

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED
NOV 4 1981
Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Application For Water Right

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on Oct. 8, 1981
and the last publication having been made

on Oct. 15, 1981

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

[Signature]

~~~~~

Subscribed to and sworn to before me

this Oct. 16, 1981

*[Signature]*

Notary Public.

(SEAL)

My commission expires Life.

NOTICE OF APPLICATION  
FOR WATER RIGHT

Notice is hereby given that the following  
application(s) have been submitted for permit  
to appropriate the public waters of the State  
of Idaho:

Application No. 32-7120  
Applicant RIGBY R. &/or KRIS T. MON-  
TEVIEW, ID 83435

Source: GROUNDWATER

Date filed: 09/25/1981.

Amount: 1.26 CFS

Diversion Point: NWSE Sec. 25 T 10N R  
33E, CLARK Co.

Use: IRRIGATION (1.26 CFS) from 04/01/  
to 11/01

Place of Use: NESW NWSE Sec 25 T 10N  
R 33E FOR 63 ACRES

Diversion Means: WELL PUMP &  
SPRINKLER SYSTEM

If issued, the permit(s) will be subject to all  
prior water rights. Protests against the  
granting of any permit must be filed with the  
Director of the Idaho Department of Water  
Resources 150 Shoup Ave., Idaho Falls,  
Idaho 83402 on or before OCTOBER 26,  
1981.

A. KENNETH DUNN  
Director

Publ. Oct. 8 and 15, 1981J

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c. Describe the lands and place of use to which the right will be transferred:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 10N  | 34E   | 32   |     |     |     |     |     |     |     |     |     | 40  | 40  |     |     |     |     |     | 80     |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 80

4. Describe any other water rights used for the same purpose as described above. NONE
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

R 34 E

T 10 N

30

Blue Creek

Holding Pond P.D.

32

P.O.U.

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SCALE: 2 inches equal 1 mile. Draw plan in ink.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

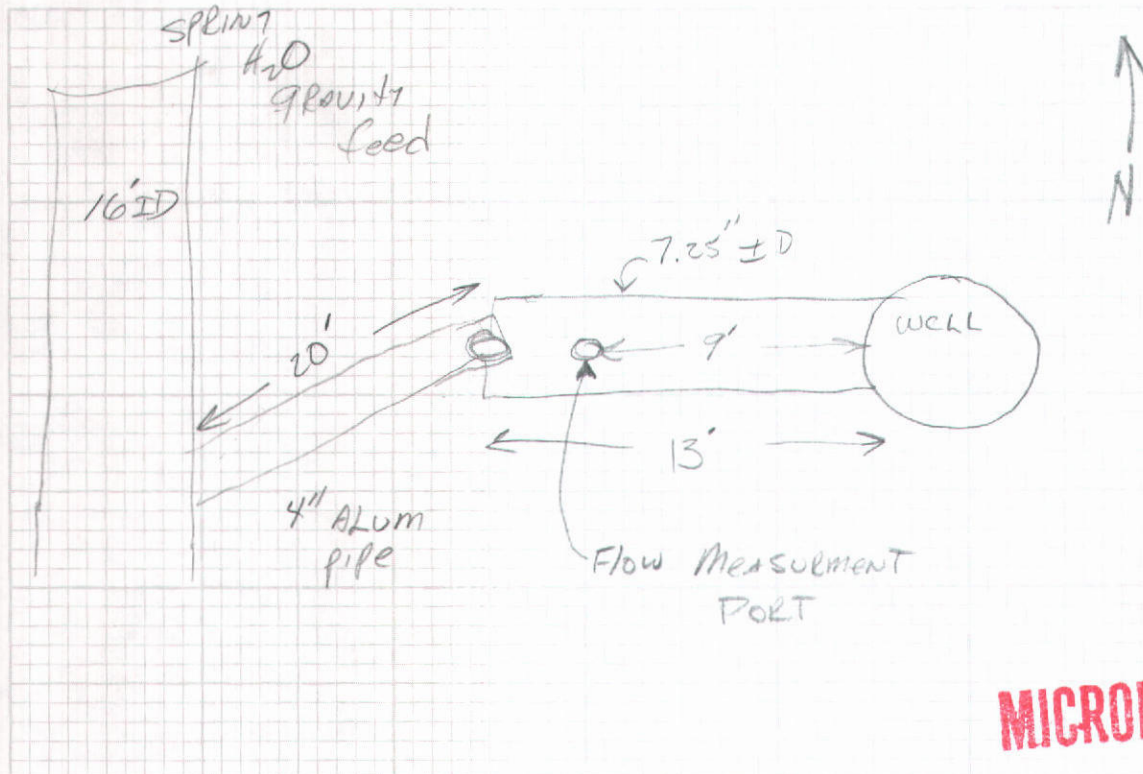
1. Owner: James R. Rigby & Kris T. Rigby Permit No. 32 7120  
Current Address: Montevideo ID 83435 Phone No. 657-2521  
HE 63 DOA 2215  
2. Accompanied by: Kris Rigby EXAM. DATE: 6-16-87  
Address: SAME Phone No. 657-2520  
Relationship to Permit Holder: \_\_\_\_\_  
3. Source: GROUND WATER tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: Yes spring ☐ Copies Attached  
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



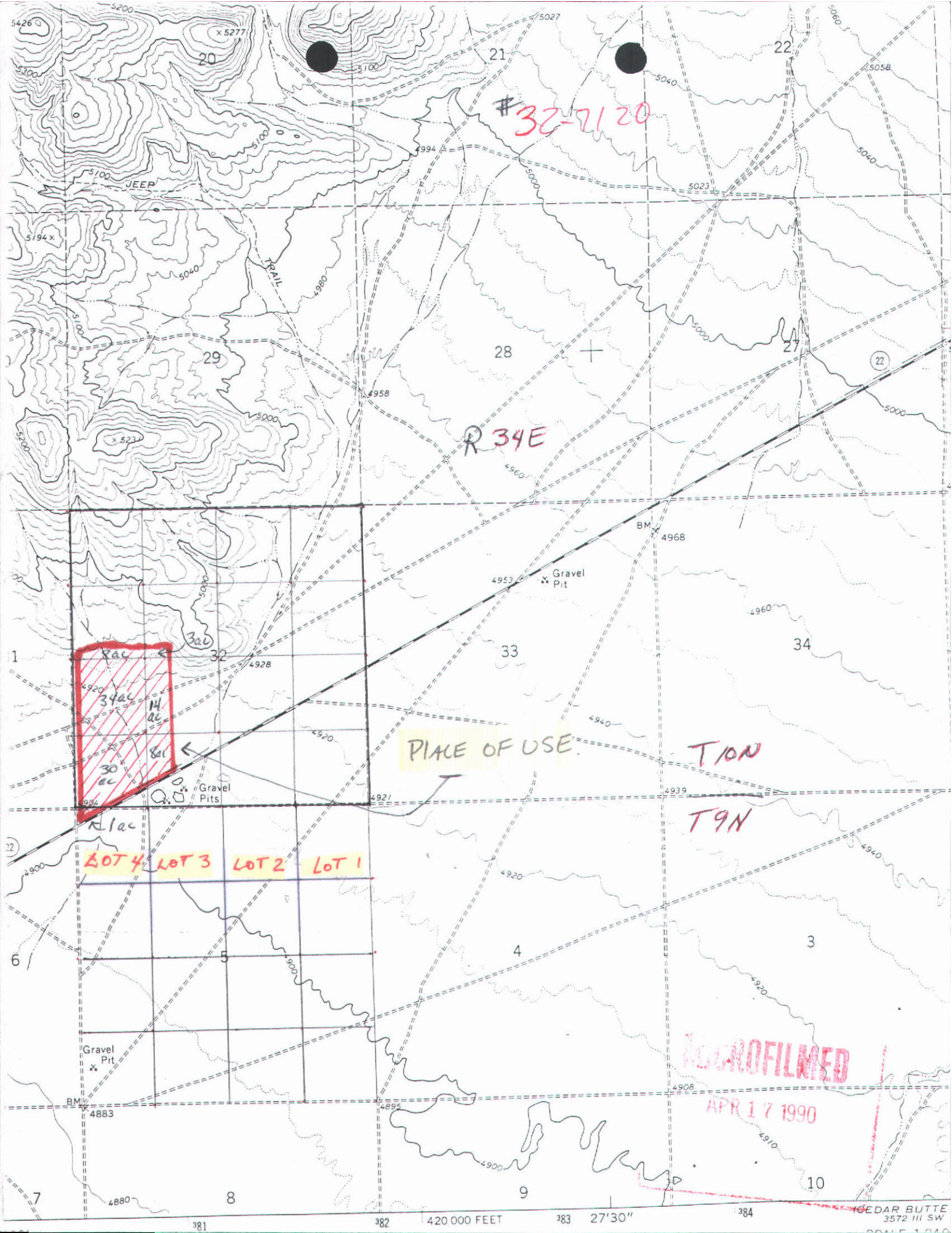
Scale: 1" = \_\_\_\_\_

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

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#32-7120

R 34E

PLACE OF USE

T10N

T9N

LOT 4 LOT 3 LOT 2 LOT 1

REPROFILMED

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CEDAR BUTTE  
3572 III SW  
SCALE 1:24

JAMES RIGBY

32-7120

R34E

3029  
31 32

T177

2  
137.1

55

T  
10  
N

570

32

JAMES  
RIGBY

34ac  
22  
T177

30ac

99.7

PLACE  
OF  
USE

5  
489

8  
595

LELAND SPEELMAN

APR 1

38.4

REPRODUCTION

106.2

793

32-7120

POINT OF DIVERSION



MICROFILMED

APR 17 1990

32

PC

x



**MICROFILMED**

APR 17 1990

32

A

x



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NOV 15 2000

Department of Water Resources

200 NOV 14 AM 11:42

FILED  
TWIN FALLS, IDAHO  
SRBA

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

ORDER OF PARTIAL DECREE

Case No. 39576

For Water Right 32-07120

On August 24, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 32-07120 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 14 2000.



BARRY WOOD  
Administrative District Judge and  
Presiding Judge of the  
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

MICROFILMED

NOV 10 2002

Page 1

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 32-07120

200 NOV 14 AM 11:42

FILED  
CLERK OF DISTRICT COURT, IDAHO

NAME AND ADDRESS: BLUE SPRINGS RANCH  
