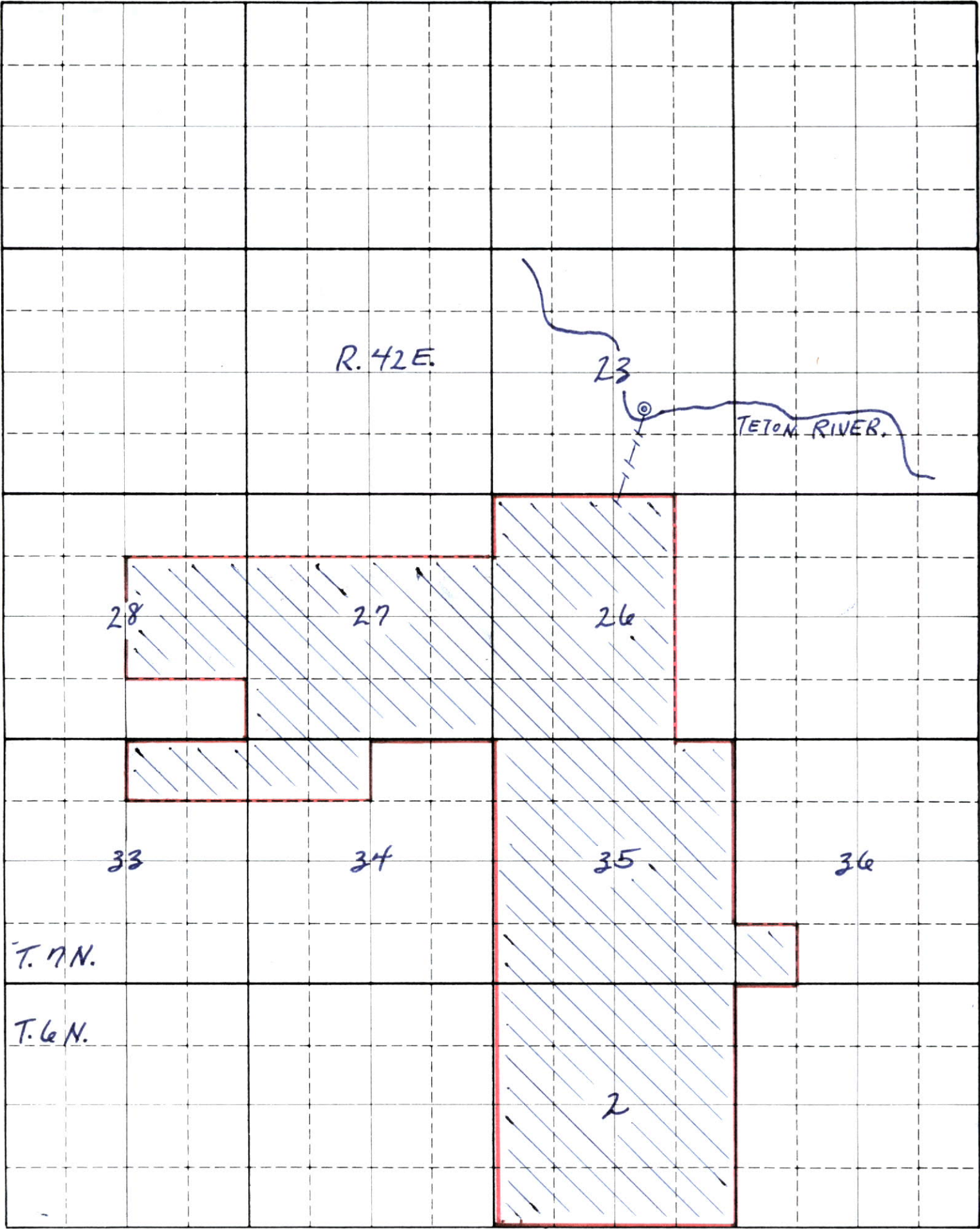


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Paul Schindlerman
(Applicant)
Pres.

**AFFIDAVIT OF
PUBLICATION**

State of Idaho

County of Fremont

ss.

Raymond Nash

being first duly sworn, upon his
oath, deposes and says:

That he is the Editor
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice For Application

For Water Permit

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for 2 consecutive is-
sues thereof; first publication

having been made on the 9

day of March, 1978,

and the last publication on the

16 day of March

1978

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Raymond F. Nash
Subscribed in my presence and

sworn to before me this 7

day of April,

1978.

Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

APR 14 1978

Department of Water Resources
Eastern District Office

**NOTICE FOR APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Val Sch-
wendiman Farms, Inc., Newdale, Idaho has
on 3-02-78 submitted Application No. 22-
7271 for a permit to appropriate 18.0 cubic
feet per second of water from Teton River
tributary to Snake River by means of
pumps and pipelines within the
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 7N, R. 42E, B.M.,
Fremont County; to be used from Apr. 1 to
July 15 for the irrigation of 2,600 acres
within Sec. 2, T. 6N, R. 42E; W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$,
Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 33,
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 36, T. 7N, R. 42E, B.M.

If issued, this permit will be subject to all
prior water rights. Protests against the
granting of the permit must be filed with
the Idaho Department of Water Resources,
1515 Lincoln Road, Idaho Falls, Idaho,
83401, on or before March 27, 1978.

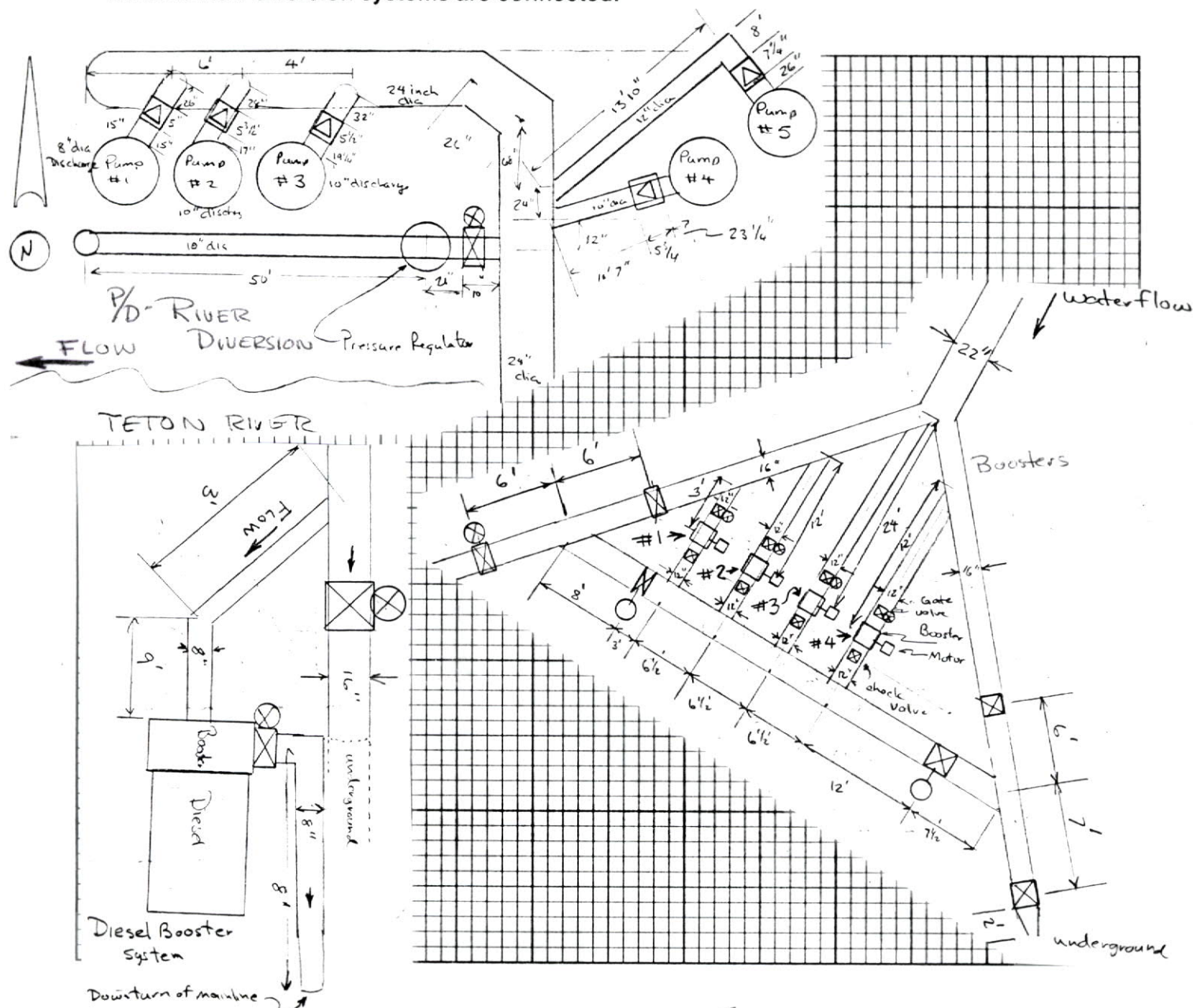
C. STEPHEN ALLRED
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on March 9
and March 16, 1978.

MICROFILMED

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____

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 _____

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 C. Wilson Date 22 Jan 1987

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

[Red Stamp]

AUG 10 1994

PERMIT NO. 22-7271
Val Schwendiman
 (Name)

 Accompanied by: same
 EXAMINATION: DATE: 7-16-82

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
#1 Westinghouse	500	3S-77	Johnston	T424119
#2 Reed Elect.	600	LKJ1113024	Johnston	TKT4603
#3 Westinghouse	600	2S-77	Johnston	TK14589

 Measuring Device Type: McCrometer 77-22-1002

Meter # _____ Annubar # _____ Size # _____

 Remarks: Reading $\approx$ 12500 gpm 0.01 af in 15.5 sec = 28.1 cfs

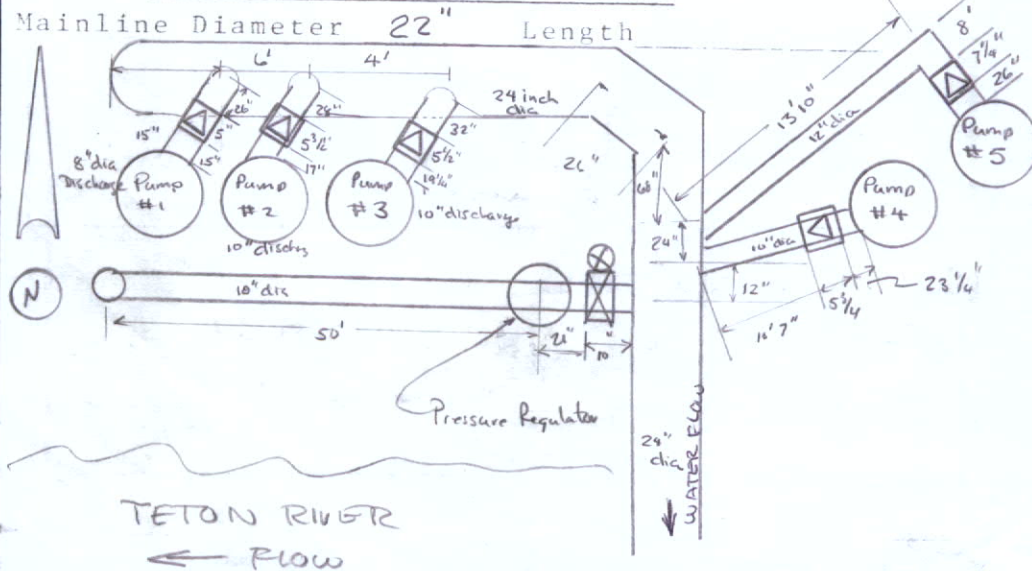
 Measurement calculations: DIVERSION FROM TETON RIVER

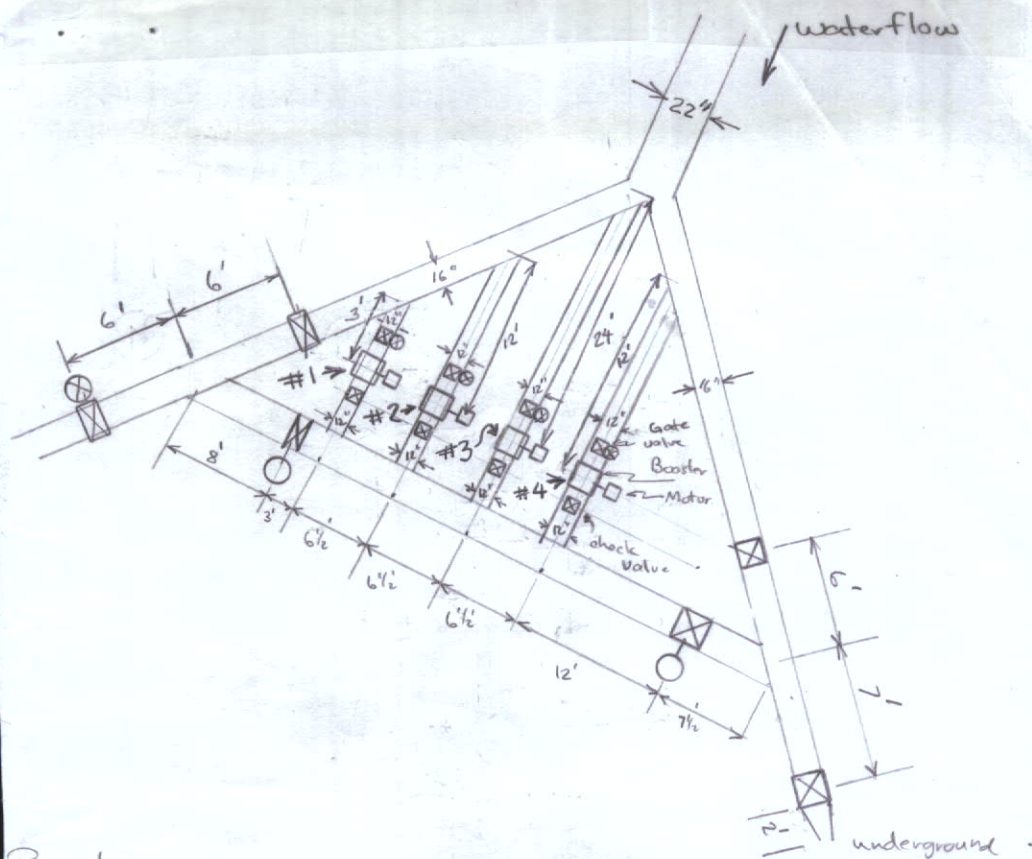
$$\frac{(43560 \text{ ft}^2/\text{ac})(0.01 \text{ af})}{15.5 \text{ sec}} = 28.1 \text{ cfs} = 12612.7 \text{ gpm}$$

#4 Westinghouse 600hp S/N 2S-66 Pump No Name plate

#5 Yaskawa 600hp S/N 0075415001 Pump No Name plate

SCHEMATIC DIAGRAM OF SYSTEM

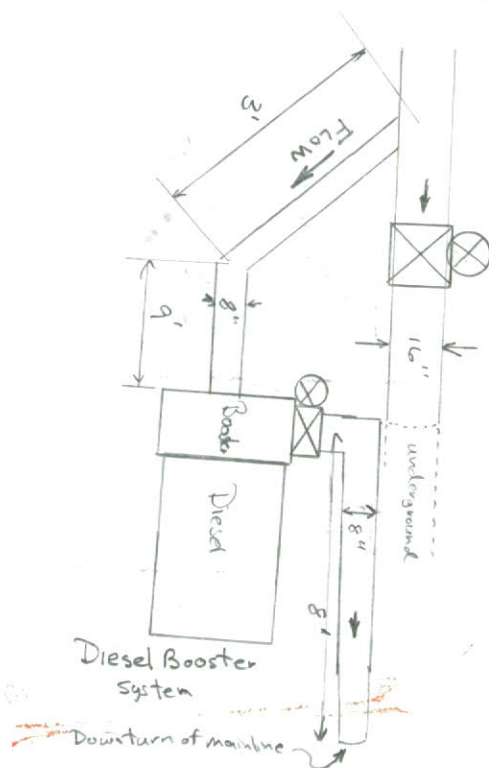




Boosters

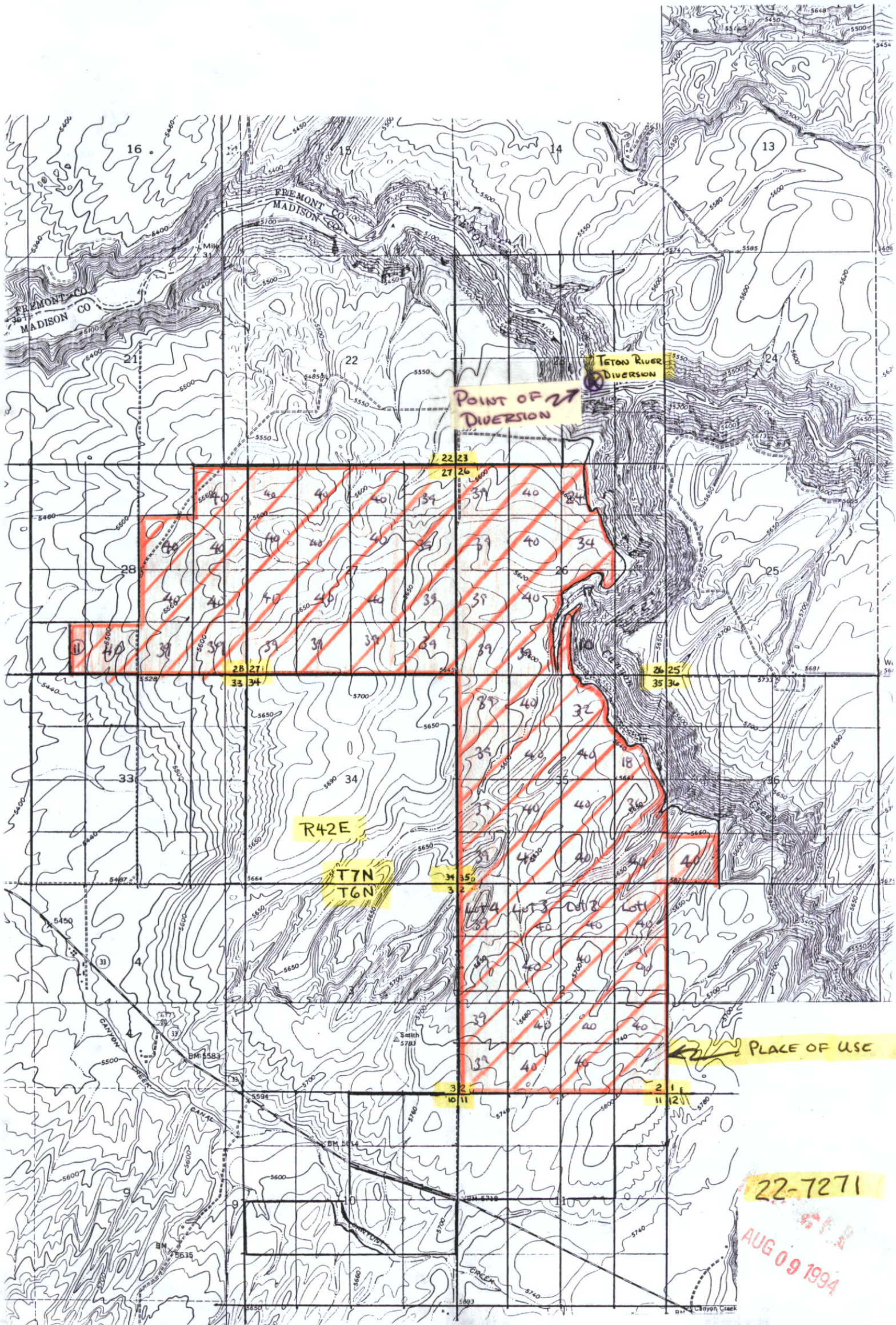
Motor	Hp	Motor Serial #	Pump	Pump S/N
#1 US Electric Motor	100	R-9450-02-264M	Aurora	81-15071-1
#2 US Motors	100	R-9450-02-300M	Aurora	81-07198-2
#3 US Motors	100	R-9450-2-264M	Aurora	81-15071-2
#4 US Motors	100	R-9450-02-127S	Aurora	81-15074
Diesel Booster John Deere	120	NO S/N	Cornell	6H64B4-3
OVER				
→ Diesel System Diagram on Back →				

Diesel Booster



AUG 09 1994

11-11-11



TETON RIVER
DIVERSION 27

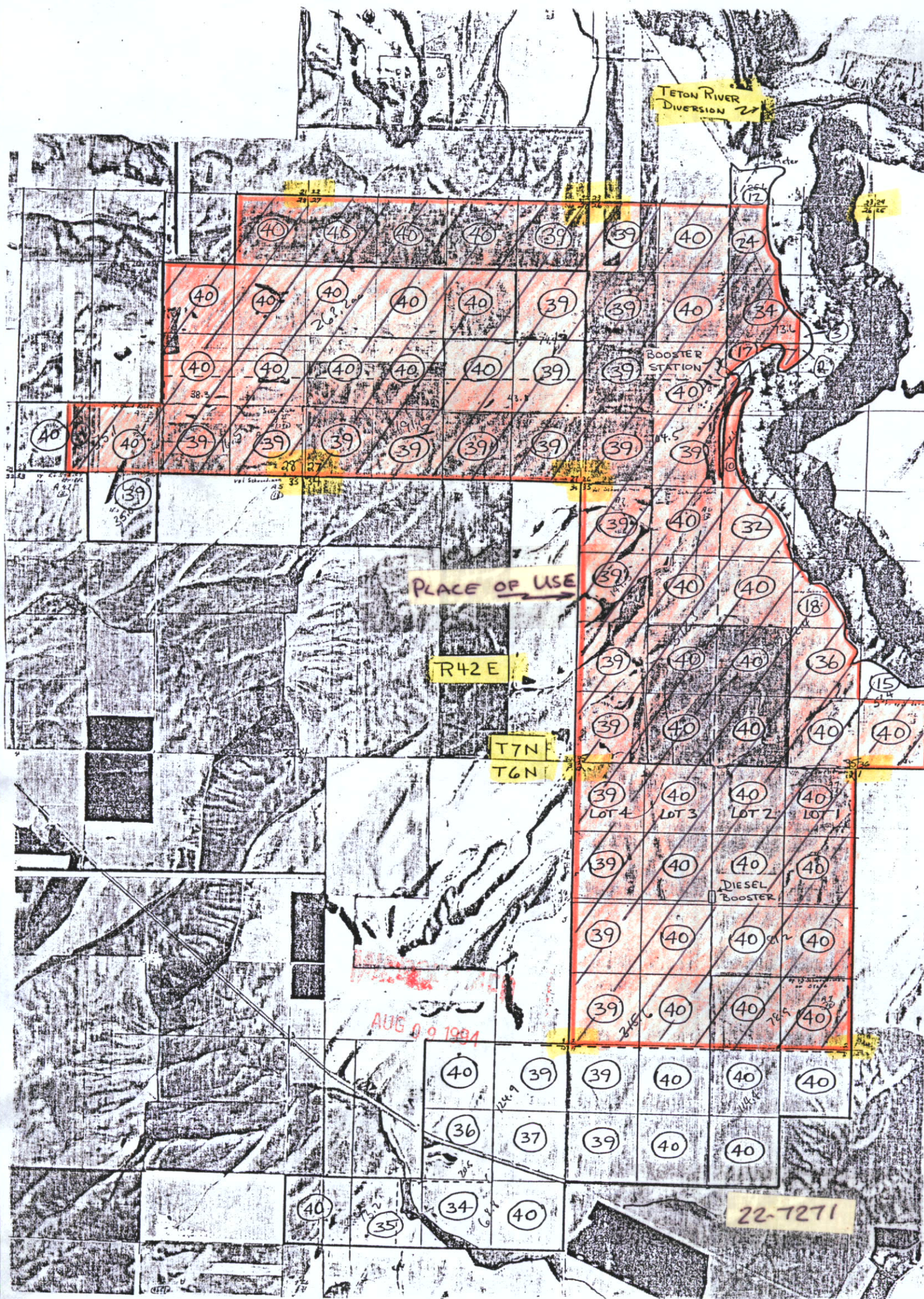
PLACE OF USE

R42E

T7N
T6N

AUG 9 9 1994

22-7271



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07271

Priority: March 2, 1978

Maximum Diversion Rate: 18.00 CFS

Maximum Diversion Volume: 3784.5 AF

This is to certify, that VAL SCHWENDIMAN FARMS INC

9633 E HWY 33

NEWDALE ID 83436

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 2, 1978; and has submitted Proof of Beneficial Use on October 26, 1981. An examination indicates that the works have a diversion capacity of 28.100 cfs of water from:

TETON RIVER

tributary to HENRYS FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 07/15	18.00 CFS	3784.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 23, Township 07N, Range 42E
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>
06N	42E	2	Lot 1(NENE)	40	Lot 2(NWNE)	40	SWNE	40	
			SENE	40	Lot 3(NENW)	40	Lot 4(NWNW)	39	
			SWNW	39	SENE	40	NESW	40	
			NWSW	39	SWSW	39	SESW	40	
			NESE	40	NWSE	40	SWSE	40	
			SESE	40					636
		10	NENE	39	NWNE	40	SWNE	36	
			SENE	37	NESW	35	NWSW	40	
			NESE	40	NWSE	34			301
		11	NENE	40	NWNE	40	SWNE	40	
			NENW	40	NWNW	39	SWNW	39	
			SENE	40					278
07N	42E	23	SWSE	12					12
		26	NWNE	24	SWNE	34	SENE	3	
			NENW	40	NWNW	39	SWNW	39	
			SENE	40	NESW	40	NWSW	39	
			SWSW	39	SESW	39	NESE	2	
			NWSE	17	SWSE	10			405
		27	NENE	39	NWNE	40	SWNE	40	
			SENE	39	NENW	40	NWNW	40	
			SWNW	40	SENE	40	NESW	40	
			NWSW	40	SWSW	39	SESW	39	
			NESE	39	NWSE	40	SWSE	39	
			SESE	39					

AUG 09 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07271

PLACE OF USE: IRRIGATION

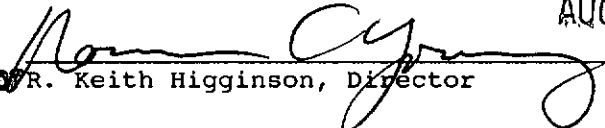
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	42E	28	NENE 40	SWNE 40	SENE 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 39	SESE 39	358
	33		NENW 39			39
	35		NWNE 32	SWNE 40	SENE 18	
			NENW 40	NWNW 39	SWNW 39	
			SENE 40	NESW 40	NWSW 39	
			SWSW 39	SESW 40	NESE 36	
			NWSE 40	SWSE 40	SESE 40	562
	36		NWSW 15	SWSW 40		55

Total number of acres irrigated: 3279

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount 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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
6. 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.
7. The issuance of this right in no way grants any right-of-way or easement across the land of another.
8. Totalizing measuring devices shall be maintained at all points of diversion.
9. This right is limited to the irrigation of 2600 acres in the place of use described above in a single irrigation season.
10. Five points of diversion in NWSE, S23, T7N, R42E.

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 22nd day of July, 1994.

Acting for  R. Keith Higginson, Director

AUG 09 1994

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
AUG 2 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07271

Department of Water Resources

Date of Priority: March 2, 1978

Maximum Diversion Rate: 18.00 CFS
Maximum Diversion Volume:¹ 3748.8 AF

Comes now
NEWDALE, ID 83436

VAL SCHWENDIMAN FARMS INC.

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 22-07271, and requests that the permit be changed as follows:

Source: TETON RIVER

tributary to HENRYS FORK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 07/15	18.00 CFS	3748.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE, Sec. 23, Township 07N, Range 42E
FREMONT 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>
06N	42E	2	LOT 1 (NENE) 40	LOT 2 NWNE 40	SWNE 40		
			(SENE) 40	LOT 3 NENW 40	LOT 4 NWNW 39		
			SWNW 39	SENE 40	NESW 40		
			NWSW 39	SWSW 39	SESW 40		
			NESE 40	NWSE 40	SWSE 40		
			SESE 40				636
07N	42E	26	NWNE 24	SWNE 34	NENW 40		
			NWNW 39	SWNW 39	SENE 40		
			NESW 40	NWSW 39	SWSW 39		
			SESW 39	NWSE 17	SWSE 10		400
		27	NENE 39	NWNE 40	SWNE 40		
			SENE 39	NENW 40	NWNW 40		
			SWNW 40	SENE 40	NESW 40		
			NWSW 40	SWSW 39	SESW 39		
			NESE 39	NWSE 40	SWSE 39		

RECEIVED

AUG 09 1994

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 42E 10	SESE 39			633
28	NENE 40	SWNE 40	SENE 40	
	SWSW 11	SESW 40	NESE 40	
	NWSE 40	SWSE 39	SESE 39	329
35	NWNE 32	SWNE 40	SENE 18	
	NENW 40	NWNW 39	SWNW 39	
	SENW 40	NESW 40	NWSW 39	
	SWSW 39	SESW 40	NESE 36	
	NWSE 40	SWSE 40	SESE 40	562
36	SWSW 40			40

Total number of acres irrigated: 2600

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Granddale, Idaho, this 31 day of July, 19 90

Paul Schulerman
(Signature)

AUG 09 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07271

FOR DEPARTMENT USE ONLY

Preliminary check by SC Fee = \$20.00 Received by C. Wong Date 8/2/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 22-07271 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 01
6. 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.
7. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
8. The combined annual volume of water under this right & Right 22-7210 shall not exceed 9100.0 afa.

Witness my hand this 22nd day of July, 1994.

R. Keith Higginson
Acting for R. Keith Higginson, Director

All in "000"

Identification No. 22 7271
Application No. 22 7271

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Val Schwendiman Farms, Inc. Phone: 458-4261
post office address Newdale, Idaho 83436
2. Source of water supply Teton River which is a tributary of Snake River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23 Township 7N
Range 42E B.M. Fremont County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 18.0 for Irrigation purpose from Apr. 1 to July 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 18.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 400, 500 & 600 Hp turbine pumps
diverting from river into buried steel main and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ existing.
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: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	42E	2	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
7N	42E	26		40	40		40	40	40	40	40	40	40	40		40	40		480
		27			40	40			40	40	40	40	40	40	40	40	40	40	480
		28			40	40									40	40			160
		33	40	40															80
		34					40	40											80
		35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		36										40							40

Total number of acres to be irrigated 2,600

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

Ground water exchange permit 22-7210 and permit 22-7202

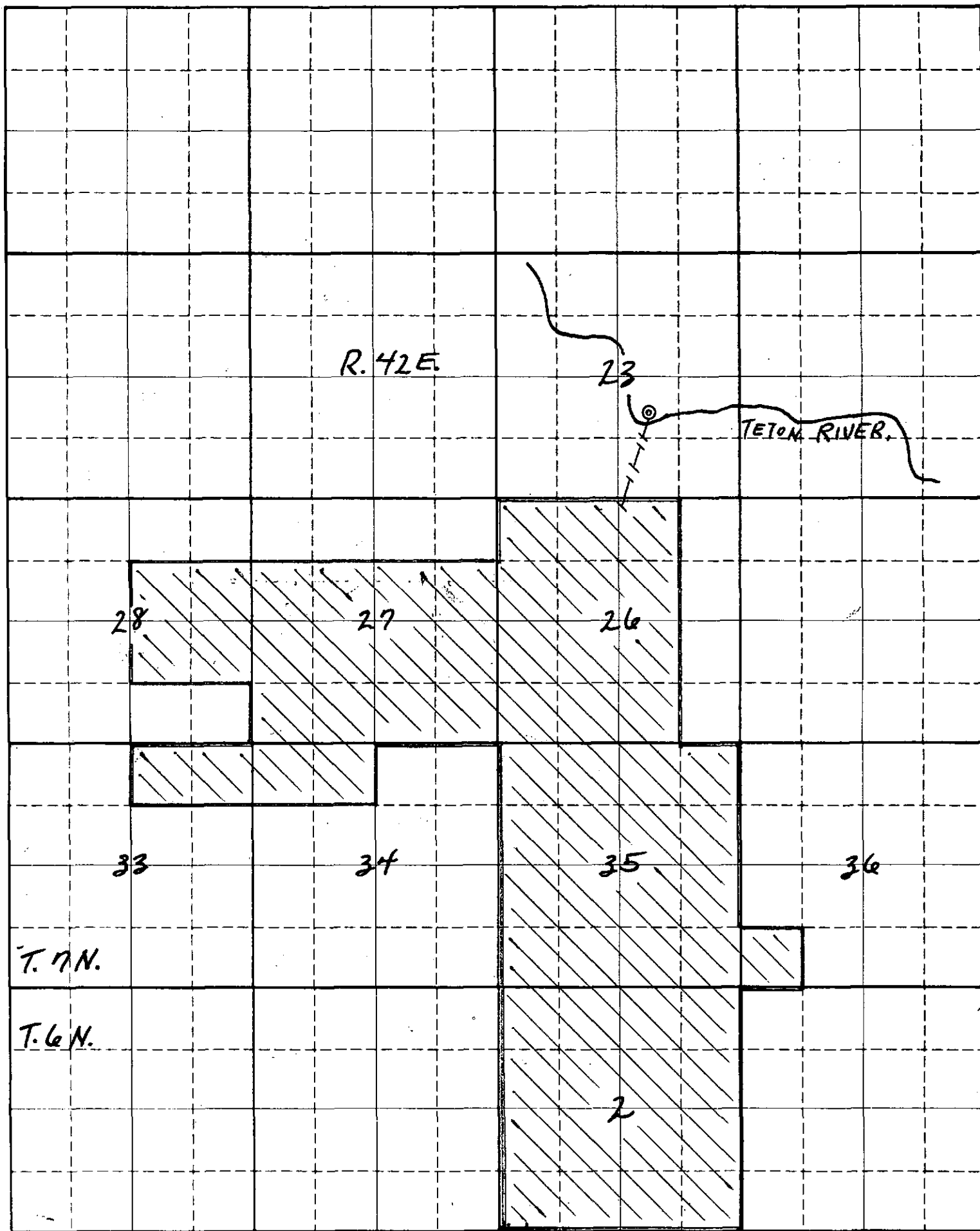
9. a. Who owns the property at the point of diversion USBR

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant has easement from USBR

10. Remarks When available this high water right will be used instead of the exchange well under permit 22-7210

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.

Paul Schindlerman
(Applicant)
Dus.

Proposed Priority 3-2-78

Received by OW Date 3-02-78 Time 4:10p.
Preliminary check by EMC Fee \$ 195⁰⁰
Receipted by OW Date 3-02-78 # 9860
Publication prepared by OW Date 3-03-78
Published in Fremont City Ch.
Publication dates Mar. 9 & 16-1978
Publication approved me Date April 14, 1978
Priority reduced to _____ Reason _____

Protests filed by: Fremont Madison, Teton Irrigation
& Manufacturing Co.

Copies of protests forwarded by CW

Hearing held by _____ Date _____

Recommended for approval denial by EMC S.J.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7271, 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 May 1, 19 84.
- c. Other: ⁰¹ (1) A totalizing device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. ⁰⁵ (2) Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River. (3) Use of water under this permit is subject to the applicant having an alternate supply of water for the designated place of use. ⁰²⁴ (4) 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 use. ⁰⁴ (5) The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 14 day of May, 19 79.

J. Glen Saxton
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE APPLICATIONS OF
VAL SCHWENDIMAN AND BOB PARKINSON

PROTEST
APPLICATIONS NO. 22-7270 & 22-7271

We, THE TETON IRRIGATION AND MANUFACTURING COMPANY, do hereby protest the applications No. 22-7270 and No. 22-7271 for the permits to drill an irrigation well and divert water from the Teton River, and in support thereof respectfully represent.

1. The Teton Irrigation and Manufacturing Company has rights in the Teton River and believe these applications, if permitted, would interfere with their water rights.
2. We are opposed to any permit that does not replace water above our headgates and believe that such a permit would be a deterrent to our system.
3. We believe that there are still many problems to be solved with the canals on the Teton as a result of the Teton Dam failure and that there should be a moratorium on all new wells and systems until an evaluation of these problems can be made.
4. We believe that it will require a great deal of manpower to police the Teton River and this will be an added burden to our stockholders.

DATED THIS 20TH DAY OF MARCH 1978

TETON IRRIGATION AND MANUFACTURING CO.



Diana S. Richman, Secretary

RECEIVED

MAR 21 1978

Department of Water Resources
Eastern District Office

RECEIVED

MAR 20 1978

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
Department of Water Resources
Eastern District Office

WATER ADMINISTRATION

IN THE MATTER OF THE APPLICATION :
OF VAL SCHWENDIMAN FARMS, INC., : PROTEST OF THE FREMONT-
NUMBER 22-7271 FOR A PERMIT TO : MADISON IRRIGATION
APPROPRIATE 18.0 CFS FROM TETON : DISTRICT.
RIVER. :
:

Comes now the Fremont-Madison Irrigation District,
a quasi-municipal corporation of the State of Idaho, with its
office and post office address at St. Anthony, Idaho, and in
response to notice given that Val Schwendiman Farms, Inc.,
Newdale, Idaho, made application No. 22-7271 for a permit to
appropriate 18.0 cubic feet per second of water from Teton River
tributary to Snake River by means of pumps and pipelines within
the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 7 North, Range 42 East, Boise
Meridian, Fremont County, to be used from April 1, to July 15
for the irrigation of 2,600 acres within Section 2, Township 6
North, Range 42 E; W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$, Section 26, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Section 27,
S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33, N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 34,
Section 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, Township 7 North, Range 42 East,
Boise Meridian, and makes the following Protest against the
approval of such application:

1. That the supply of water in Teton River tributary
of Snake River is not sufficient to warrant appropriation from
April 1 to July 15 for irrigation purposes.
2. That the anticipation of the applicant to appropriate
the waters of the Teton River tributary is speculative because
of the lack of water in Teton River and any such attempt will
reduce the quantity of water under existing water rights.
3. That the application is made for speculative
purposes.

MICROFILMED

4. That not all of the property above described is located within the boundaries of the Fremont-Madison Irrigation District and applicant has no storage water for the acreage not within the District.

James Max Mortensen
James Max Mortensen, Chairman
Board of Directors of the Fremont-
Madison Irrigation District.

STATE OF IDAHO,)
 (SS
County of Madison.)

JAMES MAX MORTENSEN, being first duly sworn, says that he is the Chairman of the Board of Directors of the Fremont-Madison Irrigation District and he makes this verification for and on behalf of said District; that affiant has read the foregoing Protest and knows the contents thereof and as to the matters and things therein alleged, affiant believes the same to be true.

James Max Mortensen
Subscribed and sworn to before me this 16th day of
March, 1978.

Mary Smith
Notary Public, residing at
Rexburg, Idaho. My commission
expires: Life.

(Seal)

RECEIVED

**AFFIDAVIT OF
PUBLICATION**

State of Idaho

County of Fremont

ss.

Raymond Nash

being first duly sworn, upon his
oath, deposes and says:

That he is the Editor
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-106,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of

Notice For Application

For Water Permit

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for 2 consecutive is-
sues thereof; first publication

having been made on the 9

day of March, 1978,

and the last publication on the

16 day of March

1978

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Raymond M. Nash
Subscribed in my presence and

sworn to before me this 7

day of April

1978.

Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

APR 14 1978

Department of Water Resources
Eastern District Office

**NOTICE FOR APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Val Sch-
wendiman Farms, Inc., Newdale, Idaho has
on 3-02-78 submitted Application No. 22-
7271 for a permit to appropriate 18.0 cubic
feet per second of water from Teton River
tributary to Snake River by means of
pumps and pipelines within the
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 7N, R. 42E, B.M.,
Fremont County; to be used from Apr. 1 to
July 15 for the irrigation of 2,600 acres
within Sec. 2, T. 6N, R. 42E; W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$,
Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 33,
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 36, T. 7N, R. 42E, B.M.

If issued, this permit will be subject to all
prior water rights. Protests against the
granting of the permit must be filed with
the Idaho Department of Water Resources,
1515 Lincoln Road, Idaho Falls, Idaho,
83401, on or before March 27, 1978.

C. STEPHEN ALLRED
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on March 9
and March 16, 1978.

RECORDED



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

July 25, 1994

VAL SCHWENDIMAN FARMS INC
9633 E HWY 33
NEWDALE ID 83436

RE: WATER RIGHT NO. 22-07271

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 this office.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over the typed name.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

AUG 09 1994

MEMORANDUM

TO: File 22-7271
FROM: Sharla
DATE: April 27, 1994
RE: License Review

The entire land base which is irrigated from groundwater and surface water, including rediversions from the river under groundwater rights, has been listed for this right. A condition has been added which limits the irrigation to the number of acres originally allowed by the permit.

RECEIVED
AUG 09 1994

WR5809NP
No. L22-07271

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/27/94
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VAL SCHWENDIMAN FARMS INC 9633 E HWY 33 NEWDALE ID 83436	03/02/1978	IRRIGATION	04-01 07-15	18.00 CFS	3784.50 AFA
TOTAL DIVERSION:					18.00 CFS	3784.50 AFA

Water Source: TETON RIVER

Tributary to: HENRYS FORK

Stage: LICENSE

Point(s) of Diversion Capacity: 28.10 CFS

Point(s) of Diversion: T07N R42E S23 NWSE MADISON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
06N	42E	2	:	01-40	02-40	40	40	:	03-40	04-39	39	40	:	40	39	39	40	:	40	40	40	40	:	636.0
06N	42E	10	:	39	40	36	37	:					:	35	40			:	40	34			:	301.0
06N	42E	11	:	40	40	40		:	40	39	39	40	:					:					:	278.0
07N	42E	23	:					:					:					:			12		:	12.0
07N	42E	26	:		24	34	03	:	40	39	39	40	:	40	39	39	39	:	02	17	10		:	405.0
07N	42E	27	:	39	40	40	39	:	40	40	40	40	:	40	40	39	39	:	39	40	39	39	:	633.0
07N	42E	28	:	40		40	40	:					:			40	40	:	40	40	39	39	:	358.0
07N	42E	33	:					:	39				:					:					:	39.0
07N	42E	35	:		32	40	18	:	40	39	39	40	:	40	39	39	40	:	36	40	40	40	:	562.0
07N	42E	36	:					:					:		15	40		:					:	55.0
																					TOTAL ACRES			3279.0

Pou County: MADISON

Other Rights: PER. 22-7210 & 22-7202.

Other Water Rights with Same Point(s) of Diversion and Source:
22-00537B 22-00538B 22-07270 22-07271 L22-07270

Other Water Rights Listing Overlapping Place(s) of use:
22-00195 22-00196 22-07210 22-07271 22-07313 22-07326 22-07700 L22-07210 L22-07313

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
- 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.
- 004 - The issuance of this right in no way grants any right-of-way or easement across the land of another.

Remarks: Totalizing measuring devices shall be maintained at all points of diversion.

This right is limited to the irrigation of 2600 acres in the place of use described above in a single irrigation season.
Five points of diversion in NWSE, S23, T7N, R42E.

WR5809NP
No. L22-07271

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/27/94
PAGE: 16

=====
Dates: App. Received: 03/02/1978 Priority Date: 03/02/1978
Proof Due Date: 05/01/1984 Proof Made Date: 10/26/1981
Exam Made Date: 07/16/1982 Exam Sent to S.O.: 02/17/1986
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee:

Audit: 04/21/94 CURTIS 04/25/94 CURTIS 04/27/94 CURTIS

July 16, 1990

VAL SCHWENDIMAN FARMS INC.
NEWDALE, ID 83436

RE: PERMIT NO. 22-07271

Dear Permit Holder(s):

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

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

AUG 09 1994

PORT
Department of Water Resources

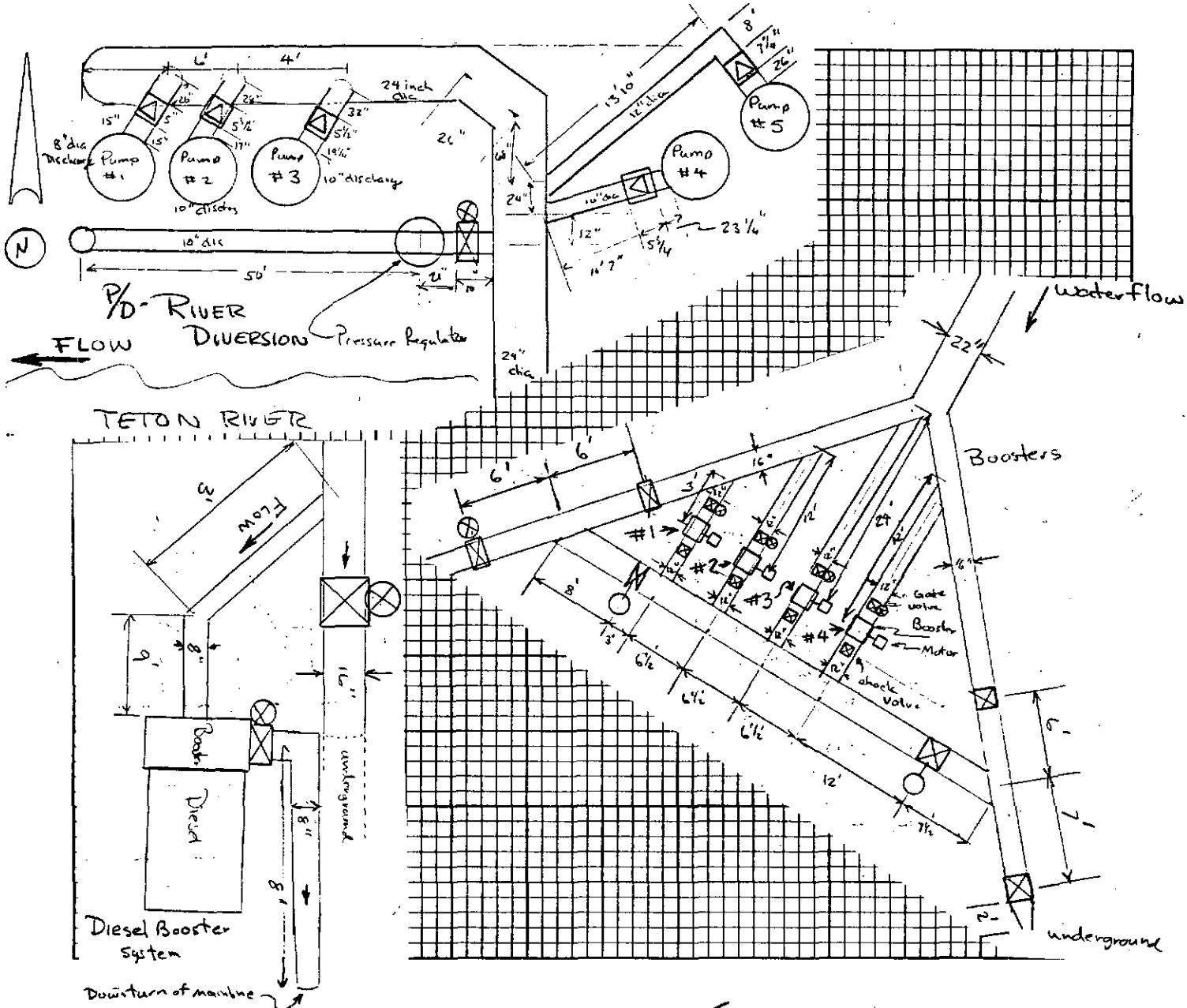
- | Well/Diversion*
No. | Motor
Make | HP | Motor
Serial No. | Pump
Make | Pump Serial No. or
Discharge Size |
|------------------------|---------------|-----|---------------------|--------------|--------------------------------------|
| # 1 | Westinghouse | 500 | 3S-77 | Johnston | T 424119 |
| # 2 | REED ELECTEK | 600 | LKJ1113024 | Johnston | TKT 4603 |
| # 3 | Westinghouse | 600 | 2S-77 | Johnston | TK 14589 |
| # 4 | Westinghouse | 600 | 2S-66 | UNK | UNK |
| # 5 | Yaskawa | 600 | 0075415001 | UNK | UNK |
| Booster # 1 | U.S. Electric | 100 | R-9450-02-264M | Aurora | 81-15071-1 |
| Booster # 2 | U.S. Motors | 100 | R-9450-02-300M | Aurora | 81-07198-2 |
| Booster # 3 | U.S. Motors | 100 | R-9450-2-264M | Aurora | 81-15071-2 |
| Booster # 4 | U.S. Motors | 100 | R9450-02-127S | Aurora | 81-15074 |
| Diesel Booster | John Deer | 100 | No S/N | Cornell | 61464B4-3 |

[illegible]

10. Other water rights on these lands _____

11. Other water right diverted from same p.d. _____

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 _____

15. 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

16. Examiner's/Consultant's Signature Keith C Wilson Date 22 Jan 1987

Consultant's License Number _____

IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date _____

CONSULTANT SEAL

AUG 09 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

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FEB 19 1987

22-7271

Permit No.

Department of Water Resources

1. Measurement Calculations

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

$$\text{Totalizing Meter } (0.01 \text{ af} / 15.5 \text{ sec}) (43560 \text{ ft}^2 / \text{ac}) = 28.10 \text{ cfs}$$

Total capacity of alternate supply of water $Q = 56.36 \text{ cfs}$ of which applicant owns 28.18 cfs.

PERMITTED AMOUNT MOST RESTRICTIVE $Q_{\text{cfs}} = 18.0$

- b) Volume Calculations for Irrigation:

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (2600 \text{ ac}) (3.5 \text{ af}) = 9100$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (18.0 \text{ cfs}) (105) (1.9835) = 3748.82$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 3748.82$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: 22-7210 / 7313

- b) Other water rights with same point of diversion: 22-7313 / 22-7310

- c) Analysis:

R04

R05

R18

R19

RECEIVED
JUN 09 1994

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	22-7271					28.10

4. Permit Holder: _____

Address: _____

5. Source: GROUNDWATER tributary to _____

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>IRRIGATION</u>	<u>4/1</u> <u>7/15</u>	<u>18.0</u>	<u>3748.82</u>

Allowable Maximums: _____

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			NW	SE	23	7 N	42E	FREMONT

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	42E	2	40	40	40	40	40	39	39	40	40	39	39	40	40	40	40	40	636
			L-1	L-2			L-3	L-4											
7N	42E	26		24	34		40	39	39	40	40	39	39	39		17	10		400
		27		39	40	40	39	40	40	40	40	40	39	39	39	40	39	39	633
		28		40		40	40						11	40	40	40	39	39	329
		35			32	40	18	40	39	39	40	40	39	39	40	36	40	40	562
		36											40						40
Total Acres																			2600

9. Recommended Conditions/Remarks: _____

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature Keith C. Wilson

Date 22 Jan 1987

Checked in Regional Office by R. W. Jones

Date 2-13-87

Approved in State Office by _____

Date _____

AUG 09 1994

PERMIT NO. 22-7271

Val Schwendimon

(Name)

Accompanied by: same

EXAMINATION: DATE: 7-16-82

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
#1 Westinghouse	500	3S-77	Johnston	T424119
#2 Reed Elect.	600	LKJ1113024	Johnston	TKT4603
#3 Westinghouse	600	2S-77	Johnston	TK14589

Measuring Device Type: McCrometer 77-22-1002

Meter # Annubar # Size #

Remarks: Reading $\approx$ 12500 gpm 0.01 af in 15.5 sec = 28.1 cfs

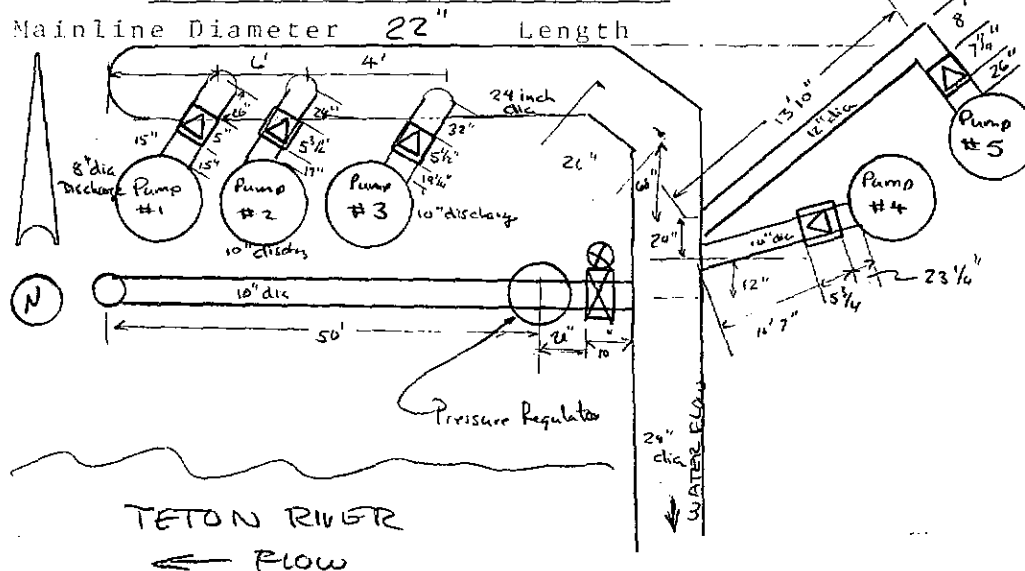
Measurement calculations: DIVERSION FROM TETON RIVER

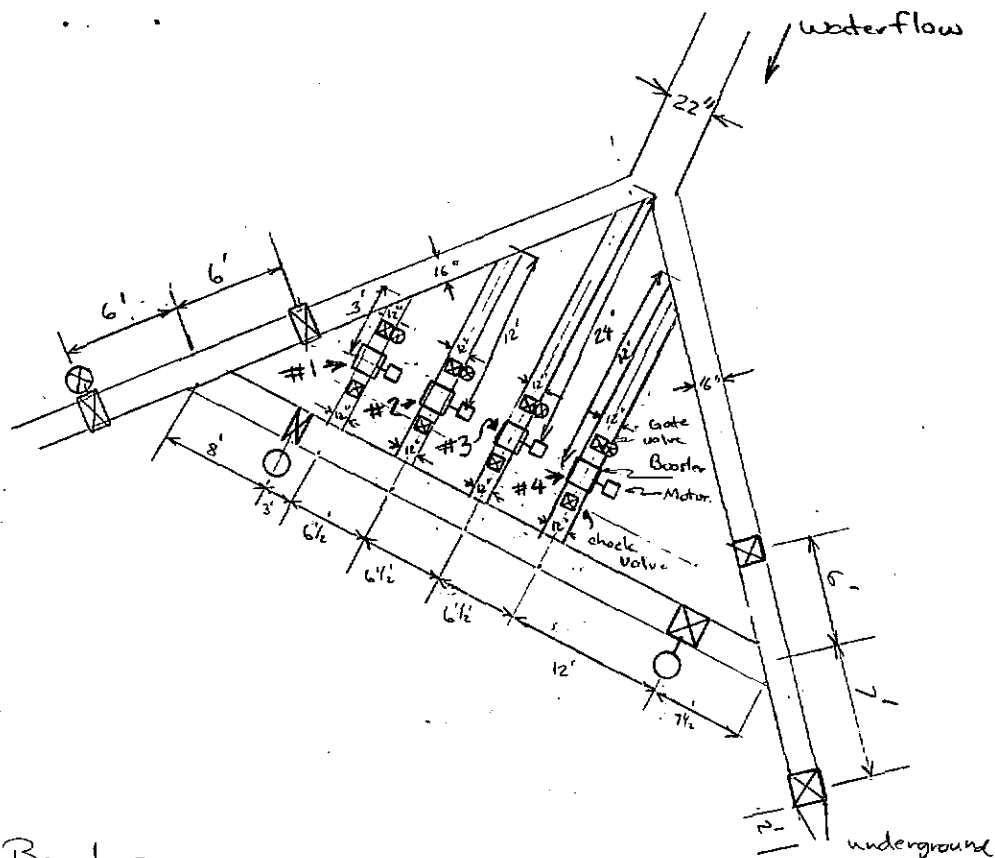
$$\frac{(43560 \text{ ft}^2/\text{ac})(0.01 \text{ af})}{15.5 \text{ sec}} = 28.1 \text{ cfs} = 12612.7 \text{ gpm}$$

#4 Westinghouse 600hp S/N 2S-66 Pump No Name plate

#5 Yaskawa 500hp S/N 0075415001 Pump No Name plate

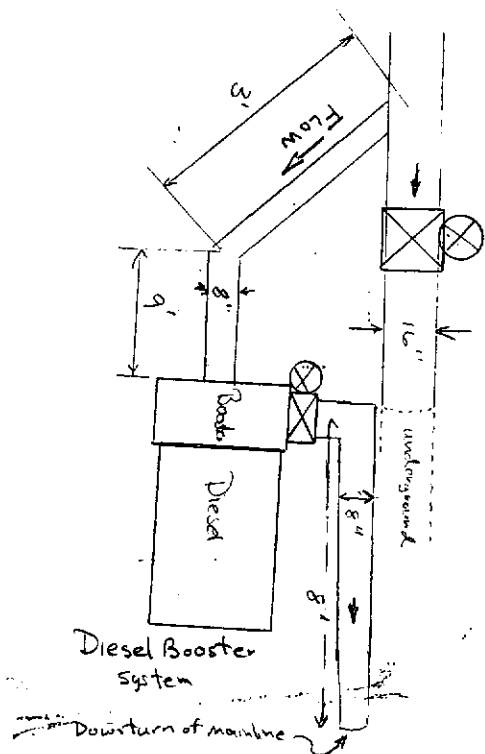
SCHEMATIC DIAGRAM OF SYSTEM





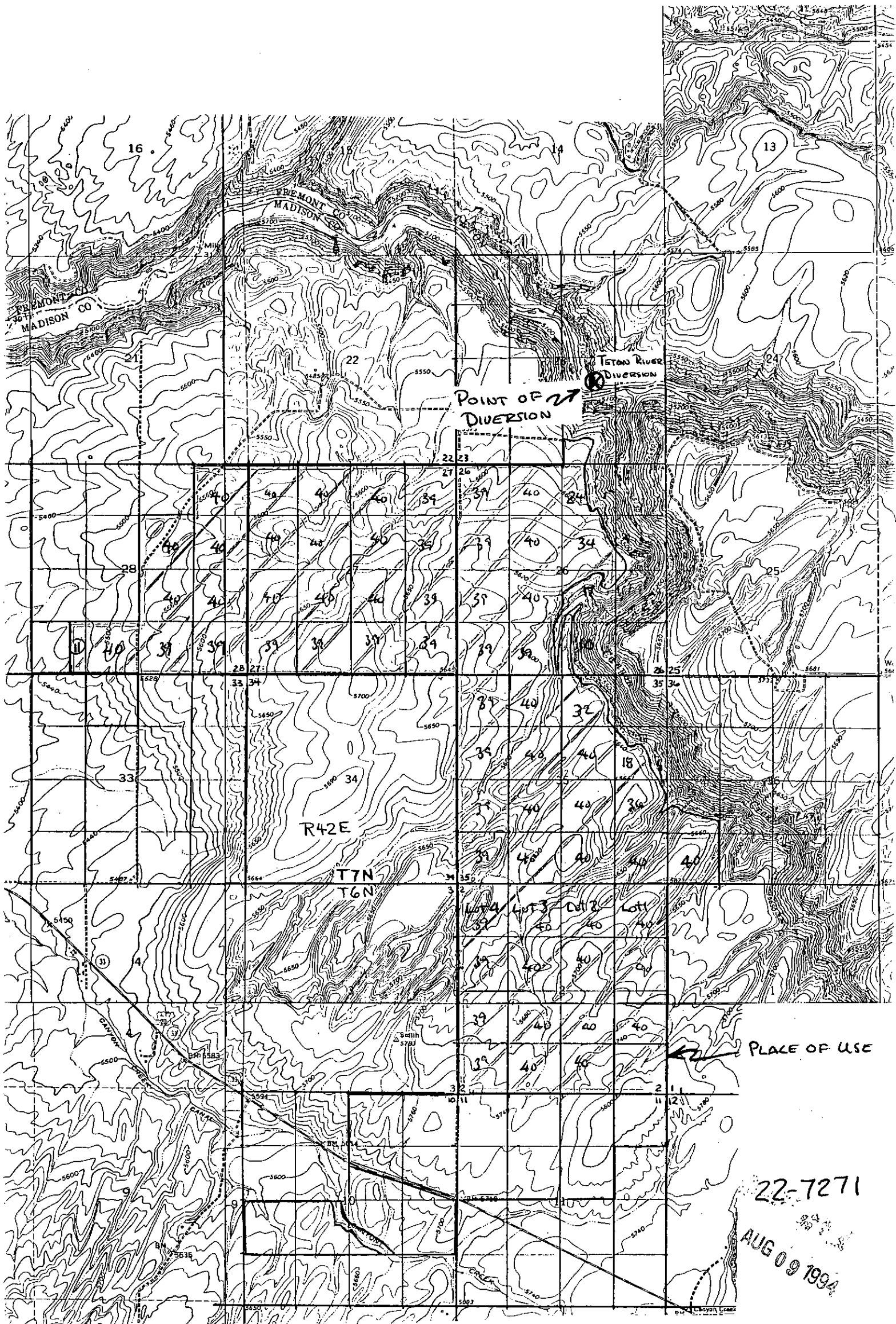
Boosters

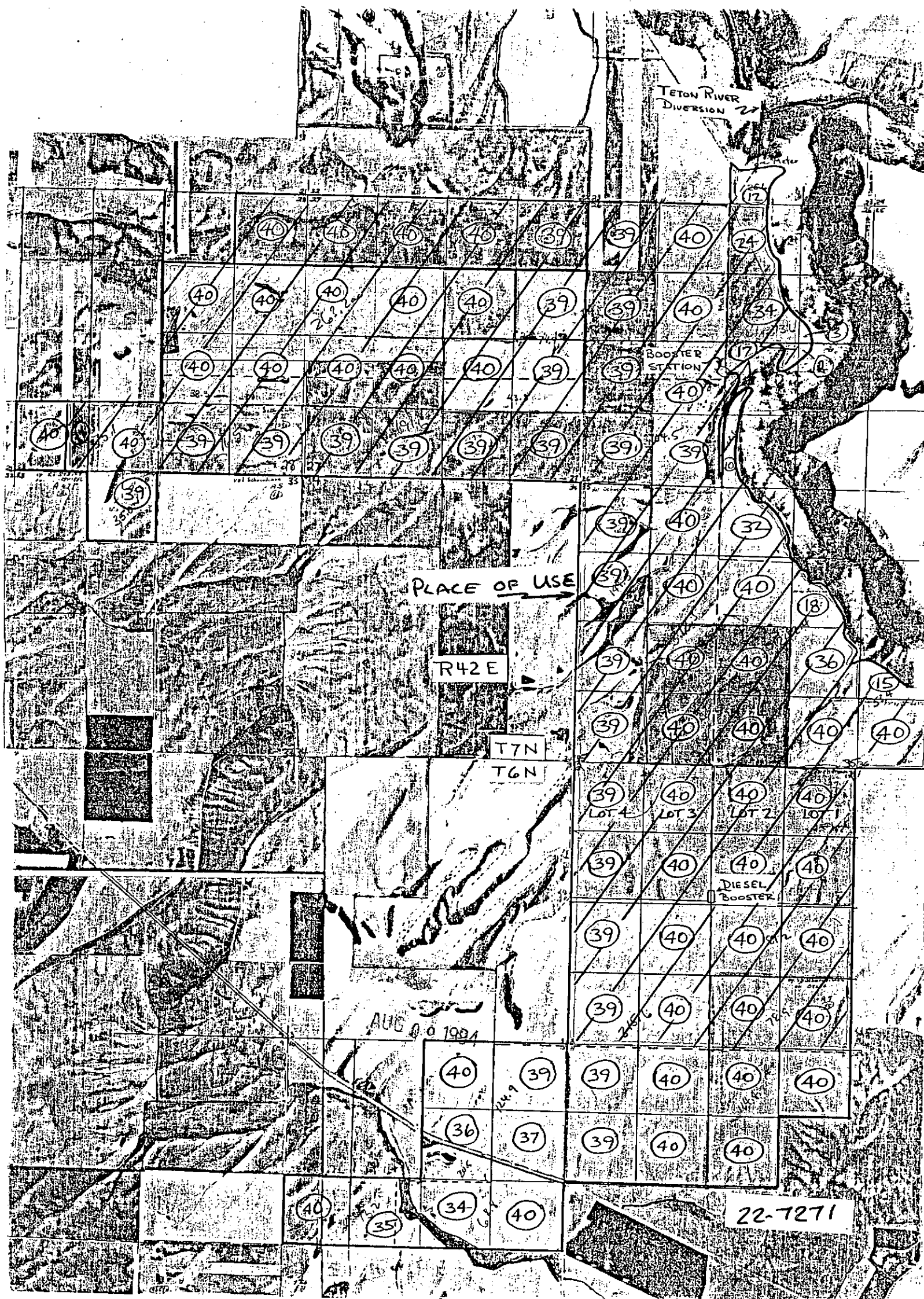
Motor	Hp	Motor Serial #	Pump	Pump S/N
#1 us Electric Motor	100	R-9450-02-264 M	Aurora	81-15071-1
#2 us Motors	100	R-9450-02-300 M	Aurora	81-07198-2
#3 us Motors	100	R-9450-2-264 M	Aurora	81-15071-2
#4 us Motor	100	R-9450-02-127 S	Aurora	81-15074
Diesel Booster John Deere	120	NO S/N	Cornell	6H64B4-3
OVER				
→ Diesel System Diagram on Back →				



AUG 09 1994

Laurel





TETON RIVER
DIVERSION

BOOSTER
STATION

DIESEL
BOOSTER

PLACE OF USE

R42 E

T7N

T6N

AUG 0 0 1994

22-7271

#9 Beneficial USE FIELD REPORT

LAND LIST ATTACHMENT

22-7271
(total area)

Description and location of place of use:

[illegible]

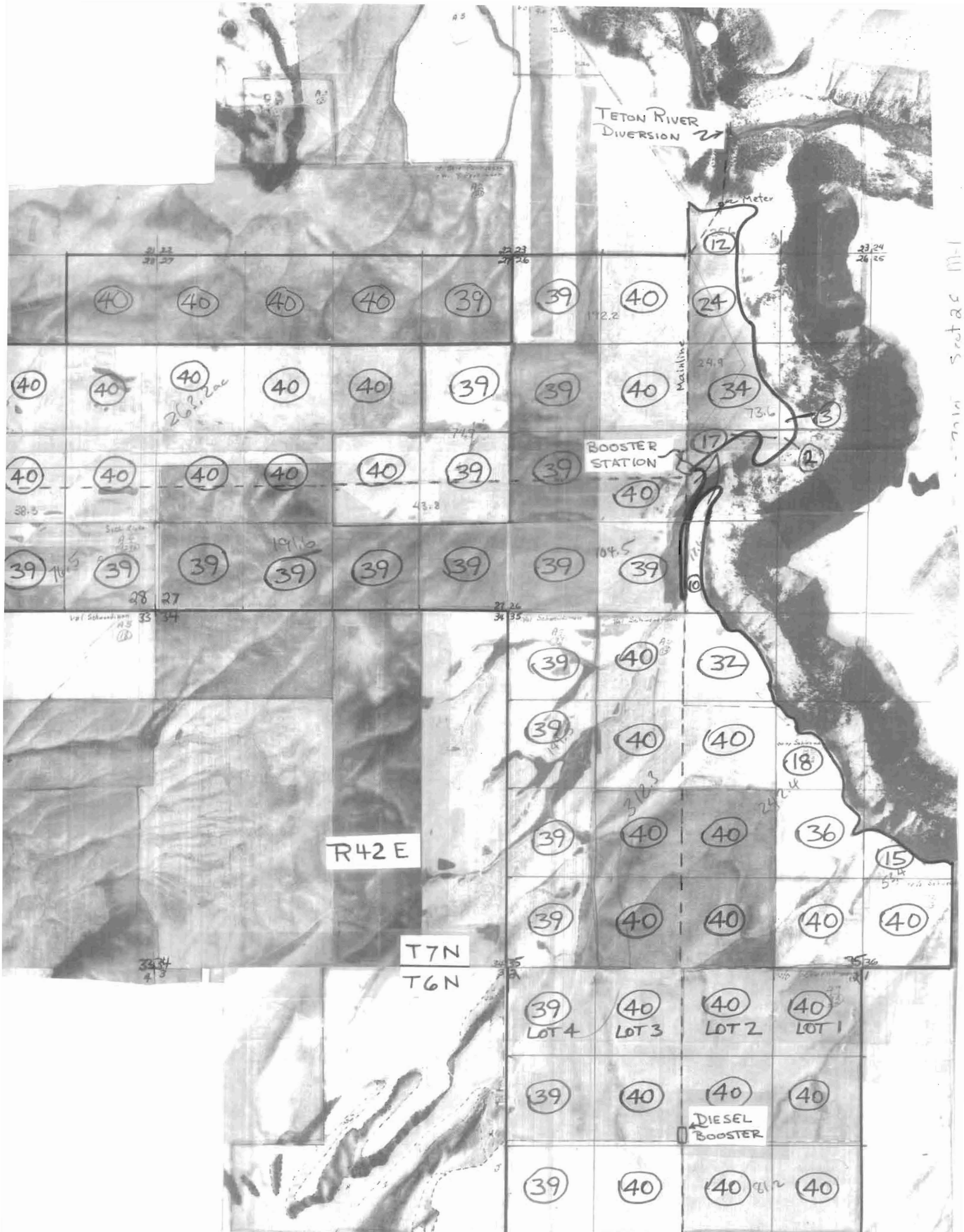
Total number of acres irrigated

3279

Total number of acres

AUG 09 1994

22-7271



TETON RIVER
DIVERSION 27

12

24

34

17

10

32

40

40

40

40 LOT 2

40

40

BOOSTER
STATION

DIESEL
BOOSTER

R42 E

T7N

T6N

39 LOT 4

40 LOT 3

39

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39

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21 22
29 27

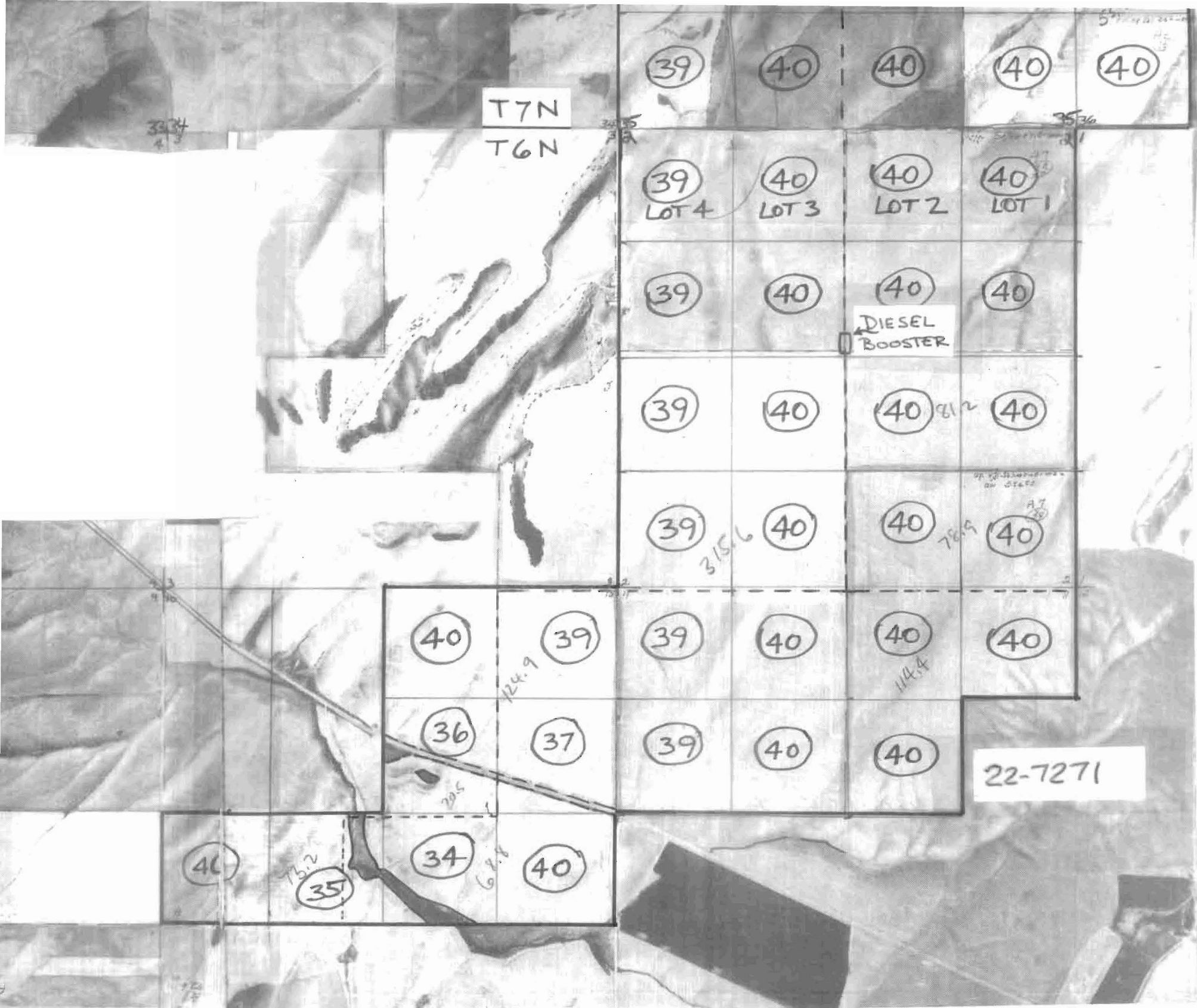
22 23
27 26

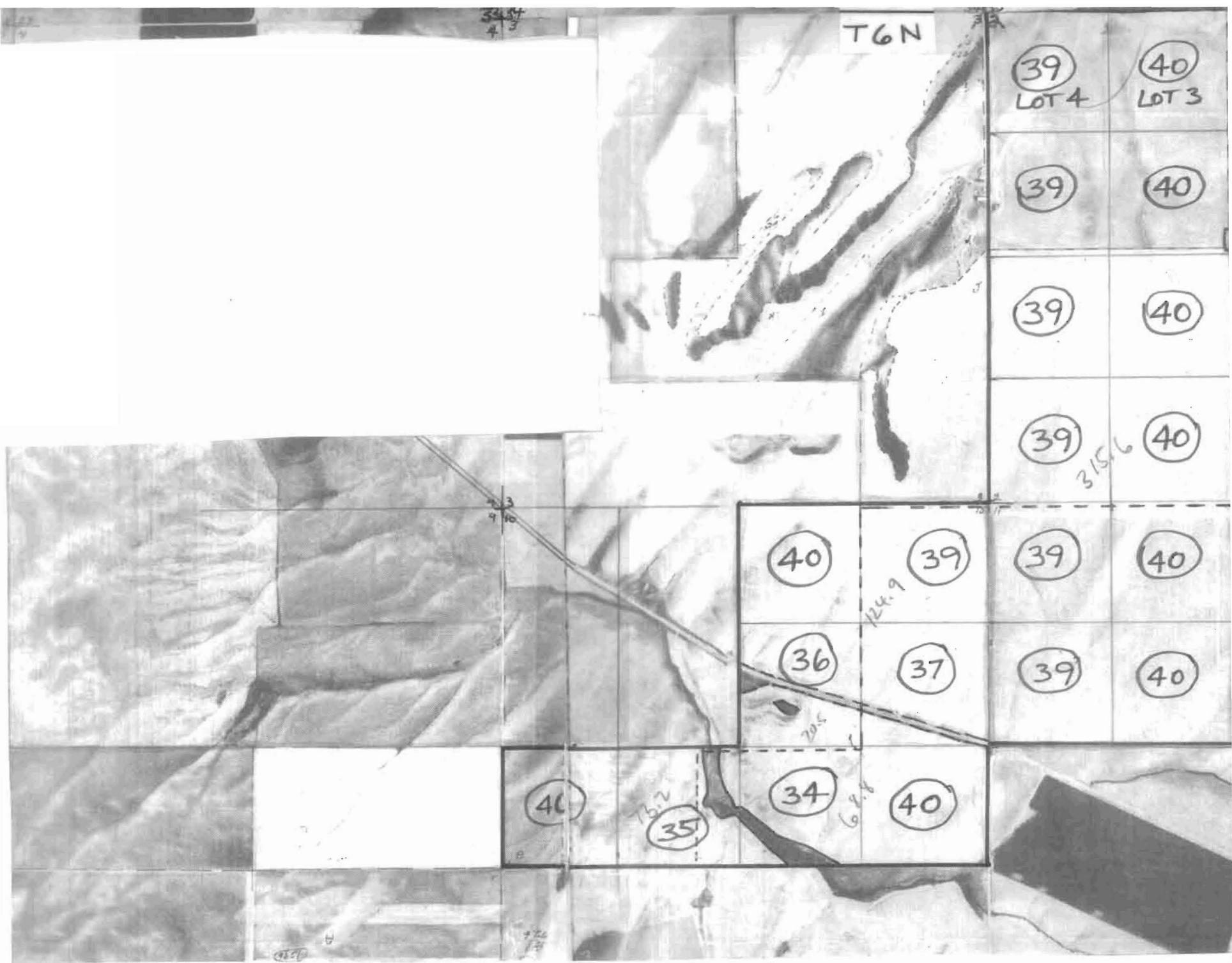
28 27
33 34

27 26
34 35

33 34
4 3

34 35
3 4







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

July 11, 1985

Val Schwendiman Farms
Box 1011
Newdale, ID 83436

Re: Water Right Identification No. *22-7271*

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

☒ Proof of beneficial use has already been submitted for the water right.

☐ Proof of beneficial use is not applicable for existing licensed rights.

☐ Proof of beneficial use is not applicable for existing decreed rights.

☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.

☐ Other:

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

cc: Region

RECEIVED

AUG 09 1994

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 22-7271

Name(s) of Permit Holder: Val Schwendiman Farms Inc.

Post Office Address: Newdale, Idaho 83436

Tel. No. 458-4261

Source of Water: Teton River

Extent of Use:

☐ Domestic	_____	(number of households)
☐ Stockwater	_____	(number and type of stock)
☒ Irrigation	<u>2600</u>	(acres)
☐ Other	_____	

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

Access Ports: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

Oct 21-1981
Date

Val Schwendiman
Signature of Permit Holder
Pres.

Val Schindman
Newdale, Idaho
83436

RECEIVED

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

OCT 28 1981

Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

December 8, 1981

RE: Permit No.

22-7313

and 22-7271

Val Schwendiman Farms Inc.
Newdale
Idaho 83436

Dear Mr. Schwendiman:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

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

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

BOBBIE R. STEPHENS
Principal Clerk

cc: IDWR - State Office

RECEIVED
DEC 11 1981

May 24, 1979.

Re: Permit No. 22-7271

Val Schwendiman Farms, Inc.
Newdale,
Idaho 83436

Dear Mr. Schwendiman:

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

Be sure to note the special condition requiring you to install and maintain a totalizing device at your point of diversion prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

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

DRT:lr

Enclosure

MICROFILMED

22-7271

STAFF REVIEW - STATE OFFICE

1. Pres Name vs. Signature
2. S.W. Source
3. ✓ Point of Diversion
4. 18 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. N/A Place of Use for other than irrig.
8. 2400 Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. ⁴⁵⁸²
Pl. of Use
10. ✓ Map
11. 195 Fee & Rec't. No. 3-02-78

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>1</u> Idaho Fish & Game Dept.	<u>1</u> Dept. of Lands
<u>1</u> Bureau of Land Management	<u>Yes</u> Other <u>Water master 01</u>

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

Check:

Critical G.W. Area yes ✓ no

Other rights on same land Exchange w/ G.W. 22-7210, 22-7202 - G.W.

Withdrawals of all protests received X See memo dated 1/19/79
yes no

Conditions:

ID Power Co. Letter - Snake R. <u>NO</u>	Meas. Dev. or Sc. Meas. <u>NO</u>
ID Power Co. Letter - G.W. & Tribs. <u>NO</u>	Totalizing meter <u>Yes</u> <u>See attached sheet</u>
Snake River Condition <u>NO</u>	Supplemental <u>yes #4</u>
Payette River Letter <u>NO</u>	Right-of-Way Cond. <u>Yes</u>
Priority Date <u>3/2/78</u>	Watermaster Cond. <u>Yes</u>
	Wtr. Dist No. <u>01</u>
Water Quality #16 <u>NO</u>	Meas. Dev. Cond. for apps within a Water Dist. <u>Yes</u> <u>No</u>
Water Quality #10 <u>NO</u>	<u>See attached sheet for conditions</u>
intrastate <u>NO</u> interstate <u>NO</u>	<u>Conditions not already checked</u>

Jan Reviewer
3/9/79 Date

UNPROCESSED

RECOMMENDEDCONDITIONS OF APPROVAL

1. For licensing purposes, a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.
- ✓2. ^{Totalizing} A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
(TO BE USED WITH THE WATERMASTER CONDITION ONLY)
3. Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
4. 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.
5. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
- ✓6. Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River.
7. The maximum rate of diversion shall not exceed _____ cubic feet per second.
8. The permit shall not be assigned or sold without first securing the written approval of the Department of Water Resources.
9. This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
10. Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
11. Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial users.
12. Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
13. The proposed well shall not be drilled within _____ feet of another well.
14. The permit holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.
15. Water shall not be diverted under this permit unless the flow of the Snake River at the U. S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceed 4,750 c.f.s.
16. That should the use of the water on this permit reduce the quality of water available to prior water rights and make it unusable to satisfy the prior appropriations, then the diversion under this permit must cease.
17. There is not sufficient water available in the _____ River and tributaries that is not appropriated by prior water rights.
- ✓18. OTHER Use of water under this permit is subject to the _____
applicant having an alternate supply of water for the _____
designated place of use.

APPROVED
JAN 10 1971
WATERMASTER

WATERMASTER COMMENTS

I have reviewed application for permit No. 22-7271 and have

✓ (1) no objections to the approval of this permit.

 (2) the following objections to the approval of this permit:

1/18/78

DATE



RONALD D. CARLSON - WATERMASTER

WATER DISTRICT # 01

1/18/78

INTER-DEPARTMENT MEMO — 1

FROM Ernie

DATE 1/19/79

TO File.

SUBJECT Approval of Application for Permit. #22-7270

It is my understanding that the stipulation & agreement signed at the conference on Aug 2 1978 is a withdraw of protest provided the conditions of approval allow for "adequate policing" by the water master. The recommended conditions of approval provide for regulation by the water master & stipulate that there must be an alternate supply of water for the same place of use. These are the normal conditions for applications within W.D. 01 Ernest Carlson.
& are believed adequate.

SIGNATURE

MICROFILMED

Copy
to
Marys
STIPULATION
AND
AGREEMENT

IN THE MATTER OF
APPLICATIONS FOR
PERMIT 22-7270
Bob Parkinson
and 22-7271
Val Schwendiman Farms

We are Concerned about these diversions taking water when 1978 Priorities are not being filled. We have no objection to these applications being approved to divert water during times when all rights on the river can be filled. We request the Dept. make what ever special conditions they feel appropriate to assure adequate Policing of these "high water rights" in taking final action on these applications.

signed at St. Anthony this
2nd day of August. 1978

James J. Martensen
James J. Martensen Director

RECEIVED

22-7270 - BOB PARKINSON and
22-7271 - VAL SCHWENDIMAN FARMS, INC.

Courtroom, Fremont County Courthouse, St. Anthony, Idaho

August 2, 1978 - 9:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
James Liddoway	Teton, Ida	Teton Irrigation
Malvin Harris	Seton, Ida.	Seton Irrigation
J.T. Beech	St. Anthony	Wilford Canal Co.
Alfred Klein	St. Anthony	Wilford Canal Co.
Val Schwendiman	Newdale, Ida.	
David Schwendiman	Newdale, Ida.	
Bob Parkinson	St. Anthony, Ida	
Fred Truapp	St. Anthony	Wilford Canal
Henry Truapp	Barma Ida	Wilford Canal
Ralph Brock	Sugar City	Seton Irrig.
Dale L. Swensen	St. Anthony, Ida.	Fremont-Madison
Frank E. Lues	St. Anthony, Ida.	Wilford Canal
Mary Smith	Rebburg, Idaho	Fremont-Madison
George A. Briggs	Teton, Idaho	Teton Irrigation Co.
Leigh Chantrell	Newdale, Ida.	Fremont-Madison
Boyer Briggs	Teton Idaho	Teton Irrigation Co.
May Mortensen	Rebburg	Fremont-Madison

Parkinson & Schwendman Aug 23, 1978

22-7270

22-7271

Transfer of Good Luck water represented an enlargement recharge wells. Cased 140 feet are 180 feet deep measuring devices are totalizing

Problem Mary Smith -
Storage delivered by exchange

1. Policing
 2. Who Pays for added costs
 2. Recharge well is affecting domestic wells
 3. Teton & Wilford come out between diversion & exchange
- Parkinson & Schwendman irrigate about 3000 acres

Check on Parkinson - Harshbarger
Kerbs

RECEIVED
AUG 23 1978
FBI - BUTTE

8/2/78

22-7270 + 22-7271

PARKINSON - SCHWENDIMAN

PARKINSON -

Pumps in Teton River NR Canyon C&K
Exchange wells in lower valley -
Want to appropriate "high" water then
only turn on exchange wells
Revol water - deeded rights -

TRANSFER was approved - Enlargement (?)
J.T. Beech - Transfers are from 120 cfs

Recharge wells - pump into River

195 ft deep - located @ River

Measuring devices - totalizing meters

Can be locked off -

- 470 - 500 ft lift

Mrs. Smith -

Island Park Storage Water -

Exchange Agreement Upper Valley

Cross-cut capacity isn't great enough -
400 cfs capacity

- (1) (1) Policing is the concern
Teton Island Feeder has not been
getting its full rights
- (2) Entirely the cost of the new diversions
Teton Manufacturing canal + W. Ford Canal -
between River diversion and recharge wells
- (3) Recharge well affects domestic wells

Parkinson - Kerbs - Hershberger -

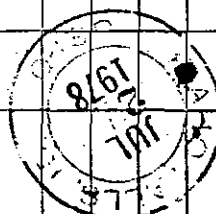
Post Office Box 1514 - Pasadena, Calif.

Home and Address of Sender

Indicate type of mail:
☐ REGISTERED
☒ CERTIFIED
☐ C.O.D.

Also stamp here if issued as certificate of mailing or for additional copies of this bill, POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R.R. FEE	INSUR. FEE	ACTUAL VALUE	HANDLING CHARGE	REMARKS
1	1046 Willoughby, 3635 1/2 St., Redburg	15	80					22-1100
2	1047 J. H. Bannick, 1077, 501 3rd St., Redburg							
3	1048 Brown, 1111 1/2 St., Redburg, Cal.							sent by Certified mail 7-21-78 en
4	1049 Jack Brown, Redburg							
5	1050 Andrew K. Lewis, 1544 1/2 St., Redburg							
6	1051 John J. Smith, Redburg							
7	1052 J. J. Smith, Redburg, 38d. and 6 Redburg							
8	1053 Bradley, Home, 834 1/2 St., Pasadena, Cal.							
9	1054 James H. Ford, 103, 2nd St., Redburg							
10	1055 David H. Ford, 106 1/2 St., Redburg							
11	1056 Roger H. Ford, 107 1/2 St., Redburg							
12	1057 James H. Ford, 108 1/2 St., Redburg							
13	1058 Fred H. Ford, 109 1/2 St., Redburg							
14	1059 J. J. Smith, 110 1/2 St., Redburg							
15	1060 H. H. Smith, 111 1/2 St., Redburg							
16	1061 Bob (C. H. Smith), 112 1/2 St., Redburg							22-1000
17	1062 John H. Smith, 113 1/2 St., Redburg							
18	1063 James H. Smith, 114 1/2 St., Redburg							22-1001
19	1064 John H. Smith, 115 1/2 St., Redburg							"
20	1065 John H. Smith, 116 1/2 St., Redburg							22-1002
TOTAL NO. OF PIECES SENT BY SENDER 20								
TOTAL NO. OF PIECES RECD AT P.O. 20								
POSTMASTER, PER (Name of receiving office)								
Show under "Remarks" class postage paid if other than first or if international								



APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

Declaration of value is required on international registered mail

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

July 20, 1978

Ms. Betty Hill
Fremont County Clerk's Office
Fremont County Courthouse
St. Anthony, Idaho 83445

Dear Ms. Hill:

This is to confirm the use of the Courtroom for conference and/or hearings to be conducted by this Department on August 1, 1978 beginning at 11:00 a.m., August 2, for all day and on August 3, beginning at 9:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Senior Secretary

RECEIVED
AUG 21 1978
FREMONT COUNTY CLERK

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against	)	
	)	
Approval of Application for Permit	)	
	)	
No. 22-7270 in the Name of BOB	)	
	)	
PARKINSON and Application for Permit	)	
	)	
No. 22-7271 in the Name of VAL	)	NOTICE OF COMBINED
	)	
SCHWENDIMAN FARMS, INC.	)	CONFERENCE &/or HEARING
	)	
	)	

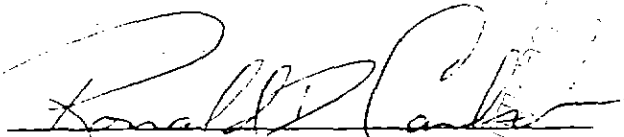
On March 2, 1978, Bob Parkinson and Val Schwendiman filed with the Department of Water Resources applications to appropriate the public waters of the State of Idaho. On March 20, 1978, the Department received protests from Fremont-Madison Irrigation District against approval of said applications. On March 21, 1978, the Department received an additional protest from Teton Irrigation and Manufacturing Company.

The Department has set the matter for conference and/or hearing Wednesday, August 2, 1978, at 9:00 a.m., in the Courtroom of the Fremont County Courthouse, St. Anthony, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicants or the protestants may allow the Department without prejudice to dismiss the protests or the applications. Any and all cost incurred by such non-appearance may be assessed against such non-appearing parties.

Dated this 20th day of July, 1978.


RONALD D. CARLSON, SUPERVISOR
Eastern Region

March 28, 1978

RE: Application for Permit No. 22-7270 PARKINSON
22-7271 SCHWENDIMAN

Fremont County Chronicle
Box 568
St. Anthony, Idaho 83455

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on March 9 and March 16, 1978.

Your cooperation is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Secretary

*Called
4-03-78
CW*

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

March 21, 1978

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

C. Stephen Allred
Director

RE: Application for Permit No. 22-7270 PARKINSON
22-7271 SCHWENDIMAN

Ms. Diana S. Richman, Secretary
Teton Irrigation & Manufacturing Company
Rt. #1
Sugar City, Idaho 83448

Dear Ms. Richman:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC: CW

cc: IDWR - State Office

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

March 21, 1978

Mr. Val Schwendiman
Newdale,
Idaho 83436

Dear Mr. Schwendiman:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 22-7271. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC: CW

Enc

APPROPRIATE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

March 21, 1978

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

C. Stephen Allred
Director

RE: Application for Permit No. 22-7270 PARKINSON
22-7271 SCHWENDIMAN

Mr. Max Mortensen, Chairman
Fremont-Madison Irrigation
Box 5
St. Anthony, Idaho 83445

Dear Mr. Mortensen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:

cc: IDWR - State Office
Mary Smith, Attorney

RECEIVED
MAR 23 1978
IDWR

SMITH, HANCOCK & MOSS

Attorneys at Law

MARY SMITH
J. D. HANCOCK
BRENT J. MOSS
W. LLOYD ADAMS (1885-1969)

30 SOUTH 2nd WEST
REXBURG, IDAHO 83440
PHONE: 208-356-5493

March 17, 1978

RECEIVED

MAR 20 1978

Department of Water Resources
Eastern District Office

Department of Water Resources
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

On behalf of the Fremont-Madison Irrigation District,
I am enclosing herewith Protest of the Fremont-
Madison Irrigation District pertaining to the appli-
cation of Val Schwendiman Farms, Inc., Number 22-7271,
for a permit to appropriate 18.0 cfs from Teton River,
and the application of Bob Parkinson, number 22-7270
for a permit to appropriate 18.0 cfs from Teton River.

Yours very truly,

Mary Smith
Mary Smith

rs

Enclosures

March 8, 1978

RE: Application for Permit No. 22-7270 PARKINSON
22-7271 SCHWENDIMAN

U. S. Bureau of Reclamation
P.O. Box 549
Burley, Idaho 83318

Gentlemen:

We are enclosing a copy of two applications that may be of interest to your agency. Please review the application and if you have any comments, submit them to our Department as soon as possible. The last date of protest is March 27, 1978, and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures (2)

MICROFILMED

March 3, 1978

RE: Application for Permit No. 22-7270 PARKINSON
22-7271 SCHWENDIMAN

Fremont County Chronicle News
Box 568
St. Anthony, Idaho 83445

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

Bill submitted _____ by _____

No bill cw 4-14-78

RDC:CD

Enclosure: Legal Notices (2)

MICROFILMED

lvv cn legals

**NOTICE FOR APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Val Schwendiman Farms, Inc., Newdale, Idaho has on 3-02-78 submitted Application No. 22-7271 for a permit to appropriate 18.0 cubic feet per second of water from Teton River tributary to Snake River by means of pumps and pipelines within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 7N, R. 42E, B.M., Fremont County; to be used from Apr. 1 to July 15 for the irrigation of 2,600 acres within Sec. 2, T. 6N, R. 42E; W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$, Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 7N, R. 42E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before March 27, 1978.

C. STEPHEN ALLRED
Director

Published in the Fremont County Chronicle, St. Anthony, Idaho on March 9 and March 16, 1978.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Val Schwendiman Farms, Inc.,
Newdale, Idaho

has on 3-02-78 submitted Application No. 22-7271
for a permit to appropriate 18.0 cubic feet per second acre feet per annum
of water from Teton River tributary to Snake River
by means of pumps and pipelines
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 7N, R. 42E, B.M., Fremont County;

to be used from Apr. 1 to July 15
for the irrigation of 2,600 acres

within the XXX Sec. 2, T. 6N, R. 42E; W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$, Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, Sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 7N,
R. 42E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before
March 27, 1978

C. STEPHEN ALLRED

Director

Fremont County Chronicle, St. Anthony, Idaho

Published in the
on March 9 and March 16, 1978

Handwritten notes and stamps in the bottom right corner, including "D.O.", "the", and "7th".



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

March 3, 1978

RE: Application for Permit No. 22-7270
22-7271

Mr. Arthur L. Larson, Watermaster
Water District No. 01
P.O. Box 1099
Idaho Falls, Idaho 83201

Dear Art:

We are enclosing copies of two applications that may be of interest to your water district. Please review the applications and if you have any comments, submit them to our Department as soon as possible. The final date of protest is March 27, 1978, and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosures (2)

17003 357 7710

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Schwendeman

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) ARK 3/3/78

In form to receipt yes

(2) _____

Send Copies to:

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

(3) _____

Watermaster of
☒ Request Special Use Permit from U.S.F.S.
☒ Request Easement from B.L.M.
☒ Request Information from Applicant

(4) _____

In form for advertising yes

(5) _____

Platted on Map No. W-47 Quad map

(6) _____

Located within Water District No. 01

(7) _____

n/a Critical groundwater area: yes no

(8) _____

n/a Groundwater levels:

Declining, Stable, Increase

(comment) _____

(9) _____

Other rights on the same place of use 22-7202
and groundwater exchange permit 22-72

(10) _____

Comments: This permit will be
used when high water is
available

(11) lw 4-14-78

Affidavit of Publication received (date) Apr 14-1978

(12) lw 3-20-78

Final date for protests March 27-1978
Protests received: yes no

(13) EMC 1/19/79

All requested information received from agencies or applicant: yes no

(14) EMC 1/19/79

Action recommended:

☒ Approve ☐ Deny

3/02/78 Proposed Priority

Reason for Reduction _____

Measuring device required

☒ See attached sheet for other conditions of approval

☐ No special conditions for approval

(15) District Eastern

By Ernest Carlson

Date 1/19/79

Copy
Sent