

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.

Harley Fortner
(Applicant)

36 7141

AFFIDAVIT of PUBLICATION

State of Idaho,
County of Jerome

SS.

Alan P. Meacher, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 12 day of Nov.,

1970, and the date of the last publication was on the 19

day of Nov., 1970.

Subscribed and sworn to before me this 19th

day of November, 1970.
(SEAL)

Alice T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>38</u>	
Number of Insertions	<u>2</u>	
<u>38</u> Lines at 15c		<u>5.70</u>
<u>38</u> Lines at 10c		<u>3.80</u>
TOTAL COST		<u>9.50</u>

COPY OF NOTICE

(Paste Here)

Notice of Application for
Permit to appropriate Public Waters
TITLE OF NOTICE Fortner

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Administration
BILL TO

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO.

Notice is hereby given that Harley Fortner, Box 512 Twin Falls, Idaho has on November 2, 1970 submitted Application No. 36-7141 to appropriate the public waters of waste water, tributary to the Snake River.

The application proposes a maximum diversion and appropriation of 0.4 cubic feet per second of water to be diverted by pump and sprinkler system within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, T. 10S. R. 20 E. B.M., Jerome County, and is to be used within the W $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, T. 10S. R. 20E. B.M. for the irrigation of 20 acres from April 1 to Oct. 30.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, on or before November 30, 1970.

R. KEITH HIGGINSON
Director.

(11-12-21c)

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive	
insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	
insertions	10c

Nº 3014
36 7141

15
5*
8

Diagram of System

State of Idaho
Department of Water Resources

RECEIVED

DEC 18 1975

WATER RIGHT LICENSE

Department of Water Resources
Southern District Office
Amount 0.40 cfs

License of Water Right No. 36-7141 Priority Nov. 2, 1970

THIS IS TO CERTIFY, that HARLEY FORTNER
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 36-7141 issued pursuant to Application for Permit dated November 2, 1970,
and has submitted proof to the Department of Water Resources on October 21, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.7 cfs of water from waste water
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to Oct. 31	at 0.40 cfs and	80 acre feet or 4.0 af per acre
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
80 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8,
Twp. 10 S, Rge. 20 E, B. M. in the County of Jerome

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 $\frac{1}{4}$	
10 S	20 E	8		15	5														20

Total number of acres irrigated 20

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17 day of
December, 19 75.

Director

Identification No. 36-7141

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

SEEKING TO 40 **To Appropriate the Public Waters of the State of Idaho** APPROVED
(TYPE OR PRINT IN INK)

1. Name of applicant Harley Fortner
post office address Box 512, Twin Falls, Idaho 83301

2. Source of water supply Waste water which is a tributary of Snake River

3. a. Location of point of diversion is SW 1/4 of NE 1/4 of Section 8 Township 10S
Range 26E B.M. Jerome County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount .4 for irrigation purpose from April 1 to October 30 (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 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump from drain ditch to sprinkler system

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 _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years.

b. Estimated construction cost is \$ _____.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ 1/4 of _____ 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: _____

A full-page view of a blank sheet of graph paper. The grid consists of solid black lines forming large squares, with dashed lines further subdividing each large square into four smaller ones. A small, dark rectangular mark is visible near the center-right of the page.

Harley Fortner
(Applicant)

66 7441

36-7141

Received by Dr Date 11-2-70 Time 12:00 noon
Preliminary check by Dr Fee \$ 10.00
Receipted by ey Date 11-2-70 rec'd # 5280
Publication prepared by dr Date 11-4-70
Published in North Side News
Publication dates 11-12 & 11-19, 1970
Publication approved da Date 11-25-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by Dr J. BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7141, 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 January 1, 1975.
- c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device of a type approved by the department.

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

Witness my hand this 8th day of December, 1970.

