

RECEIVED

MAR 23 1979

Department of Water Resources

Eastern District Office

STATE OF IDAHO,

County of Jefferson

Affidavit of Publication

THE RIGBY STAR

ss

NOTICE OF APPLICATION
FOR WATER RIGHT

NOTICE IS HEREBY GIVEN that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

No. 31-7312

Shane Linderman, Terreton, Id. 83450.

Source: Groundwater

Date Filed: 2/28/1979

Amount: 3.00 CFS

Diversion Point: NWNW Sec. 33 T 06N R 35E, Jefferson Co.

Use: Irrigation (3.00 CFS) from 4/01 to 11/01

Place of Use: NESW NWSW SWSW SESW Sec. 28 T 06N R 35E NENW NWNW SWNW SENW Sec. 33 T 06N R 35E for 280 acres.

Diversion means: Well, pump, sprinkler system.

If issued, the permit 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, 1515 Lincoln Rd., Idaho Falls, Idaho 83401 on or before March 26, 1979.

/s/ C. Stephen Allred
Director

Published March 7 and 14, 1979.

I, Karl Hanosky
Publisher of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Seventh day of March, 19 79

and the last publication on the

Fourteenth day of March, 19 79

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Karl S. Hanosky
Publisher

Subscribed in my presence and sworn to before me this Fourteenth day of March, 19 79.

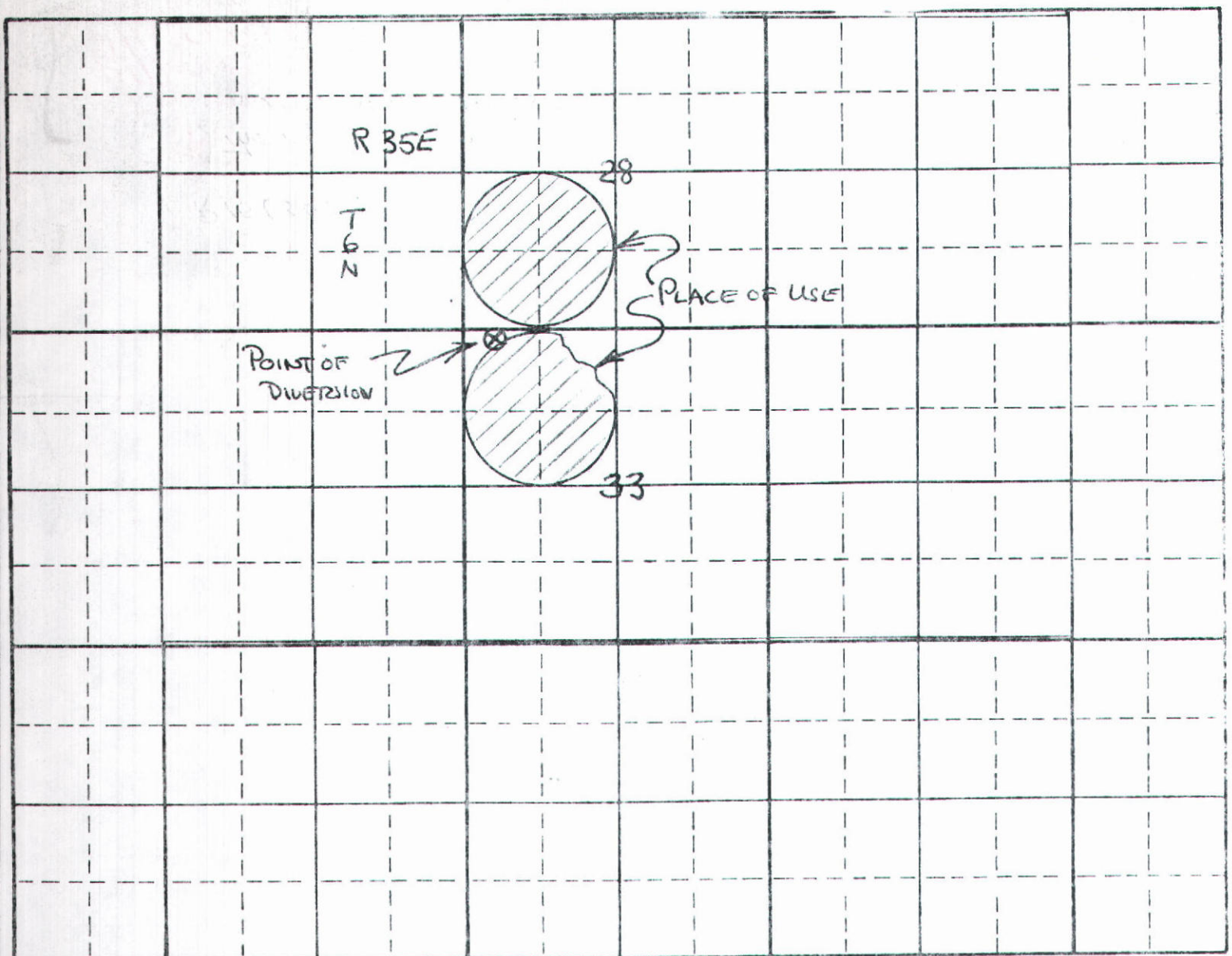
[SEAL]

