with the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp. 8S, Rge. 25E, B.M., Minidoka County; additional points of diversion, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, Twp. 8S, Rge. 25E, B.M., to be used from April 1, to Nov. 1, for irrigation of 240 acres, within the S $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, SW $\frac{1}{4}$, Sec. 34, Rge. 25E, Twp. 8S, 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 Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 19, 1976.

R. KEITH HIGGINSON
Director

Published in the Minidoka
County News on March 2, and
March 9, 1976.
No. 637-March 2,9, 1976



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 21, 1995

Ted Leno
Rt. 4
Rupert, ID 83350

RE: Amended Transfer of Water Right No. 36-07607

Dear Mr. Leno:

Enclosed is a copy of your approved Amended Transfer of Water Right for the above referenced water right (Transfer No. 4359). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

Sharla Curtis
for JIM JOHNSON, Manager
Water Right Permits Section

JJ:sc

Enclosure

RECEIVED

JAN 23 1996

MEMO TO FILE:

12/21/95

FROM: BRENT KING

RE: LENO TRANSFER

My understanding of the case is that the U.S. Government objected to Leno's water right in the SRBA because part of the place of use was BLM land that Leno had a permit to farm. At the request of the "fed.'s," Leno filled out a transfer application that would remove the recommended water right from the BLM land. Examination by several water agents with IDWR found that this transfer would cause Leno's irrigation method to become impracticable. One of Leno's pivots swung onto the BLM land and, if the transfer were approved, the pivot would have to stop halfway, change water sources to surface Minidoka Irrigation District water, continue around, and revert back to groundwater once it returned to Leno's land. In addition, information came in that Leno watered the corner of his pivots on some years with hand lines. IDWR agents had seen the hand lines during one of the several field trips to the Leno property. However, IDWR had not recommended the pivot corners as a place of use in the Director's report.

I was alerted to these problems by means of a "status conference" in late November, 1995. The solution by the water agents was to increase the place of use of the Leno water right to include the pivot corners and the BLM land. I had talked to Daria Zane with the U.S. Department of Justice before the status conference and she had indicated that they were no longer going to object to Leno having a water right on BLM land. The U.S. was going to contract with Leno to resolve any "takings" concerns that they had. To keep the increased place of use from being an expansion, a remark under the legal description in the Director's Report would make it clear that Leno could only irrigate the amount of land that had historically been irrigated. In effect, Leno would be a mini-irrigation district; he could shuffle his water around his place of use as long as he kept the acreage to the historic level. I called Leno by telephone on 12/15/95 and explained the increased place of use to him. He agreed to the amendments in the transfer application to increase the legal description to the place of use.

I believe this arrangement would satisfy all parties involved. Leno would be happy because he could operate his pivot. The BLM would be pleased; even though Leno has a water right on their land, they still have a Minidoka water right for the same property and the contract agreement should take care of any takings argument. IDWR is content since the Director's Report will more accurately reflect the real beneficial use of water on Leno's land. Finally, the SRBA court would be satisfied as they are trying and get Basin 36 resolved by this year.

JAN 23 1996

MEMO TO FILE

TO: File 36-07607/A36-07607
FROM: Carter Fritschle *CF*
DATE: 12-14-95
SUBJECT: Amending Transfer No. 4359

I was informed by Phil Graf of the U.S. Bureau of Reclamation during a telephone conversation on 12-13-95 that all the land that Mr. Leno is irrigating is within the boundaries of the Minidoka Irrigation District. He also stated that the irrigation district will amend their SRBA claim(s) to reflect this. We also discussed what the Bureau would like to see Transfer No. 4359 reflect. He said the they would be satisfied if the transfer identified 240 acres of Mr. Leno's land as well as the 49 acres of leased federal land as the permissible place of use of water right 36-07607.

RECORDED

JAN 23 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DECEMBER 8, 1995

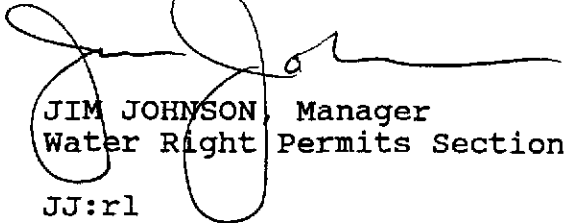
TED LENO
RT 4
RUPERT ID 83350

RE: Transfer of Water Right No. 36-07607

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4359). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section
JJ:rl

Enclosure

RECEIVED
JAN 10 1996

MEMORANDUM

TO: FILE NO. 36-07607

FROM: PAM SKAGGS/^{ES}STATE OFFICE

SUBJECT: TRANSFER NO. 4359

DATE: December 7, 1995

=====

Transfer No. 4359 was filed to change the place of use under Right No. 36-076007. The transfer reflects a change to the location of the groundwater acres within the same existing system using both surface and groundwater to irrigate a larger place of use. (See Memo dated 01-03-95 for additional information.)

Recommended conditions include irrigation overlap, measuring device & annual reporting and standard transfer conditions.

