

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

RANGE
39
EAST

SEC
15

TOWNSHIP
6
NORTH

POINT OF DIVERSION
PLACE OF USE

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.

Springwater Assoc.
Gary Gainer Pres.
(Applicant)

(Applicant)

RECEIVED

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.
Bruce Porter

I, _____,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Case No. 22-7389

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

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

ing been made on Jan. 14, 1982
and the last publication having been made
on Jan. 21, 1982

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



Subscribed to and sworn to before me
this Jan. 22, 1982


(SEAL) Notary Public.

My commission expires Life.

MICROFILMED

RECEIVED
FEB 8 1982
Department of Water Resources
Eastern District Office

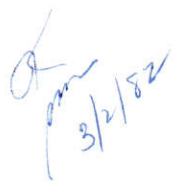
Case No. 22-7389

SYRINGA PARK SUBDIVISION
SYRINGA WATER ASSN.
C/O GARY GARNER, PRES.
RT. 1, BOX 115-D, REXBURG, ID 83440
Source: GROUNDWATER
Date Filed: Jan. 05, 1982
Amount: 0.34 CFS
Diversion Point: SWSW Sec 15 T 06N R
39E, MADISON Co.
Use: IRRIGATION (0.18 CFS) from April 1
to Nov. 1, DOMESTIC (0.16 CFS) from Jan.
1 to Dec. 31
Place of Use: NWSW SWSW Sec 15 T
06N R 39E FOR 9 ACRES
Diversion Means: WELL AND PUMP

If issued, the permit(s) will be subject to all
prior water rights. Protests against the
granting of any permit must be filed with the
Director of the Idaho Department of Water
Resources, 150 Shoup Ave., Idaho Falls,
Idaho 83402 on or before FEBRUARY 1,
1982

/s/A. KENNETH DUNN
Director

Publ. Jan. 14 and 21, 1982J



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

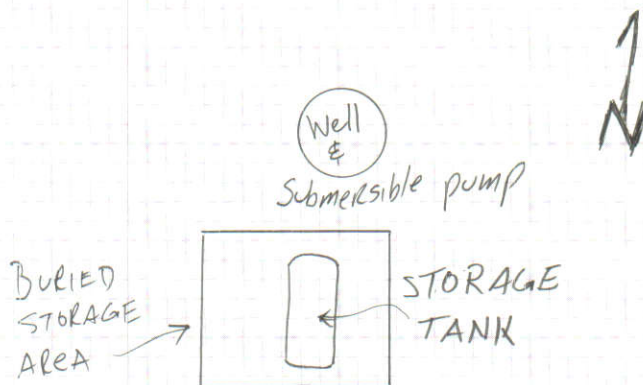
Permit No. 22-1389
Phone No. 356-0150
1. Owner: Springa Park Subdivision
Current Address: 140 So Center Rexburg ID 83440
2. Accompanied by: Rebecka Page EXAM. DATE: 7-17-87
Address: 1276N 5000W Rexburg ID 83440 Phone No. 356-0156
Relationship to Permit Holder: Care TAKER
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

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

C. SYSTEM DESCRIPTION

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



INDEXED
MAR 03 1989

Scale: 1" = 16 Scale

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

22-7389

Point of Diversion



Line to pressure tank



MICROFILMED

MAR 03 1989

CN 14

39 E

26
MicroFILMED
MAR 03 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07389

Priority: January 5, 1982 Amount: 0.16 CFS 15.6 AFA

This is to certify, that SYRINGA PARK SUBDIVISION
SYRINGA WATER ASSN.

C/O RIC PAGE
140 S. CENTER
REXBURG, ID 834400000

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated January 5, 1982, and has submitted proof to the Department of Water Resources on February 20, 1987, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .390 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
DOMESTIC	01/01 to 12/31	0.16 CFS	15.6 AFA

LOCATION OF POINT OF DIVERSION(S): SWSW , Sec. 15, Township 06N, Range 39E
MADISON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

06N 39E 15 SWSW

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 13 homes.

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 17TH day of February, 1987.

Acting for the Director

Norm Young
MICROFILMED

MAR 03 1989

5104



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 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 15, 1999

Steven R. Parry
Anderson, Nelson, Hall, Smith, P.A.
P.O. Box 51630
Idaho Falls, Idaho 83405-1630

Re: Water Right Nos. 22-02190, 22-07408, 22-07325, 22-2255,
22-07409, and 22-07494

Dear Mr. Parry:

As you noted in your letter dated February 15, 1999, the questions you have asked concerning the equitable division of these rights are complex requiring a block of uninterrupted time to properly consider and respond. I have finally been able to focus on the questions and offer the following thoughts to assist you in this matter. I apologize for the delay and hope that this response will be of value to you and your clients at this time.

A. Methods for Dividing Water Rights to Even Up the Amount of Water
Allocated to the Land.

There are several procedures that could be used to balance the water between the parties so that each acre receives a proportionate share of the water. One method would be to divide each of the water rights proportionately between the three owners then file a transfer moving each owner's share of each right to the wells and land he owns. The water rights should be divided based upon the fraction of the irrigated land owned by each owner. A transfer can not expand the number of acres covered by each water right, but by using permissible place of use (ppu), all of the land owned by each brother could be listed as the place of use on his share of each right with a limitation on the number of acres irrigated under the right each year. This method has the advantage of allowing the priority dates and annual diversion volumes to be shared equitably. It has the disadvantage of fragmenting the rights, essentially tripling the number of filings.

Another possible approach is to file a transfer of each right listing all wells as the point of diversion and all of the land as the place of use but limiting the acreage irrigated under each right to that authorized under the right (the ppu concept). Each brother would then be given an appropriate undivided share in each of the rights, the amount based upon the fraction of the total irrigated acreage he owns. This provides maximum flexibility in

the use of the rights, but could turn into a record-keeping nightmare depending upon how further splits of the property occur.

B. Amendment of License to Remove a Restrictive Condition.

While Idaho statutes do not provide a specific procedure for reissuing a license to correct an error made by the department, IDWR has done so in the past when the information available clearly demonstrated that the department erred in the licensing process. Licenses will not be amended to conform to a change in policy or law occurring after the license was issued. A review of IDWR's file for License No. 22-07408 does not provide the information necessary to conclude that IDWR clearly erred in issuing the license and that IDWR should initiate action to amend the license at this time. However, I am willing to further review whether the ½ miner's inch per acre policy was properly and appropriately applied if an appropriate petition is filed seeking amendment of the license. Attached for your convenience is a copy of the ½ miner's inch per acre policy as used to evaluate adjudication claims.

