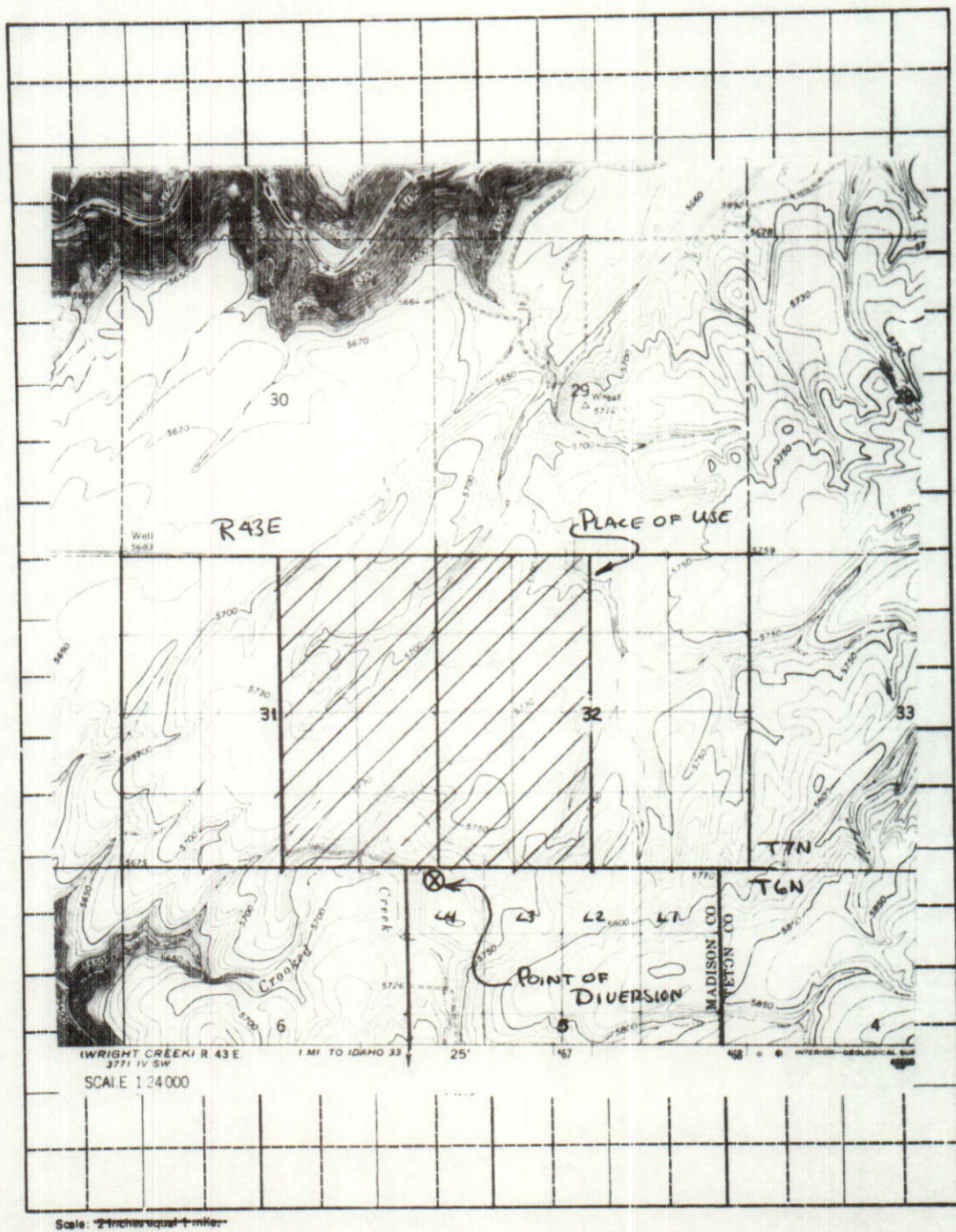


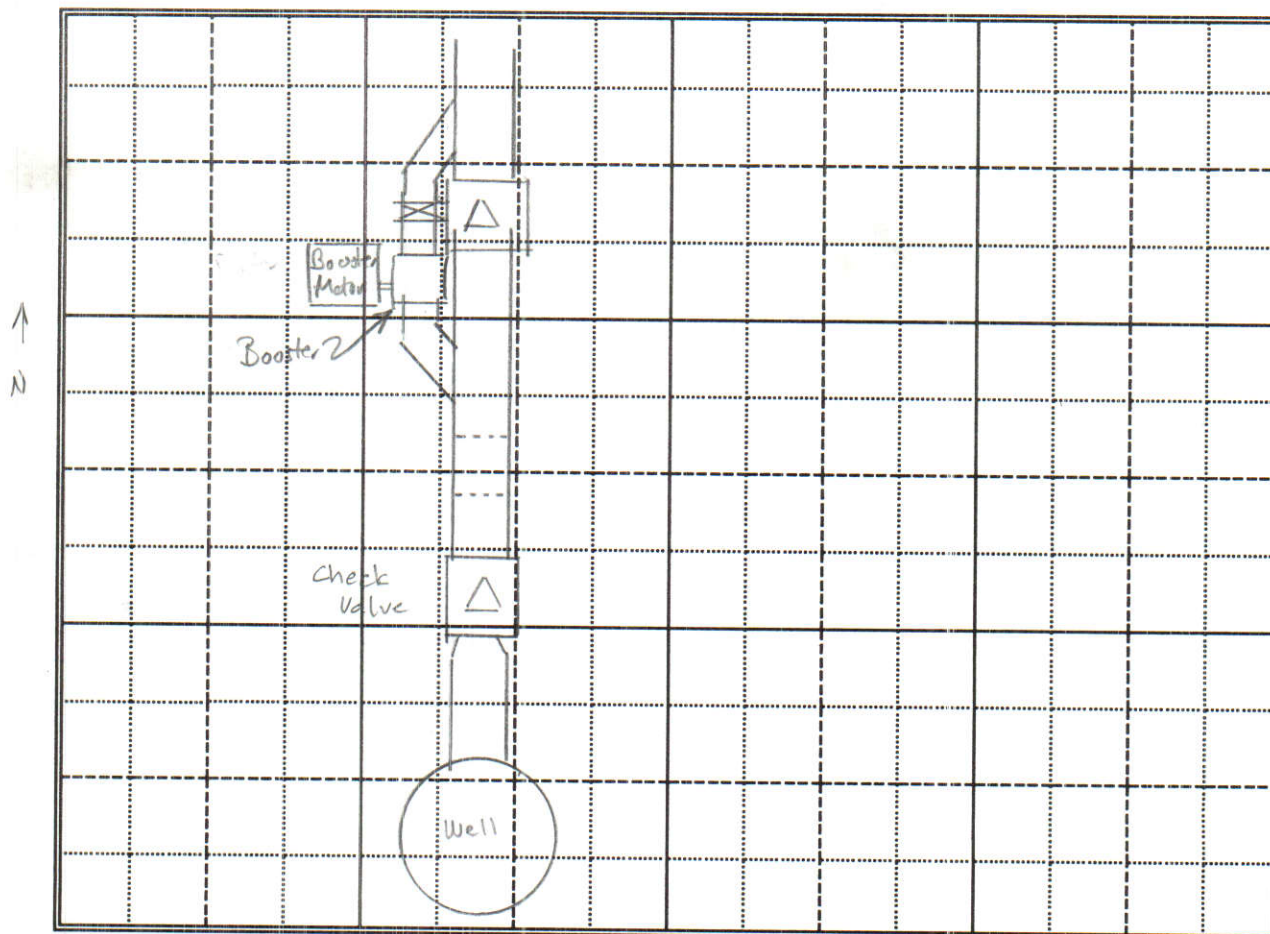
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]
(Applicant)

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS 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)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
well	US Motors	600	CD2330041	Aurora Vertiline	V82-70751A
Booster	Marathon	75	8901479-911	Aurora	91-05703
			19-08325-4/4-02		