RECEIVED

JAN 23 1996

TRANSFER REVIEW SHEET
(04-95)

Transfer # 4359

Date Reviewed 12-07-95
38

Right(s) 36-07607 SRBA Director's Report

WRQH Print Split Summary ☒ Run POU Comparison Report
No Splits

B: Change P/D C: Add P/D (D): Change P/U E: Change Nature of Use
F: Change Period of Use G: Other H: Change P/D & Add P/D
I: Change P/D & P/U J: Add P/D & Change P/U

Proof of Ownership Portion of Rt. on BOR Land - BOR supports Transfer
(See Review Sheet of 12-30-94)

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) NONE/Rearrange Acres

Check Transfer Against Right

Season/Vol. C/4.0

(1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) ☒ Volume

(6) ☒ Source (7) ☒ P/D (8) P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Water District (12) ND Pertinent Conditions 13 _____ Expansion

(8) Rearrange Acres

* PROCEED with TRANSFER as described on Application per JJ 12-7-95 *

Transfer Remarks Modified OIM
Conditions R31, T07, T08, T09

Database/Processing Notes I File

 Copy to an "X" prefix when approved

WR_Reports File _____

Transfer Memo Complete ☒

MEMORANDUM

TO: FILE NO. 36-07607

FROM: PAM SKAGGS/STATE OFFICE *SWK*

SUBJECT: REVIEW OF WR & PROPOSED TRANSFER NO. 4359

DATE: January 3, 1995

=====

Transfer No. 4359 has been filed to change the place of use under Right No. 36-07607. This right was recommended in the SRBA Basin 36 Director's Report and an objection was filed by USDI-BOR because a portion of the recommended acres is on federal land. This transfer is an effort to resolve the objection, but review of the right raises several other questions. (See attached summary of pertinent sequence of events that are evidenced in various WR and AJ records regarding the history of this right.)

It seems clear that Mr. Leno originally filed a groundwater application on acres under his sole ownership, excluding the 49 acres leased from Minidoka Irrigation District located in the N1/2 SE, S33. The system he developed according to the beneficial use field exam consisted of one standard pivot located in SW, S34, a smaller pivot located in SE, S33, and approximately 6 quarter-mile handlines, irrigating approximately 285 total acres and using supplemental canal water on a portion of the acres in excess of the permit. Leaving some portion of the acres in excess of the permit that were apparently irrigated without a right.

The license recommendations apparently included as much of the two pivots as possible under the permit that authorized irrigation of only 240 acres. The license amendment rearranged the acres to include 24 acres NESE that were actually on the leased land and apparently the issue of multiple ownership of the land under the system was not raised.

The initial SRBA Claim followed the recommendations of licensing and included the 24 acres on leased land. When the SRBA CVR was completed the acres were again rearranged to include additional acres on the leased land, 34 acres NESE and 15 acres NWSE. The system is the same general configuration as when developed and identifies a general overlap with MID water.

The right was recommended in the Basin 36 Director's Report for irrigation of 240 acres from the groundwater system and possible overlap of MID water. A POU comparison report shows only 15 acres claimed by MID in NWSE, possibly overlapping this right or being used on the portion of the QQ directly above the canal which would mean no overlap at all.

sec 33

JAN 23 1996

The transfer application identifies irrigation without reference to the pivots, two (2) GW P/Ds and a pressure pump for MID water. It specifically states that the two (2) wells serve a common mainline system and MID water is commingled in this system. The federally owned, leased land will continue to be irrigated with MID shares from the pressure pump which is also connected to the GW system if the transfer is approved.

It appears that groundwater has always been used to irrigate more than the licensed 240 acres, a portion of which was developed on leased ground, and that MID water is commingled with GW and adds a portion of 45 additional acres to the system, but all reference to MID water has been nonspecific in nature.

The transfer is trying to separate the combined use of GW and MID water by ownership of land rather than identifying the actual use of water on the entire system. A more accurate description of Right No. 36-07607 would identify the use of groundwater as 240 acres within 285 acre system, measured and limited to authorized diversion rate and total annual volume. The additional 45 acres would have to be covered by MID water commingled in the system and limited to authorized total annual volume. Combined total acres irrigated each season would depend on authorized diversion of MID water which has not been claimed for use on the leased land.

*yes for a
permissible
plan of
use
W*

The issue of ownership is also complicated by the combined system. The BOR has indicated they have no problem with the proposed transfer removing the GW right from the leased land, but the system appears to remain relatively the same except on paper. The right was developed originally on the leased land and it could be argued that a portion of the right belongs on the 49 leased acres.

An ownership split of the right would appear to be the more correct action than the proposed transfer, unless system changes are implemented to specifically remove groundwater from the leased land and limit irrigation there to only authorized MID water. I am not convinced that such a change in this system is the intent of the transfer and would need more information describing changes in the delivery system that would totally remove GW from the leased land. Removing the acres from the leased ground without assuring that GW will no longer be used on the leased acres would result in an expansion of the right.