Evelyn M. F. Lyle
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

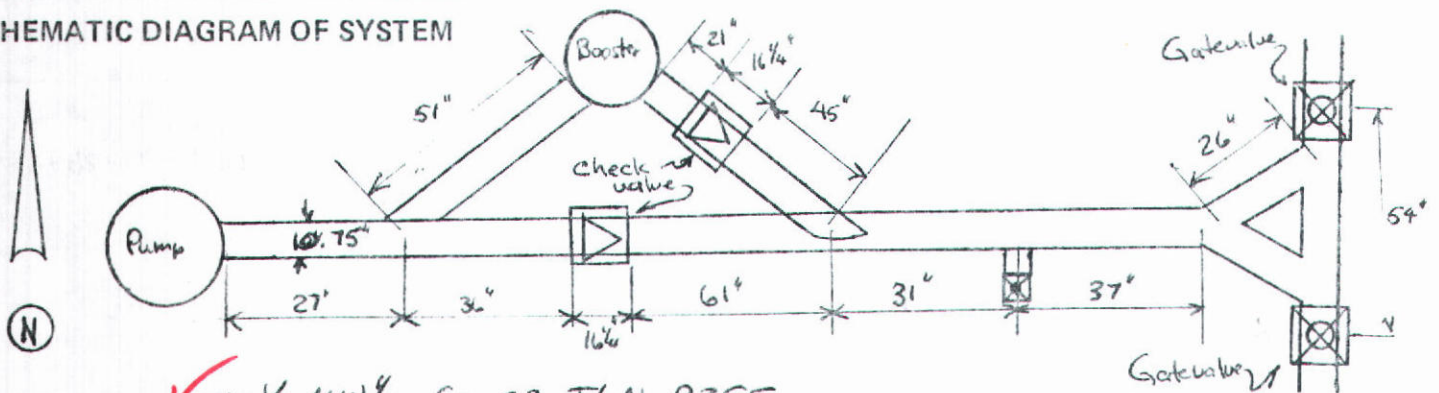
My commission expires 7-15, 19 81

Publication Fee: \$ 13.12

MICROFILMED



SCHEMATIC DIAGRAM OF SYSTEM



Point(s) of diversion: NW 1/4 NW 1/4 Sec 33 T6N R35E

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	
6N	35E	28									31	31	31	31					124
		33					27	32	32	32									123

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 _____

Examiner's Signature: Scott C Wilson Date: 29 Mar 84
 Checked by: HW Jones Date: 3-29-84
 Approved by: Ray Walker Date: 7/29/86

71-7283/31-7312

KCW

20 21
29 28

A227
A372

D
128.7

22
28 27

A2
A37

N
32.2

A226 Siddoway Sheep Co.
A380 Trans to Brown Co

R35E

T
6
N

POINT
OF
DIVERSION

G
123.1

PLACE OF USE

29 28
32 33

20 27 44
33 34 U.S.

U.S. ✓

U.S.