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

D. FLOW MEASUREMENTS

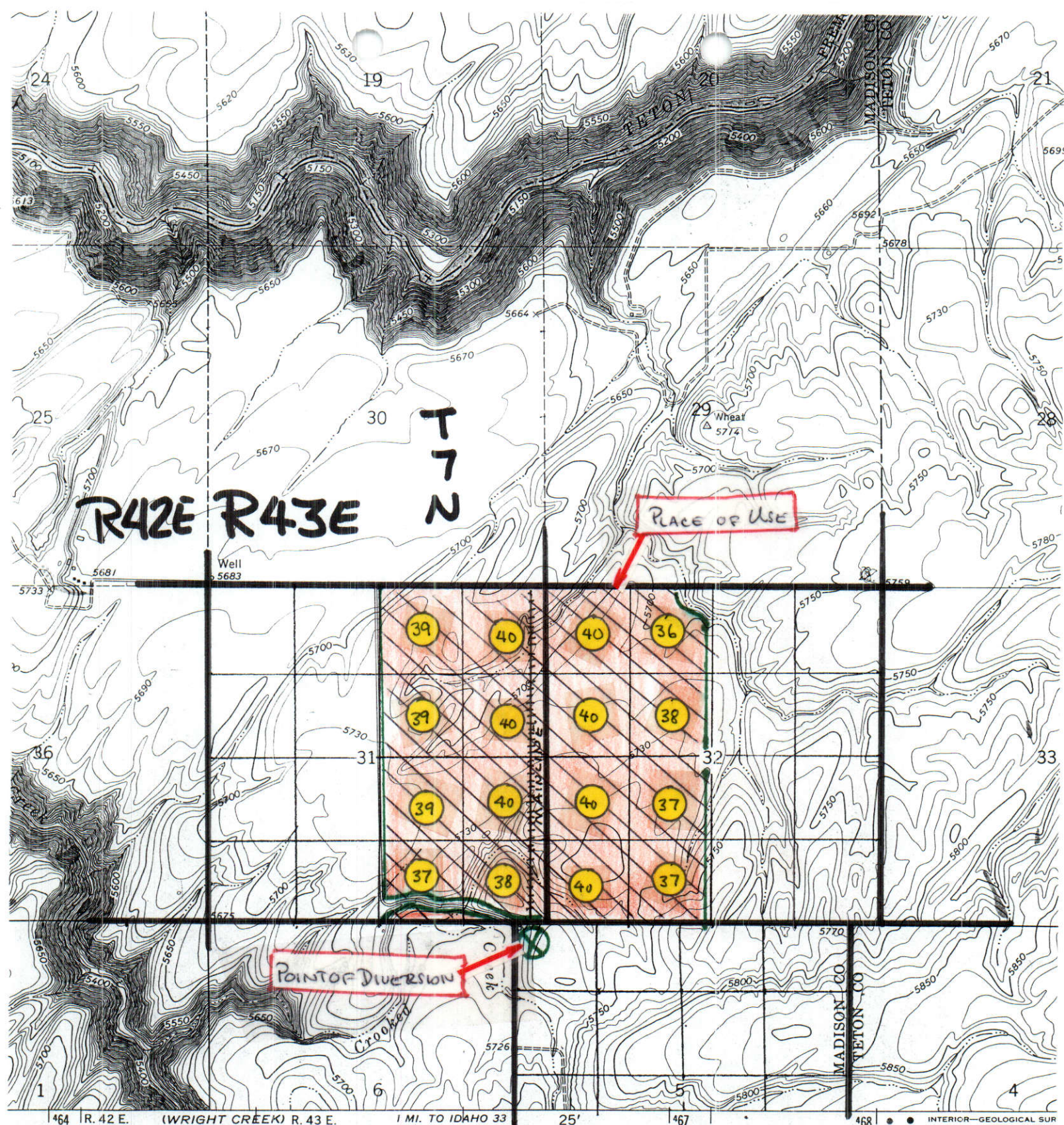
1.

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

2. Measurements: 33 psi between well pump & booster pump

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MAY 07 1998



464 | R. 42 E. | (WRIGHT CREEK) R. 43 E. | 1 MI. TO IDAHO 33 | 25' | 467 | 468 | INTERIOR—GEOLOGICAL SUR | 46900

3771 IV SW

SCALE 1:24 000

0 1000 2000 3000 4000 5000 6000 7000 FEET

1 5 0 1 KILOMETER

CONTOUR INTERVAL 10 FEET
DATUM IS MEAN SEA LEVEL

ROAD CL
Medium-duty
Unimproved

22-7501

**MICROFILMED
MAY 0-7 1998**

IDAHO

QUADRANGLE LOCATION

LINDE
N4

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
FOR ADDITIONAL TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

6 180.5

790
T927

1 58.8

T
7
N
R43E
HEL

6 114.7

786
T928

1 25.0

HEL

HEL

30 29

31 32

66.1

39

40

40

36

39

40

40

38

39

40

40

37

37

38

40

37

280.5

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HEL

31 32

7.8

T7N

T6N

R43E

6 5

POINT OF DIVERSION

MICROFILMED
22-07501
MAY 8 7 1950



-Booster

Booster

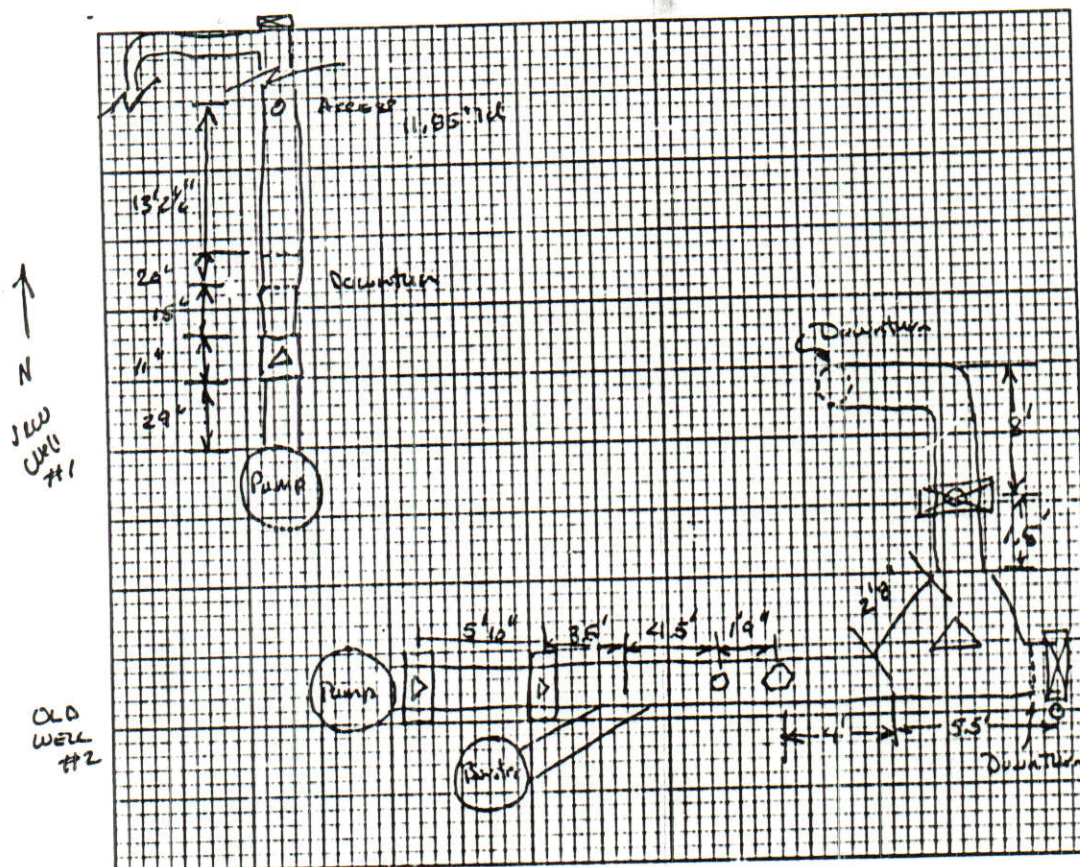


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22-07501

- Crooked Creek
22-2043/7173 22-4186/9187/4188 Groundwater
10. Other water rights on these lands 22-7222/7406
11. Other water right diverted from same p.d. 22-7222/7406

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

- ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Plus also includes E/4 Sec 31 & W/4 Sec 32 T7N R43E that is under interim permit 22-7501 (This acreage was later recommended for acquisition)

15. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

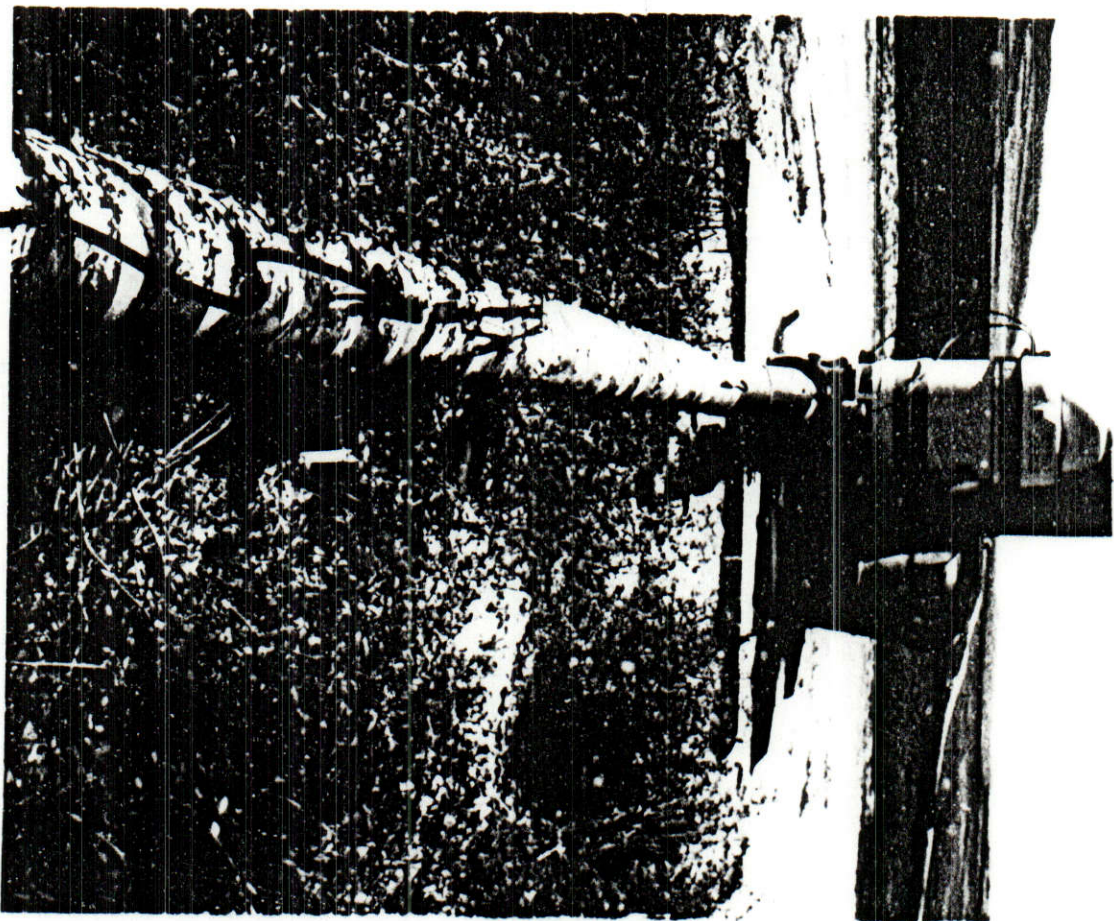
- ☒ None
☐ Other

16. Examiner's/Consultant's Signature Keith Cullen Date 17 June 85
Consultant's License Number Keith Cullen 24 June 87
IDWR Director's Authorization to Conduct Beneficial Use Examination APPROVED

Date
NOV 13 1992

CONSULTANT Steve Meland
25-88

WELL SITE #1



Flow Measurement
port

Photo taken
17 June 1985

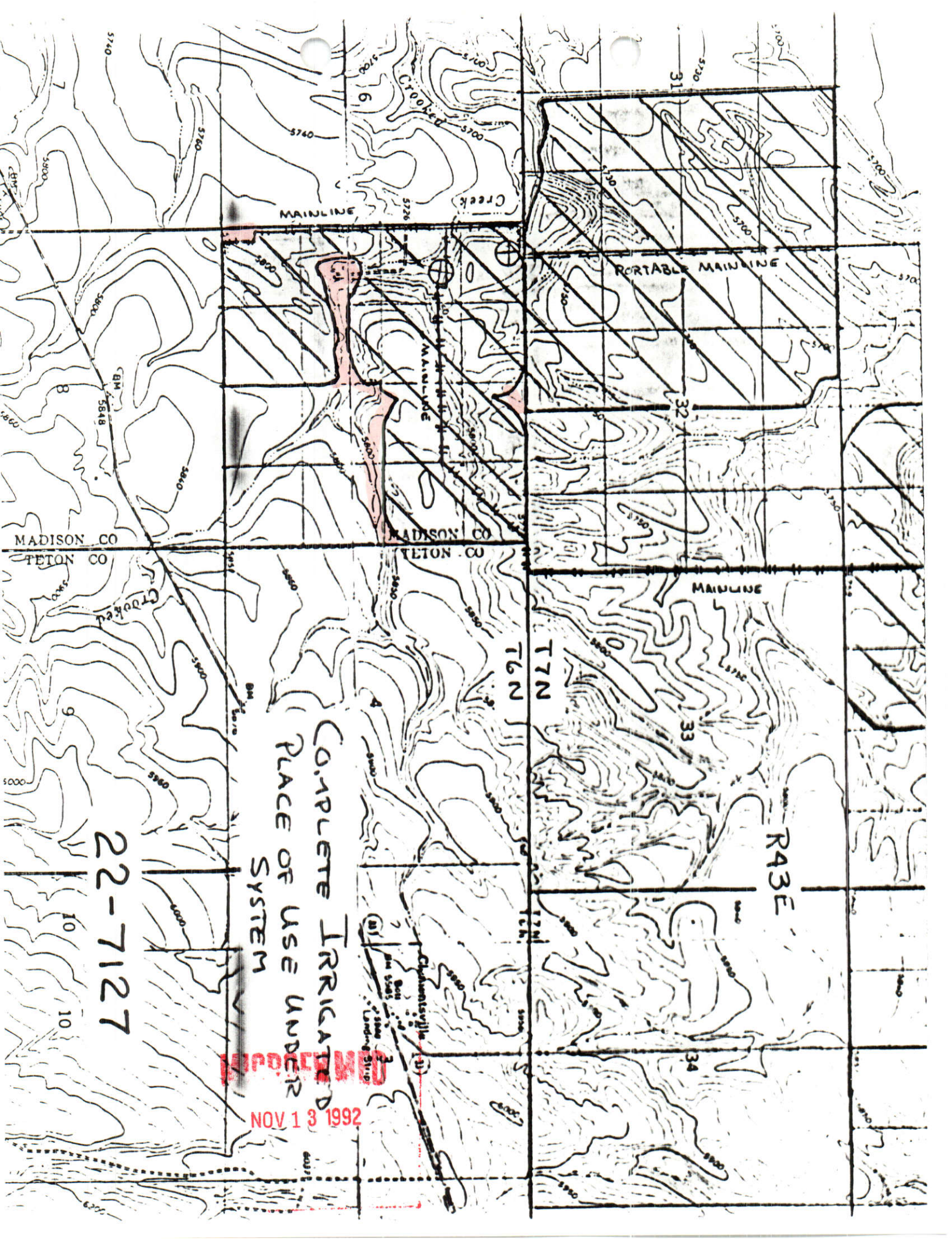
MICROFILMED
NOV 13 1992

WELL SITE
#1

WELL NOT USED UNDER THIS
WATER RIGHT ONLY CONNECTED
FOR EMERGENCY IF OTHER WELL
FAILS; for 22-7501

22-7127





COMPLETE IRRIGATED
PLACE OF USE UNDER
SYSTEM

22-7127

NOV 13 1992

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 22-07501

Priority: October 14, 1992

Maximum Diversion Rate:

6.32 CFS

Maximum Diversion Volume:

2170.0 AF

This is to certify, that BRUCE ARNOLD

PO BOX 67

TETONIA ID 83452

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 26, 1985; and has submitted Proof of Beneficial Use on October 14, 1992. An examination indicates that the works have a diversion capacity of 9.120 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	04/15 to 10/15	6.32 CFS	2170.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 5, Township 06N, Range 43E
MADISON 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>
07N	43E	31	NENE 40	NWNE 39	SWNE 39	
			SENE 40	NESE 40	NWSE 39	
			SWSE 37	SESE 38		312
		32	NENW 36	NWNW 40	SWNW 40	
			SENW 38	NESW 37	NWSW 40	
			SWSW 40	SESW 37		308

Total number of acres irrigated: 620

CONDITIONS OF APPROVAL AND 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 that 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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MAY 07 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 22-07501

CONDITIONS OF APPROVAL AND REMARKS

6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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 4th
day of MAY, 1978.


Acting for KARL J. DREHER, Director

MICROFILMED

MAY 07 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 22-07501	)	
	)	ORDER OF
IN THE NAME OF BRUCE ARNOLD	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On August 14, 1989, the Director of the Department of Water Resources issued Permit No. 22-07501 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before September 1, 1990.

2. On June 30, 1990, the Department sent a proof due notice to the permit holder.

3. On September 21, 1990, the Department sent a lapse notice to the permit holder.

4. On October 14, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

5. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes a partial copy of a field examination conducted by the Department in connection with this permit and three others. The field examination was conducted prior to the proof due date of this permit.

7. The permit holder stated, in correspondence to the Department, that since the field examination had already been completed, he mistakenly assumed that he did not need to submit proof of beneficial use. He assumed that the permit would be licensed along with the other three permits that had been examined at the same time.

MICROFILMED

NOV 13 1992

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

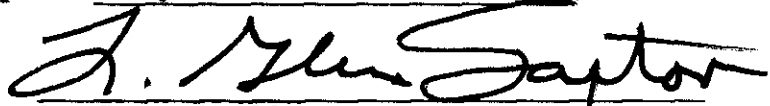
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 22-07501 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to October 14, 1992.

Dated this 27th day of October, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

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NOV 13 1992

RECEIVED

OCT 21 1992

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 22-7501 Telephone No. 456-2537

Name(s) of Permit Holder(s): Bruce J. Arnold

Post Office Address: P.O. Box 67 Tetonia Id 83452

Source of Water: Groundwater

If ground water, well driller's name: Paul Franzen Date drilled: 1983

Extent of Use:
Domestic _____ (No. of households) Irrigation 640 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 6.32 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1984

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

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

Fee Enclosed: \$ 250⁰⁰ (See License Examination Fee Schedule)

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

Name Same as above Telephone No. _____

Address _____

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10-14-92
Date

Bruce J. Arnold
Signature (and title if on behalf of a company or organization)

NOV 13 1992

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 ownership
domestic use or stockwater use of
less than 13,000 gallons per day.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07501

Proposed Priority: June 26, 1985

Maximum Diversion Rate:

6.32 CFS

This is to certify, that **BRUCE ARNOLD**
P.O. BOX 67
TETONIA, ID 834520000

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	6.32 CFS

LOCATION OF POINT(S) OF DIVERSION:

NW 1/4 Sec. 5, Township 76N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	43E	31	NENE 40	NWNE 40	SWNE 40		
			SENE 40	NESE 40	NWSE 40		
			SWSE 40	SESE 40		320	
		32	NENW 40	NWNW 40	SWNW 40		
			SENW 40	NESW 40	NWSW 40		
			SWSW 40	SESW 40		320	

Total number of acres irrigated: 640

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1990.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
7. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07501

CONDITIONS/REMARKS:

8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

19th day of August, 1989.