A threshold question will be whether a petition can be considered timely filed more than six years after issuance of the license. If IDWR does find that the petition is timely, the petitioner must demonstrate that IDWR erred in applying the ½ miner's inch policy or made some other error in the licensing process. If error is clearly shown, the petitioner will also need to establish that water was used beneficially to grow crops in the same season on all 1275 acres during the permit development period and in accordance with the terms and conditions of the permit.

In recent months, IDWR's procedure for amending licenses has been questioned by an attorney representing the Twin Falls Canal Company and the Northside Canal Company. As you know, holders of senior surface and ground water rights are concerned that ground water development in the Snake River Basin has reduced water available under their rights. Their concern has helped prompt the ongoing effort to tighten management of ground water diversion and use in the Snake River Basin. Some senior water users have expressed concern that license amendment could be used to expand the use of ground water and have asked that IDWR provide notice of any license amendments that involve the use of ground water in the Eastern Snake Plain Aquifer (ESPA). Attached is a copy of correspondence regarding this matter.

The water right which you suggest amending (22-07408) diverts from a well located just to the east of the ESPA as defined in the "Rules for Conjunctive Management of Surface and Ground Water Resources." However, the geo-hydrologic information available to the department does indicate a close relationship between the ground water in the Rexburg Bench area and the flow of Henrys Fork of Snake River. For this reason, notice of a petition to amend the license will be given to interested holders of senior priority rights to allow opportunity for objections.

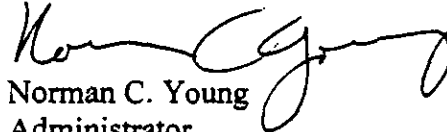
C. Miscellaneous

A key part of the plan for division of water that you have suggested involves the filing of a claim from or an amendment of License No. 22-07325 to address the 277 acre parcel south of the railroad track. I am not aware of a precedent for applying the enlargement procedure of Section 42-1426, Idaho Code, to a parcel of land already having a water right and then moving the place of use of the existing right to another parcel of land under the accomplished transfer provisions of Section 42-1425, Idaho Code. I assume these filings would be made for consideration by the SRBA court. If the filings are made, the department's adjudication staff will review them and a recommendation will be made to the court at that time.

Regarding lapsed permit No. 22-07494, Section 42-218a(2), Idaho Code, may provide a basis for seeking reinstatement of the right. Note that application of this statute requires that beneficial use must have occurred during the permit period and the permit holder must demonstrate a reason for not having filed the proof of beneficial use on time.

I hope that the above discussions are of value to you. If you want to discuss these or other ideas in more detail, I will be happy to do so by telephone or to meet with you.

Sincerely,



Norman C. Young
Administrator
Water Management Division

Enclosures - See file # 22-2190

cc: Harold "Skip" Jones - Idaho Falls Regional Office of IDWR

0325

REPORT OF ACREAGE

FARM NO.	NAME AND ADDRESS	FARM- LAND	CROP-LAND	OPERATOR	OWNER INTERESTED PARTIES		OTHER FARMS	CROP	ASSIGNMENT
					NAME	ADDRESS			
97	WEBSTER DP WELL FM	3637 342		E-107					
97	WEBSTER DP WELL FM	3637 342		POWER					
97	WEBSTER DP WELL FM	3637 342		1983					
97	WEBSTER DP WELL FM	3637 342		30					

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

[illegible]

TOTAL OPERATOR REPORT

TOTAL REPORTER'S REPORT

SECTION II - OPERATOR'S CERTIFICATION

if only to the best of my knowledge and belief that the savings of rope and land uses fitted herds are true and correct. Further, my signature constitutes authority for ASCE personnel to assist my firm for making any program determinations.

OPERATOR'S SIGNATURE Theodore E. Egan	DATE Sept 20 1983	OPERATOR'S SIGNATURE [Signature]	DATE 11/15/83
--	----------------------	-------------------------------------	------------------

SECTION 1 - FARM FIELD REPORT (Continued) (Gray Areas to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	W-D	W-E	B-D	B-E	NEW ACRES	SHARE	DISPOSITION	METHOD	ORDER ACRES	DEDUCTIONS IDENTITY & MEAS.	ACRES	NEW ACRES	INITIAL & DATE
1	2						CUA								
		Barley				51.5									
		Barley				2900									
		Barley				51.6									
		Barley				75.0									
		Barley				96.9									
		Barley				38.3									
		Barley				20.7									
		Barley				39.4									
		Barley				58.9									
		Barley				58.8									

SKETCHES OR REMARKS

U.S. GOVERNMENT PRINTING OFFICE: 1982-507-532:1070

SECTION 1 - FARM FIELD REPORT (Continued) (Only Areas to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	DATE	YIELD	SEED	SPARE	DISPOSITION	METHOD	GRASS ACRES	DEDUCTIONS IDENTITY & MEAS.	NET ACRES	INITIAL & DATE
1	2	NW, S1S	8/3	850	150							
	B	Grass										
	A	SW, S1S										
	A	potatoes										
	B	SF										
327	B	NW, S22		1400	150							
	B	potatoes										
	B	SF										
	C	NE, S21			200							
	A	NE, S22			200							
	H	SE, S21			930							
	H	SW, S22										
	I	NE, S28			315							
	I	SF										

REMARKS

U.S. GOVERNMENT PRINTING OFFICE: 1962-501-531:1070

SECTION 1 - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY).

● 中国 2000 年人口统计

U.S. GOVERNMENT PRINTING OFFICE: 1962-507-3321-070

REPORT OF ACREAGE

USDA - ASCS (NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Filing this data is voluntary; however, without its assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.)

FARM NO.	NAME AND ADDRESS	CROP	LAND	OPERATOR
97	WEBSTER DP WELL FM	3637 342		
E	14 E 40 S			
OP	REXBURG ID 83440			
82 024747 4				
97	WEBSTER DP WELL FM			
E	L WEBSTER			
OP				
82 024747 4				

SECTION I - FARM FIELD REPORT (NOTE: Gray Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	EST. OR LAND USE SUMMARY	KEY	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS IDENT./AREAS	NET ACRES	INITIAL & DATE
167	2	potatoes	potatoes S.F.	5	7	0	9	10	11	12
167	3	potatoes	potatoes	5	7	0	9	10	11	12
167	4	potatoes	potatoes	5	7	0	9	10	11	12
167	5	S.F.	4.4	5	7	0	9	10	11	12
167	6	S.F.	3.1	5	7	0	9	10	11	12
167	7	S.F.	23.1	5	7	0	9	10	11	12
167	8	S.F.	9.9	5	7	0	9	10	11	12
167	9	S.F.	4.9	5	7	0	9	10	11	12
167	10	S.F.	10.5	5	7	0	9	10	11	12
167	11	border 513.514	border 513.514	5	7	0	9	10	11	12
167	12	house	house	5	7	0	9	10	11	12
TOTAL OPERATOR REPORT										
TOTAL REPORTER'S REPORT										

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter any farm for making more complete determinations.