INCREPIL MED

PERMIT NO. 7283 (Name) _____

EXAMINATION: DATE: 9-20-83 Accompanied by: Shayne
Linderman

	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
working house		250	N/A	Peerless	F21954
Booster	GE	125	CJJ328106	Urdilpe ^{Coast} _{Booster}	02092

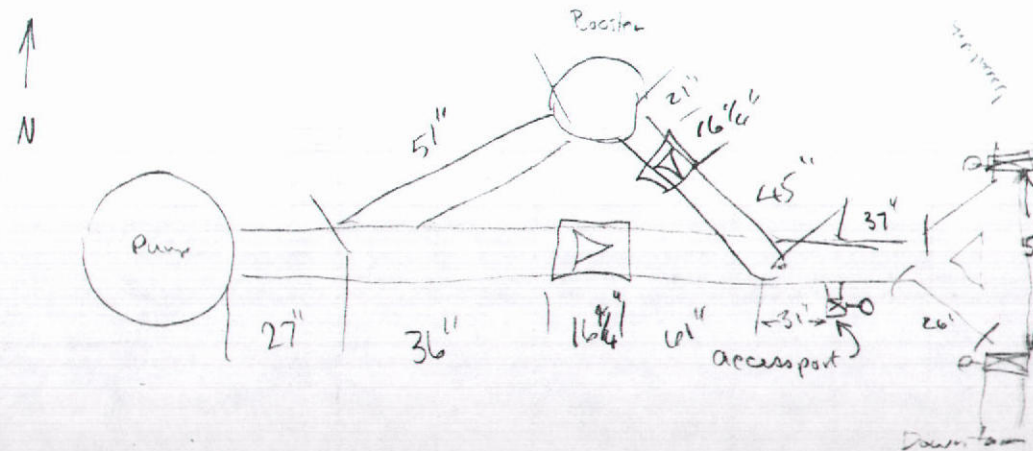
Measuring Device Type: Annubar
Meter # 091473 Annubar# 191147 Size # 10.02"

Remarks: _____

Measurement calculations:

$24'' \omega / 10.02'' \text{ onrubon}$ $2179.69 \mu\text{m} = 4.86 \text{ eV}$

- SCHEMATIC DIAGRAM OF SYSTEM:

Mainline Diameter 10.75" Length _____

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:

31-7312

LINDERMAN, SHAYNE

TERRETON, ID 83450

Source: GROUNDWATER

Date Filed: 02/28/1979

Amount: 3.00 CFS

Diversion Point: NWNW Sec 33 T 06N R 35E, JEFFERSON Co.

Use: IRRIGATION (3.00 CFS) from 04/01 to 11/01

Place of Use: NESW NWSW SWSW SESW Sec 28 T 06N R 35E NENW NWNW SWNW SENW
Sec 33 T 06N R 35E FOR 280 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, 1515 Lincoln Rd., Idaho Falls, Idaho 83401 on or before MARCH 26, 1979.

C. STEPHEN ALLRED

Director

Published 3/8 & 3/15/79.

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WATER RIGHT LICENSE

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CONDITIONS OF APPROVAL

a. 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.

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

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

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.

*This right when combined with Right 31-7283 shall not exceed 741.0 acre feet per annum.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of SEPTEMBER, 19 86.

Acting for the Director Roman C Young

MICROFILMED

2/

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 Shayne Linderman Phone 663-4564

Post office address Terreton, Idaho

2. Source of water supply ground water which is a tributary of ---

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33 Township 6N

Range 35E B.M. Jefferson County, additional points of diversion if any: ---

4. Water will be used for the following purposes:

Amount 3.00 for Irrigation purposes from Apr. 1 to Nov. 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. 3.00 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 two center pivot
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 when water will be diverted to storage --- to --- inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 300 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: ---

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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	
6N	35E	28									35	35	35	35					140
		33					35	35	35	35									140
Total number of acres to be irrigated																			280

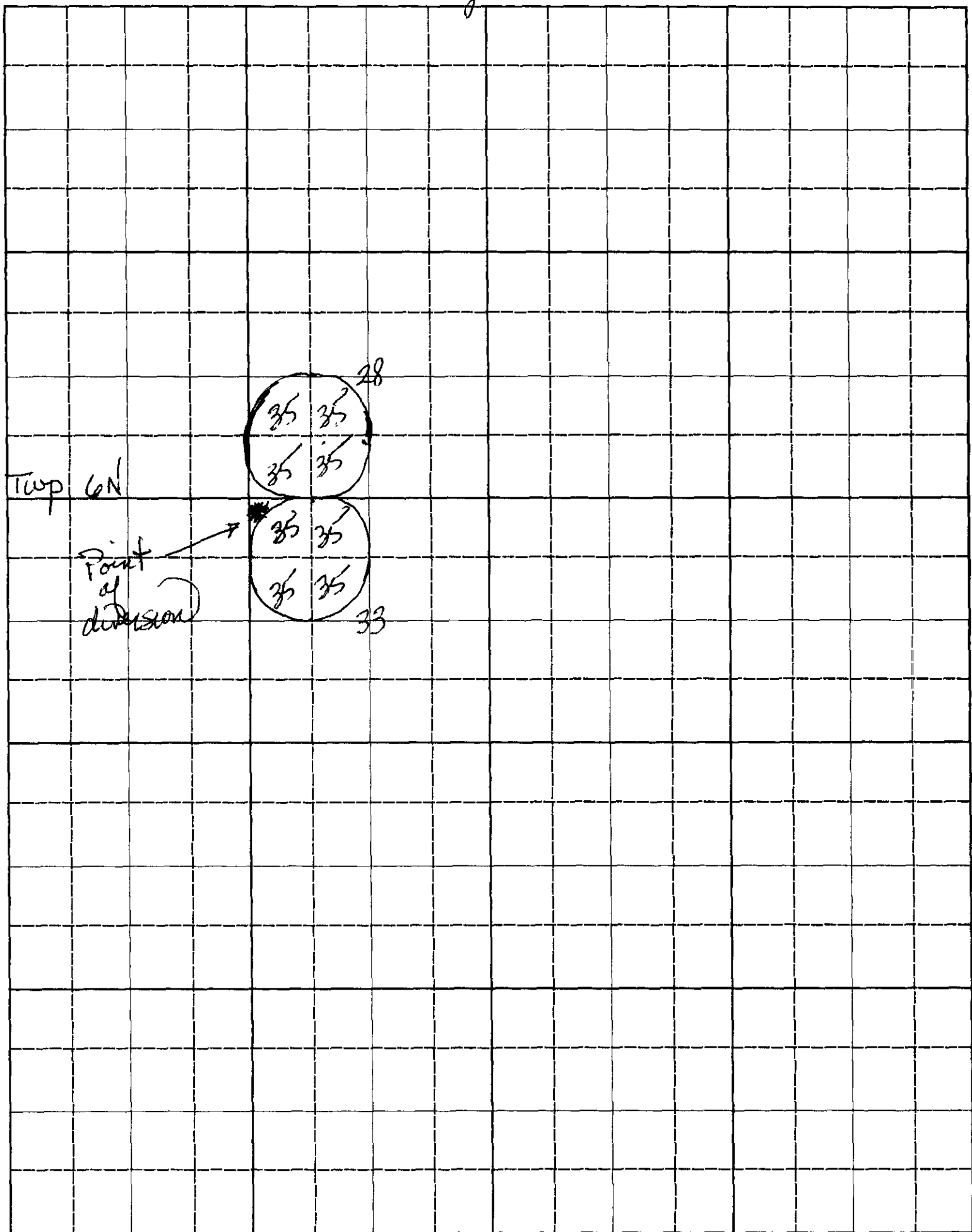
c. Describe any other water rights used for the same purposes as described above. _____
 Amended permit #31-7283 for 2.27 cfs on same 280 acres

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 This filing will supplement 31-7283 and increase water per acre; 2,000 gpm needed to operate both circles simultaneously.

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

Range 35E



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.

Shayne Lindeman
(Applicant)

Proposed Priority 2-28-79

Received by dh Date 2-28-79 Time 4:30 p.m.

Preliminary check by ARK Fee \$ 55.00 92-80

Receipted by dh Date 2-28-79 #12928

Publication prepared by dh Date 3-2-79

Published in Rigby Star

Publication dates March 8 & 15, 1979

Publication approved QF Date 3/27/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC J.J.

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. 31-7312, 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, 19 84.
- 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 4th day of April, 19 79.

J. Glen Sayton
Chief, Operations Bureau

RECEIVED

MAR 23 1979

Department of Water Resources

Eastern District Office STATE OF IDAHO,

County of Jefferson

Affidavit of Publication

THE RIGBY STAR

ss

I, Karl Hanosky, do solemnly swear that I am the Publisher of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Seventh day of March, 19 79

and the last publication on the

Fourteenth day of March, 19 79

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Karl J. Hanosky
Publisher

Subscribed in my presence and sworn to before me this Fourteenth day of March, 19 79.

[SEAL]

Sh. A.

Evelyn M. F. Taylor
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires 7-15, 19 81

Publication Fee: \$ 13.12

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

Decreed by 31-7312



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 30, 1986

RE: Permit No. 31-7312

Shayne Linderman
Terreton,
Idaho 83450

Dear Mr. Linderman:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

RECEIVED



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

August 15, 1986

RE: Permit No. 31-7312

Shayne Linderman
Terreton,
Idaho 83450

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

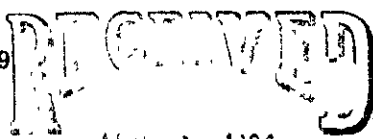
Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

INDEXED



APR 2 1984

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

31-7312

Permit No.

Department of Water Resources

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

REMARKS

☐ Appointment letter mailed:☐ Telephone call made

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date 20 SEPT 1983 Accompanied by SHAYNE LINDERMAN Total Q measured 4.92 cfs ✓
Source Groundwater Tributary to _____ Supp annubar measurement sheet used? NO

If source is surface water, estimate total flow of source _____

Methods of measurement Annubar # 191147 (10.02") Meets permit requirements? _____
Eagle Eye Meter # 091147 Cal 4/25/83Measurement calculations: MAINLINE ID 10.75"

$$24" H_2O - \text{Corrected} = 1.025(24) = 24.6'$$

Q LIMITED BY REMAINING Q AFTER WATER

$$\text{RIGHT \# 31-7283} = 2.65 \text{ cfs}$$

$$Q = \frac{3.85(10.75)^2 \sqrt{24.6}}{44.8} = 4.92 \text{ cfs capacity} \checkmark$$

$$V = 247 \text{ ac} \times 3.0 \text{ cfa} = 741 \text{ afa}$$

$$Q = 4.92 \text{ cfs} - 2.27 \text{ cfs} = 2.65 \text{ cfs} \checkmark$$

(Q 31-7283)

$$V = 2.65 \text{ cfs} \times 1.9835 \times 214 \text{ days} = 1124.8 \text{ afa}$$

WELL/DIV NO.	HP	MOTOR MAKE	MOTOR SERIAL NO	PUMP MAKE	PUMP SERIAL NO	MEASURING DEVICE TYPE	CONDITION OF MEAS DEVICE	REMARKS
WELL	250	Westinghouse	N/A	Peerless	F21954	} Annubar	Good	S/N 191147
Booster	125	GE	CJT328106	Layne + Buehler Vertiline	02092			

System Description Well, pump, booster, main line, to two center pivots

Code with map on reverse side Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.0 ✓ 214 days AFA/Acre

USE

Irrigation ✓

Q (cfs)

2.65 ✓

V (afa)

~~741~~ ★

FROM

4/1 ✓

TO

11/1 ✓

Total

2.65 ✓~~741~~ ★~~4/1~~~~11/1~~Remarks R15(3.0)★ This right when combined with 31-7283 shall not exceed ~~4.92 cfs~~~~not 3.0 afa (1.9835) 741.0 Acre feet per annum.~~

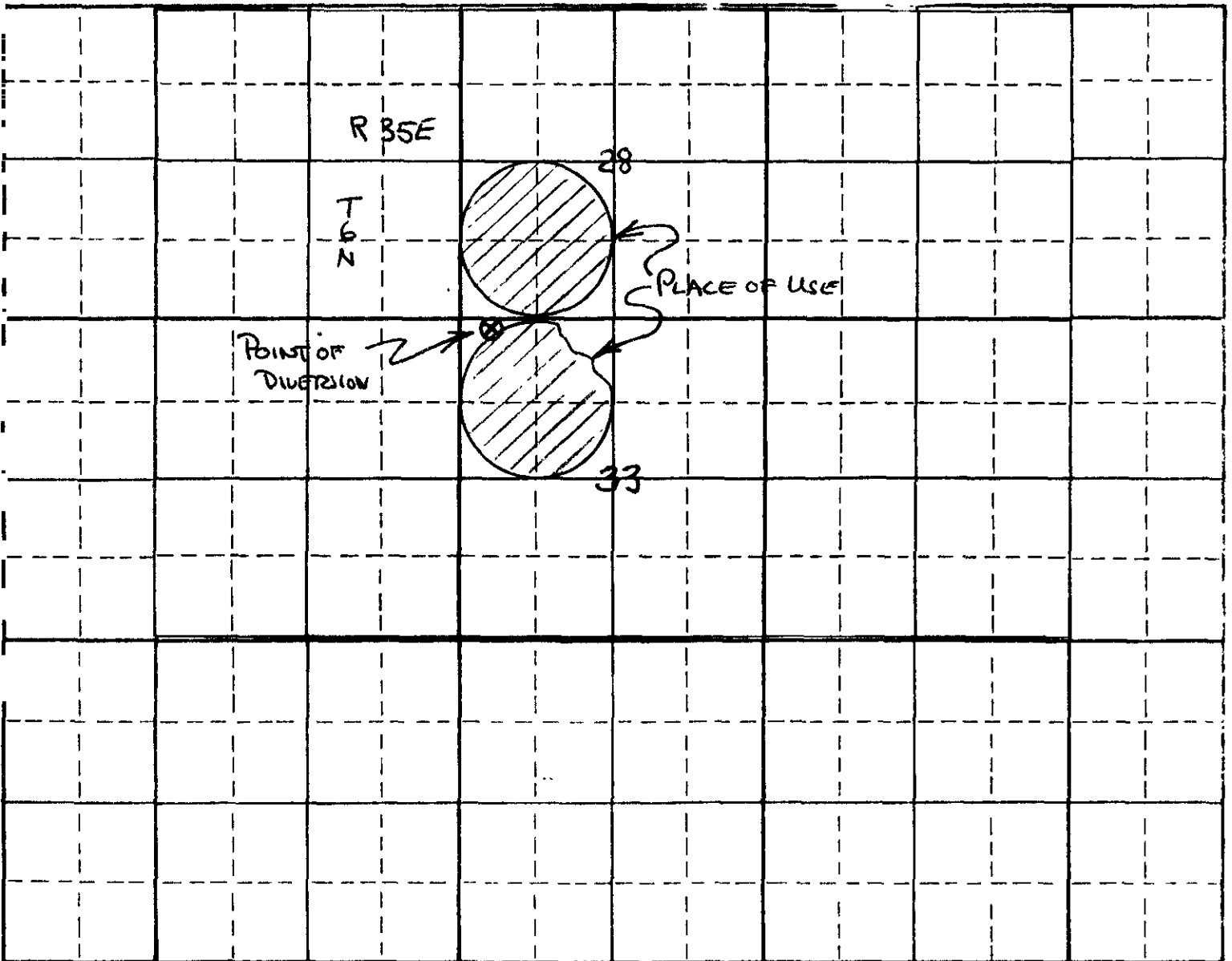
P/D overlap per VAX: 31-7283 - also being licensed

P/U overlap: 31-7283, 31-0164, 31-0165

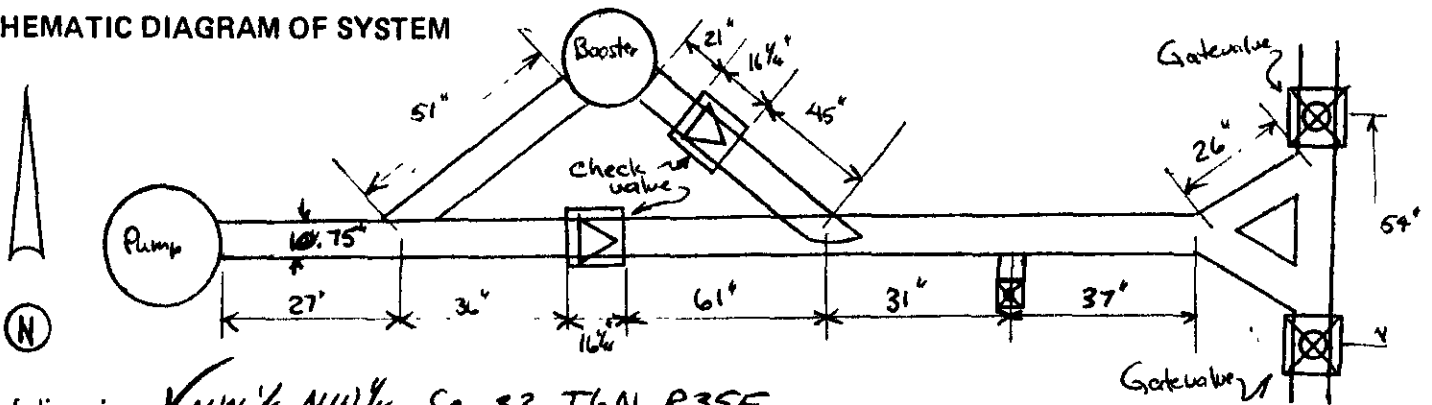
Recommend R29

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM



Point(s) of diversion: NW 1/4 NW 1/4 Sec 33 T6N R35E

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	
6N	35E	28									31	31	31	31					124
		33					27	32	32	32									123