C/O JIM W TARPLEY  
HC 61 BOX 1140  
DUBOIS, ID 83423

SOURCE: GROUNDWATER

QUANTITY: 1.06 CFS  
220.50 AFY

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NOV 15 2000

Department of Water Resources

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 1.60 CFS.  
COMBINED RIGHT NOS.: 32-02023, 32-11147

PRIORITY DATE: 09/25/1981

POINT OF DIVERSION: T10N R34E S25 NWSE Within Clark County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 11-01 | 1.06 CFS<br>220.50 AFY |

| PLACE OF USE: | Irrigation                      | Within Clark County |
|---------------|---------------------------------|---------------------|
|               | T09N R34E S05 LOT 04 (NMMW) 4.0 |                     |
|               | T10N R34E S32 NWSW 40.0         | SWSW 36.0           |
|               | 80.0 Acres Total                |                     |

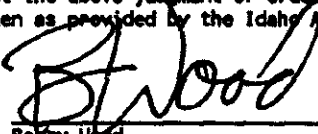
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 80 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-02023, 32-11147  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 63 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 32-07120

PAGE 1  
Nov-08-2000

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NOV 15 2000

Department of Water Resources

2000 NOV 14 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 32-07120

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 32-07120 was mailed  
on November 14, 2000, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

BLUE SPRINGS RANCH  
Represented by:  
CHARLES C. JUST  
PO BOX 50271  
IDAHO FALLS, ID 83405  
Phone: 208-523-9106

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
11/14/00

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JUL 10 2002

This  
Right has been  
Decreed in the  
SRBA.

---

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 32-07120

Priority: September 25, 1981

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

1.06 CFS  
189.0 AF

This is to certify, that JAMES R. RIGBY  
KRIS T. RIGBY

HC 63 BOX 2275

MONTEVIEW, ID 83435

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 25, 1981; and has submitted Proof of Beneficial Use on July 3, 1985. An examination indicates that the works have a diversion capacity of 1.060 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       | 1.06 CFS                 | 189.0 AF             |

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 25, Township 10N, Range 33E  
CLARK 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 10N        | 34E        | 32         | NWSW 33      | SWSW 30      |              | 63           |

Total number of acres irrigated: 63

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 more accurately describe the beneficial use or to implement accepted standards of diversion and use 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 3.0 afa per acre for the lands above.

**MICROFILMED**

APR 17 1990

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 32-07120

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 22<sup>nd</sup>  
day of April, 1990.

Acting for R. Keith Higginson, Director

**MICROFILMED**

APR 17 1990

State of Idaho  
Department of Water Resources

RECEIVED  
15 1988

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 32-07120

Department of Water Resources

Date of Priority: September 25, 1981

Comes now JAMES R. RIGBY  
KRIS T. RIGBY  
HC 63 BOX 2275  
MONTEVIEW, ID 83435

APPROVED

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. 32-07120, 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>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| IRRIGATION            | 04/01 to 11/01       | 1.06 CFS                 | 189.0 AFA     |

LOCATION OF POINT OF DIVERSION(S): NWSE , Sec. 25, Township 10N, Range 33E  
CLARK 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> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 10N                              | 34E        | 32         | NWSW 33      | SWSW 30      |              | 63           |