OPERATOR'S SIGNATURE	DATE
----------------------	------

REPORT OF ACREAGE

ASCS-57B

USDA - ABC

NOTE: Section 1374c, U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without its assistance

PAGE 49

FARM NO.	NAME AND ADDRESS	FARM LAND	CROP LAND	OPERATION	KEY	OTHER FARMS	OWNER	ASSIGNMENT
G 97 K E Y E L	WEBSTER DP WELL FM 14 E 40 S OP REXBURG ID 83-NO	3637 3420 CGR DSL		OWNER	3			
L 82 0247-47 4					4			
					5			
G 97 K E Y E L	WEBSTER DP WELL FM L WEBSTER			PROGRAM YEAR	6			
				OTHER	7			

SECTION I - FARM FIELD REPORT (NOTE: Gray Shaded Areas to be Filled in by Reporter ONLY.)

[illegible]

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the increases of crops and land were listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

DEPARTMENT OF

PLATE

“生产要素市场”——对GDP的贡献

number of crowns and

newspapers and bulletins

የ ጭነት ዕቃዎች ስርዓት



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 1, 1993

WEBSTER DEEP WELL FARM INC
519 E 350 S
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07408

Dear Water Right Holder(s):

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

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MISSOURI

FEB 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 8, 1993

WEBSTER DEEP WELL FARM INC
519 E 350 S
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07408

Dear Water Right Holder(s):

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

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
FEB 17 1993

LICENSE REVIEW CHECKLIST

Permit # 22-07408

Date 01-05-92
C8

	Yes	No	
NAME	☐	☒	Address Change? <u>No Info</u>
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	Exam date <u>3-19-86</u>
	☐	☒	Incorrect Fee for rate recommended? _____
	☐	☒	Disagree with Actual Measurement? _____
	☐	☒	<u>595 x .02 = 11.9 / 7.78 cfs (IRR)</u>
	☐	☒	Disagree with Theoretical? <u>800 x 8.8 x .7 = 9.15</u>
	☒	☐	Limited by Capacity? <u>7.78 cfs 400' + (2.31 x 60)</u> (measured)
TOTAL VOLUME	☐	☒	Rate/ac <u>3.5</u> AFA Irr. Season <u>B</u>
	☐	☒	<u>4-15 to 10-15</u> Standard Irr. Season
	☐	☒	<u>Same / Reduced from Permit</u> Season Recommended
	☐	☒	Disagree with Examiner's Calculations? _____
	☐	☒	<u>595 x 3.5 = 2082.5 afa (IRR)</u>
	☐	☒	Limited by Flow? <u>7.78 x 184 x 1.9835 = 2839.4</u> > 2082.5 4 > 2723.0
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D	☐	☒	Verify with Map _____
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
P/U	☒	☐	Verify with Map _____
	☒	☐	Amendment Needed? <u>Add S14 + S15 + NE x 4 S28</u>
	☒	☐	Is Overlap Analysis a Consideration? _____
USES	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☐	☒	Non-Irr. Uses <u>778 x 3.5 = 2723 afa</u>
	☒	☐	Special Overlap Condition <u>P/D 22-02190 + vol</u>
	☒	☐	Other <u>PPU - 595 single / 778 combined</u>
CONDITIONS	☐	☒	Measuring Device _____ DATES/MISC _____
	☐	☒	W/Master Control _____ Water Dist. _____
	☒	☐	Overlap <u>R30</u> _____ App Rec'd _____
	☐	☒	Water Quality _____ Exam Made _____
COMMENTS/MEMOS NEEDED:	<u>Reduced acres, rate, season Amend P/u</u>		
	<u>Estimated HP equation / Single WL in S27 -</u>		
	<u>SWL > 400'</u>		
License	☐	☐	10-Day ☐ 15-Day ☒ Special Correspondence _____

WR0749NP
No. L22-07408

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 01/05/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WEBSTER DEEP WELL FARM INC 519 E 350 S REXBURG ID 83440	07/27/1982	IRRIGATION	04-15 10-15	7.78 CFS	2082.5 AFA
TOTAL DIVERSION:					7.78 CFS	2082.5 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 7.78 CFS

Point(s) of Diversion: T05N R40E S27 NE NW

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				SUM			
		NENE				NENW				NWSW				NWSE							
		SWNE				SWNW				SWSW				SWSE							
		SENE				SENW				SESW				SESE							
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05N 40E 14	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
05N 40E 15	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
05N 40E 21	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
05N 40E 22	:	40	14	37	39	:	:	:	:	05	:	39	14	38	40	:	38	39	35	37	:
05N 40E 23	:	:	12	15	:	27	34	31	37	:	39	34	28	36	:	:	25	21	:	:	:
05N 40E 27	:	39	37	40	39	:	39	39	39	:	:	:	:	:	:	34	:	:	:	:	:
05N 40E 28	:	33	10	34	39	:	:	:	:	:	:	:	:	:	:	:	27	14	:	:	:
																		TOTAL ACRES		1275.0	

Pou County: MADISON

Other Rights: PERMIT 22-7040

Other Water Rights with Same Point(s) of Diversion and Source:
22-07408

Other Water Rights Listing Overlapping Place(s) of use:

22-00578	22-00591	22-00592	22-00593	22-00594	22-02190	22-02202	22-07040	22-07090	22-07325
----------	----------	----------	----------	----------	----------	----------	----------	----------	----------

Conditions of Approval:

R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

Remarks: This right is limited to the irrigation of 595 acres in the place
of use described above in a single irrigation season.
This right when combined with right 22-02190 is limited to the
irrigation of 778 acres in the place of use described above in a
single irrigation season.
The total combined rate of diversion under this right and
right 22-02190 shall not exceed 7.88 cfs nor a combined annual
volume of 2723.0 afa.