R. Keith Higginson
for R. Keith Higginson, Director

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

WITH RESPECT TO INTERIM APPROVAL OF

APPLICATION FOR PERMIT NO. 22-7501

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7501; and interim approval is granted subject to the following limitations and conditions:

- a. Subject to all prior water rights.
- b. A measuring device or an access port of a design approved by IDWR shall be installed prior to diverting water under the interim approval.
- c. The water user acknowledges that the interim approval does not convey a continuing right to divert water and does not convey any right to divert water except as specifically provided in the interim approval.
- d. The water user assumes all risk that he or she will be successful in obtaining a permit for water which may be reallocated under the Water Appropriation Rules and Regulations. The water user accepts all risk that storage water will be available and obtainable from the rental pool in future years to allow the interim approval procedure to continue, if storage water is required.
- e. Violation of interim approval conditions, provisions of the Idaho Code, or the Water Allocation Rules and Regulations is cause for cancellation of the interim approval and denial of future requests.
- f. By accepting and commencing diversion of water under this interim approval, the water user acknowledges and agrees that the Director of IDWR is authorized to disconnect the power supply from the pump motor used to divert water under the interim approval or to take other reasonable steps to insure that water is not diverted during any period the interim approval is suspended or revoked.
- g. The Director may impose additional conditions not a part of the original interim approval conditions as determined by the Director.
- h. The filing on which the interim approval is given may be reprocessed under the provisions of Section 42-203C, Idaho Code, at the request of the water user or as determined by the Director in compliance with pertinent adopted rules and regulations and statutes.
- i. Investments made by the water user to divert and use water under the interim approval will not be considered by IDWR when reprocessing the filing under the provisions of 42-203C, Idaho Code.

Witness my hand this 23rd day of July, 1987.

J. Glen Saylor
Chief, Operations Bureau

Ident. No. 82-7501

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Bruce Arnold Phone 455-2537
Post office address P.O. Box 59, Pelt, ID 83424 Box 67, Tetonla, ID 83452

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5 Township 6N
Range 43E B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.32 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. 6.32 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, mainline to
handlines with 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 1000 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 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 o. head.

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

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	43E	31	40	40	40	40									40	40	40	40	320
		32					40	40	40	40	40	40	40	40					320

Total number of acres to be irrigated 640

c. Describe any other water rights used for the same purposes as described above. None

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

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

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

10. Remarks The application is for development already

in place as of November, 1982. The application

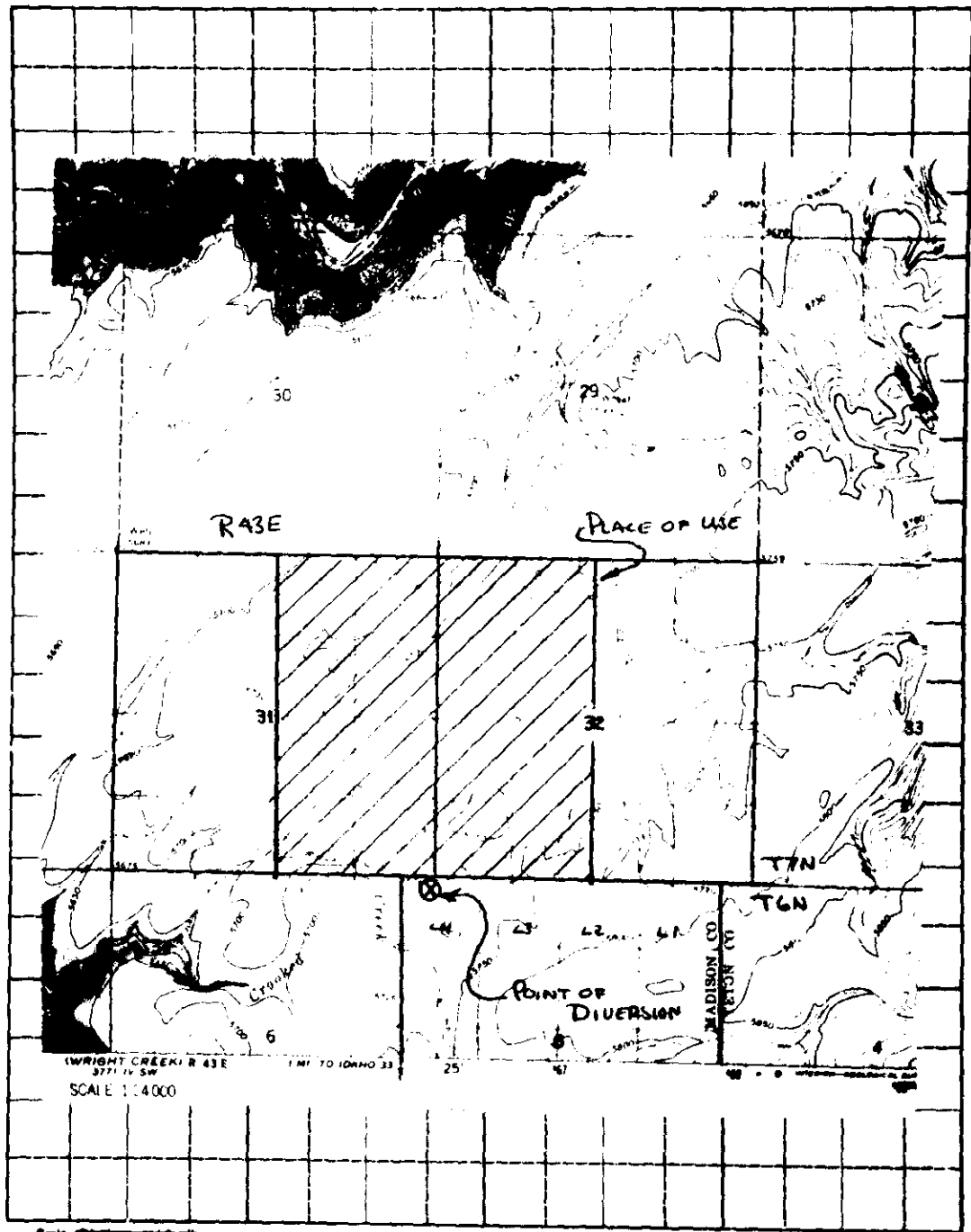
is being made to insure that the benefits of

subordination per the Swan Falls Agreement

are obtained. The applicant intends to claim

the priority of July 8, 1983.

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



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.

[Signature]
(Applicant)

Proposed Permit

Received by KCW Date 6-26-85 Time 5:30p
Preliminary check by for Fee \$ 165.00
Receipted by KCW Date 6-26-85 # 33374
Publication prepared by J. Date 8-1-85
Published in Tandem Journal
Publication dates 6/18 & 6/25/85
Publication approved 2W Date 7-07-87
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by KW

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. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- 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.
- Other:

THE STANDARD/JOURNAL
REXBURG IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO }
County of Madison } ss.

I, Jersey Weatherston
being first duly sworn, depose and say, that I am
the printer of THE STANDARD/JOURNAL, a bi-
weekly newspaper printed and published bi-
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 here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplemental issue thereof for two
consecutive issues, the first publication hav-

ing been made on June 18, 1987
and the last publication having been made

on June 25, 1987

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 subscribers living within the
county of publication, and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Jersey Weatherston

Subscribed to and sworn to before me

this June 26, 1987

Charlene J. Jones
Notary Public

(SEAL)

My commission expires June 3, 1991

RECEIVED

JUL 2 1987

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed
and to appropriate the public waters of the
State of Idaho.

22-7001
AN-HOLD, BRUCE
P.O. Box 67, Teton, ID 83422
Source: GROUNDWATER
Date Filed: 6/25/87
Diversion: To: 1/2 mile S. of Teton, ID
Use: Domestic and Irrigation
Ac: 10000 Acres - 10000 Acres
Water Right: 10000 cfs
Water Right: 10000 cfs
Water Right: 10000 cfs
FOR 200 ACRES

The permits will be subject to the
water rights. Permits will be subject
based on the amount of water available
Idaho State Water Control Board
criteria of flow, and the amount of
water used in the area of the
of Water Resources, 10000 cfs
15, Idaho Falls, Idaho, 83402 or 83403
July 8, 1987

Publ. June 18 and 25, 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

May 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BRUCE ARNOLD
PO BOX 67
TETONIA ID 83452

RE: WATER RIGHT NO. 22-07501

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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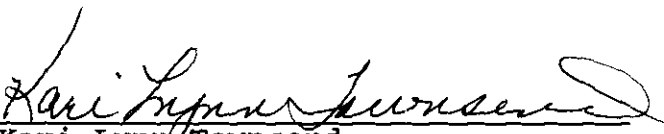
3 MAY 07 1998

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of May, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 22-07501

BRUCE ARNOLD
PO BOX 67
TETONIA ID 83452


Kari Lynn Townsend
Secretary

MICROFILMED
MAY 07 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 22-07501 DATE 1/30/98 REVIEWER: S H A R L A

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK ☐ Change (Para P39 - gov P40/P47) ☐ Add (P45/P42)

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): 22-7127/7222/7406
 File reviewed ☐ Profile reports printed ☐
 NWNW, SS well was noted on the exam for, but not measured, was only being used in emergencies, subsequent transfer moved all 3 to diff pld's

PLACE OF USE OK ☐ Change (P41 - gov P43/P47) ☐ Add (P41/P42)

W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): ☐
 File reviewed ☐ Profile reports printed ☐

RATE OF DIV

Permitted Rate 6.32 cfs
 Fee limit 7.050 cfs \$250.00
 Measured 6.00 cfs w/o booster
 Theoretical 8.30 cfs w/o booster
 Recommended Total Div Rate 6.32 cfs
 9.12 (675 hp, -35 psi, -375' lift.)