| Total number of acres irrigated: |            |            |              |              |              | 63           |

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 Monteview Ida, this 10 day of Aug, 19 88.

MICROFILMED

APR 17 1990

James Rigby  
(Signature)

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 32-07120

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

#C002238

Preliminary check by KW Fee = \$20.00 ✓ Received by CP Date 8/16/88

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. 32-07120 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
- ✓ 4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Witness my hand this 2<sup>ND</sup> day of April, 1990.

Norm C. Young  
(Director)  
Acting for

**MICROFILMED**

APR 17 1990

5.1

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant James R. Rigby & Kris T. Rigby Phone 657-2563

Post office address Monteview, Idaho 83435

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 25 Township 10N

Range 33E B.M. Clark County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 1.26 cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.26 cfs cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well pump and 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 when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.

c. ~~Proposed~~ Existing well diameter is 30 inches, ~~Proposed~~ Existing depth of well is 540 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

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: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

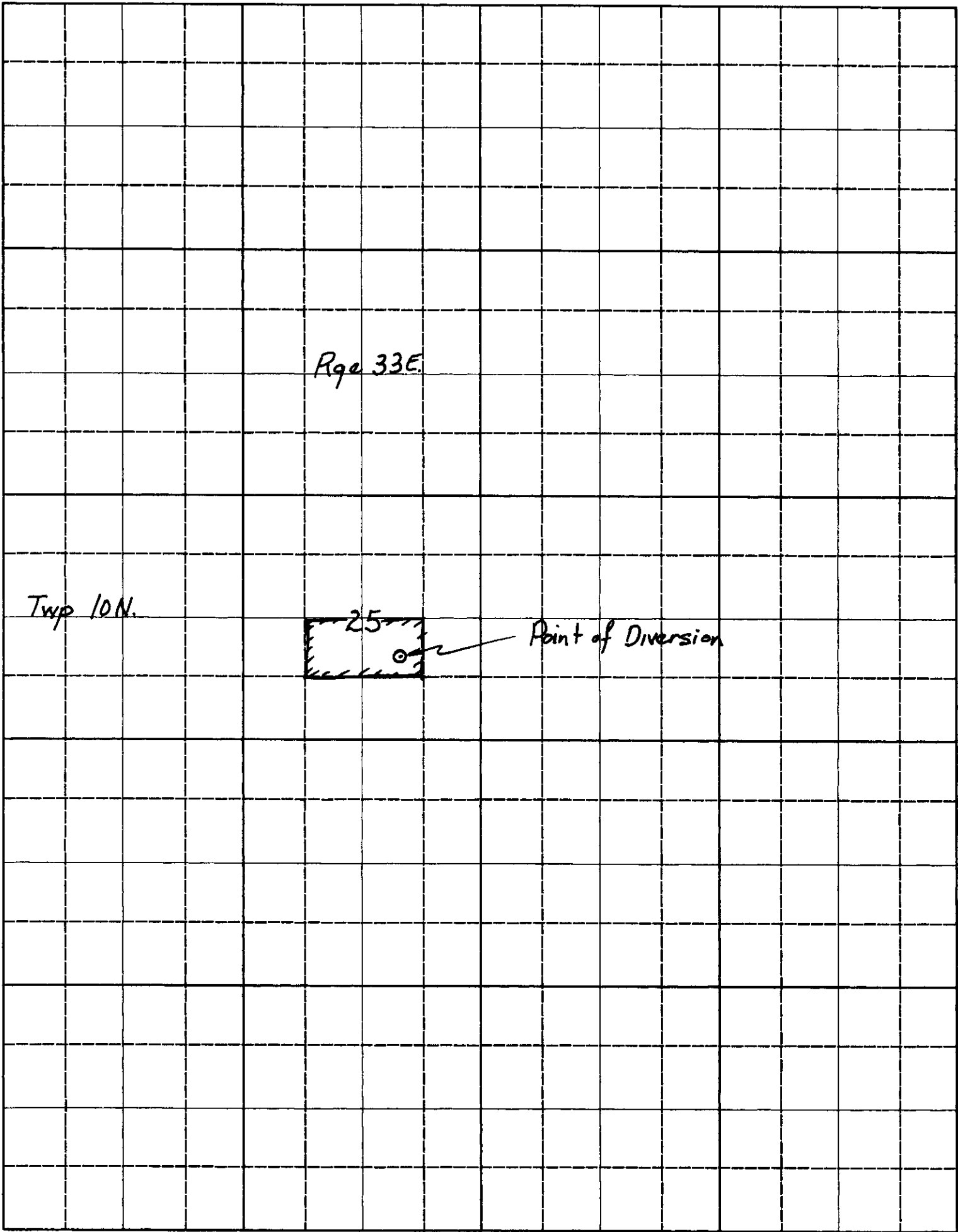
(3) List number of each kind of livestock to be watered \_\_\_\_\_

(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: \_\_\_\_\_



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

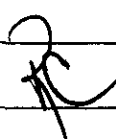


Scale 2 inches equal 1 mile.

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.

x Kris Rigby  
James Rigby (Applicant)

Proposed Priority 9/25/1981

Received by SM Date 9/24/81 Time 3:40  
Preliminary check by HWT Fee \$ \$65.00  
Receipted by CW Date 9/25/81 # 19088  
Publication prepared by BKS Date 9-30-81  
Published in Standard Journal  
Publication dates 10-8 & 10-15-81  
Publication approved (CW) Date 11/05/81  
Protests filed by: None  
  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by EMC 

**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. 32-7120, 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 November 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 20<sup>th</sup> day of November, 19 81.

  
Chief, Operations Bureau

The REXBURG STANDARD and  
The REXBURG JOURNAL  
REXBURG, IDAHO

NOV 4 1931

Department of Justice  
Eastern District Office

**Affidavit of Publication**

STATE OF IDAHO }  
County of Madison } ss

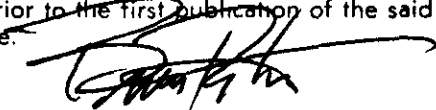
I, John F. Foster  
being first duly sworn, depose and say,  
that I am the printer of THE REXBURG

Journal, a newspaper printed and  
published weekly at Rexburg, Madison  
County, Idaho, and I do solemnly swear  
that the

Notice of Application for Water right  
a copy of which notice appears attached  
hereto, was published in the regular and  
entire issue of said newspaper, and not in

any supplement issue thereof for two  
consecutive issues, the first publication hav-  
ing been made on Oct 2, 1931  
and the last publication having been made

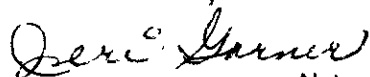
on Oct 4, 1931.  
Further, that said newspaper is one of  
general circulation in said county; that it  
is a legal newspaper, conforming to legal  
specifications under the Idaho Statutes, that  
it has at least two hundred bona fide sub-  
scribers living within the county of publica-  
tion, and that it has been continuously and  
uninterruptedly published in said county dur-  
a period of seventy-eight consecutive weeks  
prior to the first publication of the said not-  
ice.



~~~~~

Subscribed to and sworn to before me

this Nov 4, 1931



Notary Public.

(SEAL)

My commission expires 11 10.



This
Right has been
Decreed in the
SRBA.

MICROFILMED

1988

April 5, 1990

JAMES R. RIGBY
KRIS T. RIGBY
HC 63 BOX 2275
MONTEVIEW, ID 83435

RE: PERMIT NO. 32-07120

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

APR 17 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

July 5, 1988 DIRECTOR

JAMES R. RIGBY
KRIS T. RIGBY
HC 63 BOX 2275
MONTEVIEW, ID 83435

RE: PERMIT NO. 32-07120

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

*We have been gone - and
didn't realize this needed to be in
James Rigby*

RECEIVED

APR 17 1990

*Rec'd 8/15/88
w/enc. amend.*

July 5, 1988

JAMES R. RIGBY
KRIS T. RIGBY
HC 63 BOX 2275
MONTEVIEW, ID 83435

RE: PERMIT NO. 32-07120

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

RECORDED
APR 1 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No _____

1 Measurement Calculations

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

b) Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{3.0} = \underline{189.0}$
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{449.9}$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{\hspace{2cm}}$

c) Volume Calculations for Other Uses:

2. Overlap Review *per Natural:*

a) Other water rights with same place of use: 32-2023

b) Other water rights with same point of diversion: none

c) Analysis:

*Blue OK.
recommend
B29 - see
copy in
file.*

RECORDED

APR 17 1990

pd. \$125.00
exam fee

30 day
P/U

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	32-7120	9-25-1981	1.06 cfs	9-25-1981	7-3-1985	1.06 cfs

4. Permit Holder: James R. Rigby & Kris T. Rigby
Address: HC 63, Box 2275, Montevideo, ID 83435

5. Source: gw tributary to ✓

6. Beneficial Use: Irrig. Period of Use: From 4-1 To 11-1 Rate of Diversion: 1.06 cfs Annual Volume: 189.0 AFA

Allowable Maximums: 1.06 cfs 189.0 AFA

7. Point(s) of Diversion: ✓

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			NW	SE	25	10N	33E	Clark

8. Place(s) 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	
10N	34E	32							8	3	14	34	30	8				97	
9N	34E	5							1									1	
									~~64~~										
10N	34E	32										33	30					63	
Total Acres																		63	

9. Recommended Conditions/Remarks: B29

Pl. dismissed from Swan Falls suit - 5th dismissal
OK to proceed w/ licensing.

RECEIVED

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

Date

Checked in Regional Office by

Date

Approved in State Office by K. Walker

Date 5/31/88

APR 17 1990

Transfer No. 2597Water Right No. 32-2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVEDName of applicant Leland H. Speelman Phone 657-2274Post Office address DuBois, Idaho 83423**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
In case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b. License No. 32-2023 issued by the Idaho Department of Water Resources

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

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant owns land which right is appurtenant to.

3. Source of water Blue Creek tributary to Sinks4. Date of priority MAY 21, 1910

5. Water is used for the following purposes:

amount 1.7 cfs for Irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.7 cfs cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30
Township 10N Range 34E, B.M., in Clark County
Additional points of diversion, if any _____

8. Lands 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 $\frac{1}{4}$	
10N	34E	31											lot 4 25						25
9N	34E	6	lot 1 40	lot 2 20															60
Total number of acres to be irrigated																			85

Describe any other water rights used for the same purpose as described above #32-2101(Being transferred also)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS

B DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B)

1. Amount of water: a _____ cubic feet per second
&/or
b. _____ acre feet per annum

✓ Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 1.6 cfs c.f.s. &/or _____ acre feet
b. Description of diverting works Pond and Pipeline to place of use
c. Describe the reasons for the proposed changes No access to water from ground applicant owns.

2. Change in point of diversion **NO CHANGE**

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No XX. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

None

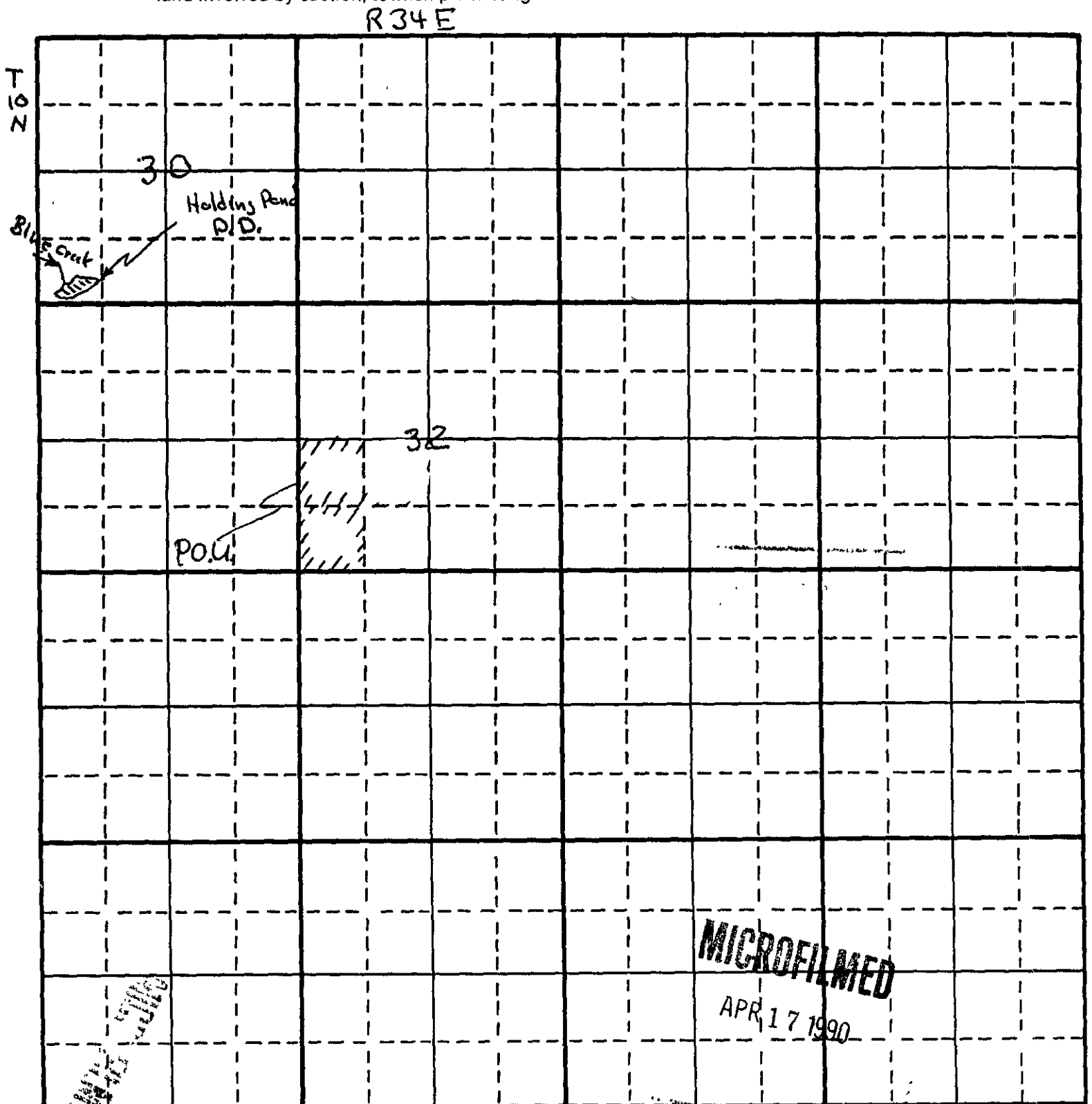
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APR 17 1990

c Describe the lands ~~Place~~ of use to which the right will be transferred.

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10N	34E	32										40	40						80

Total number of acres to be irrigated 80

4. Describe any other water rights used for the same purpose as described above NONE
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE 2 inches equal 1 mile Draw plan in ink

D REMARKS

Since right was transferred from 85 acres to 80 acres, only one miners inch per acre was transferred.

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 willfull misrepresentations made in this application may result in voiding its approval

Richard H. Johnson
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of Sept, 19 81.

R. Phil Thompson
H. RHODES THOMPSON
CLERK OF DISTRICT COURT
CLARK COUNTY, IDAHO

My commission expires _____ BY _____ DEPUTY

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 32-2023 and said application is hereby Approved, subject to the following limitations and conditions:

1. The maximum rate of diversion under this right shall not exceed 1.6 cfs nor shall the right be used to irrigate more than 80 acres.

Witness my hand this 30th day of November, 19 81.

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by CW Date 9-16-81 Protest filed by _____
Prelim. check by KCW Fee \$50.00 _____
Receipted by CW Date 9-16-81 _____
Published in Rigby Star # 19073 Copies of protest forwarded by _____
Pub. dates September 24 - October 1, 1981 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ by _____ for approval denial
_____ rec'd. _____

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APR 1 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

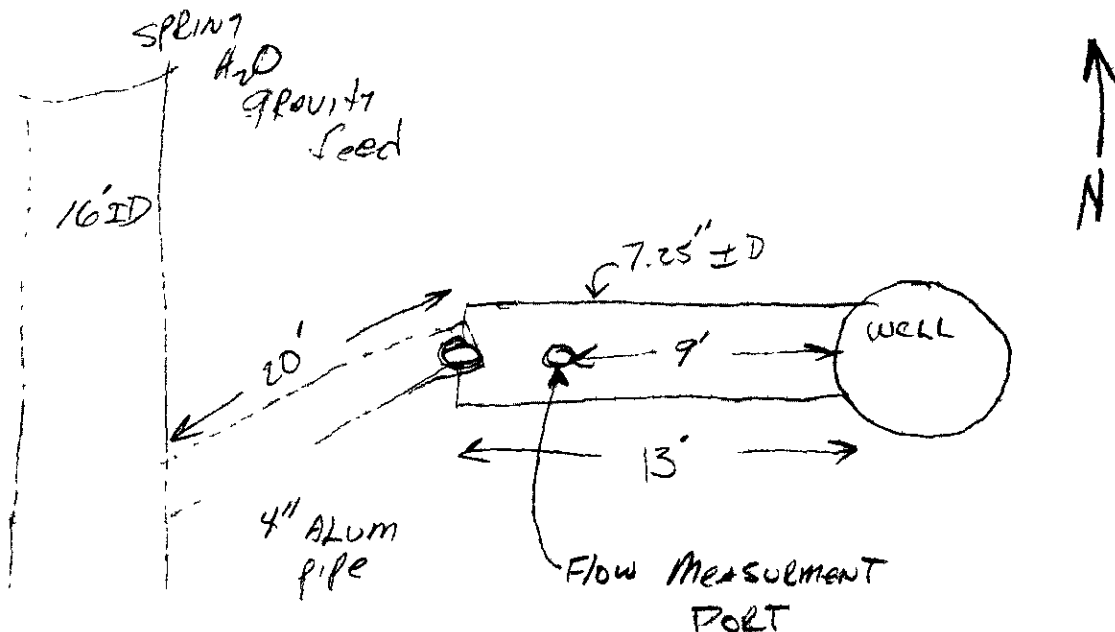
1. Owner: James R. Rigby & Kris T. Rigby Permit No. 327120
Current Address: Montevideo ID 83435 Phone No. 657-2521
HE 63 BOX 2215
2. Accompanied by: Kris Rigby EXAM. DATE: 6-16-87
Address: SAME Phone No. 657-2520
Relationship to Permit Holder: _____
3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Yes spring ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

WATER 15 pumped from a HP pump out of the ground AND into a 8" pipe 13' then into a 4 in AL pipe 20 feet into A 16 in main line which has SPRING WATER already in it which entered 3 feet above that. MAIN LINE SIZES AS IT GOES TO THE IRRIGATED LAND: 16" 1/2 mile, 14" 1/4 mile, 12" 1 mile, 10" 5/8 mile, 8" 5/8 mile, 60' - 70' CASING

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	30	2656874779 2T4A	Western Pump Company	

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		~~NE~~	NW	SE	25	10N	33E	CLARK	USGS MAP
		SE							

6. Place(s) of Use:

Indicate Method of Determination

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	
10N	34E	25									25				35				60
		32									33	30							63

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
MANOMETER						

2 Measurements:

Pressure = 20 psi						
Manometer Reading	8" High	2.5" Low				
ID = 7.25"	Difference = 5.5"					

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

Annular 1.06 cfs Theoretical Q = $\frac{30 \times 8.814 \times .82}{60' + (2.308 \times 20)} = 2.04 \text{ cfs}$

2. Alternate Method for Checking Purposes:

Bird $\frac{4.61 \text{ gpm}}{32 \text{ Bird}} \times 118 \text{ Birds} = 448 \frac{\text{cfs}}{\text{gpm}} = 1.21 \text{ cfs}$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head. (1) + (2) = _____ (3) ; Flow rate. _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1 Volume Calculations for Irrigation:

$63 \text{ acres} \times 3 \text{ ft} = 189$
 $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 78 \times 3 = 294.0 \text{ af}$
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.06 \times (214) \times 1.9835 = 450 \text{ af}$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 294.0 \text{ af}$

2 Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

KRIS STATED THAT THIS IS 80 ACRES

27 wheel lines and 1 and lines

29 birds on each wheel lines

40 birds on the hand line

38 40 psi on the middle line 7/32 nozzle

42 psi on the hand line

AVERAGE PRESSURE @ BIRD = 40 PSI

118 TOTAL BIRDS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afs)
	From	To		
IRRIGATION	4-1	11-1	1.06	294.0 189 af
Totals:			1.06	294.0 189 af

2. 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

J. AUTHENTICATION

Field Examiner's Name

SAMUEL D FILETTI

Signature

Samuel D Filetti

Certification Date

OCT 1, 1987

Field Report Preparation Date

Steve McCormick

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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APR 17 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

32-7120
Permit No.

Measurement Calculations

Field Measurement Calculations (Include theoretical capacities and system capacity)

Halls Meter: $Q = (A)(V_h)$ $A = \text{Area} = \frac{\pi d^2}{4}$ $V_h = \text{Halls Manometer Reading}$

$Q_{\text{gpm}} = (A)(V_h) = \left[\frac{\pi d^2}{4} \right] (V_h) = \text{GPM} \div 448.8 \text{ gpm/cfs} = \text{CFS}$

$Q_{\text{cfs}} = \left[\frac{(3.1416)(\quad)^2}{4} \right] \times (\quad) \div 448.8 = \quad \text{cfs}$

TABLE 1

CHART TO CONVERT LINEAR INCHES DIFFERENTIAL
IN THE MANOMETER TO MANOMETER READING

$V_h = \text{HALLS Manometer Reading}$	Diff. Inches of Water	$V_h = \text{HALLS Manometer Reading}$	Diff. Inches of Water	$V_h = \text{HALLS Manometer Reading}$	Diff. Inches of Water
1	.140	17	12.435	33	43.950
1.5	.240	17.5	13.132	33.5	45.200
2	.350	18	13.848	34	46.500
2.5	.470	18.5	14.582	34.5	47.850
3	.600	19	15.334	35	49.200
3.5	.750	19.5	16.108	35.5	50.550
4	.903	20	16.898	36	51.900
4.5	1.080	20.5	17.707	36.5	53.250
5	1.283	21	18.534	37	54.600
5.5	1.540	21.5	19.380	37.5	56.000
6	1.803	22	20.246	38	57.35
6.5	2.094	22.5	21.129	38.5	58.7
7	2.397	23	22.031	39	60.05
7.5	2.722	23.5	22.951	39.5	61.4
8	3.066	24	23.891	40	62.75
8.5	3.428	24.5	24.849	40.5	64.1
9	3.810	25	25.825	41	65.45
9.5	4.210	25.5	26.820	41.5	66.8
10	4.627	26	27.834	42	68.15
10.5	5.063	26.5	28.866	42.5	69.5
11	5.520	27	29.917	43	70.85
11.5	5.994	27.5	30.987	43.5	72.2
12	6.486	28	32.075	44	73.55
12.5	6.997	28.5	33.181	44.5	74.9
13	7.526	29	34.307	45	76.25
13.5	8.074	29.5	35.451	45.5	77.6
14	8.642	30	36.610	46	78.95
14.5	9.228	30.5	37.790	46.5	80.3
15	9.832	31	38.960	47	81.65
15.5	10.454	31.5	40.200	47.5	83.00
16	11.096	32	41.450	48	84.35
16.5	11.756	32.5	42.800		

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APR 17 1990

Annubar:

B = Difference in inches of water

C = Annubar Factor: Model 75 = -3.85
Model 73 = 4.14

$Q_{\text{cfs}} = \left[\frac{(C)(id)^2 \sqrt{B}}{448.8} \right] K = \text{CFS}$

$Q_{\text{cfs}} = \left[\frac{(3.87)(7.25)^2 \sqrt{5.5}}{448.8} \right] (\quad) =$

$Q_{\text{cfs}} = 1.06 \text{ cfs}$

K = Flow Correction Factor
= 1 for Manometer
= # From Calibration Chart

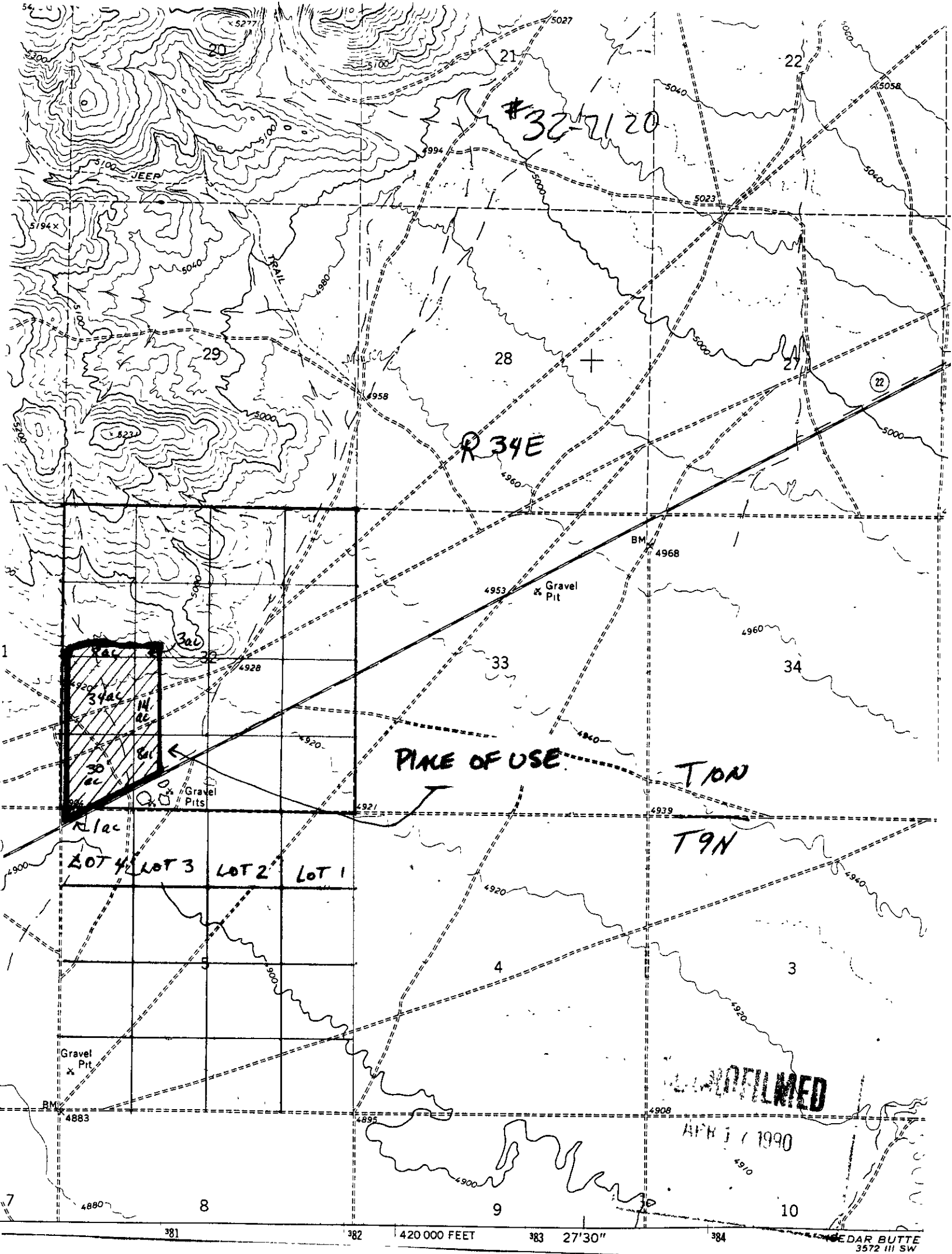
C=Correction Factor

6"	-----3.75
7.98"	----- <u>3.87</u>
10"	-----3.94
12"	-----3.99
14"/16"	-----4.01
18"/24"	-----4.02
30"	-----4.03

~~33F~~ ~~34E~~

This system was running
ON ground that is not described
ON PERMIT **RECORDED**

APR 1 / 1990



JAMES

32 120

R 304

3029
3/32

515

510

519

32

JAMES
RIGBY
C2
1177
306

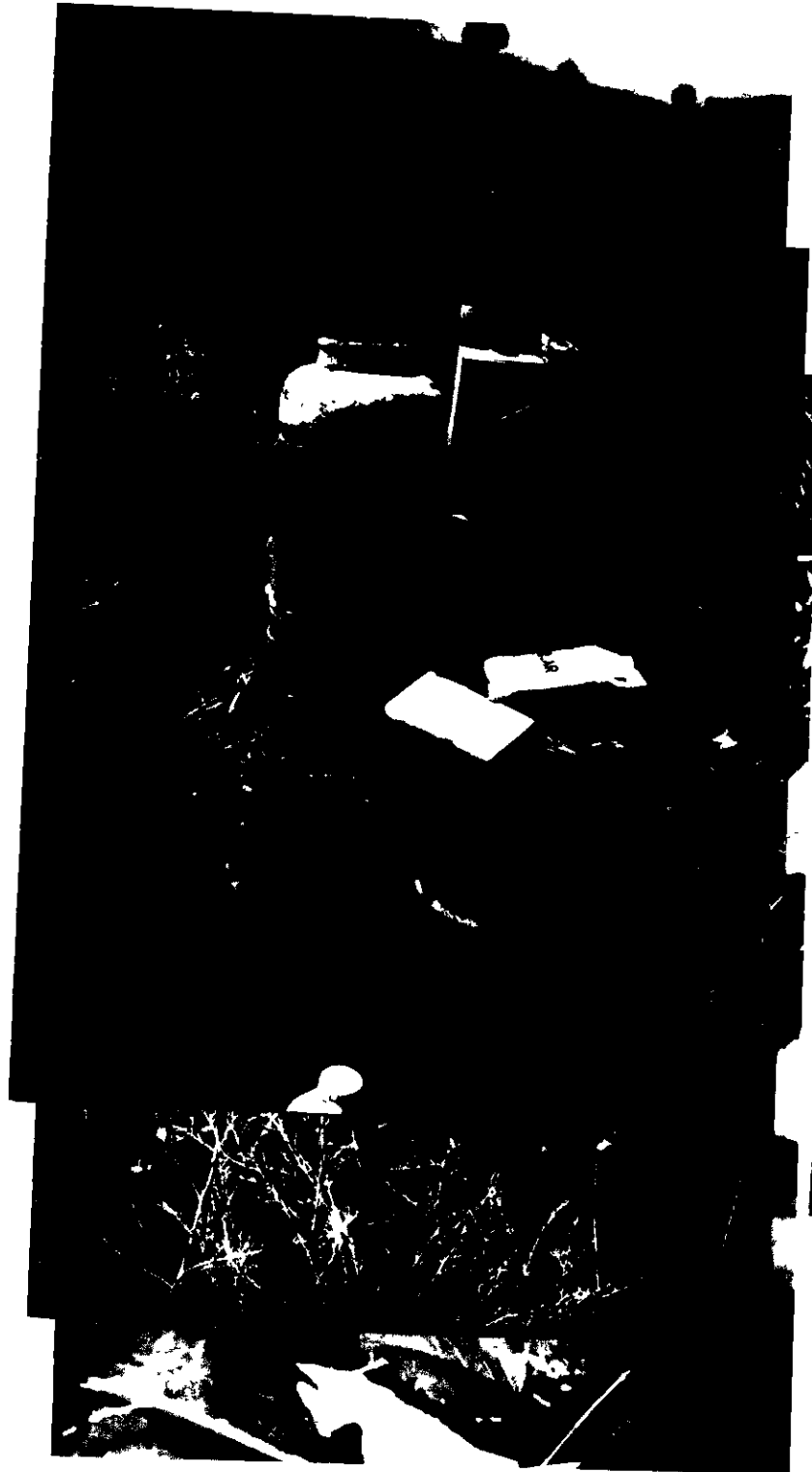
VLAL
OF

AND SPELTAN

10
34

32 -7120

POINT OF DIVERSION



MICROFILMED

APR 17 1960

32

PC

x



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APR 17 1990

32

PC

Y



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APR 17 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

8-11-1986

32-7120
Permit No.

Ernest
RECEIVED
OCT 23 1987

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of a Department of Water Resources
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index Kaw 0 9 APR 87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index Kaw 0 9 APR 87 (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: 32-2101 springs

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Samuel D. Little 7-1-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent HL 5-24-87 (Initial and date)

Exam Reviewed by Manager of Regional Office SAF 10/11/87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office 10/1/87 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

State of Idaho

CONTACT WITH PERMIT HOLDER

- | | |
|--------------------------|---|
| ☐ | Appointment letter mailed: |
| ☐ | Telephone call made |
| ☐ | (List Telephone No. used)
Appointment scheduled for: |

DIRECTIONS:

[illegible]

4/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 12.00
Date 8-8-86
Receipt # 239820
Receipt by AD
Sent to S.O.

RECEIVED

AUG 21 1986

1. Permit No. 2-2-7120

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:
Department of Water Resources

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: James R. Rigby
Kris P. Rigby

3. Post Office Address: H.C. 63 Box 2275 Montevideo Idaho
83435 Telephone No. 657-2521

4. Source of Water: Under Ground

5. Extent of Use:

Domestic (No. of households) Stockwater (No. and type of stock)

Irrigation 63 (acres) Other/Remark

6. Total rate &/or volume for which proof is submitted 1.26 cfs acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1981

8. Person to contact to accompany the department representative during the field examination:

Kris Rigby (Name)

H.C. 63-Box 2275 Montevideo Idaho 83435 (Address) 657-2520 (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner. I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

8-3-86
Date

James R. Rigby (Partner)
Signature of Permit Holder, (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

A. Kenneth Dunn

D- 37-7120
RIGBY, JAMES R.
RIGBY, KRIS T.
HC 63 BOX 2275
MONTEVIEW, ID 83435

June 16, 1986

138778

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You may change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

APR 17 1990

Certified water right examiners are licensed engineers or geologists certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water

right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Avenue
Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Sincerely,

Ron D. Carlson
RC

RONALD D. CARLSON
Regional Manager

Enclosure

APR 1 1981

APR 1 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7151

FEBRUARY 20, 1988

RIGBY BROS.
PO BOX 2275
MONTEVIEW ID 83435

RE Permit No. 32-7120

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 525-7151 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

MICROFILMED

APR 17 1990

FORM A

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

RECEIVED
JUL 2 1965

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. 32-7120
Name(s) of Permit Holder: Right Bros.

Post Office Address: HC. 63 Box 2275 Montevideo, Idaho
83435 Telephone No. 657-2521

Source of Water: _____

Extent of Use: Domestic _____ (number of households)
Stockwater _____ (number and type of stock)
Irrigation 63 (acres)
Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: 6-1-81

Measuring Device: Required? _____ Yes _____ No
Installed? _____ Yes _____ No

Flow Measurement Port: Required? X Yes _____ No
installed Required? X Yes _____ No

Person to contact to accompany the Department representative during field examination: James R. Rupp (Name)

(Address) 657-2521 (Telephone number)

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

6-25-85
Date

James R. Rupp
Signature of Permit
(and Title, if appropriate)

WICP 701111

pt



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

December 16, 1981

Re: Permit No. 32-7120

James R. Rigby & Kris T. Rigby
Monteview,
Idaho 83435

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install a measuring device, or an access port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the access port.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

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

DRT:kw
Enclosure

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

32 7120

INITIAL REVIEW BY: HWS

APPLICATION NUMBER:

32-7120

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

☒ Yes ☒ No Field check required.

☒ Yes ☒ No Critical groundwater area.

☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☒ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No Platted by: _____ Map No. _____

☐ Yes ☒ No Other rights on same place of use. _____

☒ Yes ☐ No* In form for advertising. _____

☐ Yes ☒ No Final date for protests: Oct 26 1981 ✓

☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 11-4-81 ✓

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☒ Yes ☒ No Measuring device required.

☒ Yes ☒ No Access port required.

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____

9-25-81 Date of priority recommended.

Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: Nov. 5, 1981

STATE OFFICE REVIEW.

32-7120 OK

☐ See attached sheet for more information.

By: Rays Date: 11/8/81

RECEIVED
NOV 10 1981

October 29, 1981

RE: Application for Permit No. 32-7120 RIGBY

Standard Journal
P.O. Box 10
Rexburg, ID 83440

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on October 8 and 15, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 1, 1981

The Standard Journal
P. O. Box 10
Rexburg, Idaho 83440

Gentlemen

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 26, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before OCTOBER 26, 1981.

A. KENNETH DUNN

Director

Published 10/8 & 10/15/81.

32-7120-

RIGBY, JAMES R. &/or KRIS T.

MONTEVIEW, ID 83435

Source GROUNDWATER

Date Filed 09/25/1981

Amount. 1.26 CFS

Diversion Point: NWSE Sec 25 T 10N R 33E. CLARK Co.

Use IRRIGATION (1.26 CFS) from 04/01 to 11/01

Place of Use NESW NWSE Sec 25 T 10N R 33E FOR 63 ACRES

Diversion Means. WELL PUMP & SPRINKLER SYSTEM

IDAHQ DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]