Further review of MID water rights in the SRBA will identify specifically how many, if any, acres can be irrigated within the N1/2 SE, S33 with surface water, clarifying the total irrigation use within the Leno property.

JAN 28 1996

SUMMARY OF WR HISTORY:

- 02-20-76: Application for Permit filed by Ted &/or Neva L. Leno.
Groundwater for Irrigation use.
4.80 cfs & 240 Acres
P/Ds located in SESE, S33 & SWSW, S34, T08S, R25E.
P/U located in T08S, R25E.
S33, SWSE(40) SESE(40)
S34, NESW(40) NWSW(40) SWSW(40) SESW(40)
- 02-10-81: Request For Extension of Time filed.
- 02-23-81: Extension Approved, Beneficial Use due 04-01-86.
- 09-20-85: Proof of Beneficial Use filed for 2 wells & 240 Acres.
- 09-20-85: Field Exam conducted/both P/Ds developed as described.
4.50 cfs serve 2 pivots & handlines to irrigate a total
of 485 acres. 45 acres not covered under this permit
were developed & canal water was also used on some of
these acres.
License recommendations confined to system capacity &
number of permitted acres or 4.50 cfs & 240 Acres.
*P/U located in T08S, R25E,
S33, NESE(24) NWSE(4) SWSE(20) SESE(34)
S34, NESW(40) NWSW(40) SWSW(39) SESW(39)
- 09-19-89: Licensing Amendment signed reflecting recommendations.
- 09-19-89: A36-07607 SRBA Claim filed same as Licensing Amendment.
* P/U described above.
- 11-24-89: License issued per exam & amendment.
* P/U described above.
- 12-06-90: SRBA Claim Verification Report prepared.
- 11-26-91: SRBA Review/Recommendations Completed
4.5 cfs for irrigation of 240 acres.
P/D located in T08S, R25E, S33, NESESE & S34, NWSWSW.
P/U located in T08S, R25E,
S33, NESE(33) NWSE(15) SWSE(20) SESE(32)
S34, NESW(34) NWSW(32) SWSW(38) SESW(35)
- 04-29-93: Objection filed by USDI-BOR regarding the description of
the place of use and remarks.
- 08-23-93: Response to Objection was filed by IDWR.
- 10-27-93: Mr. Leno visited Southern Region office seeking
direction following objection & response, said he might
consider a Transfer.
- 04-14-94: Mr. Leno finalized & filed Transfer No. 4359.
Proposes no change to P/D, P/U to be changed to property
solely owned by Mr. Leno located in T08S, R25E,
S33, SENE(02) NWSE(04) SWSE(39) SESE(37)
S34, NESW(40) NWSW(40) SWSW(39) SESW(39)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J E Stanton

1. Right number 36-07607 Applicant LENO, TED

2. Type of right: ☐ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☐ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments No expansion as long as MID shares
are also removed from subject lands

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) none

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: Adm

1. Watermaster recommendation requested on N/A Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

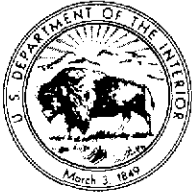
RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By Adm Date 7/29/92



United States Department of the Interior

BUREAU OF RECLAMATION
MINIDOKA PROJECT OFFICE
1359 HANSEN AVENUE
BURLEY, IDAHO 83318-1821

IN REPLY
REFER TO

SRA-6434
WTR-4.10

JUN 23 1994

RECEIVED

JUN 27 1994

Department of Water Resources
Southern Region Office

Alan Merritt
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls ID 83301

Subject: Notice of Proposed Change of Water Right No. 36-07607,
Ted Leno (Water Rights)

Dear Alan:

We would like to participate in any action taken under the subject notice. We are supportive of Mr. Leno's reason for change and do not object to it. However, because we have an objection pending in the Snake River Basin Adjudication on this matter, we would like to be informed of any changes proposed by the Department.

Please call Dala Walton at our office at 208-678-0461 (extension 23) if you need additional information.

Sincerely,

Earl M. Corless
Water Operations Manager

cc: Ted Leno, Route 4, Rupert, ID 83350

JAN 23 1996

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

94-227

NOTICE OF ~~PROPOSED~~ CHANGE OF
WATER RIGHT NO. 36-07607

Notice is hereby given that TED
LENO of Rupert, ID has applied
to the Department of Water
Resources to change the Place
of Use for the following
described water right(s)
pursuant to Section 42-222 of
IDAHO CODE and further
described as Transfer No. 4359.

The purpose of this change is
to correct original license and
Snake River Basin Adjudication
recommendation by moving water
from federal land to
applicant's private land.

WATER RIGHT AS RECORDED:

Water Right No. 36-07607
Basis: License
Date of Priority: 02/20/1976
Source: groundwater
Amount: 4.5 cfs
Use: irrigation
from 04/01 to 11/01
Point of Diversion: SESE, S33,
T08S, R25E; SWSW, S34, T08S,
R25E; Minidoka County.
Place of Use: 240 acres within
SE, S33, T08S, R25E; SW, S34,
T08S, R25E; Minidoka County.

