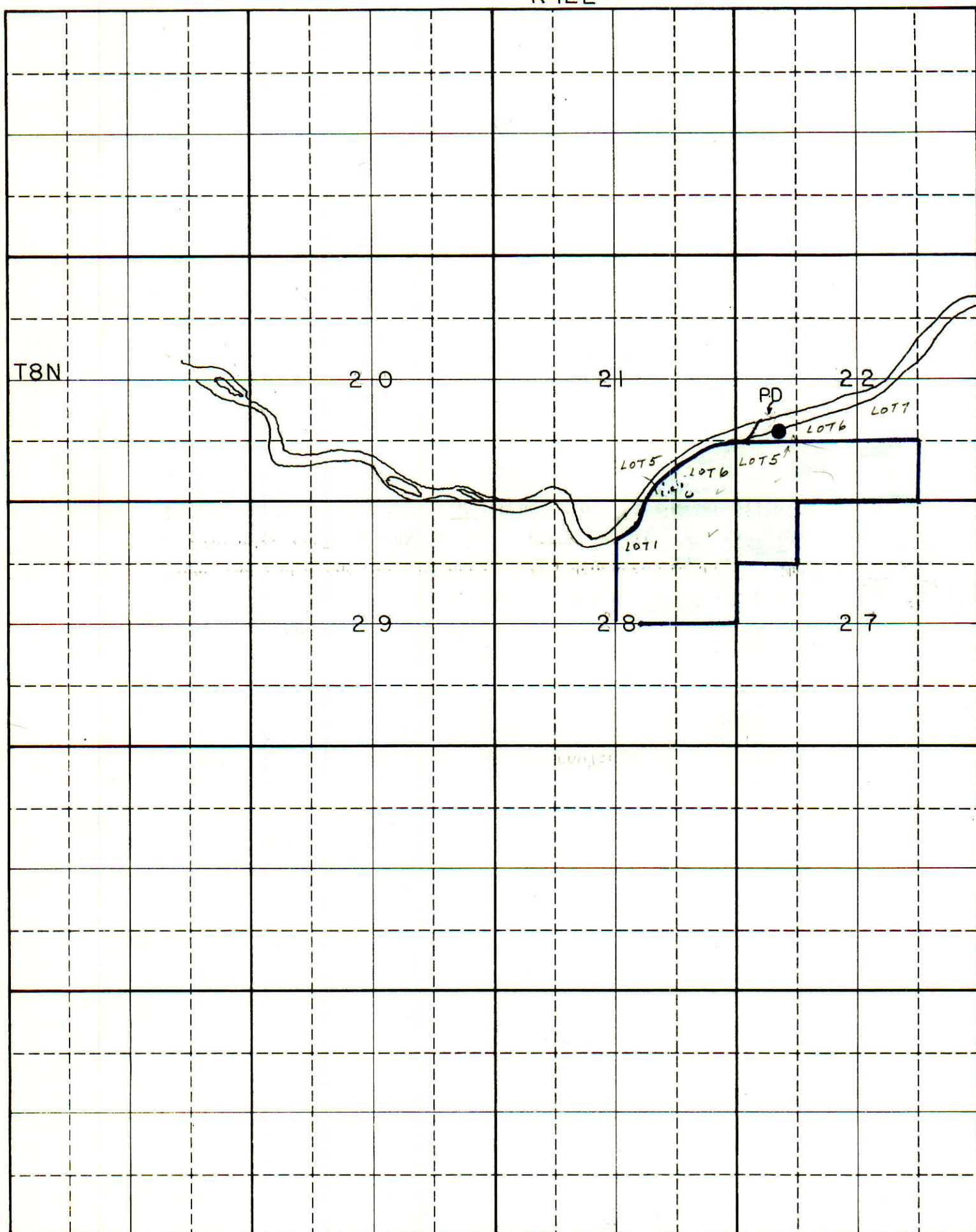


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R42E



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.

Louis A. Potter
(Applicant)

**AFFIDAVIT OF
PUBLICATION**

State of Idaho }
County of Fremont }

ss.

Dorothy D Hunsaker

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

That he is the OWNER
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
of 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 two consecutive is-
sues thereof; first publication
having been made on the 25
day of December, 1975,
and the last publication on the
1 day of January

19 76.

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.

Dorothy D. Hunsaker
Subscribed in my presence and

sworn to before me this 1st
day of January,

19 76.

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

RECEIVED

JAN 20 1976

Department of Water Resources
Eastern District Office

Public Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Travis N. Potter, Chester, Idaho
has on 12-16-75 submitted Appli-
cation No. 21-7082 for a permit to
appropriate 4.00 cubic feet per
second of water from Falls River
tributary to Snake River by means
of pump and pipeline within the
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 8N, R.
42E, Fremont County; to be used
from Apr. 1 to Nov. 1 for the
irrigation of 220 acres within the
Lot 6, Sec. 21, S $\frac{1}{2}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$, Sec.
28, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T. 8N, 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 January
12, 1976.

R. KEITH HIGGINSON
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on
December 25, 1975 and January 2,
1976.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

— RE-EXAM —

RE-EXAM —

A. GENERAL INFORMATION

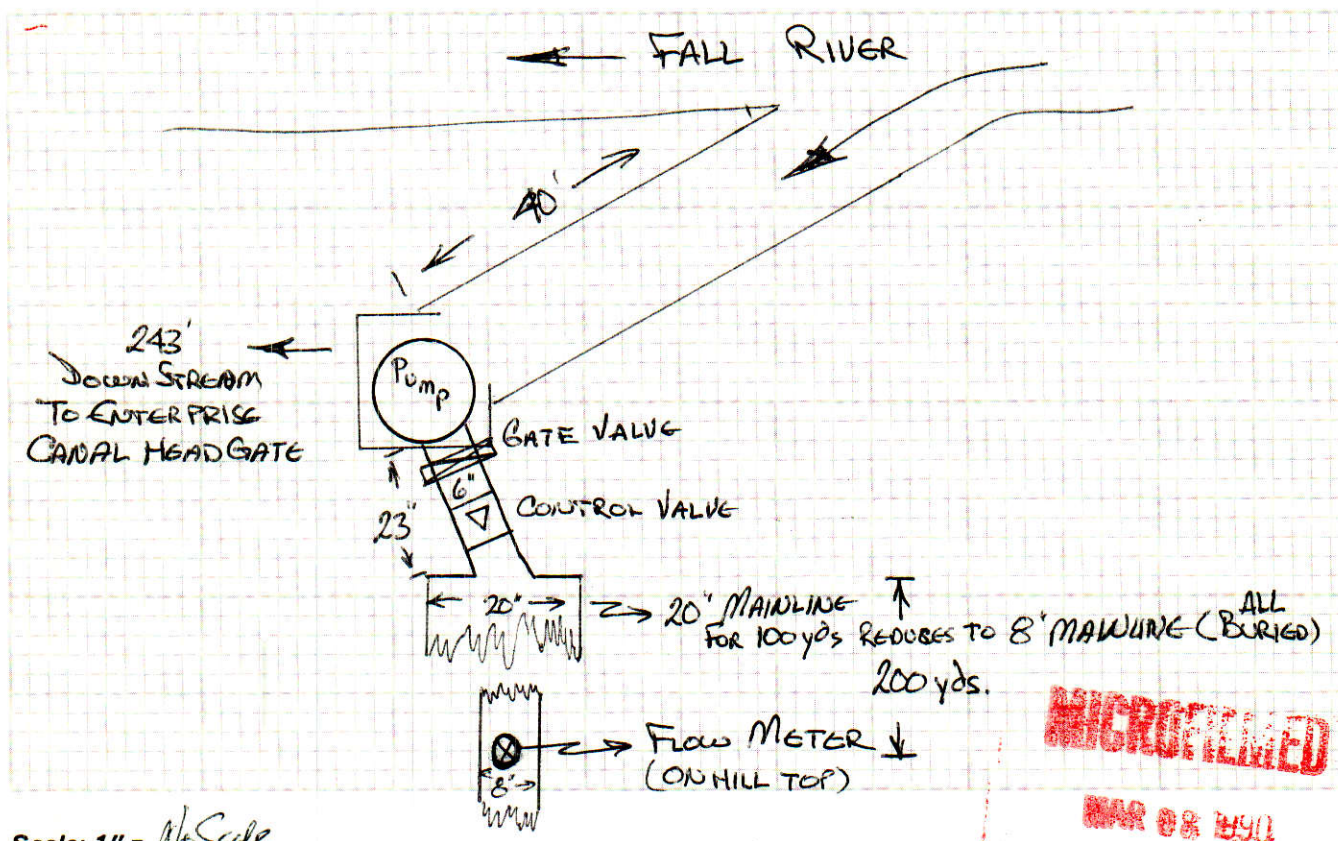
1. Owner: TRAVIS N. POTTER Permit No. 21-7082
Current Address: Box 22, CHESTER, ID. 83 Phone No. 624-7110
2. Accompanied by: TRAVIS POTTER EXAM. DATE: 27-JULY-1987
Address: _____ Phone No. SAME
Relationship to Permit Holder: OWNER
3. Source: FALL RIVER tributary to SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with same place of use: T1941 ☐ Copies Attached
2. Other water rights with same point of diversion: T1941 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = 1/4" 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).