WR0749NP
No. L22-07408

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 01/05/93
PAGE: 2

=====
Dates: App. Received: 06/30/1982 Priority Date: 07/27/1982 (Priority Date Advanced.)
Proof Due Date: 09/01/1983 Proof Made Date: 10/11/1983 (Proof Received Late.)
Exam Made Date: 07/11/1983 Exam Sent to S.O.: 04/29/1986
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 01/05/93 SKAGGS

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 Syringa Park Subdivision &/or ~~Inc~~ Phone 356-4706
Syringa Water Assn. c/o Gary Gardner, Pres.
Post office address Rt. #1, Box 115-D Rexburg, Idaho 83440

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

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 6N
Range 39E B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.16 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.18 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)

5. Total quantity to be appropriated:

a. .34 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. A 10HP pump and 2500 gallon pressure tank at well site. Supplies water to 13 lots for domestic water and lawn and garden.

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 8" inches; proposed depth of well is 110 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: NW SW
(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 6N
Range 39E B.M.

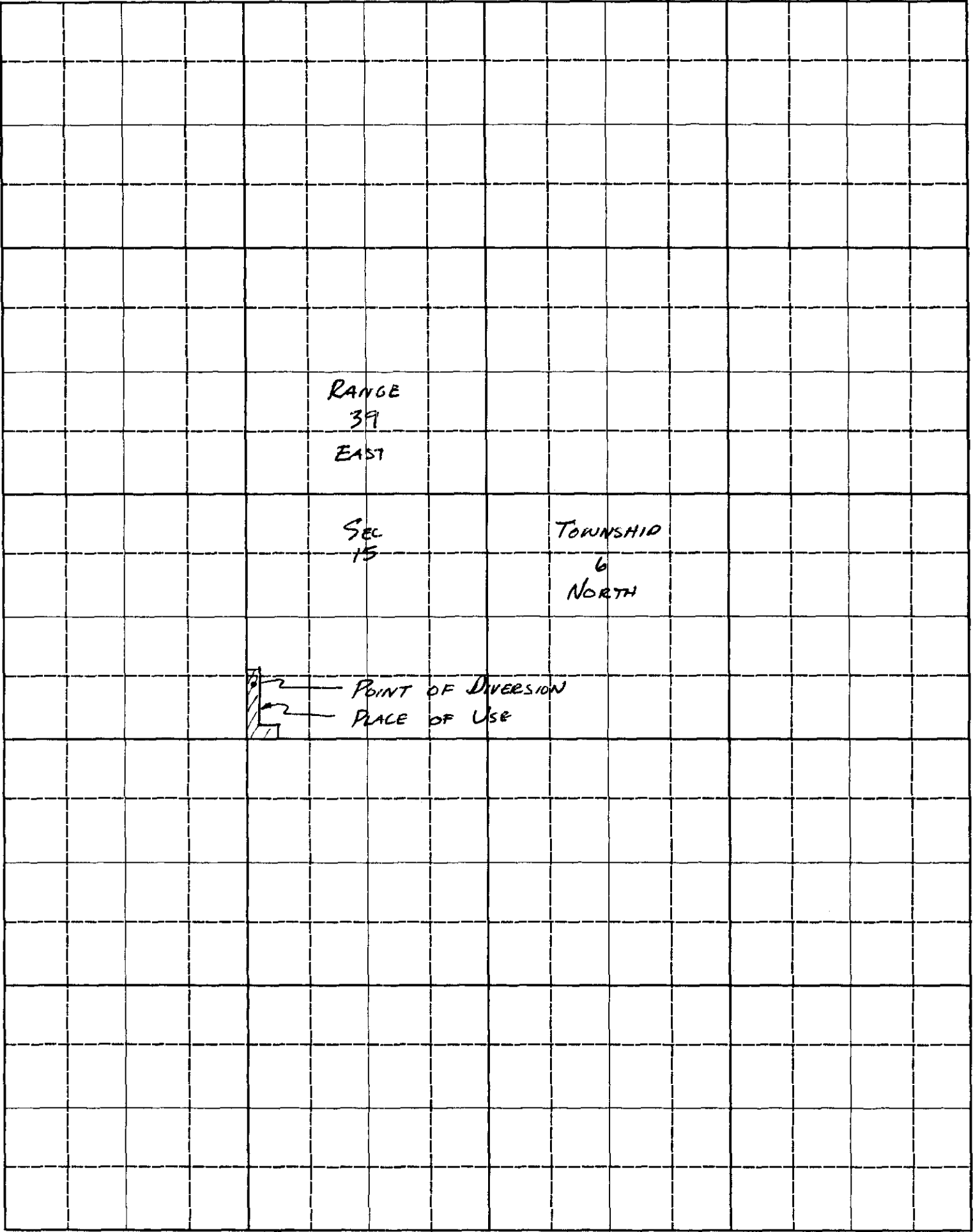
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(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 13.

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

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Springer Water Assoc.
Gary Gauer Pres.
(Applicant)

RECORDED

Proposed Priority 1/05/1982

Received by CW Date 1-05-82 Time 11:05 A.

Preliminary check by KCW Fee \$ 45⁰⁰

Receipted by CW Date 1-06-82 # 20036

Publication prepared by CW Date 1-07-82

Published in Standard Journal

Publication dates Jan 14 & 21, 1982

Publication approved CW Date 2-08-82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7389, 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 87.
- 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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 13th day of April, 19 82.

Z. Glen Sayton
Chief, Operations Bureau

RECORDED

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.
Bruce Porter

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

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

Case No. 22-7389

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

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

ing been made on Jan. 14, 1982
and the last publication having been made
on Jan. 21, 1982

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

[Signature]

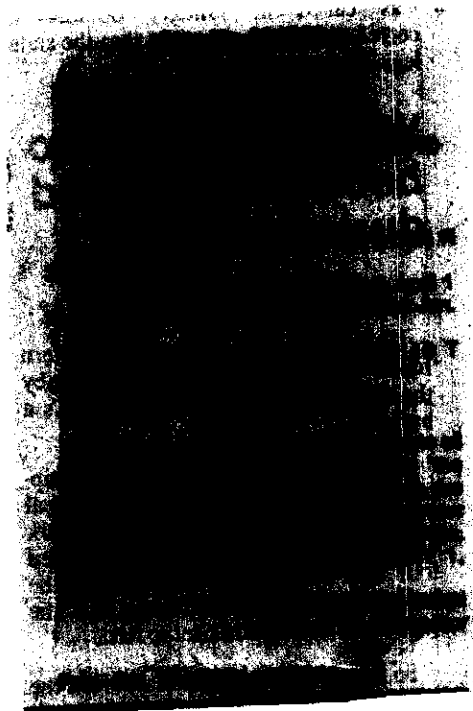
Subscribed to and sworn to before me
this Jan. 22, 1982

[Signature]
Notary Public.
(SEAL)

My commission expires Life.