A claim has been filed in the
Snake River Basin Adjudication.

WATER RIGHT NO. 36-07607 TO BE
CHANGED by changing place of
use to SENE, NWSE, S1/2SE, S33,
T08S, R25E; SW, S34, T08S,
R25E; Minidoka County.

Any protest against approval of
the proposed change of water
right application must be filed
with the Applicant and the
Department of Water Resources,
Southern Region, 222 Shoshone
Street East, Twin Falls, ID
83301 on or before June 30,
1994.

R. Keith Higginson, Director

Published in the South Idaho Press on June
19 and 20, 1994.

)
) ss
)

first duly sworn, deposes and says that she is the General Manager
ress, a daily newspaper published at Burley, Idaho, in the county
e paper is of general circulation therein. Deponent further states
ice attached hereto was duly published according to law in the
e South Idaho Press for Two consecutive week(s), commencing
June 13 19 94, and ending with the issue
20, 19 94.

Kary D Miller

day of June in the year of 1994 before me, a Notary Public,
Kary Miller, known or identified to
ose name is subscribed to the within instrument, and being by me first duly
e statements therein are true, and acknowledged to me that he executed the

Kelly Blommon

Notary Public for Idaho

Residing at Burley, ID

My commission expires: May 23, 1997

51.84
50
52.34

OK
MB
6/24/94

RECEIVED

JUN 24 1994

Department of Water Resources
Southern Region Office

JAN 28 1994

seminar set
because of the 4th of July holiday
and a delay of one week

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
STATE OF IDAHO) ss

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, 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 editions of The South Idaho Press for Two consecutive week(s), commencing with the issue dated June 13, 1994, and ending with the issue dated June 20, 1994.

Kary D Miller

STATE OF IDAHO)
COUNTY OF Cassia)

On this 22nd day of June in the year of 1994 before me, a Notary Public, personally appeared Kary Miller, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Kelly Blommon
Notary Public for Idaho
Residing at Burley, ID
My commission expires: May 23, 1997

JAN 23 1996

Cost of Publication 51.84
Notary Fee .50
Total Cost 52.34

OK
MB
6/24/94

RECEIVED

JUN 24 1994

Department of Water Resources
Southern Region Office

JAN 23 1996

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 36-07607

Notice is hereby given that TED LENO of Rupert, ID has applied to the Department of Water Resources to change the Place of Use for the following described water right(s) pursuant to Section 42-222 of IDAHO CODE and further described as Transfer No. 4359.

The purpose of this change is to correct original license and Snake River Basin Adjudication recommendation by moving water from federal land to applicant's private land.

WATER RIGHT AS RECORDED:

Water Right No. 36-07607
Basis: License
Date of Priority: 02/20/1976
Source: groundwater
Amount: 4.5 cfs
Use: irrigation
from 04/01 to 11/01
Point of Diversion: SESE, S33, T08S, R25E; SWSW, S34, T08S, R25E; Minidoka County.
Place of Use: 240 acres within SE, S33, T08S, R25E; SW, S34, T08S, R25E; Minidoka County.

A claim has been filed in the Snake River Basin Adjudication.

WATER RIGHT NO. 36-07607 TO BE CHANGED by changing place of use to SENE, NWSE, S1/2SE, S33, T08S, R25E; SW, S34, T08S, R25E; Minidoka County.

Any protest against approval of the proposed change of water right application must be filed with the Applicant and the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before June 30, 1994.

R. Keith Higinson, Director

Published in South Idaho Press
on 6/13 & 6/20/94.

RECEIVED

JUN 23 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

02-Jun-1994

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

JAN 23 1996

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 36-07607

Notice is hereby given that TED LENO of Rupert, ID has applied to the Department of Water Resources to change the Place of Use for the following described water right(s) pursuant to Section 42-222 of IDAHO CODE and further described as **Transfer No. 4359.**

The purpose of this change is to correct original license and Snake River Basin Adjudication recommendation by moving water from federal land to applicant's private land.

WATER RIGHT AS RECORDED:

Water Right No. 36-07607

Basis: License

Date of Priority: 02/20/1976

Source: groundwater

Amount: 4.5 cfs

Use: irrigation from 04/01 to 11/01

Point of Diversion: SESE, S33, T08S, R25E; SWSW, S34, T08S, R25E; Minidoka County.

Place of Use: 240 acres within SE, S33, T08S, R25E; SW, S34, T08S, R25E; Minidoka County.

A claim has been filed in the Snake River Basin Adjudication.

WATER RIGHT NO. 36-07607 TO BE CHANGED by changing place of use to SENE, NWSE, S1/2SE, S33, T08S, R25E; SW, S34, T08S, R25E; Minidoka County.

Any protest against approval of the proposed change of water right application must be filed with the Applicant and the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before June 30, 1994.