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

Examiner's Signature Scott C Wilson
 Checked by AW Jones
 Approved by Ray Walker

Date 29 Mar 84
 Date 3-29-84
 Date 7/29/86

MICROFILMED

-7283/31-7312

Kew

20 21
29 28

22
27

A375

D
1287

A2
29

N
327

A226 Siddoway Sheep Co.
A383 Trans to Penn Co

W
C4

R35E

T
6
N

POINT
OF
DIVERSION

PLACE OF USE

28 28
32 33

27 27
33 34

US

US

32

27

32

32

US

UNPROCESSED

31-73.2
 PERMIT NO. 7283 (Name) _____

EXAMINATION: DATE: 9-20-83 Accompanied by: S. Haynes

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
Westinghouse	250	11/14	Becker	E21954

Booster
 CE 125 CJS328106 160116 02092

Measuring Device Type: anubar
 Meter # 091473 Anubar # 191147 Size # 0.02"

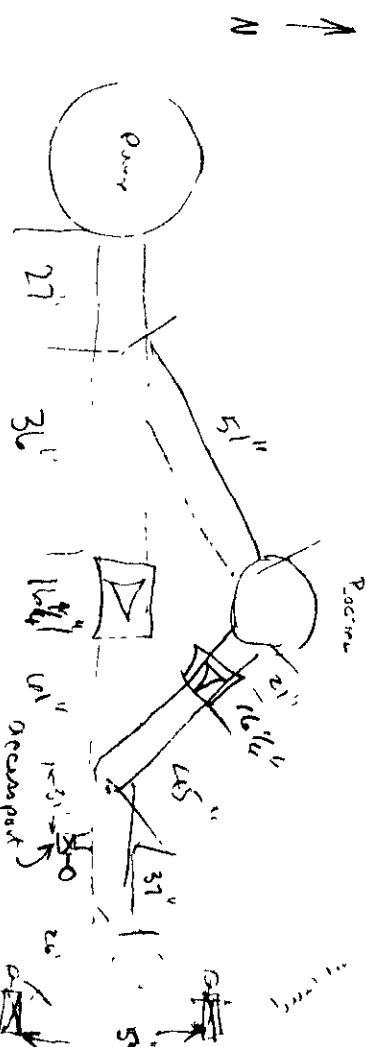
Remarks: _____

Measurement calculations:

$$24" \omega / 10.02' \text{ anubar} \quad 2179.69 \text{ psi} = 4.86 \text{ gf}$$

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter 10.75" Length _____



May 15, 1984

Shayne Linderman
Torreton, ID 83450

Dear Mr. Linderman:

Re: Permit No. 51-7312

This office acknowledges receipt of the statement of beneficial use postcard submitted for this permit.

It is the department's understanding that a field exam has been conducted by one of our regional office staff. Based on his recommendations, a water right license will be issued.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

cc: regional office

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DEPARTMENT OF WATER RESOURCES

Field Ex 14 Done statement that the permit holder(s) has completed development to the extent shown below of permit No 31-7312

Name(s) of Permit Holder Shayne Linderman
 Post Office Address Terreton, ID 83450
 Tel No. 663-4564

DECEIVED
 of Use Stockwater

☐ Stockwater
☐ Irrigation
☐ Other

280

(number of households)
 (number and type of stock)
 (acres)

Department of Water Resources
 District Office
 Port Required? ☒ Yes ☐ No
 Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed
 Date 27 Mar 84

Shayne Linderman
 Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE

RECEIVED

APR 2 1984



IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

Permit that the permit
No 31-7312

The Idaho Department of Water Resources will consider this card as a statement of development to the extent shown below of Permit holder(s) has completed

Name(s) of Permit Holder Shayne Linderman
 Permit Office Address: Teton, Idaho Tel No. 456-2345
663-4564

Source of Water Groundwater (number of households)
 Estimated of Use 280 (number and type of stock)

☐ Domestic
☐ Stockwater
☒ Irrigation
☐ Other

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

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

Date MARCH 30 84

Signature of Permit Holder Shayne Linderman

*Shapen S. [unclear]
Secretary Idaho*



APR 2 1984



IDAHO DEPARTMENT OF Water Resources
STATEHOUSE
BOISE, IDAHO 83720

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

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

158382

LINDERMAN, SHAYNE
TERRITON, ID 83450

P R O O F D U E N O T I C E

JANUARY 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 31-7312 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MAILED
JAN 31 1984



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V EVANS
Governor

C STEPHEN ALLRED
Director

Mailing address
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 16, 1979

Re: Permit No. 31-7312

Shayne Linderman
Terreton,
Idaho 83450

Dear Mr. Linderman:

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 an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

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

Enclosures

DRT:lr

MICROFILMED

31-7312

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. W Source
3. ✓ Point of Diversion
4. 300 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. N/A Place of Use for other than irrig.
8. 280 Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 55 Fee & Rec't. No.

Copies Sent To:

NO Idaho Health Department
7 Idaho Fish & Game Dept.
7 Bureau of Land Management

NO U.S.F.S.
7 Dept. of Lands
7 Other

max = $280 \text{ AC} \times 0.02 \text{ cfs/AC} = 5.6 \text{ cfs}$
 $- 2.27 \text{ 31-7283 cfs}$
 $\hline 3.33 \text{ 7 3.00 OK}$

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land 31-7283 - does not exceed 0.02 cfs/ac
w/combined w/this app.

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. No

ID Power Co. Letter - G.W. & Tribs. Yes

Snake River Condition No

Payette River Letter 1

Priority Date 2/28/79

Water Quality #16 No

Water Quality #10 7
intrastate interstate

Meas. Dev. or Sc. Meas. Yes

Totalizing meter No

Supplemental 7

Right-of-Way Cond. 7

Watermaster Cond. 7

Wtr. Dist No. 7

Meas. Dev. Cond. for apps within a Water Dist. 7

Juni
Reviewer
4/10/79
Date

FILED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Stoyne Linderman

☒ 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) S.M. 3-1-79

In form to receipt

(2) S.M. 3-1-79

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) S.M. 3-1-79

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(4) S.M. 3-1-79

In form for advertising

(5) S.M. 3-1-79

Platted on Map No. CON 35E

(6) S.M. 3-1-79

Located within Water District No. Basin 31

(7) S.M. 3-1-79

Critical groundwater area: yes ☐ no ☒

(8) S.M. 3-1-79

Groundwater levels:

☐ Declining, ☒ Stable, ☐ Increasing

(comment) _____

(9) S.M. 3-1-79

Other rights on the same place of use

(10) _____

Comments: _____

(11) ih 3-2-79

Affidavit of Publication received(date) 3-23-79

(12) dh 3-2-79

Final date for protests MARCH 26, 1979
Protests received: yes ☐ no ☒

(13) EMC 3/27/79

All requested information received from agencies or applicant: yes ☒ no ☐

(14) EMC 3/27/79

Action recommended:

☒ Approve ☐ Deny

7/28/79 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

☐ See attached sheet for other conditions of approval

☐ No special conditions for approval

(15) District Eastern

By Ernest Carlson

Date 3/27/79

Send to River
Tribute
RECEIVED
APR 2 1979

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

MARCH 2, 1979

The Risby Star
P. O. Box 37
Risby, Idaho 83442

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 sales 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 MARCH 26, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

RECEIVED
MARCH 26 1979
MED

31-2312-

LINDERMAN, SHAYNE

TERRETON, ID 83450

Source: GROUNDWATER

Date Filed: 02/28/1979

Amount: 3.00 CFS

Diversion Point: NNNW Sec 33 T 06N R 35E, JEFFERSON Co.

Use: IRRIGATION (3.00 CFS) from 04/01 to 11/01

Place of Use: NESH NWSW SWSW SESH Sec 28 T 06N R 35E NENW NNNW SNNW SENW
Sec 33 T 06N R 35E FOR 280 ACRES

Diversion Means: WELL, PUMP, SPRINKLER SYSTEM

FILED 1979 MAR 1 11:15 AM

IDENT. NO. 31-7312

WATER RIGHT
DATA ENTRY LOG

[illegible]