MICROFILMED

RECEIVED
FEB 8 1982
DEPT. OF
EASTERN DISTRICT OFFICE



[Handwritten signature]
3/2/82

February 23, 1989

RE: Permit No. 22-7389

Syringa Park Subd.
Syringa Water Assn.
c/o Ric Page
140 S. Center
Rexburg, ID 83440

Dear Permit Holder(s):

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

If you have any questions concerning this document, please feel free to contact this office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAK 03 1989

January 23, 1989

SYRINGA PARK SUBDIVISION
SYRINGA WATER ASSN.
C/O RIC PAGE
140 S. CENTER
REXBURG, ID 834400000

RE: PERMIT NO. 22-07389

Dear Permit Holder(s):

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

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 03 1989

MEMORANDUM

TO:FILE #22-7389

FROM:ROXANNE MCCARTHY

RE: CHANGES TO FIELD EXAM RECOMMENDATIONS

DATE: 11-JAN-1989

The examiner states that there is no irrigation component under this right.

Allow 0.16 cfs for the nine established homes and four undeveloped lots per Administrative Memo #22.

13 units x 1.2 afa per unit = 15.6 afa

Allow 15.6 afa for all thirteen units.

MICROFILMED

MAR 03 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

22-7389

Permit No.

Spring Park

RECEIVED

OCT 23 1987

Department of Water Resources

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

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

Check of P/D index _____ (Initial and date)

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

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

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index _____ (Initial and date)

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

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

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

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

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

C. Review and Processing:

Exam Completed *Samuel D. Filleth* 7-21-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent *JKL* 7-27-87 (Initial and date)

Exam Reviewed by Manager of Regional Office *SM* 9-30-87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office 10/21/87 (Initial and date)

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

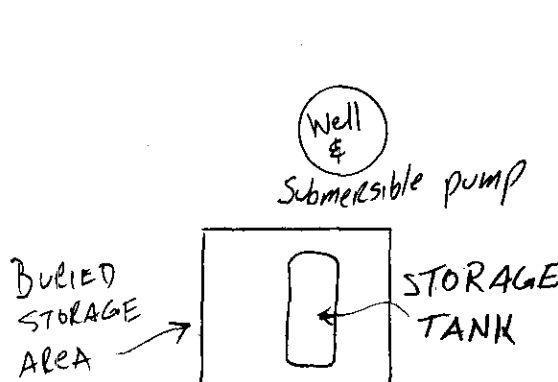
- Permit No. 22-73 89
Phone No. 356-0150
1. Owner: Springa Park Subdivision
Current Address: 140 So Center Rexburg ID 83440
2. Accompanied by: Rebecca Page EXAM. DATE: 7-17-87
Address: 1276N 4000W Rexburg ID 83440 Phone No. 356-0156
Relationship to Permit Holder: Care TAKER
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

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

C. SYSTEM DESCRIPTION

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



INDEXED

MAR 03 1989

Scale: 1" = No Scale

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

System Description (continued)

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

There is a 10 HP pump and 2500 gallon storage tank at the well site. Supplies water to 9 lots for domestic water and lawns and gardens. The lawns were no larger than 1/2 ac and undeveloped ground in this subdivision was not being irrigated.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		10 HP	Submersible		

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SW	SW	15	6N	39E	MADISON	USGS Map

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	39E	15											D						7
													9						9 ac

MICROFILMED

MAR 14 1984

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Theoretical

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = \frac{10 \times 8.814 \times 80\%}{110 + (2.308 \times 30 \text{ psi})} = .39 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$9 \text{ Homes} \times 4 \text{ Lots} = 36 \text{ cfs} \quad + .02 \times 9 \text{ ac} = .18 \text{ cfs}$$

** allow .34 total as limited by permit*

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 9 \times 3.5 = 31.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .18 \times 214 \times 1.9835 = 76.4$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 31.5$$

2. Volume Calculations for Other Uses:

$$9 \text{ Homes} \times 1.2 \text{ ac} = 10.8 \text{ ac}$$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

100

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1-1	12-1	.17	10.8
IRRIGATION	4-1	11-1	.18	31.5
Totals:			.34 cfs	10.8 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

J. AUTHENTICATION

Field Examiner's Name SAMUEL D FILETTI
Signature Samuel D Filetti
Certification Date 9-30-1987
Field Report Preparation Date _____