WATER USES

WATER USES	cfs	af	Notes
<u>Irrig.</u>	<u>6.32</u>	<u>620x3.5</u>	overlap (R58-R61, R62-R65, R66-R69) supp. gw (WB7/065/079) overlap spec. combined rts (W35) <1acre (W31)
			Domestic (W01/WB5/070/071/075)
			Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)
TOTALS	<u>6.32</u>	<u>2170.0</u>	

Flow rate 6.32 cfs X 184 days X 1.98 = 2302.5 af

REMARKS

ADD'L CONDITIONS

☐ Watermaster Control WD# ☐
☐ GW Measurement/Measuring Device
☐ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo ☐
 Amend letters ☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 06 1997
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-7501

1. Owner: BRUCE J. ARNOLD Phone No. 456-2537

Current Address: P.O. Box 67, Teton, ID 83452

2. Accompanied by: NO ONE EXAM DATE: 7-24-96

Address: — Phone No. —

Relationship to Permit Holder: —

3. Source: GROUNDWATER tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 22-4186

2. Other water rights with the same point of diversion: 22-4186

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	4	NW	NW	NW	5	6N	43E	Madison	USGS Map, FSA Aerial, on site

2. Place(s) of Use:

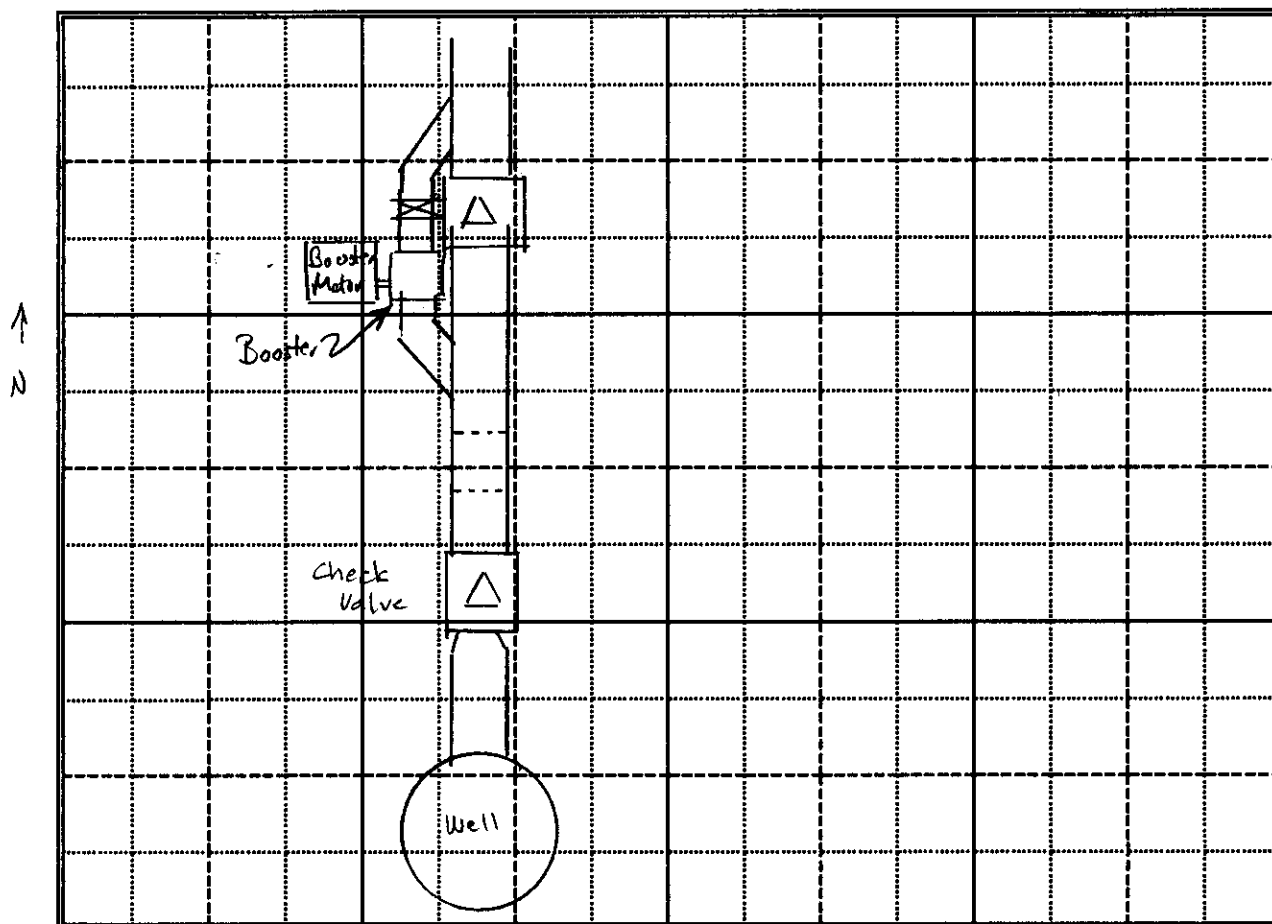
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	43E	31	40	39	39	40									40	39	37	38	312
		32					36	40	40	38	37	40	40	37					308
																			620

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS 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)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
well	US Motors	600	CD2330041	Quincy Vertiline	V82-70751A
Booster	Marathon	75	8901479-911	Aurora	91-05703
			19-03325-4/4-02		

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 33 psi between well pump & booster pump

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MAY 07 1998

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline to 75hp Booster to laterals with Sprinklers

Have conditions of permit approval been met? ☒ yes ☐ no

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MAY 07 1998

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: $Q_{\text{WITHOUT BOOSTER}} = 6.00 \text{ cfs}$ $Q_{\text{THEORETICAL}} = 8.30 \text{ cfs}$ $Q_{\text{LIMITED BY PERMIT}} = 6.32 \text{ cfs}$ **G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 620 \times 3.5 = 2170.0$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (6.32)(183)(1.9835) = 2294.0$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 2170.0 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	6.32 cfs	2170.0
Totals:			6.32 cfs	2170.0 afa

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

I. AUTHENTICATIONField Examiner's Name KEITH C. WILSON Date 7-24-1996

Reviewer _____ Date _____

SEAL

MICROFILMED

MAY 07 1998

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

Measured by: KEITH C. WILSON Date 24 June 1987
Owner: Bruce J Arnold Permit No. 22-7501

Description of well &/or measuring site

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

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____

T = Pipe Thickness in Inches = _____

ID = 2 [(0.1592 X CIR) - T] = _____

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test _____

State ID No. _____

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.99

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 32.3

Low Reading = 8.7

High - Low = H = ... 23.6

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(11.79)^2 \cdot (\sqrt{23.6}) \cdot (3.99)}{448.8} = \underline{6.00} \text{ cfs}$$

with out a booster

SKETCH (If not shown on Field Report)

MICROFILMED
MAY 07 1998

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] + [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{600} \\ Eff &= \text{Efficiency} = \underline{70\%} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ &\text{Static Water Level} = \underline{320} \text{ ft.} \\ &\text{Assumed Draw down} = + \underline{50} \text{ ft.} \\ &\text{Lift} = \underline{370} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{33} \text{ psi}$$

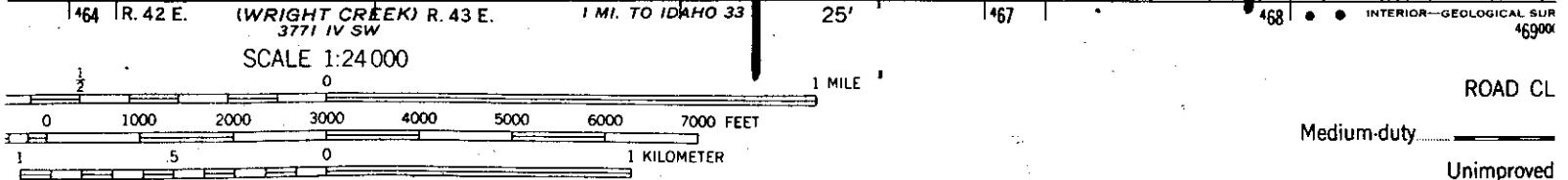
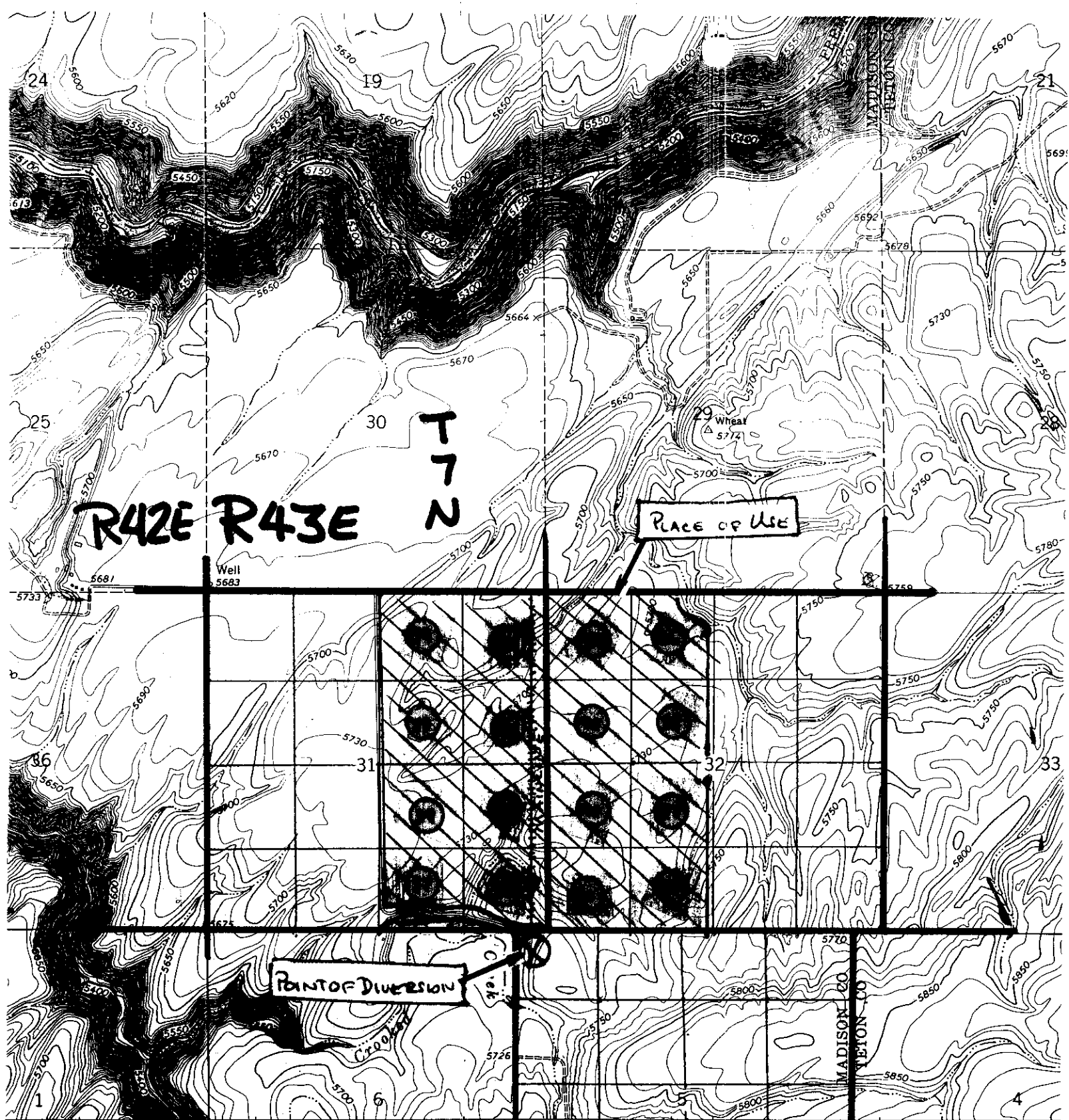
$$Q_{cfs} = \left[\frac{600}{Hp} \times 8.814 \times \frac{0.7}{eff} \right] + \left[\frac{370}{Lift} + \left(\frac{33}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{3701.88} \right] + \left[\underline{446.16} \right]$$