R. Keith Higginson, Director

Published in South Idaho Press on 6/13 & 6/20/94.

RECORDED

JAN 28 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

06-June-1994

R. KEITH HIGGINSON
Director

TED LENO
RT 4
RUPERT ID 83350

Re: Application for Transfer No. 4359 (36-07607)

Dear Mr. Leno:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the South Idaho Press for 6/13 & 6/20/94. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

[Handwritten signature]
for J.E. Stanton

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Ted Leno Transfer

FROM: Jim Stanton

DATE: 4-18-94

Since SRBA recommendation has been done, I do not plan to do a Pre-transfer inspection.
SRBA acreage recommendation is different than license (same total acres but different dis-
tribution). Due to uncertainty over accomplished-transfer statute, transfer must be based
on license at this time. The tax lots and other private land the water is being moved to
does not have MID shares claimed on it at this time, but this may change. Apparently Mr.
Leno uses MID shares on his land. In order to avoid an expansion, MID water must be re-
moved from the same land that is being dried up under this transfer (federal land farmed
under lease by Mr. Leno).

RECEIVED

JAN 23 1995

(X) For your information

() Response required

JS
signature

November 24, 1989

TED LENO
NEVA L. LENO
RT. 4
RUPERT, ID 83350

RE: PERMIT NO. 36-07607

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

INDEXED

DEC 13 1989

August 30, 1989

TED LENO
NEVA L. LENO
RT. 4
RUPERT, ID 83350

RE: PERMIT NO. 36-07607

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
DEC 13 1989

POINT OF DIVERSION OVER

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
3607607	08S	25E	34	SW SW		GROUNDWATER	LENO, TED
3607607	08S	25E	33	SE SE		GROUNDWATER	LENO, TED

RECEIVED
DEC 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
DEC 3 1985

36-7607

Permit No.

Department of Water Resources

1. Measurement Calculations

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

Measured 4.50 cfs. Allow full amount

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 240 \text{ ac} \times 4.0 \text{ AFA/ac} = 960 \text{ AFA} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1910 \text{ AFA} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 960 \text{ AFA} \end{aligned}$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

MICROFILMED

DEC 13 1989

RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
| 36-7607 | | | | 9-20-1985 | 4.50 fs |

4. Permit Holder: _____

Address: _____

5. Source: _____ tributary to _____

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	4-1	11-1	4.50	960

Allowable Maximums: _____

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: _____

[illegible]

DEC 14 1989

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other: _____

11. Examiner's Signature J. P. Stanton Date 7-26-85

Checked in Regional Office by Alan Merritt Date 11/5/85

Approved in State Office by _____ Date 2-23-80

RECEIVED

DEC 5 1985

Department of Water Resources
Permit No. 36-7607
Phone No. 436-6089

1. Owner: Ted Leno Phone No. 436-6089
Current Address: Route #4, Rupert, ID
2. Accompanied by: Mr. Leno EXAM. DATE: 9-20-1985
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	GE	100	JKJ911141	Lynnes Bowler	—
2	Westinghouse	75	7802	"	T 79047

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Two wells, pumps, one standard pivot, one 7 3/4-tower pivot, about 6 1/4-mil handlines

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar			75		7.981"	
Gage Eye Meter				091475		5-22-1984

7. Measurements ☐ Additional data/computation sheets attached

Well #1 - 22.5" pressure Mainline 25 3/4" ^{circumference} 1/4" wall = 2.696 ID
Well #2 - 12.5" " " 8 5/16 ID