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MAR 88 1991

System Description (continued)

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

THIS SYSTEM DIVERTS WATER FROM THE FALL RIVER, THROUGH A PUMP/ PIPELINE SYSTEM, TO IRRIGATE ~230 ACRES. PART OF THIS LAND IS COVERED UNDER TRANSFER 1941 (77 ACRES). PERMIT 21-1082 ^{WAS} FILED TO COVER NEW LAND PUT UNDER THE SA THIS SAME SYSTEM. SEE OVERLAP

ANALYSIS ATTACHED FOR DESCRIPTION. ~~SYSTEM INCLUDES 2 INCHES OFFICE MEASUREMENT~~
THE DIVERSION POINT FOR THIS SYSTEM IS ~250' FROM #1 UPSTREAM FROM THE ENTERPRISE CANAL HEADING - NO INTERFERENCE IS EXPECTED BY THE MR. POTTERS DIVERSION.

☐ 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
	10041				
	WESTINGHOUSE	100	627B531G38	SCHUSTER	GA14111

*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
		SE	NW	SW	22	8N	42E	FREMONT	USGS/ CU SITE

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	
8N	42E	22									16	X	25	32		23	33		130 104
		21									L6					L7	7	X	25 7
		28		X	33												L5		27 33
		27		X	L1			1	17										18

162

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Do not use this space

MAR 08 1990

21-7082

R42E

LANDS COVERED UNDER TRANS. 1941

T
O
N

POINT OF DIVERSION

15 METER WADJ LINE

PLACE OF USE

MICROFILMED

MAR 08 1990

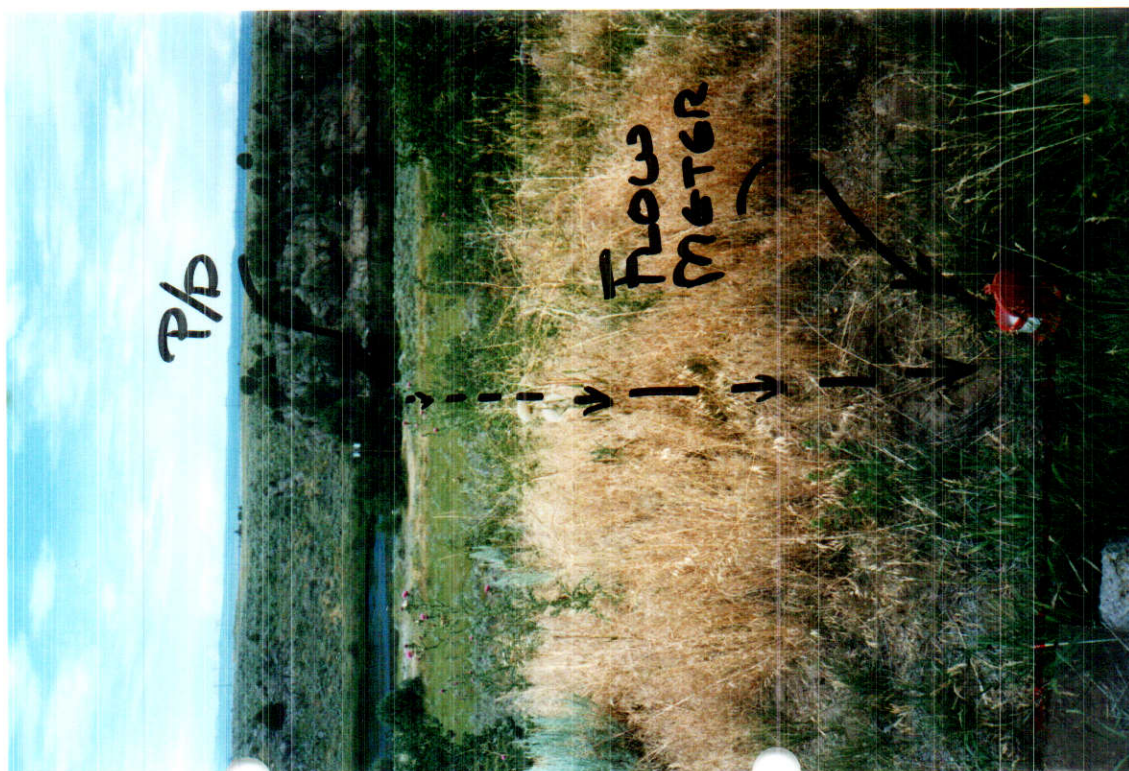


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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