$$Q_{cfs} = \underline{8.30} \text{ cfs}$$

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MAY 07 1998

PERMIT NO. 22-07501



CONTOUR INTERVAL 10 FEET
DATUM IS MEAN SEA LEVEL

MICROFILMED
MAY 07 1998



QUADRANGLE LOCATION

22-7501

LINDE
N4

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
GEOLOGICAL SURVEY, DENVER, COLORADO 80225 OR WASHINGTON, D. C. 20242
LINE TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

6 180.5

790

T927

1 58.8

T
7
N
R43E
HEL

6 114

786

378

HEL

30 29

1 250

31 32

661

32

NATIVE

HE
PLACE OF USE

280.5

6

HEL

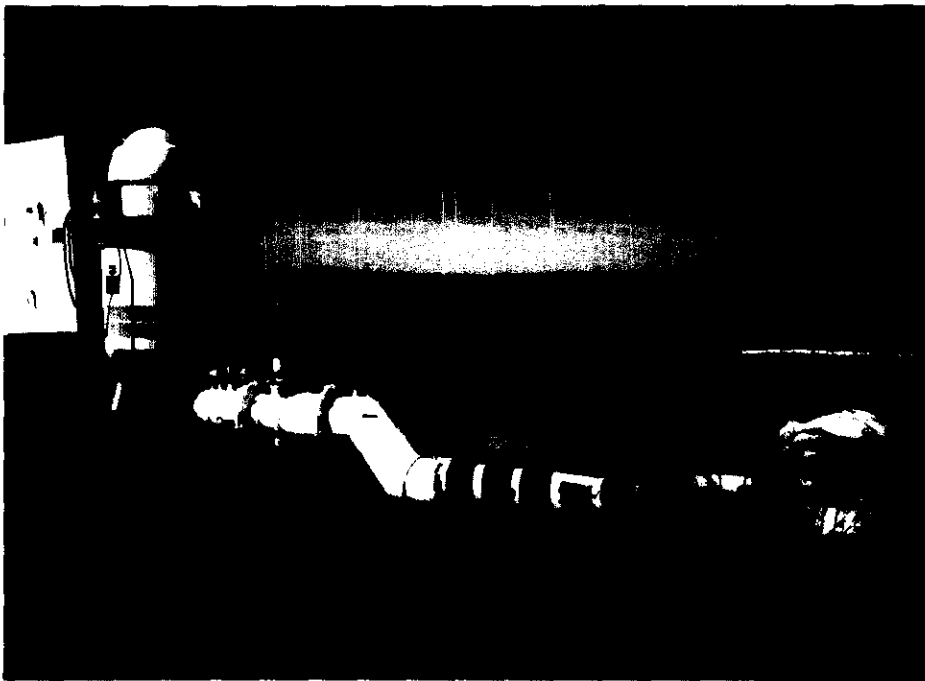
31 32

T7N

T6N

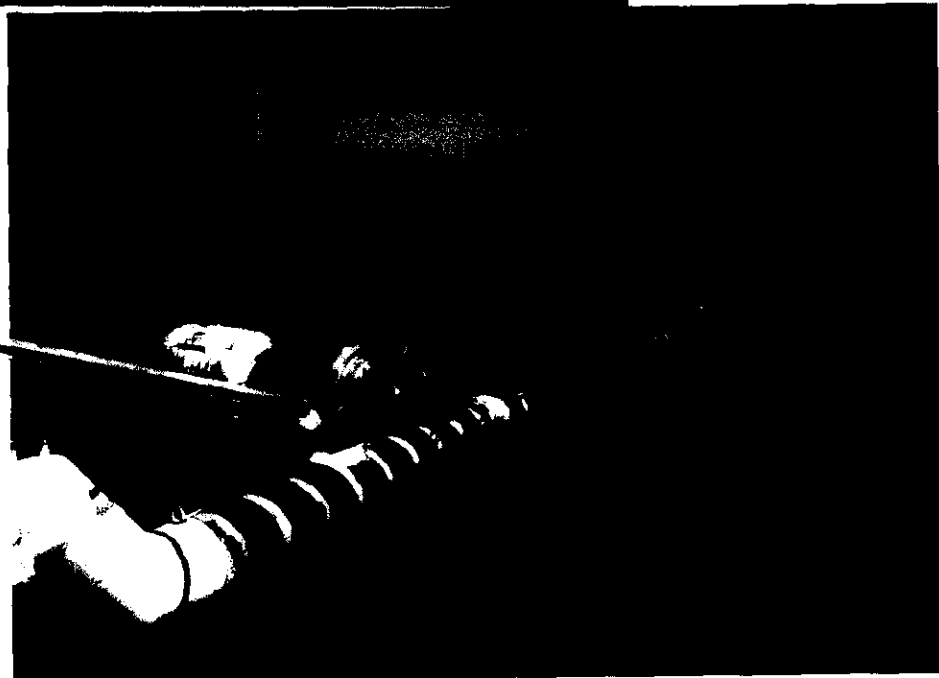
POINT OF DIVERSION

22-07501



-Booster

Booster



MICROFILMED
MAY 07 1998

22-07501

October 30, 1992

BRUCE ARNOLD
PO BOX 67
TETONIA ID 83452

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07501

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

NOV 13 1992

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 22-07501

Reviewed by Klg

Date 10/26/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

irrigate - 640
Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

NA Drilling permit required?

1983 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

250 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

yes Installed?

NA Waiver requested?

PRIORITY CALCULATION

Date proof received Received Beyond the 60 day
Date proof due simple statement - advice
No. of days late priority to date proof
Priority Date received +
New Priority Date 10/24/92

DEFICIENCIES OR ACTION ITEMS

additional required information has been
received -
proof acceptable

DATA ENTRY

New Address do complete data entry

needs an order
Proof Made 10/14/92
10/30/92 Klg

FROM: BRUCE J ARNOLD

14 OCT 1992

TO: FILE 22-07501

RE: REINSTATEMENT OF PERMIT 22-07501

ON 17 JUNE 1985, KEITH C. WILSON CONDUCTED A FILED EXAM ON PERMITS 22-07127, 22-07222, & 22-07406.

WHILE CONDUCTING THE EXAMINATION HE MEASURED THE WELL [NWNWNW (LOT4) SEC 5, T06N, R43E] UNDER THIS PERMIT. THE MEASUREMENT WAS DONE BECAUSE THE WELL WAS CONNECTED TO THE SYSTEM UNDER PERMITS 22-07127/07222/07406.

THIS WELL WAS BEING USED AT THE TIME ONLY TO SUPPLY WATER UNDER EMERGENCY CONDITIONS TO THE OTHER PERMITS.

WHEN THE PERMIT WAS FINALLY APPROVED AND THE PROOF OF BENEFICIAL USE SENT, I THOUGHT THAT IT HAD BEEN LICENSED ALONG WITH THE OTHER PERMITS. THEREFORE, I FILED THE APPROVED PERMIT WITH THE OTHER LICENSES, AND THOUGHT THAT THE PROOF DUE NOTICE WAS NOT NECESSARY SINCE THE WELL HAD BEEN MEASURED.