Both wells measured separately running thru large pivot only - handlines off

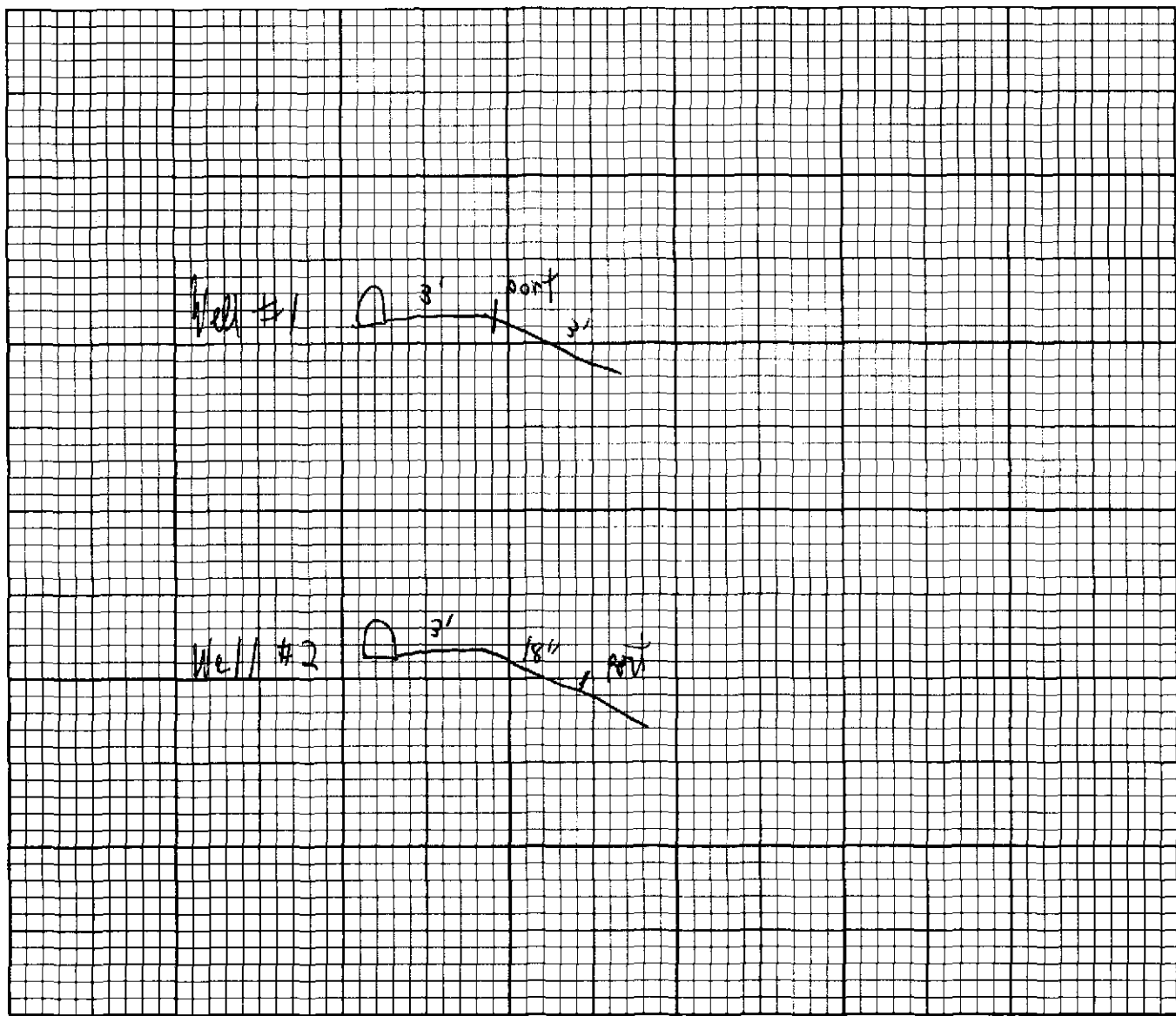
8. Point(s) of Diversion: _____ Indicate Method of Determination _____

[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination <i>Aerial photo</i> |
|----|------------------|---|

Twp.	Rge.	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	
85	25E	33													24	4	20	34	82
		34									40	40	39	39					158
Total Acres																			240