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MAR 08 1987

21-
7082
RE EXAM
7/27/87



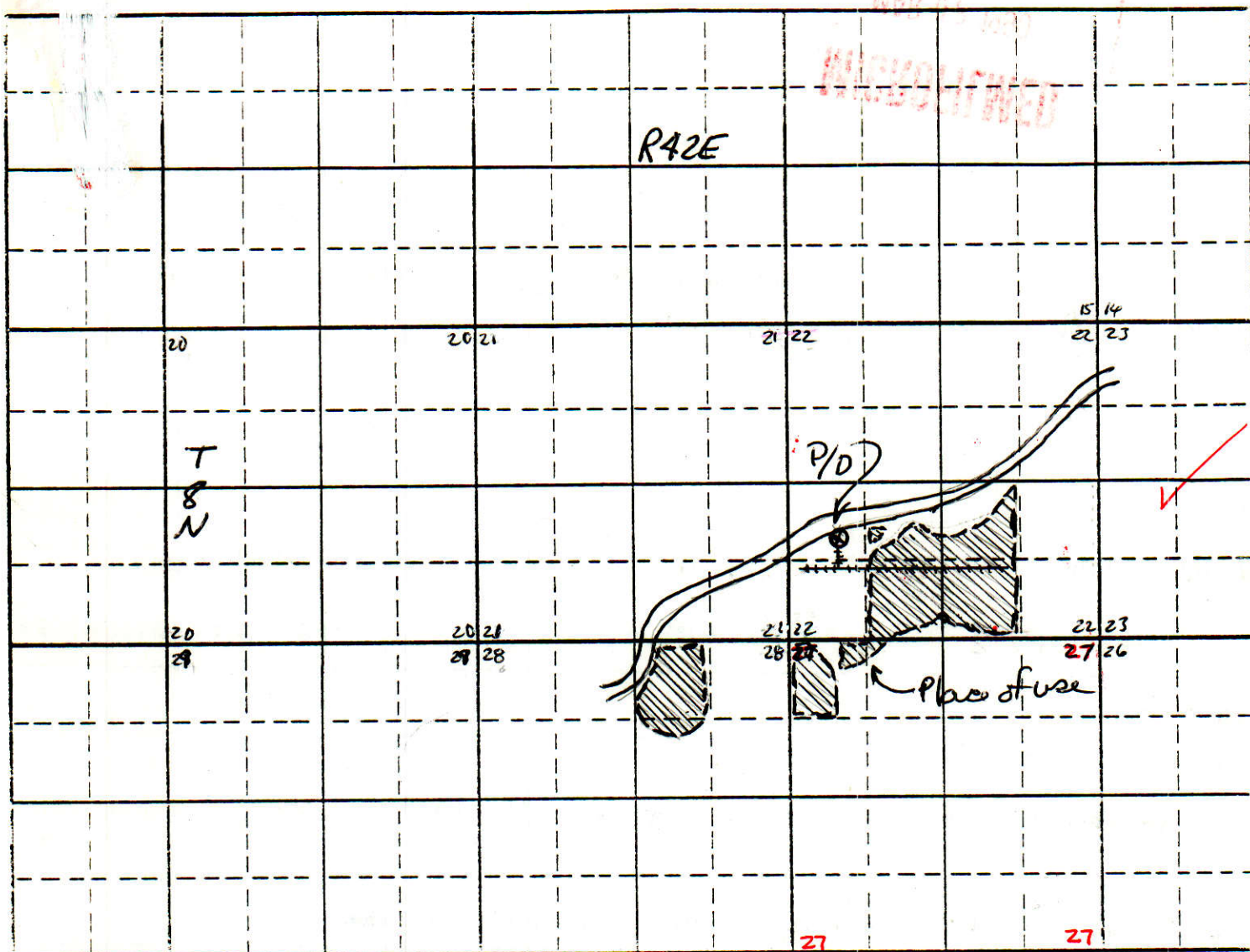
21-70
RE-EXAM.



82

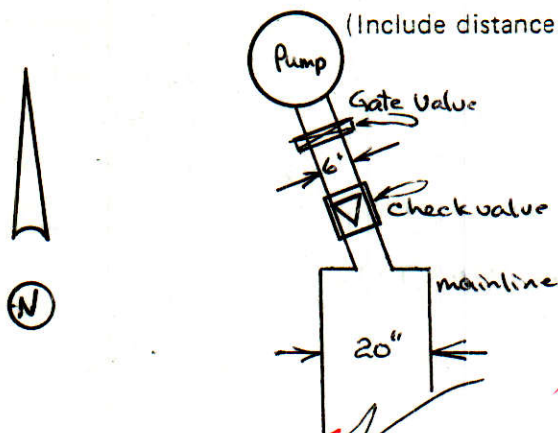
27/87

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NW 1/4 of SW 1/4 (Lots), Sec 22, T. 8N, R 42 E

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	
8N	42E	22									18			32	26	35			111 ✓
		27					1	18											19 ✓
		28			30	2													32 ✓

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MAR 08 1990

162 ✓

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

Examiner's Signature

KC Wilson

Date

9-17-81

Checked by

Date

Approved by

Date

21-7082

Potter

Q-7 S

1
28-7082

NOT TO SCALE

MICROFILMED

MAR 08 1990

1716
2027

NON-
AG.

R42E

T8N

INTERPRET
DIVISION

L-1

L-4 P/D

Fall
River

T 8 N

L-2

C L-2

P 201

G 255

D 251

E 216

F 246

M 571

N 242

D 32

L 67

H 51

V 12

B-1

L 67

H 51

V 12

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L 67

H 51

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MAR 08 1990

State of Idaho
Department of Water Resources

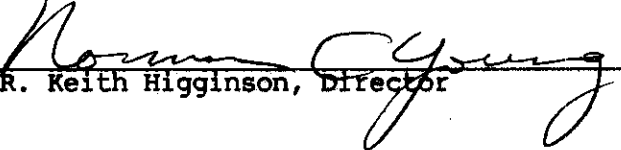
WATER RIGHT LICENSE
WATER RIGHT NO. 21-07082

CONDITIONS/REMARKS:

5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Use of water under this water right is subject to control by the watermaster of State Water District No. 01.
7. This right when combined with Right 21-0019 shall not exceed irrigation of 239 acres, a rate of diversion of 3.0 cfs, nor an annual volume of 717.0 acre feet.

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 5TH day of JANUARY, 1990.

Acting for


R. Keith Higginson, Director

MICROFILMED

MAR 08 1990

State of Idaho
Department of Water Resources

RECEIVED
AUG 11 1989

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-07082

Department of Water Resources

Date of Priority: December 20, 1975

Maximum Diversion Rate: 1.14 CFS
Maximum Diversion Volume:¹ 483.9 AF

Comes now
P.O. BOX 22
CHESTER, ID 83421

TRAVIS N. POTTER

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. 21-07082, and requests that the permit be changed as follows:

Source: FALLS RIVER

tributary to SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	1.14 CFS	483.9 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 5(NWSW), Sec. 22, Township 08N, 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>TOTAL</u>
08N	42E	21	LOT 5(SWSE)	7		7
		22	LOT 6(NESW)	16	SESW 32	
			SWSE	33	LOT 7 NWSE	23
		27	NENW	1		104
		28	LOT 1(NWNE)	33	NWNW 17	18
						33

Total number of acres irrigated: 162

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MAR 06 1990

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 Chester, this 8 day of August, 19 89.

Travis N. Potter
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 21-07082

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by P. Wray Date 8/11/89
ACTION OF THE DEPARTMENT OF WATER RESOURCES #C 009438

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 21-07082 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 reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Witness my hand this 5TH day of JANUARY, 1990.

Norman C. Young
Acting for R. Keith Higginson, Director

MICROFILMED

MAR 08 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 21-7082

IN THE NAME OF TRAVIS N. POTTER

ORDER OF REINSTATEMENT

WHEREAS, on December 16, 1975, Travis N. Potter applied to the Department of Water Resources for a permit to appropriate 1.40 cubic feet per second of water from Falls River tributary to the Snake River, to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, (Lot 5) Sec. 22, Twp. 8N, Rge. 42E B.M., Fremont County, to be used for irrigation purposes; and,

WHEREAS, on March 9, 1976, the Department approved said application and issued Permit No. 21-7082 with the condition that proof of construction or works and application of water to beneficial use be submitted to the Department on or before March 1, 1981; and,

WHEREAS, on December 31, 1980, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on March 1, 1981, the permit automatically lapsed for failure of the permit holder to submit proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on March 5, 1981;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 21-7082 be REINSTATED and the priority advanced to December 20, 1975.

Dated this 17th day of March, 1981.

for *A. Glen Saylor*
C. STEPHEN ALLRED
Director



Identification No. 21 7082

Application No. _____

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 Travis N. Potter Phone: 624-7110
post office address Box 22, Chester, Idaho

2. Source of water supply Falls River which is a tributary of Snake River

3. a. Location of point of diversion is (Lot 5) NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 8N
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 1.40 for Irrigation purpose from Apr. 1 to Nov. 1 (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. -4.00- 1.40 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 100 Hp. pump with hand laterals

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: _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	42E	21															L.5 5	L.6 30	85.76 35
		22											L.5 ✓30	L.6 ✓30			L.7 10		70
		28	✓ 30	L.1 30	10	20													90
		27						25											25

Total number of acres to be irrigated 220

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

50 AF Fremont Madison Storage and 3.0 cfs 1900 decree

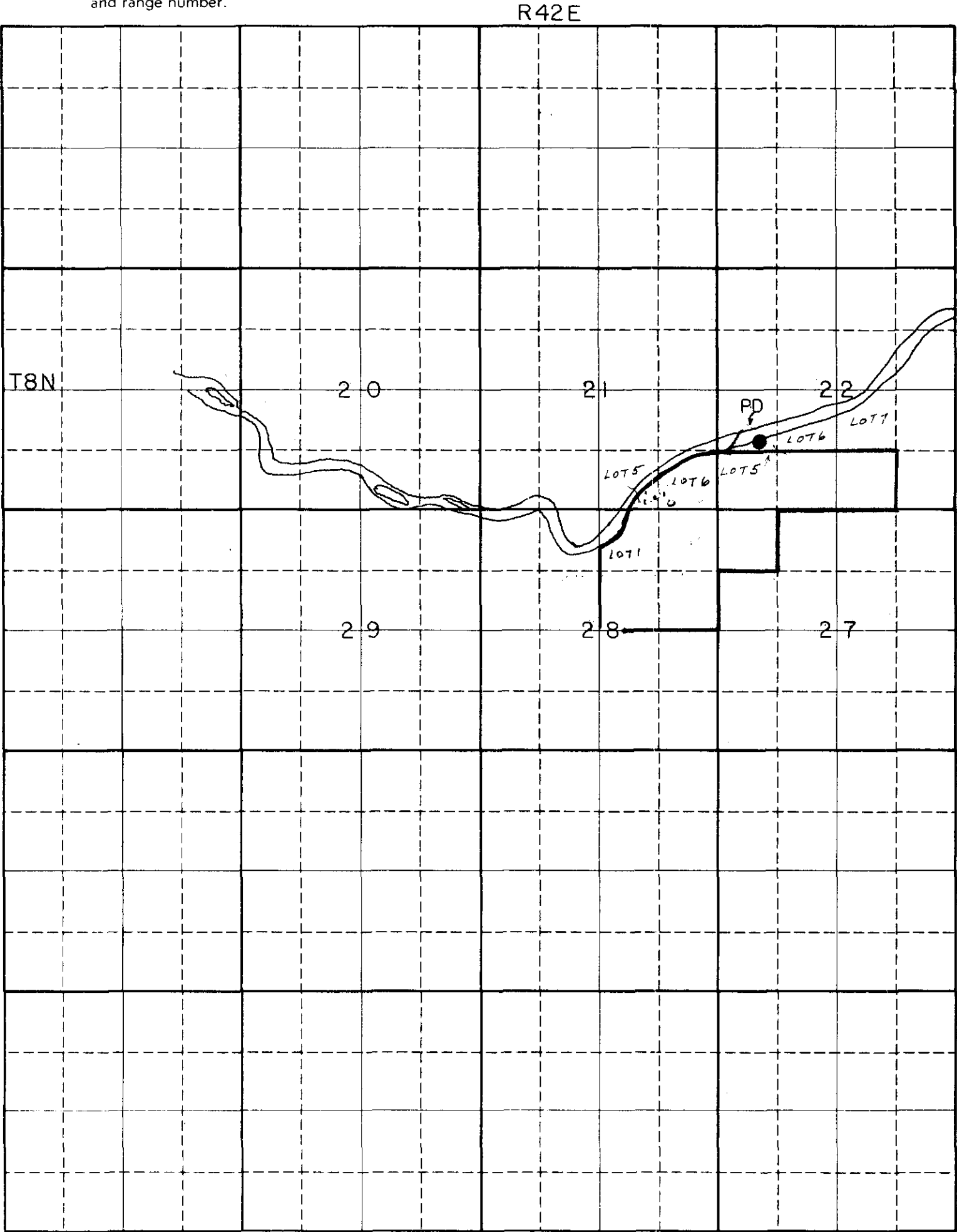
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks Applicant has applied for 300 AF 1st phase storage water from Teton Reservoir

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.

Francis A. Potter
(Applicant)

1
Proposed Priority 12-16-75

Received by me Date 12-16-75 Time 5:00 P.

Preliminary check by RDC Fee \$ 55.00

Receipted by RDC Date 12/16/75 # 15530

Publication prepared by me Date 12-18-75

Published in The Fremont Co. Chronicle

Publication dates Dec. 26 '75 + Jan 2, '76

Publication approved me Date 1-20-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC me DPT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

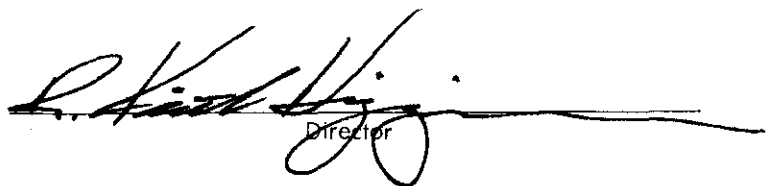
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 21-7082, and said application is hereby APPROVED.

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 March 1, 1981.
- c. Other 1. A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works. 2. Maximum rate of diversion shall not exceed 1.40 c.f.s. 3. Use of water under this permit is subject to control by the watermaster of State Water District No. 01, Snake River

2. Denial of said application is for the following reasons: _____

Witness my hand this 9 day of March 19 76.


Director

**AFFIDAVIT OF
PUBLICATION**

State of Idaho

County of Fremont

ss.

Dorothy D Hunsaker

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

That he is the OWNER
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

of 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 two consecutive is-
sues thereof; first publication

having been made on the 25

day of December, 1975,

and the last publication on the

1 day of January

1976.

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.

Dorothy D. Hunsaker

Subscribed in my presence and

sworn to before me this

day of January,

1976.