R. Keith Higin
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENTS FOR PERMIT NO'S. 36-7093,
36-7141 and 36-7144 in the name of Harley Fortner

ORDER

WHEREAS, Harley Fortner applied for three applications for permit from the Department of Water Resources (formerly the Department of Water Administration) to appropriate (Permit No. 36-7093) 0.30 cubic feet per second of wastewater, tributary to the Snake River, to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 10S, Rge. 20E, B.M., Jerome County, and (Permit No. 36-7141) 0.40 cubic feet per second of wastewater, tributary to the Snake River, to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 10S, Rge. 20E, B.M., Jerome County, and (Permit No. 36-7144) 0.80 cubic feet from wastewater, tributary to the Snake River, to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp. 10S, Rge. 20E, B.M., Jerome County, to be used for irrigation purposes; and,

WHEREAS, the Department approved said applications and issued Permit No's. 36-7093, 36-7141 and 36-7144 with the conditions that proof of construction of works and application of water to beneficial use be submitted to the Department on or before December 1, 1974, January 1, 1975, and January 1, 1976 respectively, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works on all three permits; and,

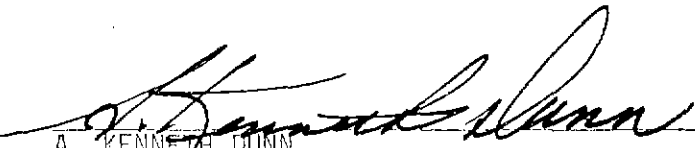
WHEREAS, the Department received the required proofs of construction of works and applications of the water to beneficial use; and,

WHEREAS, on September 9, 1975, the Department received a request that the measuring device requirements be removed from said permits; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permits;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that measuring devices of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No's. 36-7093, 36-7141 and 36-7144.

Dated this 18th day of September, 1975.


A. KENNETH DUNN
Administrator, Operations Division

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 36-7141 Name Harley Fortner

Source waste water, trib. to Snake River

Point of Diversion SW¹/₄NE¹/₄ Sec. 8, T. 10S, R. 20E, B.M., Jerome County

Quantity 0.4 Use irrigation Period April 1 - Oct. 30

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use 20 acres

Date Forwarded 11-5-70 Date Returned 11-9-70 Received by BDF 11/9/70

COMMENTS: USGS 7 1/2 min. quad (Eden 1969) shows this drain terminating within sec 8, T10S R20E. As this location is 2 miles from the Snake River, ample opportunity exists for the irrigation company to reuse the water. Measurements are not available for this drain.

RECOMMENDED:

Applied: Qty. <u>0.4</u>	Use <u>irrig</u>	Period <u>4-1 to 10-30</u>	AF/A <u>4.0</u>	AF <u>80</u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Maximum: Qty. <u>0.4</u>	Use <u>irrig</u>	Period <u>3-15 to 11-15</u>	AF/A <u>4.0</u>	AF <u>80</u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>
Qty. <u> </u>	Use <u> </u>	Period <u> </u>	AF/A <u> </u>	AF <u> </u>

ACTION: Approved X Denied

Conditions of approval or reason for denial: Subject to prior rights. Permit to appropriate does not constitute a right-of-way.

INVESTIGATION By Norman C. Young Title WR Engr.

Date November 9, 1970

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

Alan P. Guecher, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 12 day of Nov., 1970, and the date of the last publication was on the 19 day of Nov., 1970.

Alan P. Guecher

Subscribed and sworn to before me this 19th day of November, 1970.
(SEAL)

Alice T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 38
Number of Insertions 2
38 Lines at 15c 5.70
38 Lines at 10c 3.80
TOTAL COST 9.50

COPY OF NOTICE

(Paste Here)

Notice of Application for Permit to appropriate Public Waters
TITLE OF NOTICE Fortner

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of State Administration
BILL TO

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO.

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The application proposes a maximum diversion and appropriation of 0.4 cubic feet per second of water to be diverted by pump and sprinkler system within the SW 1/4 NE 1/4 Sec. 8, T. 10S, R. 20 E, B.M., Jerome County, and is to be used within the WENB, Sec. 8, T. 10S, R. 20E, B.M. for the irrigation of 20 acres from April 1 to Oct. 30.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, on or before November 30, 1970.

R. KEITH HIGGINSON
Director.

(11-12-21c)

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1936-
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive
insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions 10c

Nº 3014

36 7141



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

December 17, 1975

Re: Permit No. 36-7093
36-7144
36-7065
36-7141

Mr. Harley Fortner
Box 512
Twin Falls, ID 83301

Dear Mr. Fortner:

Enclosed are copies of your water licences issued on the above referenced permits.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

RECEIVED

1. Name of permit holder Harley Fortner OCT 30 1974
 Post office address Box 512, Twin Falls, ID Phone Department of Water Resources
 Person to contact _____ Phone Southern District Office

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

3. Water will be used for the following purposes:

Amount .4 c.f.s. for irrigation
 _____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 30
 (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. 36-7141
 Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion .4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 10S N/S, Range 20E E/W, B.M., Section 8, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$, Jerome
 County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County

Other Points of Diversions: _____

Description of diverting works: pump from drain ditch to sprinkler system.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10S	20E	8		15	5														20