AS PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE, ATTACHED IS A COPY OF A PORTION OF THE FIELD EXAMINATION CONDUCTED ON 17 JUNE 1985. THE FULL EXAMINATION REPORT CAN BE FOUND IN THE MICROFICHE FILES FOR LICENSES 22-07127, 22-07222, & 22-07406.

I REQUEST THAT LAPSED PERMIT 22-07501 BE REINSTATED.


BRUCE J. ARNOLD
P.O. BOX 67
TETONIA, ID 83452
(208) 456-2537

RECEIVED
NOV 13 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORTPermit No. 22-7222
Phone No. 452-2537

1. Owner: Keith J. Arnold & Sons Inc
Current Address: Box 53 Felt Id. 83424
2. Accompanied by: Glade Hansen EXAM. DATE: 17 June 85
Address: Box 94 Tetonia Id 83452 Phone No. 458-4140 24 June 87
Relationship to Permit Holder: Operator
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1 <u>Old Well</u>	<u>U.S. Motor</u>	<u>600</u>	<u>CD2330041</u>	<u>Johnston</u>	<u>12" discharge</u>
<u>Booster</u>	<u>Westinghouse</u>	<u>350</u>	<u>4576</u>	<u>Johnston</u>	<u>TK 604</u>
<u>New Well #1</u>	<u>U.S. Motor</u>	<u>600</u>	<u>CV-330041</u>	<u>Quincy</u>	<u>182-70751A</u>
			<u>8901479-911</u>		

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

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Well pump machine to center pivot and circles

Well #1 Not used as a P/D for this right

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
<u>NEW #1 Annubar</u>	<u>Annubar</u>	<u>Dietrich</u>	<u>7517-316-55</u>	<u>191158</u>	<u>12"</u>	<u>N/A</u>
<u>Manometer</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Old #2</u>						
<u>Flow Meter Station</u>	<u>Annubar</u>	<u>Dietrich</u>	<u>7517-316-55</u>	<u>191170</u>	<u>15.25'</u>	<u>N/A</u>

7. Measurements 4000 gpm ☐ Additional data/computation sheets attached

Old System - 40" - 12" - 28" - 2832 gpm Old System - P.D. 16" (1925' id annubar)
New (118' id) 32.5 - 8.7 - 23.6 = 2600 gpm 2726 gpm 40.5 - 28.5 15 3/8" id machine
#1 82' Pumping to depth 670 ft (approx) #2
NOTE WELL #1 NOT USED AS A P/D

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

Ident #	1/4	1/4	1/4	Sec.	Twp.	Rge.	Survey Information from Known Corner	County	Remarks
<u>Old #2</u>	<u>NE</u>	<u>SW</u>	<u>NW</u>	<u>5</u>	<u>6N</u>	<u>43E</u>	<u>Lot 4</u>	<u>Madison</u>	
<u>NEW #1</u>	<u>NW</u>	<u>NW</u>	<u>NW</u>	<u>5</u>	<u>6N</u>	<u>43E</u>	<u>Lot 4</u>	<u>Madison</u>	<u>NOT USED FOR THIS RIGHT</u>

9. Place(s) of Use: SEE REMARKS Irrigation - give acres served by system at time of exam. 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	
<u>6N</u>	<u>43E</u>	<u>5</u>	<u>31</u>	<u>29</u>	<u>38</u>	<u>36</u>	<u>31</u>	<u>29</u>	<u>36</u>	<u>40</u>	<u>45</u>	<u>17</u>	<u>32</u>	<u>36</u>					<u>372</u>
			<u>L1</u>	<u>L2</u>			<u>L3</u>	<u>L4</u>			<u>30</u>	<u>25</u>	<u>35</u>	<u>40</u>					<u>402</u>
<u>7N</u>	<u>43E</u>	<u>27</u>					<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>									<u>160</u>
		<u>28</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>34</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>35</u>					<u>469</u>
		<u>29</u>	<u>40</u>	<u>34</u>	<u>34</u>	<u>40</u>	<u>40</u>	<u>35</u>	<u>35</u>	<u>40</u>					<u>40</u>	<u>35</u>	<u>35</u>	<u>40</u>	<u>298</u>
																			<u>1329</u>
Total Acres																			<u>372</u>

NOV 13 1992

WELL SITE #1



Flow Measurement
port

WELL SITE #1

WELL NOT USED UNDER THIS
WATER RIGHT ONLY CONNECTED
FOR EMERGENCY IF OTHER WELL
FAILS; to 22-7501

22-7127

Photo taken
17 June 1985

NOV 13 1992

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

Measured by: KEITH C. WILSON

Date 17 June 85

Owner: Bruce T. Arnold

Permit No. 22-7501

Description of well &/or measuring site

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

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____

T = Pipe Thickness in Inches = _____

ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots 11.85$

ANNUBAR DESCRIPTION & CONSTANT (C) 3.99

Size Used in Test 12.0

State ID No. #191158

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.99

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 32.3

Low Reading = 8.7

High - Low = H = ... 23.6

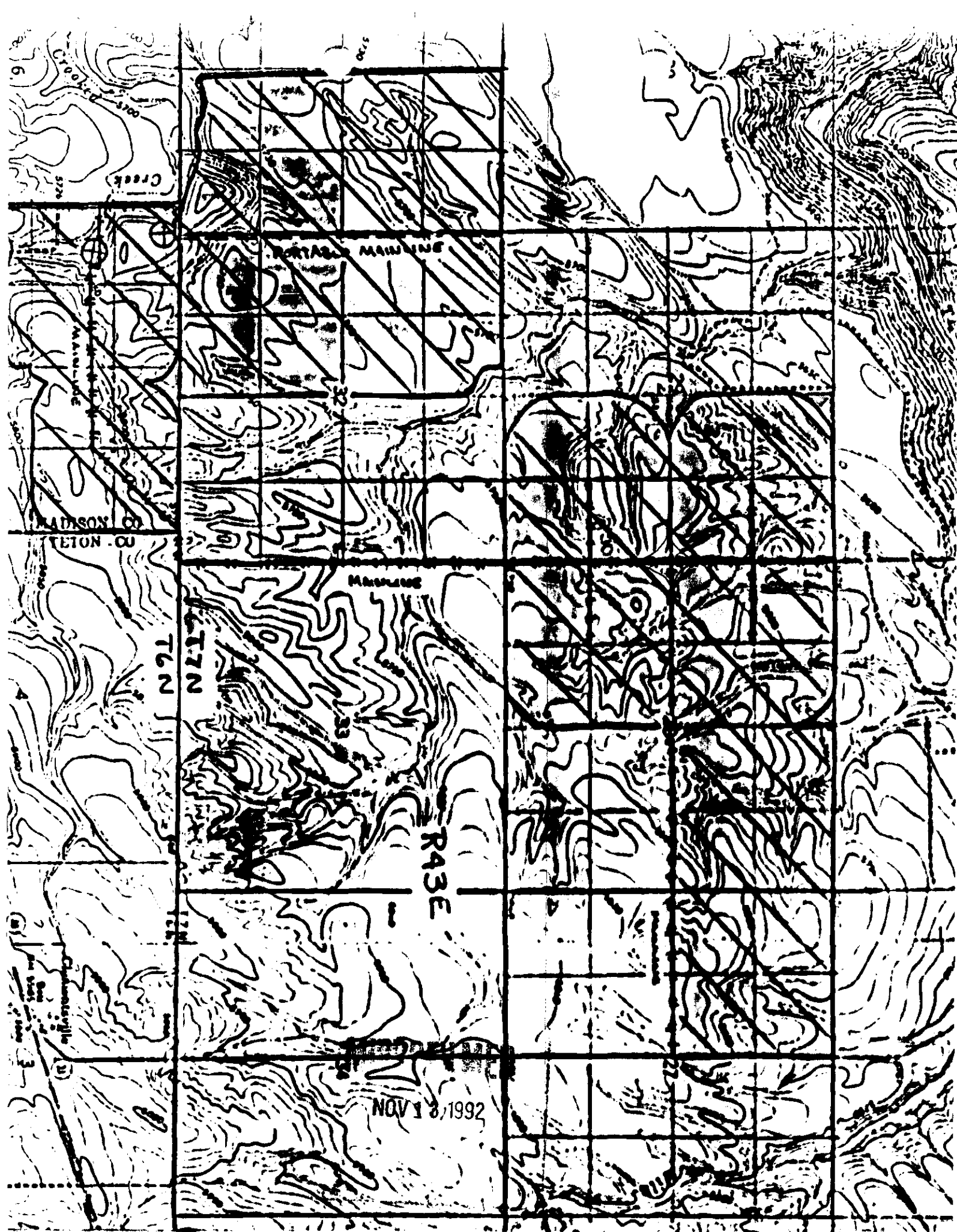
CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(11.85)^2 \cdot (\sqrt{23.6}) \cdot (3.99)}{448.8} = 6.06 \text{ CFS}$$

SKETCH (If not shown on Field Report)

RECORDED
NOV 13 1992



I certify that file No. 22-1567 has been
reviewed and is ready to be MICROFILMED
and DESTROYED.

[Signature]
Signature

17 May 1996
Date

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/31/91 08:18:41
Page 1

Water Right Number - 22-07501

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - - First Name - - - + + - - - - - Address - - - - -

*** C - CURRENT OWNER ***
ARMCO

BRUCE

1 - P.O. BOX 67
2 -
3 -

City- TETONIA
Phone - 208-455-2537

State- ID Zip- 834520000

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/26/1985 15 EASTERN P - PERMIT

+ - - - - Source - - - - - + + - - - - - Tributary - - - - -
GROUNDWATER

+ - - - - Point of Diversion - - - - -
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

06N 43E 5 NW NW (65) MADISON

+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 6.320

+ - - Total Div. Rate - + - - Total Div. Volume - + - - Total Div. Capacity - + - - Total Consumptive Use - + - - KW Usage - +
6.320

+ - - - - Place of Use - - - - -
Twn Rng Sec Tract Lot Acres Code Description County

07N	43E	31	NE NE		40.0	01	IRRIGATION	(65) MADISON
07N	43E	31	NW NE		40.0	01	IRRIGATION	(65) MADISON
07N	43E	31	SW NE		40.0	01	IRRIGATION	(65) MADISON
07N	43E	31	SE NE		40.0	01	IRRIGATION	(65) MADISON
07N	43E	31	NE SE		40.0	01	IRRIGATION	(65) MADISON
07N	43E	31	NW SE		40.0	01	IRRIGATION	(65) MADISON
07N	43E	31	SW SE		40.0	01	IRRIGATION	(65) MADISON
07N	43E	31	SE SE		40.0	01	IRRIGATION	(65) MADISON
07N	43E	32	NE NW		40.0	01	IRRIGATION	(65) MADISON
07N	43E	32	NW NW		40.0	01	IRRIGATION	(65) MADISON
07N	43E	32	SW NW		40.0	01	IRRIGATION	(65) MADISON
07N	43E	32	SE NW		40.0	01	IRRIGATION	(65) MADISON
07N	43E	32	NE SW		40.0	01	IRRIGATION	(65) MADISON
07N	43E	32	NW SW		40.0	01	IRRIGATION	(65) MADISON
07N	43E	32	SW SW		40.0	01	IRRIGATION	(65) MADISON
07N	43E	32	SE SW		40.0	01	IRRIGATION	(65) MADISON

Total Acres: 640.0

+ - - Diversion Means - WELL, PUMP, MAINLINE TO HANDLINES WITH SPRINKLERS.

+ - - Non-Irrigation Use -

W15808WP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/01/91 08:18:41
Page 2

Water right number - 22-07501 Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -

- 048 - The right to the use of water acquired under this permit shall
- not give rise to any right or claim against the holder of a
- senior right based upon the theories of forfeiture, abandonment,
- adverse possession, waiver, equitable estoppel, estoppel by
- laches or customary preference.
049 - The Director retains jurisdiction of the permit and any license
- subsequently issued to incorporate the use into a water district,
- require streamflow augmentation or other action needed to protect
- prior surface water and groundwater rights.
046 - Permit holder shall comply with the drilling permit requirements
- of Section 42-235, Idaho Code.
004 - The issuance of this permit in no way grants any right-of-way or
- easement across the land of another.
016 - Prior to the diversion of water under this permit a flow
- measurement port or other device as specified by the Department
- shall be installed to provide for the installation of measuring
- equipment and the determination of the rate of diversion by the
- Department.
03A - The rate of diversion of water for irrigation under this permit
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

+ - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 07/14/87 05/22/88 CONVERT 08/07/89 CURTIS 08/08/89 CURTIS

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 09/01/1990	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 08/14/1989	Protested Date - 00/00/0000	Swan Falls - 1
Proof Made Date - 06/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Can. Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 06/26/1985	Transfer/Amended -
Decree Date - 00/00/0000	Microfilm Roll No -	Presumption Flag -

September 21, 1990

BRUCE ARNOLD
P.O. BOX 67
TETONIA, ID 834520000

LAPSE NOTICE

RE: PERMIT NO. 22-07501

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated June 30, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

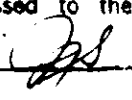
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:RF
Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 9-24-90
~~an~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



138424
June 30, 1990

BRUCE ARNOLD
P.O. BOX 67
TETONIA, ID 834520000

PROOF DUE NOTICE
RE: PERMIT NO. 22-07501

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner 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 which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
August 15, 1989

BRUCE ARNOLD
P.O. BOX 67
TETONIA, ID 834520000

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P22-07501

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement 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 flow measurement port.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MEMORANDUM

TO: File No. 22-7501
FROM: Gary Spackman *Gary*
DATE: July 31, 1989

RE: Waiver of Rule 4.5. Information Requirements

Application for Permit no. 22-7501 was filed prior to July, 1985, and represents development that occurred prior to October 1, 1984. The exclusion of water tributary above Milner Dam from the trustwater provisions makes the Swan Falls cutoff dates immaterial. This application proposes irrigation in the excess of 200 acres, and normally additional information required by Rule 4.5. of the Water Appropriation Rules and Regulations must be submitted.

The development under this application has already occurred, however, and many of the concerns that would be addressed by submittal of the additional information should have surfaced during construction and through operation. According to the memorandum signed by Glen Saxton on July 19, 1989, this water right can be approved without additional information being submitted.

MEMORANDUM

TO: Regions and Water Allocation Bureau
FROM: Glen Saxton *JS*
RE: NEED FOR ADDITIONAL INFORMATION UNDER RULE 4.5. OF THE
WATER APPROPRIATION RULES AND REGULATIONS: PRE-EXISTING
DEVELOPMENT
DATE: July 19, 1989

Many applications are being submitted to the department representing development which occurred several years ago. Some of these applications request diversion in excess of 5 cfs or irrigation in excess of 200 acres, prompting review under Rule 4.5. of the Water Appropriation Rules and Regulations.

The purpose of Rule 4.5. requirements for additional information is to force pre-development analysis of the application. If the development is already complete, many of the analysis criteria are of little value.

If development is already in place prior to filing of the application, the requirements of Rule 5 in some cases may be waived. The waiver of the requirements is based on the fact that many of the negative effects of the development should already have been felt or recognized. One exception, however, is when development is so recent that possible problems associated with the development may not yet have surfaced.

An analysis of the system prior to the development will help us in avoiding conflicts with other public interests which may be injured by the development.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CICIL D. ANDRUS
Governor

A. KENNETH DUNN
Deputy

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 23, 1987

RE: Water Right No. 22-7F01

Bruce Arnold
Box 67
Tetonia, ID 83452

Dear Mr. Arnold::

Enclosed is your interim approval for the 1987 irrigation season.

The copy of the application for permit to appropriate water attached to the interim approval defines the various components of your interim approval. The inclusion of the copy of the application is only for the purpose of definition, and any terms contained therein are limited by the conditions of the interim approval.

Sincerely,

A handwritten signature in cursive script, reading "Gary Spackman".

GARY SPACKMAN
Supervisor, Water Allocation Section

GS:sc

Enclosures

cc: Eastern Region
Tom Nelson

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

G. P. RAMSEY

INITIAL REVIEW BY:

JUN 27 1985

APPLICATION NUMBER:

22-7501

CHECK:

- ☒ Source.
☒ Point of diversion. NOT #4
☒ 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.
☒ Fee.
☒ 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.

Field check by: _____

Date: _____

Comments: _____

*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. CLAIM ALSO FILED
☒ Yes ☐ No In form for advertising.
Final date for protests: 7-06-87
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-22-87
☐ 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? 01
☒ Date of priority recommended. 10-26-85
Special conditions of approval or cover letter.

Letters approval conditions for new trust water application
above New Falls

developed completed prior to 1984
PID outside trust water area - allow
interim approval - use part A condition
10-26-87

By: Ernest C. Cullen

Date: 8 July, 1987

STATE OFFICE REVIEW:

103, 105, 116

04 012

☐ See attached sheet for more information.

By: _____

Date: _____



DEPARTMENT OF WATER RESOURCES

INTER-DEPARTMENT MEMO

DATE 8 July 1987

~~Mr~~ E. Calver.

no 22-7501

~~Mr~~ This application was processed at the
applicant's request it be considered for
interim approval conditions. The development
was completed prior to Oct. 1984 and is
intended to not utilizing trust water.
If request is denied, the application shall
be returned to Eastern Region.

June 23, 1987

Mr. John Rosholt
P.O. Box 1906
Twin Falls, Idaho 83303

RE: Application for Permit 22-7501

Dear Mr. Rosholt:

Enclosed for your information please find an application for permit being advertised under the interim approval condition.

Sincerely,

Deena Green
Office Secretary

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 10, 1987

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 letter about 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 billings to this office before JULY 6, 1987.

Yours truly,

Michelle Davis
Office Secretary

Encl.

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following applications have been filed to appropriate
the public waters of the State of Idaho:

The permits will be subject to all prior water rights.
Protests may be submitted based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest criteria of
Sec. 42-203C, Idaho Code. Protests must be filed with the
Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho, 83402 on or before July 6, 1987.

Ken Dunn

Director

Published June 18, and June 25, 1987

22-2301-

ARNOLD, BRUCE

P.O. BOX 53, FELT, ID 83424

Source: GROUNDWATER

Date Filed: 06/26/1983

Diversion Pt: N44W Sec 03 T 06N R 43E

Use: IRRIGATION (6.32 CFS)

In: NENE N44E S44E SENE NESE N45E S45E SESE Sec 31 T 07N R 43E N44W N44W S44W
SE4W N45W N45W S45W SE4W Sec 32 T 07N R 43E FOR 640 ACRES

RECEIVED

NOV 27 1987

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
Eastern District Office
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

Mr. Ron Carlson:

Would you please commence required processing of my application
for permit # 24-7501?

I understand the interim approval nature of this permit and agree
to abide by the interim conditions imposed by the Department of
Water Resources. I also ask for permanent conversion of this
permit when interim conditions end.

Thank you for your help in this matter.

Respectively yours,

Don A. Smith