Summitt Rose

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

RECEIVED

JAN 20 1976

Department of Water Resources
Eastern District Office

Public Notice

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
Travis N. Potter, Chester, Idaho
has on 12-16-75 submitted Appli-
cation No. 21-7082 for a permit to
appropriate 4.00 cubic feet per
second of water from Falls River
tributary to Snake River by means
of pump and pipeline within the
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 8N, R.
42E, Fremont County, to be used
from Apr. 1 to Nov. 1 for the
irrigation of 220 acres within the
Lot 6, Sec. 21, S $\frac{1}{2}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$, Sec.
28, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T. 8N, 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 January
12, 1976.

E. KEITH HIGGINSON
Director

Published in the Fremont County
Chronicle, St. Anthony, Idaho on
December 25, 1975 and January 2,
1976.

January 9, 1990

TRAVIS N. POTTER
P.O. BOX 22
CHESTER, ID 83421

RE: PERMIT NO. 21-07082

Dear Permit Holder(s):

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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MAR 08 1990

MEMORANDUM

TO: GARY SPACKMAN, ^{Gary}NORM YOUNG, FILE 21-7082

FROM: JIM JOHNSON ^{Jim}

RE: CHANGES TO EXAMINER'S RECOMMENDATION

DATE: November 8, 1989

=====

The rate of flow for this right should be 1.40 cfs rather than 1.14 cfs, the total acres should be 220 acres rather than 162 acres, and the volume should be 660 acre feet per annum (afa) rather than 483.9 afa as recommended on the field examination. In addition to the changes the following conditions should be included.

1. This right when combined with 21-0019 shall not exceed irrigation of 239 acres, a rate of diversion of 3.00 cfs, nor an annual volume of 717 acre feet.
2. <<R01>> A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. <<R04>> Use of water under this license is subject to control by the watermaster of State Water District No. 01 Snake River.

The reasons for the changes are due to an existing decreed water right (21-0019) also using the same point of diversion and overlapping, in part, with this right.

BACKGROUND

On March 2, 1976 Travis N. Potter, who also is the right owner of the permit identified herein, filed an application for transfer (on right 21-0019) of 3.00 cfs for irrigation of 131.21 acres. The diversion facility in the transfer is the same diversion facility under this right. A measurement was made during the field examination conducted on July 1, 1981 and found to be 1.58 cfs.

When the 1981 examination was forwarded to the State Office the accuracy of the quantity of flow diverted was questioned and the exam report was returned for re examination. The exam was re-conducted on July 27, 1987, six (6) years after the first examination, the diversion facility, however, had not changed and same McCrometer gave a reading of 1.68 cfs.

EXAMINER'S RECOMMENDATION

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The examiner followed the overlap review standards used in 1987 and recommended the amounts as identified in the first paragraph above. The error made is that the lands irrigated under right 21-0019 were reduced from 131.21 acres to 77 acres.

EXISTING DECREED AND LICENSED RIGHTS CANNOT BE REDUCED

Recent discussions on the limits of the provisions of section 42-419 ,Idaho Code, and on conditions commonly used on licenses at time of issuance, conclude that the license or conditions cannot reduce the provisions of an existing decreed or licensed right even though the most recent investigations may show a non use of a portion or of the entire existing right.

If this view is held, then of all the possible options for this right, the recommendations for the amounts of cfs, volume, acres, and conditions identified in the first paragraph appear to be most feasible.

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PLACE OF USE LOCATIONS

[illegible]

UNCLASSIFIED

0661 80 MAR

PLACE OF USE 1/4 1/4 OVERLAP REPORT

11/08/89

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	SE	SUM
							NE	NW	SW	SE	SE	
2107082	POTTER		FALLS RIVER	08N 42E 21								
2100019	MARYSVILLE CANAL & IMP D	D	FALLS RIVER	08N 42E 21			40 40	40	40			240
2100073B	MARYSVILLE CANAL & IMP D	D	FALLS RIVER	08N 42E 21			40					40
2100073D	POTTER	P	FALLS RIVER	08N 42E 21								
2107082	POTTER	P	FALLS RIVER	08N 42E 21								
2107132	LOOSLI	P	GROUNDWATER	08N 42E 21			40 40	40 40	40 40			320
L2107082	POTTER	L	FALLS RIVER	08N 42E 21								
	NO MAPPING INFO AVAILABLE											
2107082	POTTER		FALLS RIVER	08N 42E 22								40
2100019	FARMERS OWN DITCH CO.	D	FALLS RIVER	08N 42E 22					40			
2100167	POTTER	P	FALLS RIVER	08N 42E 22								
2107082	LOOSLI	P	GROUNDWATER	08N 42E 22								120
2107132	POTTER	L	FALLS RIVER	08N 42E 22								65
L2107082	NO MAPPING INFO AVAILABLE											
2107082	POTTER	P	FALLS RIVER	08N 42E 27								25
2107082	POTTER	L	FALLS RIVER	08N 42E 27								18
L2107082	NO MAPPING INFO AVAILABLE											
2107082	POTTER		FALLS RIVER	08N 42E 28 40								60
2100019	POTTER	D	FALLS RIVER	08N 42E 28 30			10 20					
2107082	POTTER	P	FALLS RIVER	08N 42E 28								
L2107082	NO MAPPING INFO AVAILABLE											

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MAR 08 1990

July 10, 1989

TRAVIS N. POTTER
P.O. BOX 22
CHESTER, ID 83421

RE: PERMIT NO. 21-07082

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

21-7082
Permit No.
RE-EXAM
ESV 1/9/87

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

Department of Water Resources

Check of P/D index HWS 4-8-87 (Initial and date)

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

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

☐ Increase rate of flow or volume

☒ Other: # 21-0019

Check of P/U index HWS 4-8-87 (Initial and date)

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

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☒ Other: 21-7132 (Permit)

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 27-July-1987 ES (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent 7/16/87 (Initial and date)

Exam Reviewed by Manager of Regional Office 8/11/87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

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

RECEIVED

NOV 30 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

— RE-EXAM —

RE-EXAM —

A. GENERAL INFORMATION

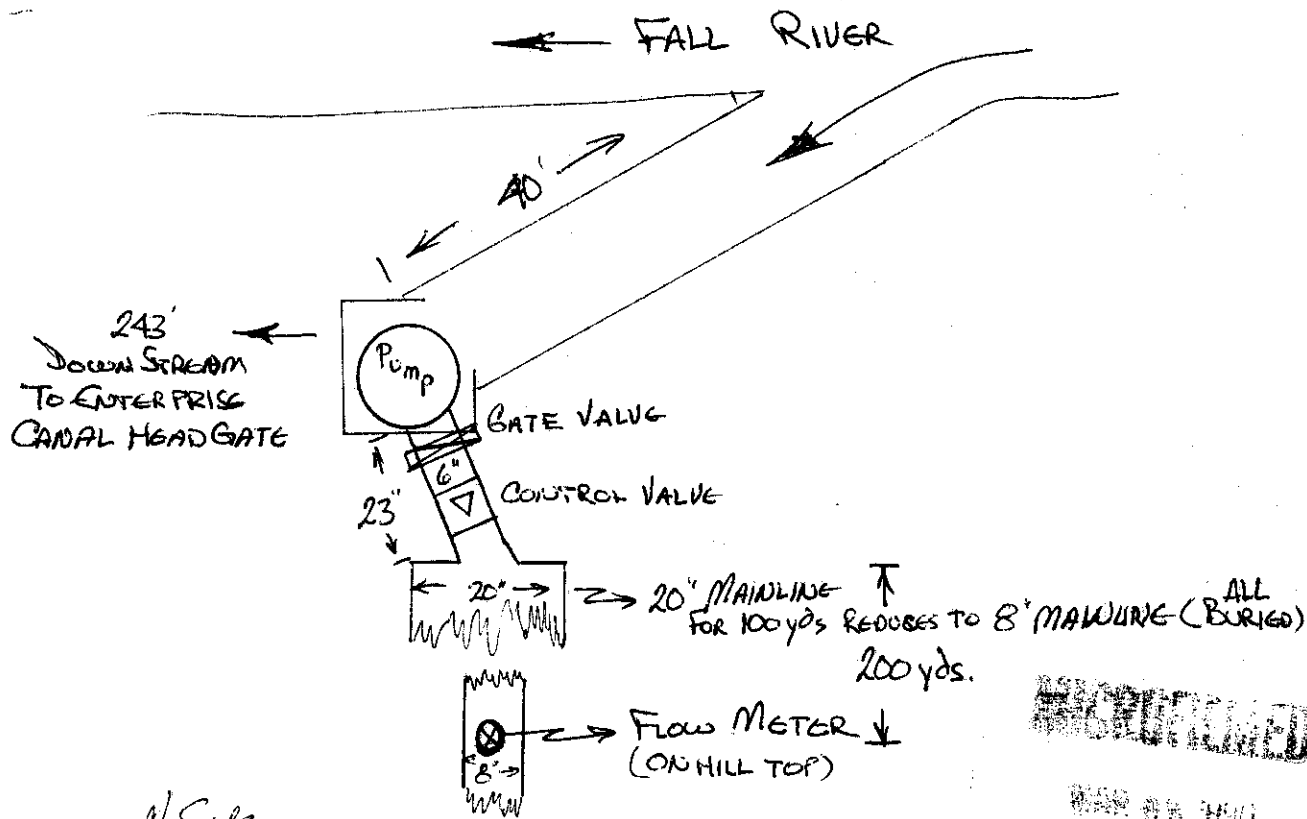
1. Owner: TRAVIS N. POTTER Permit No. 21-7082
Current Address: Box 22, CHESTER, ID. 83 Phone No. 624-7110
2. Accompanied by: TRAVIS POTTER EXAM. DATE: 27-July-1987
Address: _____ Phone No. SAME
Relationship to Permit Holder: OWNER
3. Source: FALL RIVER tributary to SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with same place of use: T1941 ☐ Copies Attached
2. Other water rights with same point of diversion: T1941 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = 1/4" 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).

System Description (continued)

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

THIS SYSTEM DIVERTS WATER FROM THE FALL RIVER, THROUGH A PUMP/PIPLINE SYSTEM, TO IRRIGATE ~230 ACRES. PART OF THIS LAND IS COVERED UNDER TRANSFER 1941 (77 ACRES). PERMIT 21-1032 WAS FILED TO COVER NEW LAND PUT UNDER THE SAME SYSTEM. SEE OVERLAP ANALYSIS ATTACHED FOR DESCRIPTION. SYSTEM INCLUDES 2-1/2" DIAMETER PIPING. THE DIVERSION POINT FOR THIS SYSTEM IS ~250' FROM FL UPSTREAM FROM THE ENTERPRISE CANAL HEADING - NO INTERFERENCE IS EXPECTED BY THE MR. POTTERS DIVERSION.

☐ 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
	10041				
	WESTINGHOUSE	100	6278531G38	SCHUSTER	GA14111

*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
		SE	NW	SW	22	8N	42E	FREMONT	USGS/ ON SITE

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	
8N	42E	22									16	X	25	32		23	33		130 104
		21									L7					L7	7	X	25 7
		28		X	33												L5		27 33
		27		X	L1				1	17									18

162

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter ^{IN-LINE}	PROP.	McCROMETER	N.A.	SN 77-12-2084	8"	

2. Measurements:

W/ 42 length HAND LINE AND 1 1/4 MILE WHEEL LINE.
 PSI @ 90 @ McCrometer / @ Pump 120 PSI
 0.01 Ac ft in 258.5 sec.
 H = 180' From River Elevation to Hilltop (By USGS QUAD)

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached SEE OVERLAP ANALYSIS ATTACHED

1. Measured Method:

Flow Meter - $(0.01 \text{ AF}) (43,560 \text{ ft}^3/\text{AF}) / (258.5 \text{ sec}) = 1.68 \text{ cfs}$ CAPACITY

2. Alternate Method for Checking Purposes:

THEORETICAL: $\frac{(HP)(8.814)(E)}{H + P(2.308)} = \frac{(100)(8.814)(E)}{180 + 120(2.308)} = 1.54 \text{ cfs}$
 Q LIMITED BY OVERLAP TO 1.14 cfs

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (162)(3.0) = 486 \text{ af}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (1.14)(214)(1.9835) = 483.89 \text{ af}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 483.89 = 483.9$

2. Volume Calculations for Other Uses:

FILED

DEC 11 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

— SEE ATTACHMENT —

THIS EXAM IS A RE-EXAM. ORIGINAL EXAM W/ MEMOS ARE ATTACHED.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	1.14 cfs	483.9 afa
Totals:			1.14 cfs	483.9 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 ERIC S. VERDER
Signature Eric S. Verder
Certification Date Nov-23-1987
Field Report Preparation Date Nov-19-1987

Steve McClure

CONSULTANT SEAL

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

Roxanne McIntyre

11/21/87

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NOV 23 1987

OVER LAP ANALYSIS

EXAM 21-7082 / EXAM JULY 27, 1987

TRANSFER OF RIGHT 21-0019 / T1941 HAS THE SAME
DIVERSION AS PERMIT 21-7082.

- TRANSFER 1941 INCLUDES: 3.00 cfs TO COVER 131.2 ACRES
* ACRES ACTUALLY IRRIGATED UNDER TRANSFER = 77 ACRES
BY EXAMINATION
- PERMIT 21-7082 ADDS 162 ACRES TO THIS SYSTEM.
- MEASURED ~~WELL~~ PUMP CAPACITY OF 1.68 cfs.

CURRENT APPLICATION RATE FOR ENTIRE ~~THE~~ SYSTEM

$$\begin{aligned} \text{ACRES IRRIGATED UNDER TRANS. 1941} &= 77 \\ + \text{ NEW ACRES UNDER 21-7082} &= \underline{162} \\ \text{TOTAL} &= 239 \\ \text{RATE} &= 1.68 \text{ cfs} / 239 = \underline{0.007 \text{ cfs/acre}} \end{aligned}$$

~~THE~~ AMOUNT TO LICENSE UNDER 21-7082 =

$$(0.007 \text{ cfs/acre})(162 \text{ ACRES}) = \underline{1.14 \text{ cfs}}$$

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MAR 08 1990

05
0615
R42E

**T
B
N**

POINT OF DIVERGENCE

PLACE OF USE

MIKE FILMED

MAR 08 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth King
Director

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



21-
7082

RE EXAM
7/27/87

P/D



MAILED
JUL 28 1987

ENTERPRISE
CANAL DIVERSION

21-7C
RE-EXAM

P/b
21-700

32

27/87

To: Kieth

From: Jim

Kieth, since you conducted the exam I will address this to you.

In reviewing this right for license issuance our overlap review found that Mr. Potter had filed a transfer application in 1976 placing Rt. 21-0019 at apparent the same P/D location and apparently irrigates lands from the same springler system not covered by Permit 21-7082.

What is confusing us is why the micrometer reading only shows a rate of flow of 1.58cfs if lands covered by both rights are being irrigated? (293 ac)

Shouldn't the flow measurement show total diversion? Your field exam doesn't show the location of the flow meter.

Also, it appears that other rights may use the same ~~point of diversion~~ system, if so, a capacity condition may be required on rt. 21-7082.

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State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

31-7652
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7-10-81 Accompanied by Travis Potter Total Q measured 1.58 cfs ✓
 If source is surface water, estimate total flow of source 136 cfs
 Methods of measurement McCrometer Meets Permit requirements? Yes

Measurement calculations: $V = 1.58 \times 1.4835 \times 214 = 671 \text{ afa}$ $V = 1.40 \times 1.4835 \times 214 = 594 \text{ afa}$	McCrometer Reading 875 to 900 gpm 0.01 af in 4 min 35 sec $(43560 \text{ ft}^3/\text{sec})(0.01 \text{ af}) \div (275 \text{ sec}) = 1.58 \text{ cfs}$	$V = 1620 \times 3 \text{ afa} = 486 \text{ afa}$
---	--	---

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	100	Westinghouse	627B531438	Johnston	GA14111	McCrometer	Good	McCrometer S/N 77-12-2084

System Description Pump thru 6" line w/ check valve to 20" mainline to hand laterals

*Code with map on reverse side. Disregard code if only one. 214 days

RECOMMENDED AMOUNTS

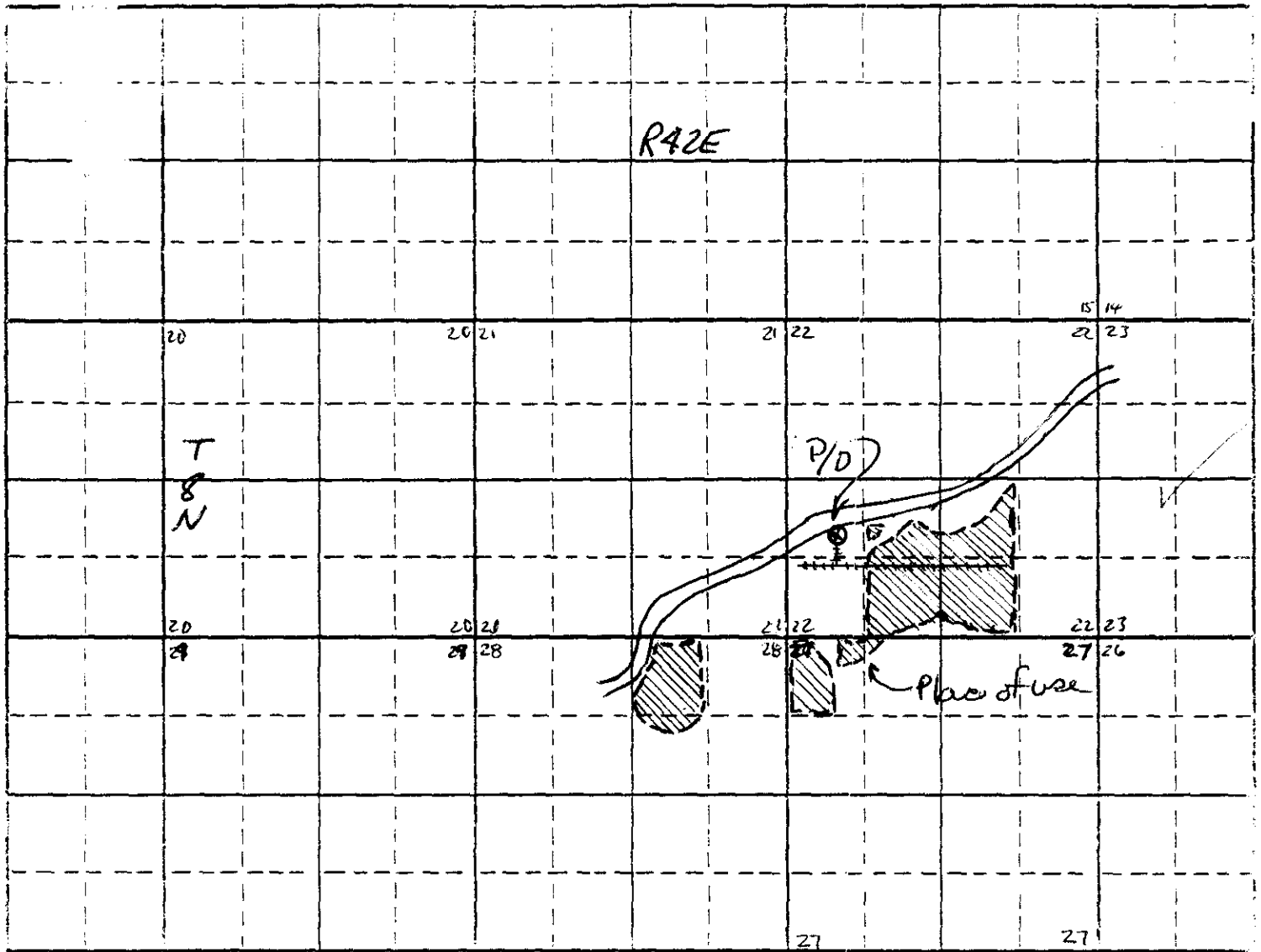
USE	Q (cfs)	V (afa)	FROM	TO
<u>Irrigation</u> ✓	<u>1.40 cfs</u>	<u>486 afa</u>	<u>April</u> ✓	<u>Nov 1</u> ✓
Total	<u>1.40 cfs</u>	<u>486 afa</u>	<u>April</u>	<u>Nov 1</u>

Remarks 21-0019 in name of CJ Almy (or Alvary). See Transfer 1941

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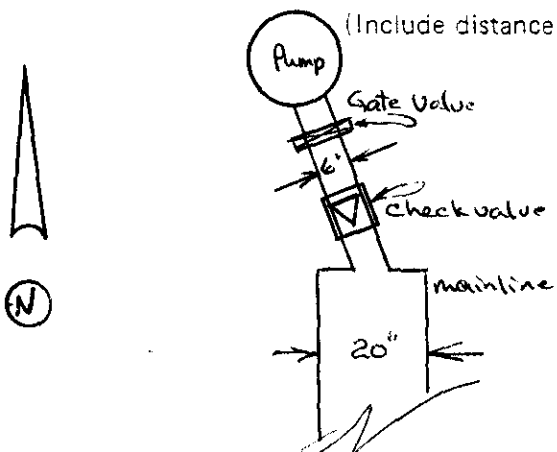
MAR 08 1990

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NW 1/4 of SW 1/4 (Lots), Sec 22, T.8N, R 42 E

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	
8N	42E	22									18			32		26	35		111 ✓
		27					1	18											19 ✓
		28			36	2													32 ✓

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MAR 08 1990

162 ✓

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

Examiner's Signature

KC Wilson

Date

9-77-81

Checked by

Date

Advised by

Date

21-7082

MICROFILMED

1990

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21-7082

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2122

21 22

NON-
A5

R42E

T8N

T8N

A863

4A
408

D 251

E 216

F 246

G 255

H 242

I 242

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FL 242

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FO 242

FP 242

FQ 242

FR 242

FS 242

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FU 242

FV 242

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KL 242

MEMORANDUM

TO: Keith, Eastern Region

FROM: Kay Walker *KW*

THRU: Jim Johnson *Jim*

DATE: August 8, 1985

RE: Exam for Rt. 21-7082

In reviewing this exam, we found there are a couple of questions that need resolved prior to further action, therefore, we are returning the exam to you.

1. Capacity of system - isn't 1.58 cfs a real low reading for a 100 HP pump?
2. Overlapping rights - is Rt. 21-0019 diverted at same pump? If so, the right holder isn't even supplying enough water to cover the decreed right, much less an additional license.
3. It appears that one sprinkler system is used to cover lands under 21-0019 and this permit. We could limit the license as follows: "This right when combined with Rt. 21-0019 shall not exceed 1.58 cfs."
4. Where are the Enterprise Irrigation Dist. pumps located on the river? One decree (21-0159) shows the NESW, Sec. 22, the other (21-0165) only shows the SW $\frac{1}{4}$, Sec. 22. Will these rights be impacted by Lic. 21-7082? The computer shows both of these rights as being diverted in the NWSW, Sec. 22. We don't have any current information to locate the actual p/d.

*Exam returned
8-32-85
KW*

MICROFILMED

MAR 08 1990



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 31, 1981

RE: Permit No. 21-7082

Travis N. Potter
Box 22
Chester, Idaho 83421

Dear Mr. Potter:

Permit reinstated and priprity advanced to December 20, 1975.

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,

HAROLD W. JONES
Sr. Resource AGent

cc: IDWR - State Office

001

DEPARTMENT OF WATER RESOURCES

1. 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. 21-7082

Name(s) of Permit Holder: Travis N. Potter

Post Office Address: Box 22

Chester, Idaho 83421 Tel. No. 624-7110

Source of Water: Fall River

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 220 (acres)
☐ Other

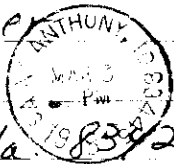
Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

Nov. 1, 1980
Date

Travis N. Potter
Signature of Permit Holder

Travis N. Potter
Box 22
Chester, Ida. 83321



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

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

POTTER, Travis N.
Box 22
Chester, ID 83421

10874

DECEMBER 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 21-7082 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

10874

March 10, 1976

Re: Permit No. 21-7082

Travis M. Potter
Box 22,,
Chester, ID 83421

Dear Mr. Potter:

Enclosed is a copy of your approved Application for Permit No. 21-7082. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Travis N. Potter

Item Initial Date

Application No. _____

- ☒ 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) LDJ 12/17/75

In form to receipt yes

(2) " "

Send Copies to:

- NA Idaho State Health Department
NA Idaho Fish and Game Department
NA Bureau of Land Management
☒ Art Larsen watermaster WD-01
NA Request Special Use Permit from U.S.F.S.
NA Request Easement from B.L.M.
NA Request Information from Applicant

(3) " "

(4) " "

In form for advertising yes

(5) " "

Platted on Map No. V-97 & W-46

(6) " "

Located within Water District No. 01

(7) " "

NA Critical groundwater area: yes no

(8) " "

NA Groundwater levels:

Declining, Stable, Increasing

(comment) _____

(9) " "

Other rights on the same place of use yes

(10) " "

Comments: as described on Application

(11) me 1-20-76

Affidavit of Publication received(date) 1-20-76

(12) me 1-20-76

Final date for protests January 12, 1976
Protests received: yes no

(13) RDC 4/22/76

All requested information received from agencies or applicant: yes no

(14) " "

Action recommended:

☒ Approve

☐ Deny

12/16/75 Proposed Priority

Department of Water Resources

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E

By RDC

Date

4/22/76
Art
copy
4-22-75

INTER-DEPARTMENT MEMO — 1

FROM Loren Holmes

DATE March 4, 1976

TO File

SUBJECT Application for Permit No. 21-7082

I filled out a transfer for the applicant changing the point of diversion of his decreed water to the same point as this application.

I told him it would be necessary to reduce this application to exclude the decreed water. He agreed that this would be okay.



SIGNATURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

February 19, 1976

RE: Application for Permit No. 21-7082

Mr. Travis N. Potter
Box 22
Chester, Idaho 83421

Dear Mr. Potter:

In checking our records, we find that the land you propose to irrigate from Fall River under the above referenced application for permit is already irrigated under Decreed Right No. 21-0019.

Because the Idaho Code specifies that all appropriations that will result in a total diversion rate in excess of a statutory one-inch per acre must be justified before they can be approved by the Department. For this reason it will be necessary, within the next 20 days, for you to submit evidence to justify using an excessive amount of water on the lands described, amend your application for permit so the conflict no longer exists, or if the water is not needed, withdraw your application.

If we have not heard from you within the next 20 days, the only action the Department can take will be to deny this application.

If you need assistance or have any questions concerning this matter, please feel free to contact me.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Ron

This land is irrigated from this same
source under right no. 21-0019 therefor
it is excessive without justification

Bob

JAN 30 1976

Department of Water Resources
Eastern District Office

RECEIVED
JAN 30 1976

January 12, 1976

RE: Application for Permit No. 21-7082

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on December 26, 1975, and January 2, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:ME

December 22, 1975

RE: Application for Permit No. 21-7082

Art Larson, Watermaster
Water District 01
Box 1099
Idaho Falls, Idaho 83401

Dear Art:

We are enclosing a copy of an application that may be of interest to your water district. 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 January 12, 1976, 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:ME

Enclosure

December 19, 1975

RE: Application for Permit No. 21-7082

The Fremont County Chronicle
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 1-20-76 by TRC
dated 1-19-76

RDC:ME

:egal Notice (1)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Travis N. Potter, Chester, Idaho has on 12-16-75 submitted Application No. 21-7082 for a permit to appropriate 4.00 cubic feet per second of water from Falls River tributary to Snake River by means of pump and pipeline within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 8N, R. 42E, Fremont County; to be used from Apr. 1 to Nov. 1 for the irrigation of 220 acres within the Lot 6, Sec. 21, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$, Sec. 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T. 8N, 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 January 12, 1976.

R. KEITH HIGGINSON
Director

Published in the Fremont County Chronicle, St. Anthony, Idaho on December 25, 1975 and January 2, 1976.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Travis N. Potter,

Chester, Idaho

has on 12-16-75 submitted Application No. 21-7082

for a permit to appropriate 4.00 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~

of water from Falls River tributary to Snake River

by means of pump and pipeline

within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 8N, R. 42E, Fremont County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 220 acres

within the Lot 6, Sec. 21, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$, Sec. 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T. 8N, 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 January 12, 1976.

R. KEITH HIGGINSON

Director

Published in the Fremont County Chronicle, St. Anthony, Idaho

on December 26, 1975 and January 2, 1976.

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