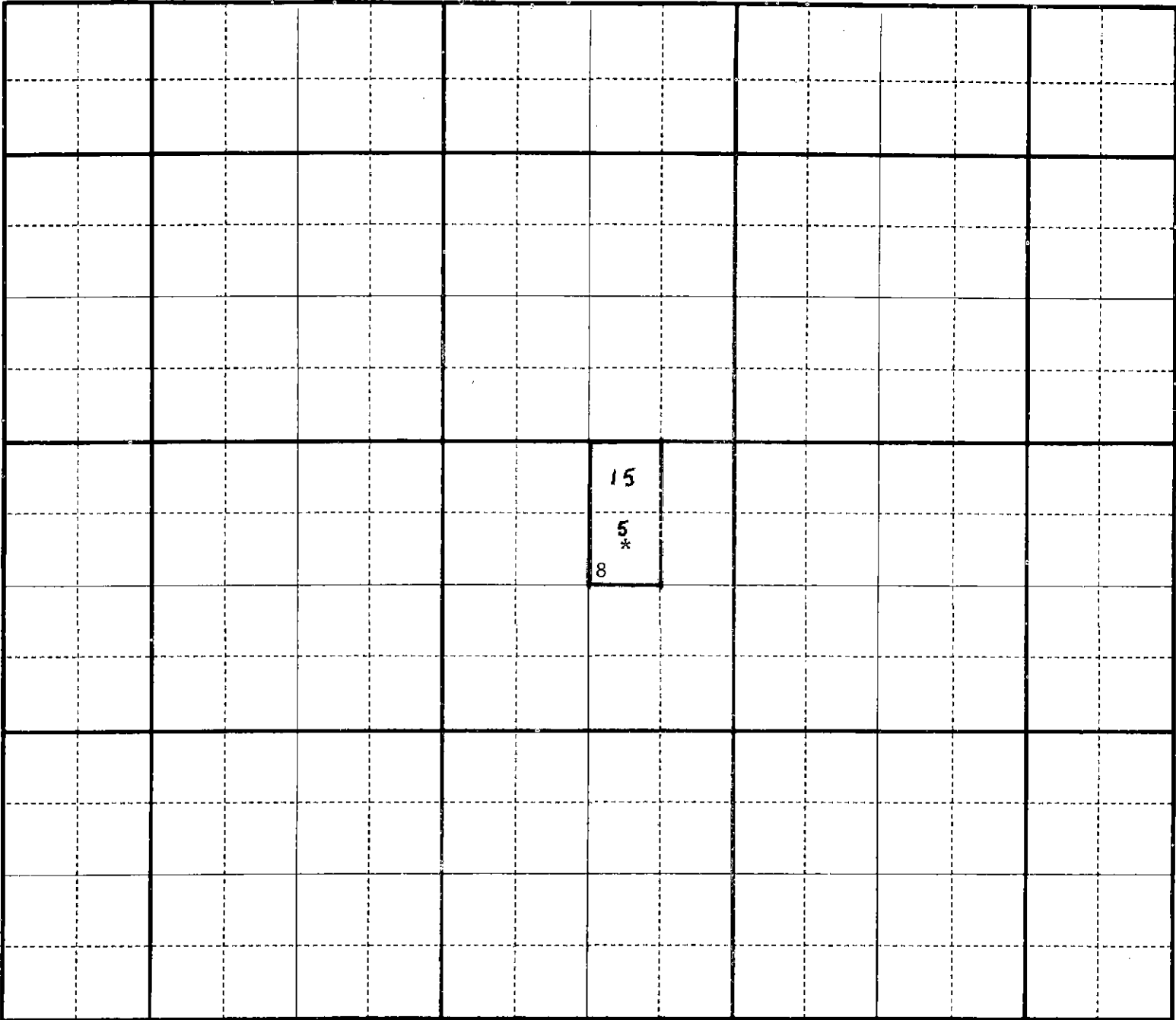


Diagram of System

June 26, 1975

Mr. Bobby Fleenor
Department of Water Resources
Statehouse - Annex 2
Boise, Idaho 83720

Dear Mr. Fleenor:

This letter is a request to remove the measuring device requirements from Permit No's 36-7065, 36-7093, 36-7141 and 36-7144, for the following reason: It appears that our system cannot sufficiently maintain a measuring device. The field examiner from the Southern District Office of Twin Falls suggested that since this water that we are filing on is wastewater, and we have installed concrete ditches, that it would be impractical and costly for us to try and install an adequate device. Therefore, would you please remove the requirements of the measuring device.

Thank you.

Sincerely,

Mrs. Harley Fortner

Mrs. Harley Fortner (Dorothy S.)

DATE OF EXAM 6-19-75

ACREAGE
Found 20
Recommended 20

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 0.4 c.f.s. V = 80 AF/Ann. from April 1 to Oct. 30
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestack 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 ✓ Method of measurement ✓

Total Q recommended 0.4 c.f.s. Meter No. ✓ Type ✓ Condition ✓

Total V recommended 80 Ac Ft / Ann.

Recommended Amendments:

P.D. ✓
Place of Use ✓
Other ✓
None ✓

MEASUREMENT CALCULATION:

Q = 0.4 c.f.s. = Amount Applied For
V = 80 Ac Ft. / Ann. = (Irrigation Req. 4.0 Ac Ft / Ac. Ann.) (20 Acres)

SYSTEM DESCRIPTION:

WASTE WATER DRAINS INTO A WASTE POND IN
WHICH THE WATER IS DIVERTED TO ITS PLACE OF
USE. By A PUMP
MOTOR: 7 1/2 Hp. Brook # 576517
Pump: CRANE # DC415373

REMARKS:

WAIVER WAS REQUESTED FOR MEAS. DEVICE

Examiner's Signature Larry Lundberg Date 9-20-75

Checked by Terry A. Blair Date 4-24-75

Approved by Michael Stuck Date 11-21-75

September 19, 1975

Re: Permit No's. 36-7093, 36-7141 and 36-7144

Harley Fortner
Box 512
Twin Falls, Idaho 83301

Dear Mr. Fortner:

Enclosed is an Order which removes the measuring device requirements on the above referenced permits.

If you have any questions, please contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosure

October 24, 1974

Re: Permit No.'s 36-7093, 36-7141, & 36-7144

Harley Fortner
Box 512
Twin Falls, ID 83301

Dear Mr. Fortner:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits.

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

If you have any questions concerning the field exams, please contact our District Office in Twin Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Identification No. _____

Permit No. 36-7141

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

ok jg

1. a) Name of Permit Holder Harley Fortner
b) Post Office Address Box 512, Twin Falls, ID
2. Permit Number 36-7141
3. Date of Priority that you are prepared to establish November 2, 1970
4. a) Source from which water was appropriated waste water
b) Location of the point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8
Township 10S, Range 20E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .4 for irrigation purposes from Apr. 1 to Oct. 30 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 .4 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: _____
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) Pump from drain ditch to sprinkler system.
b) Describe the type and size of measuring device which you have installed at your point of diversion: A weir.
c) Give well driller's name and address and the date the well was completed: _____
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: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	20E	8		15	5														20

Total number of acres irrigated 20

10. Remarks: _____

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

October 21, 1974

(Date)

Forley C. Johnson
(Signature)

State of Idaho)

) ss.

County of Ada)

On this 21st day of October, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Cheney Woods
Notary Public residing at
Boise, Idaho

December 11, 1970

Re: Permit No. 36-7141

Harley Fortner
Box 512
Twin Falls, Idaho 83301

Dear Mr. Fortner:

Enclosed is a copy of your approved Application for Permit No. 36-7141. We direct your attention to the conditions of approval as listed on the fourth page.

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

Very truly yours,

BOBBY D. FLEENOF
Assistant Director

EDF:kh

Enclosures: Copy of permit
1 informational letter

36 7141

November 25, 1970

Re: Application No. 36-7141 - Harley Fortner

C North Side News
Box 89
Jerome, Idaho 83338

O Gentlemen:

We acknowledge receipt of the affidavit of publication and bill in connection with the above referenced application. As it is required that the bill be certified, we are, therefore, returning it for signature.

P Upon receipt of the certified bill, we will promptly submit it for payment. Thank you for your cooperation in this matter.

Very truly yours,

Y Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Bill for publication

36 7141

**NOTICE OF APPLICATION FOR PER-
MIT TO APPROPRIATE THE PUB-
LIC WATERS OF THE STATE OF
IDAHO.**

Notice is hereby given that Harley Fortner, Box 512 Twin Falls, Idaho has on November 2, 1970 submitted Application No. 36-7141 to appropriate the public waters of waste water, tributary to the Snake River.

The application proposes a maximum diversion and appropriation of 0.4 cubic feet per second of water to be diverted by pump and sprinkler system within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, T. 10S, R. 20 E, B.M., Jerome County, and is to be used within the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 10S, R. 20E, B.M. for the irrigation of 20 acres from April 1 to Oct. 30 .

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, on or before November 30, 1970.

R. KETH HIGGINSON
Director.

(11-12-2tc)

November 4, 1970

Re: Application No. 36-7141 - Harley Fortner

North Side News
Box 89
Jerome, Idaho 83338

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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

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

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

Bill submitted 12-4-70 By ds

36 7141

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Harley Fortner, Box 512 Twin Falls, Idaho,

has on November 2, 1970,

submitted Application No. 36-7141 to appropriate the public waters of
waste water, tributary to the Snake River

The proposed uses are

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system within the SW 1/4 Sec. 8,

T. 10S, R. 20E, B.M., Jerome County,

and is to be used within the SW 1/4, Sec. 8, T. 10S, R. 20E, B.M. for the
irrigation of 20 acres from April 1 to Oct. 30

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Water Adminis-
tration on or before November 30, 1970.

Statehouse, Boise, Idaho,

R. KEITH HIGGINSON
Director

Published in the North Side News, Jerome, Idaho,

on November 12 and November 19, 1970

36 7141

November 2, 1970

Mr. Harley Fortner
Box 512
Twin Falls, Idaho 83301

Dear Mr. Fortner:

Returned herewith is Departmental Receipt No. 5280 in the amount of
\$10.00 for Application for Permit

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

36 7141