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

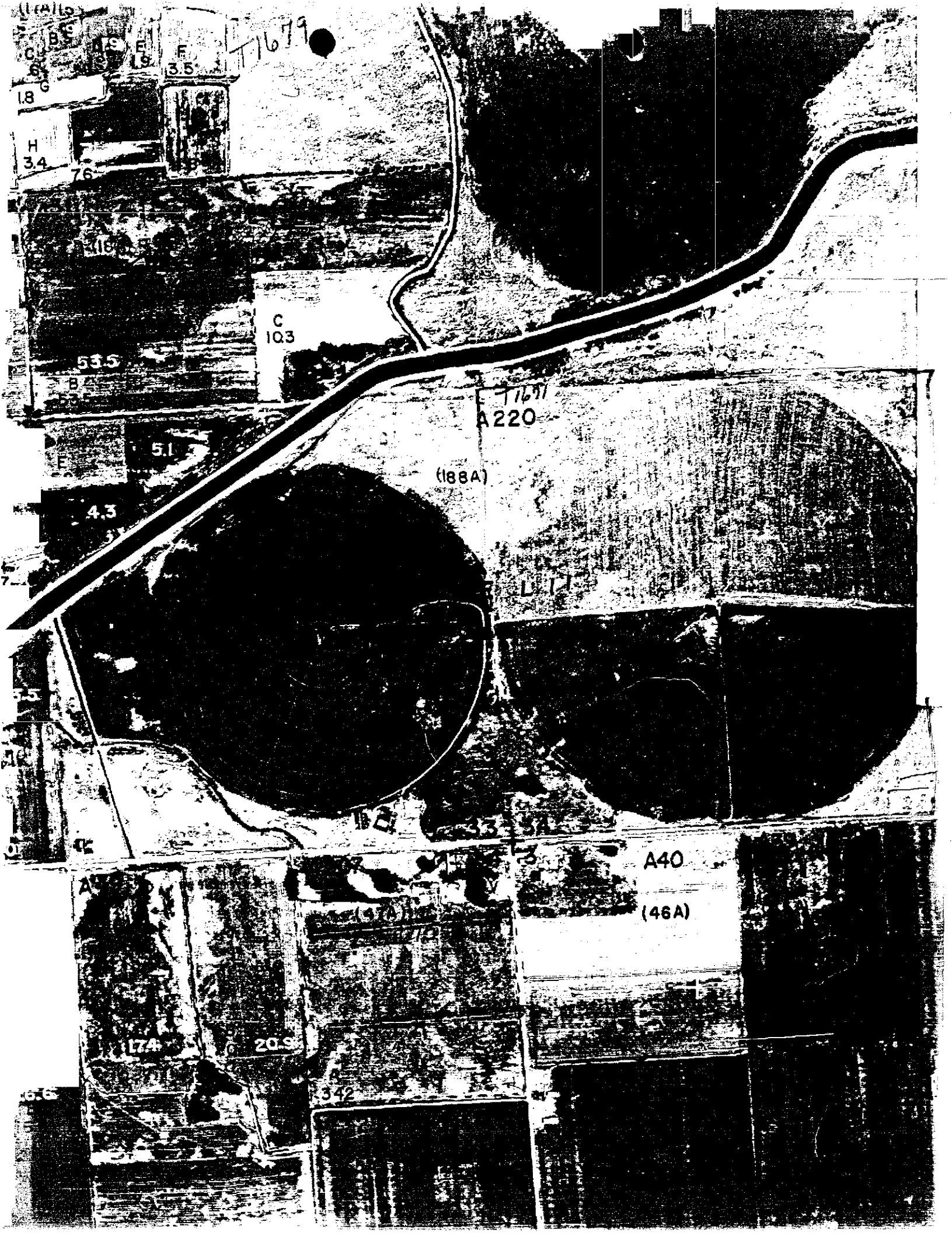


13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Well #1 - access port just below bend in mainline, but reading was quite constant.
SE corner of property previously irrigated by portable mainline, but not irrigated for last
3 years. Will be irrigated again next year.
This system is actually irrigating about 45 acres more than can be licensed under
the permit. Canal water is also used on some of this extra ground.
15. Recommended Amendments
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other
16. Examiner's/Consultant's Signature J. F. Stanton Date 9-26-85
Consultant's License Number _____
IDWR Director's Authorization to Conduct
Beneficial Use Examination _____

Date

CONSULTANT SEAL

DEC 13 1989



T1679

(A) 15
C 6
B 3
E 19
F 3.5
H 3.4
1.8
76

C
103

T1679
A220

(188A)

5.1

4.3

A40

(46A)

174

20.9

342

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: J. F. Stanton Date 9-20-85
Owner: Ed Leno Permit No. 36-7607

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Well #2 (west well)

Measured inside diameter of pipe in inches

(A) 8.31"

Size of Annubar used in test 7.981"

State ID No. 7.981"

Model No. of Annubar Meter Used 75
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

Size Eagle Eye Meter Used 10-80"

State ID No. 091475

Date of Last Calibration of Meter _____

Observed inches of H₂O read on Meter

(B) 12.5"

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) 1

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85

CALCULATION: $K \frac{(A^2) (\sqrt{B})}{448.8} C =$

= 940 gpm = 2.09 cfs measured

SKETCH (If not shown on Field Report):

MICROFILMED

DEC 13 1989

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: J F Stanton

Date 9-20-85

Owner: Ed Leno

Permit No. 36-7607

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Well #1 (east well)

Measured inside diameter of pipe in inches

(A) 7.696

Size of Annubar used in test 7.981"

State ID No. 7981"

Model No. of Annubar Meter Used 75
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

Size Eagle Eye Meter Used 10-80"

State ID No. 071475

Date of Last Calibration of Meter _____

Observed inches of H₂O read on Meter

(B) 22.5"

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) 1

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85

CALCULATION: $\frac{K (A^2) (\sqrt{B}) C}{448.8} =$

1082 gpm = 2.41 cfs measured

SKETCH (If not shown on Field Report):

MICROFILMED

DEC 13 1985

For
12/1/85

RECEIVED

534 T85-R25E

STATE OF IDAHO

RECEIVED

SEP 20 1985

DEPARTMENT OF WATER RESOURCES

SEP 23 1985

Department of Water Resources
Southern District Office

PROOF OF BENEFICIAL USE

Department of Water Resources

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

Permit No. 36-7607

Name(s) of Permit Holder: Ted &/or Neva L. Leno

Post Office Address: Route #4, Rupert, ID 83350

Telephone No. 436-6089

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 240 (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: 1976 (west well)

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

only 1885 (west well)

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

Field exam completed this date.
J. E. Stanton

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

Permit Holder
(Name)

(Address)

(Telephone Number)

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

Date

Signature of Permit Holder (and Title, if appropriate)

November 4, 1985

Ted and/or Neva L. Leno
Rt. 4
Rupert, ID 83350

Dear Mr. and Mrs. Leno:

Re: Permit No. 36-7607

This office acknowledges receipt of the proof of beneficial use form submitted to this office in September.