CONSULTANT SEAL

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

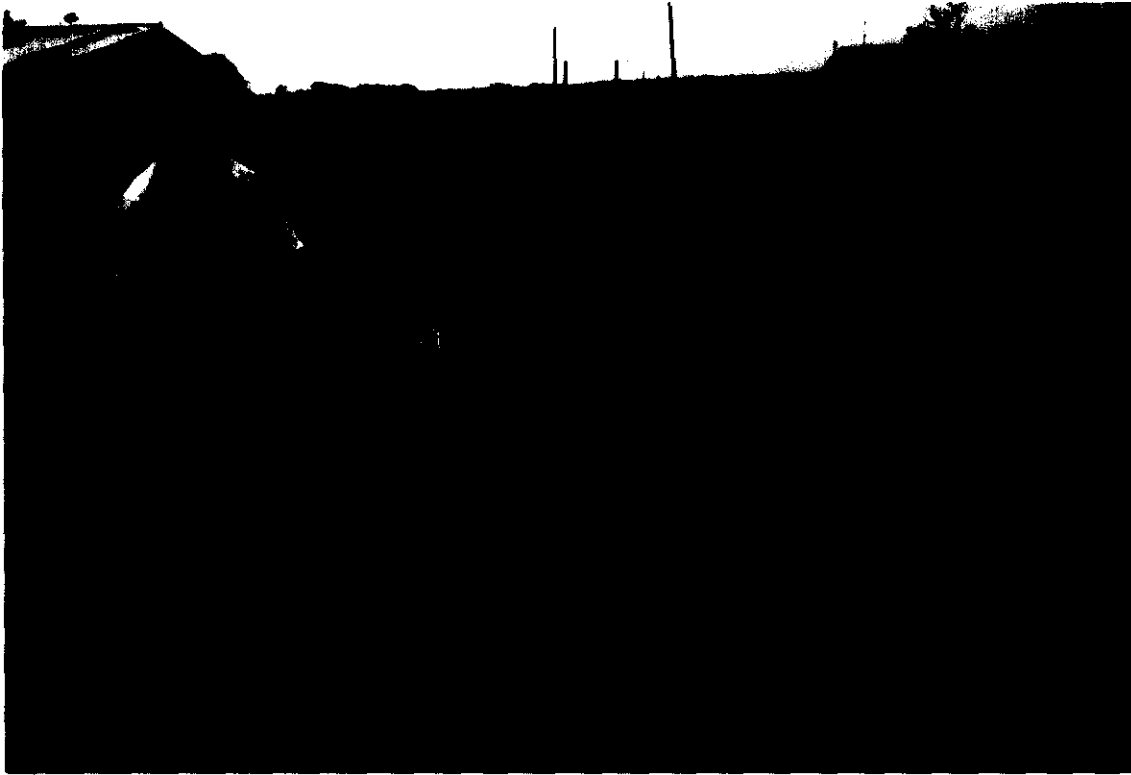
Roxanne McCarthy 1/10/89

RECORDED

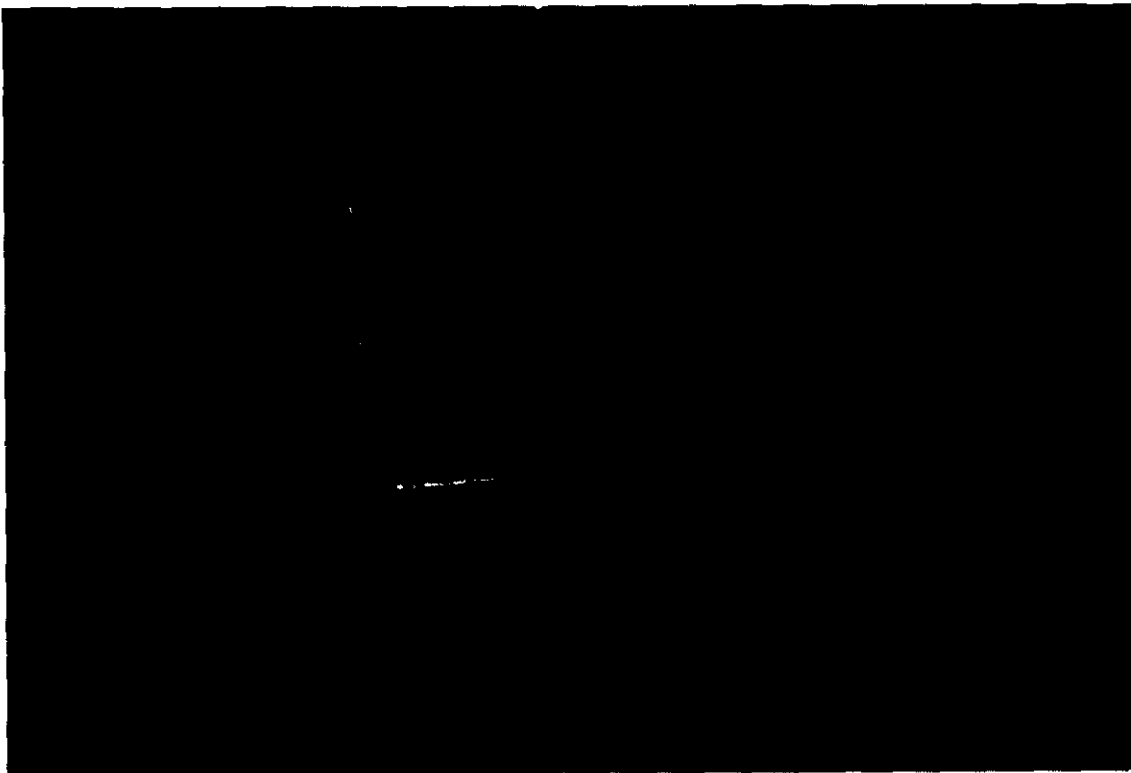
MAR 03 1989

- 22-7389 -

Point of Diversion



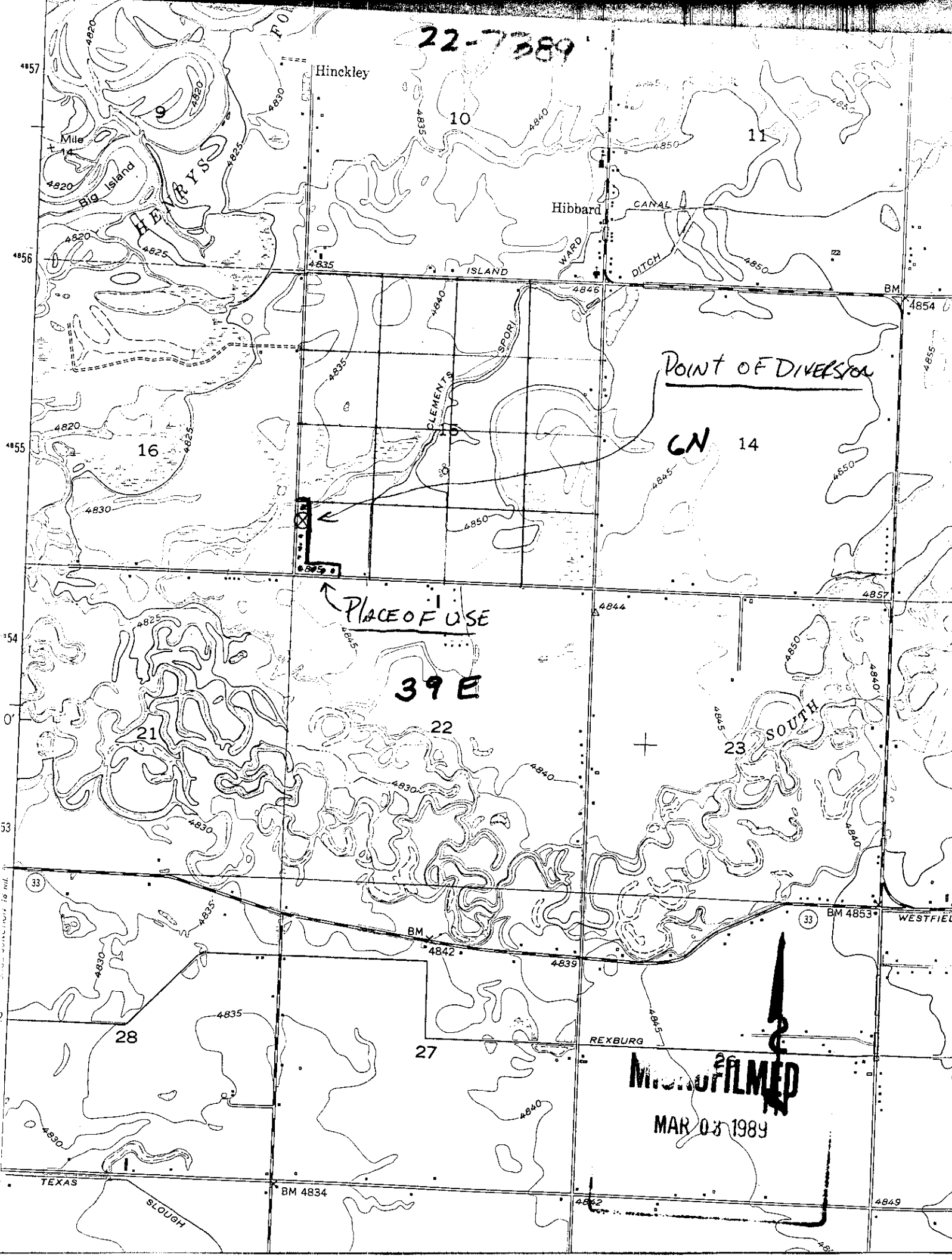
Line to pressure tank



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MAR 03 1989

22-7389



POINT OF DIVERSION

CN

14

PLACE OF USE

39 E

MicroFILMED

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DIVISION 1

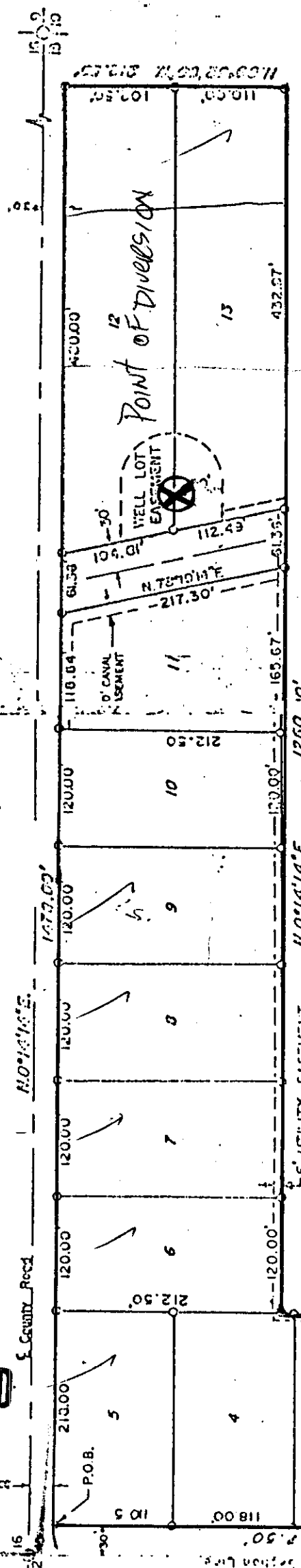
A PORTION OF

SECTION 15, TOWNSHIP 6 NORTH, RANGE 39 EAST, BOISE MERIDIAN

MADISON COUNTY, IDAHO

SCALE 1" = 100'

9ac OF IRRIGATION



LEGEND

- 0 No. 5 Rebar
- 2 Lot Number

PLANNING AND ZONING COMMISSION APPROVAL

Presented to the Madison County Planning and Zoning Commission this 13th day of October A.D., 1977 at which time this subdivision was approved and accepted.

Richard L. Davis
Chairman

Sealings based on the West line of Section 15

BOARD OF HEALTH APPROVAL

COUNTY APP

Presented to the Madison C

I hereby certify that the Sanitary Regulations have been approved by the Planning Com

On November 13, 1977, the Madison County Planning and Zoning Commission, by its duly authorized officers, approved the subdivision of the above described land into lots as shown on the attached plat.

In witness whereof, we have hereunto set our hands and the seal of the County of Madison, Idaho, this 13th day of October, 1977.

Richard L. Davis
County Clerk

State of Idaho
County of Madison

Personally appeared before me, a Notary Public in and for the State of Idaho, the undersigned, who are known to me to be the persons whose names are subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Dated at Boise, Idaho, this 13th day of October, 1977.

My commission expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 24, 1987

SYRINGA PARK SUBDIVISION
C/O RIC PAGE
140 SO. CENTER
REXBURG ID 83440

RE: Permit No. 22-7389

Dear Permit Holder:

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

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

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

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

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

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MAR 03 1989

Form 204-p
8/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

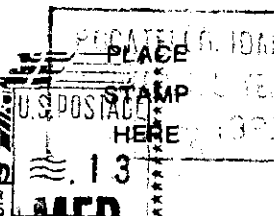
Permit No. 22-7389
Name(s) of Permit Holder(s): Syringa Park Subdivision
Post Office Address: RT 1 BOX 115
REXBURG ID 356 4706

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on AUG 1977 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

7-6-87
Date

Syringa Park Subdivision
Signature of Permit Holder
Gray Turner Pres.



METER
P.B. 962655

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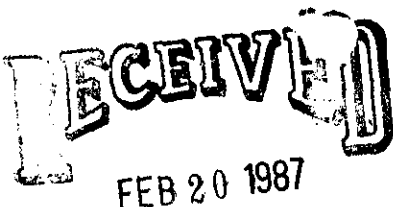
MAR 03 1989



Department of Water Resources
JUL 9 1982

DECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received

Date 2-20-1987

Receipt # 41473

Receipt by COB

Reviewed by JA

Sent to region 2-28-87

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 22-7389

Name(s) of Permit Holder:

Syringa Park Subdivision (Ric Page)

Post Office Address:

140 So. Center Rexburg-ID 83440

Telephone No.

208-356-0150

Source of Water:

Well

Extent of Use:

Domestic 9 (number of households)

Stockwater (number and type of stock)

Irrigation (acres)

Other/Remark

Total rate and/or volume for which proof is submitted

.16

cfs

5-20

acre-feet

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

May 1978

Measuring Device: Required?

☐ Yes

☒ No

Installed?

☐ Yes

☒ No

Fee enclosed \$

50.00

(See License Examination Fee Schedule)

Flow Measurement Port: Required?

☐ Yes

☒ No

Installed?

☐ Yes

☒ No

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

Ric Page or Rebecca Page

(Name)

356-0150

(Telephone Number)

1276 N.

4000 W.

Rexburg-Idaho

83440

(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.