It is my understanding that a field inspection to determine the extent of use has been conducted by a regional representative. Based on this findings a water right license will be issued.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

NOVEMBER 19, 1985

TED &/OR NEVA L. LEND
RT. 4

RUFERT ID 83350

RE. Permit No. 36-7507

Dear Permit Holder:

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

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

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

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

RECEIVED

DEC 13 1985

November 4, 1985

Ted and/or Neva L. Leno
Rt. 4
Rupert, ID 83350

Dear Mr. and Mrs. Leno:

Re: Permit No. 36-7607

This office acknowledges receipt of the proof of beneficial use form submitted to this office in September.

It is my understanding that a field inspection to determine the extent of use has been conducted by a regional representative. Based on this findings a water right license will be issued.

Sincerely,

RITA L. FLECK
Secretary/Records Manager

RECEIVED

STATE OF IDAHO

SEP 20 1985

DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 23 1985

Department of Water Resources
Southern District Office

PROOF OF BENEFICIAL USE

Department of Water Resources

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

Permit No. 36-7607

Name(s) of Permit Holder: Ted &/or Neva L. Leno

Post Office Address: Route #4, Rupert, ID 83350

Telephone No. 436-6089

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 240 (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: 1976 (cast well)

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

July 1985 (cast well)

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

Field exam completed this date.
J. E. stanton

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

Permit Holder
(Name)

(Address) (Telephone Number)

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

Sept 20
Date

Ted Leno
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

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

SINCERELY,

L. GLEN SAXTON

CHIEF, OPERATIONS BUREAU

MICROFILMED

February 24, 1981

Ted and/or Neva L. Leno
Route 4
Rupert, ID 83350

Dear Mr. and Mrs. Leno:

Re: Permit No. 36-7607

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to April 1, 1986.

Also enclosed is receipt No. 18405 in the amount of \$15.00.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

LEND, TED & NEVA L.
RT. 4
RUPERT, ID 83350

JANUARY 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 36-7607 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MAILED
JAN 31 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse
Boise, Idaho 83720
(208) 334-4440

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

RECEIVED

April 7, 1976

Re; Permit No. 36-7607

Ted &/or Neva L. Leno
Route #4
Dupont, ID 83350

Dear Mr. and Mrs. Leno:

Enclosed is a copy of your approved Application for Permit No. 36-7607 . 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

Enclosure: Copy of permit

INTER-DEPARTMENT MEMO — 1

FROM Southern District

DATE March 11, 1976

TO File

SUBJECT Application For Permit No. 36-7607 - Ted &/or Neva L. Leno
Re: Affidavit of Publication incorrect

On this date, the Minidoka County News was contacted regarding the error. They will readvertise on March 16 & 23.

SIGNATURE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Fed 4/102 Nevada L. Leno
36-7607

☒ Source
☒ Point of Diversion
☒ 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
☒ Signature
☒ Fee

- (1) gh 2-20-76 In form to receipt
- (2) _____ Send Copies to:
_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management
- (3) _____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
- (4) _____ In form for advertising
- (5) _____ Platted on Map No. _____
- (6) _____ Located within Water District No. _____
- (7) mls 4-2 Critical groundwater area: yes _____ no ☒
- (8) mls 4-2 Groundwater levels:
_____ Declining, ☒ Stable, _____ Increasing
(comment) _____
- (9) _____ Other rights on the same place of use
- (10) _____ Comments: _____
- (11) cc 3/30/76 Affidavit of Publication received(date) 3/30/76
- (12) _____ Final date for protests _____
Protests received: yes _____ no ☒ 4-2-76
- (13) _____ All requested information received from agencies or
applicant: yes _____ no _____
- (14) mls 4-2 Action recommended:
☒ Approve _____ Deny _____
_____ Proposed Priority _____
_____ Reason for Reduction _____
☒ Measuring device required
_____ See attached sheet for other conditions of
approval
- Field Checked by _____
Date _____
Comments _____

(15) District Southern By Michael Kuhl Date 7-2-76
No special conditions for approval

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ted &/or Neva L. Lemo

Route #4, Rupert, Idaho 83350

has on 2-20-76 submitted Application No. 36-7607

for a permit to appropriate 4.80 cubic feet per second ~~XXXX XXXX XXX XXXXX~~

of water from groundwater.

by means of well, pump, & sprinklers.

within the S1/4S1/4, Sec. 34, Twp. 8S, Rge 25E, B.M. Minidoka County: additional

points of diversion, SE1/4 Sec. 33, Twp. 8S, Rge 25E, B.M.

to be used from April 1, to Nov. 1, for irrigation of 240 acres.

for _____

within the S1/4SE1/4, Sec. 33, S1/4, Sec. 34, Rge. 25E, Twp. 8S, 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 Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 19, 1976.
4-2-76

R. KEITH HIGGINSON

Director

Published in the Minidoka County News

on March 2, and March 9, 1976

Readvertised 3-16 & 3-23-76.

February 24, 1976

Minidoka County News
625 Fremont Avenue
Rupert, Idaho
83350

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Regional Supervisor

ms

Enc.

Bill submitted: _____