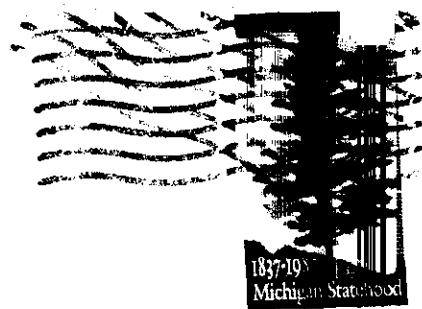
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MAR 05 1987

Date 2-11-87

Signature of Permit Holder (and title, if appropriate)

Page
1276 N. 4000 W.
Rexburg - Id.
83440



State house
Dept. of Water Resources
Boise - Idaho 83720

RECEIVED

MAR 05 1987

ATTN: Rita Fleck

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
JANUARY 31, 1987

138674

SYRINGA PARK SUBDIVISION
RT. 1, BOX 115-D
REXBURG, ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-7389

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 APRIL 1, 1987. (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 COMPLETED 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

MICROFILMED

MARK UD 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

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

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

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

MAR 05 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SYRINGA PARK SUBDIVISION
RT. 1, BOX 115-D
REXBURG, ID 83440

APRIL 28, 1982

RE: PERMIT NO. 22-7389

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

RECEIVED

State of Idaho
Department of Water Resources

22 7389

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

APPLICATION NUMBER: Syringa Park
Gary Garner

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ 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. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 2-01-82 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2-08-82 3-2-82 ✓
☒ 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? _____
1-05-1982 Date of priority recommended.
Special conditions of approval or cover letter. _____

RECEIVED

By: Ernest Carlson

Date: Feb. 9, 1982

STATE OFFICE REVIEW:

Shw/ocord Jane Beight ✓

- ☐ See attached sheet for more information.

By: John

Date: 4-12-82

RECEIVED
APR 05 1982

Department of Water Resources

RECEIVED
FEB 16 1982

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

February 2, 1982

RE: Application for Permit No. 22-7389 SYRINGA PARK SUBDIVISION
No. 22-7388 NEDROW

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on January 14 and 21, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT
150 N. 3rd (Basement)
Pocatello, Idaho 83201

January 20, 1982

JAN 21 1982

Department of Water Resources
Eastern District Office

Mr. Ernest Carlsen
Assistant Regional Supervisor
Idaho Department of Water Resources
150 Shoup
Idaho Falls, Idaho 83401

Re: Application for Permit
No. 22-7389 - Syringa
Park Subdivision
Madison County

Dear Mr. Carlsen:

We have reviewed the application submitted by the Syringa Park Subdivision developer, Mr. Gary Gardener. The application is for a permit to appropriate the public waters of the State of Idaho.

The amounts of the appropriation, .34 CFS, is not an adequate supply for 13 lots. We would remind the applicant that the Idaho Code defines such systems as public and, therefore, must conform with the Idaho Regulations for Public Drinking Water. The regulations provide specific requirements for design construction, water quality, monitoring and maintenance, and operation.

If you have any questions regarding these requirements, please do not hesitate to contact our office (236-6160).

Sincerely,


Donald C. Kramer, P.E.
Environmental Engineer

DCK/bf

cc: Gordon Hopson

RECEIVED

January 14, 1982

RE: Application for Permit No. 22-7389 SYRINGA PARK SUBDIVISION

Mr. Gordon Hopson
Department of Health & Welfare
150 North 3rd
Pocatello, Idaho 83201

Dear Mr. Hopson:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is February 1, 1982, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 7, 1982

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before FEBRUARY 1, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before FEBRUARY 1, 1982.

A. KENNETH DUNN

Director

Published 1/14 & 1/21/82.

SYRINGA PARK SUBDIVISION
SYRINGA WATER ASSN.
C/O GARY GARNER, PRES.

RT. 1, BOX 115-D, REXBURG, ID 83440

Source: GROUNDWATER

Date Filed: 01/05/1982

Amount: 0.34 CFS

Diversion Point: SWSW Sec 15 T 06N R 39E, MADISON Co.

Use: IRRIGATION	(0.18 CFS)	from 04/01 to 11/01
DOMESTIC	(0.16 CFS)	from 01/01 to 12/31

Place of Use: NWSW SWSW Sec 15 T 06N R 39E FOR 9 ACRES

Diversion Means: WELL AND PUMP



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

December 18, 1981

Syringa Park Subdivision
c/o Gary Gardner, Pres.
Rt. #1, Box 115-D
Rexburg, Idaho 83440

Dear Mr. Gardner:

Enclosed is your application for permit along with your check for \$45, No. 0208.

Unfortunately, the application is not in form to receipt. I have taken the liberty to complete a form.

Please note Part 6c must be completed and the form must be signed.

If you have any questions, please contact me.

Sincerely,

Steve McCormick
STEVE MCCORMICK, P.E.
Sr. Resource Analyst

SM:brs

enc: as stated.

*I have filled in what was requested.
I have also included the check which was sent
previously and was endorsed by you.
Thanks for your help.*

Sisy.

JAN 5 1982

Department of Water Resources
Eastern District I

MICROFILMED

cc 2389

December 18, 1981

Syringa Park Subdivision
c/o Gary Gardener, Pres.
Rt. #1, Box 115-D
Rexburg, Idaho 83440

Dear Mr. Gardener:

Enclosed is your application for permit along with your
check for \$45, No. 0208.

Unfortunately, the application is not in form to receipt.
I have taken the liberty to complete a form.

Please note Part 6c must be completed and the form must be
signed.

If you have any questions, please contact me.

Sincerely,

STEVE McCORMICK, P.E.
Sr. Resource Analyst

SM:brs

enc: as stated.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

File

To appropriate the public waters of the State of Idaho

1. Name of applicant SYRINGA PARK SUBDIVISION & GARNER PRES
SYRINGA WATER ASSOC / CO GARY Phone 356 4706
Post office address RD1 BOX 115-D REXBURG, IDAHO
2. Source of water supply WELL which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 6N
Range 39E B.M. MADISON County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.11 ^{CFS} for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.10 for IRRIGATION purposes from APRIL 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)

5. Total quantity to be appropriated:

a. 0.66 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. A 10HP pump and 2500 GAL Pressure tank at well site. Supplies water TO 13 lots for domestic water and garden lawn irrigation. (6 lots DEVELOPED)
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 _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is _____ 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 SYRINGA PARK SUBDIVISION or number of families to be supplied with domestic water 13 FAMILIES
(5) If water is to be used for other purposes describe: _____

RECORDED

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

[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion SUBDIVISION HOME OWNERS

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

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 See Attached Subdivision Plot Log

complete details

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

A full-page sheet of white graph paper featuring a uniform grid of thin black lines. The grid consists of 20 columns and 20 rows, creating a total of 400 small squares. The lines are evenly spaced and extend across the entire page, leaving no margins or additional markings.

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.

Syringa Park Subdivision &
(Applicant)
Water Assoc.
By Guy L. Gannon Pres

Received by CW Date 12-14-81 Time 10:25A.
Preliminary check by _____ Fee \$ 45.00
Receipted by _____ Date _____
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

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:

- 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 _____, 19 ____.
- 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:

