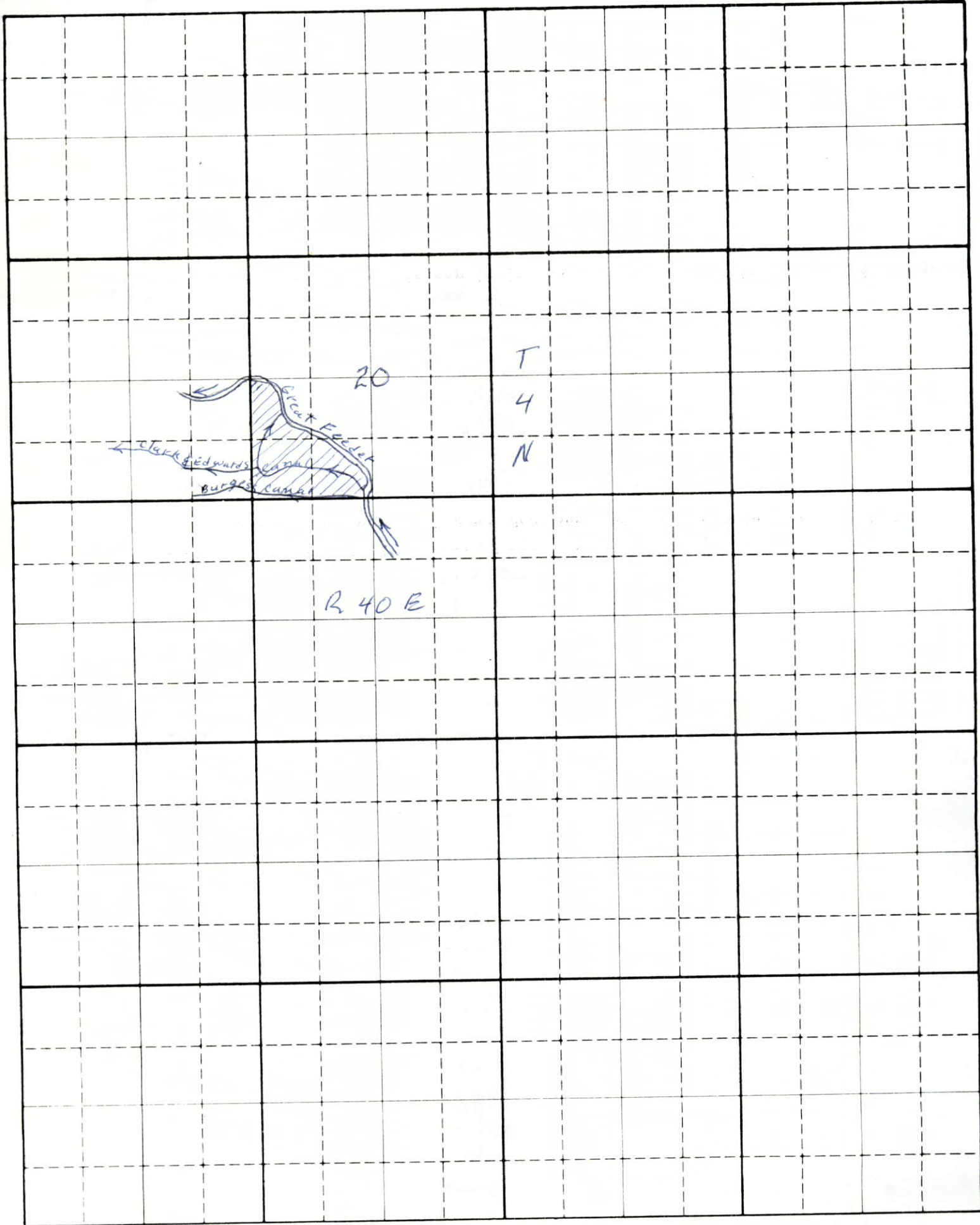


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Merlin Hill
(Applicant)

Affidavit of Publication

THE RIGBY STAR

MAY 10 1978

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

County of Jefferson

SS

NOTICE OF APPLICATION FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that Merlin H. Hill, Rigby, Idaho has on 4-11-78 submitted Application No. 01-7020 for a permit to appropriate 1.50 cubic feet per second of water from the Snake River tributary to Columbia River by means of pumps and pipeline within the NW 1/4 SW 1/4, SE 1/4 SW 1/4, Sec. 20, T. 4N, R. 40E. B.M., Jefferson County; to be used from Apr. 1 to Nov. 1 for the irrigation of 75 acres within the NW 1/4 SW 1/4, S 1/2 SW 1/4, Sec. 20, T. 4N, R. 40E, 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 May 8, 1978.

C. Stephen Allred
Director

Published in the Rigby Star, Rigby, Idaho on April 20 and April 27, 1978.

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

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

Twentieth day of April, 1978

and the last publication on the

Twenty-Seventh day of April, 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 seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Kent Stevens
Editor

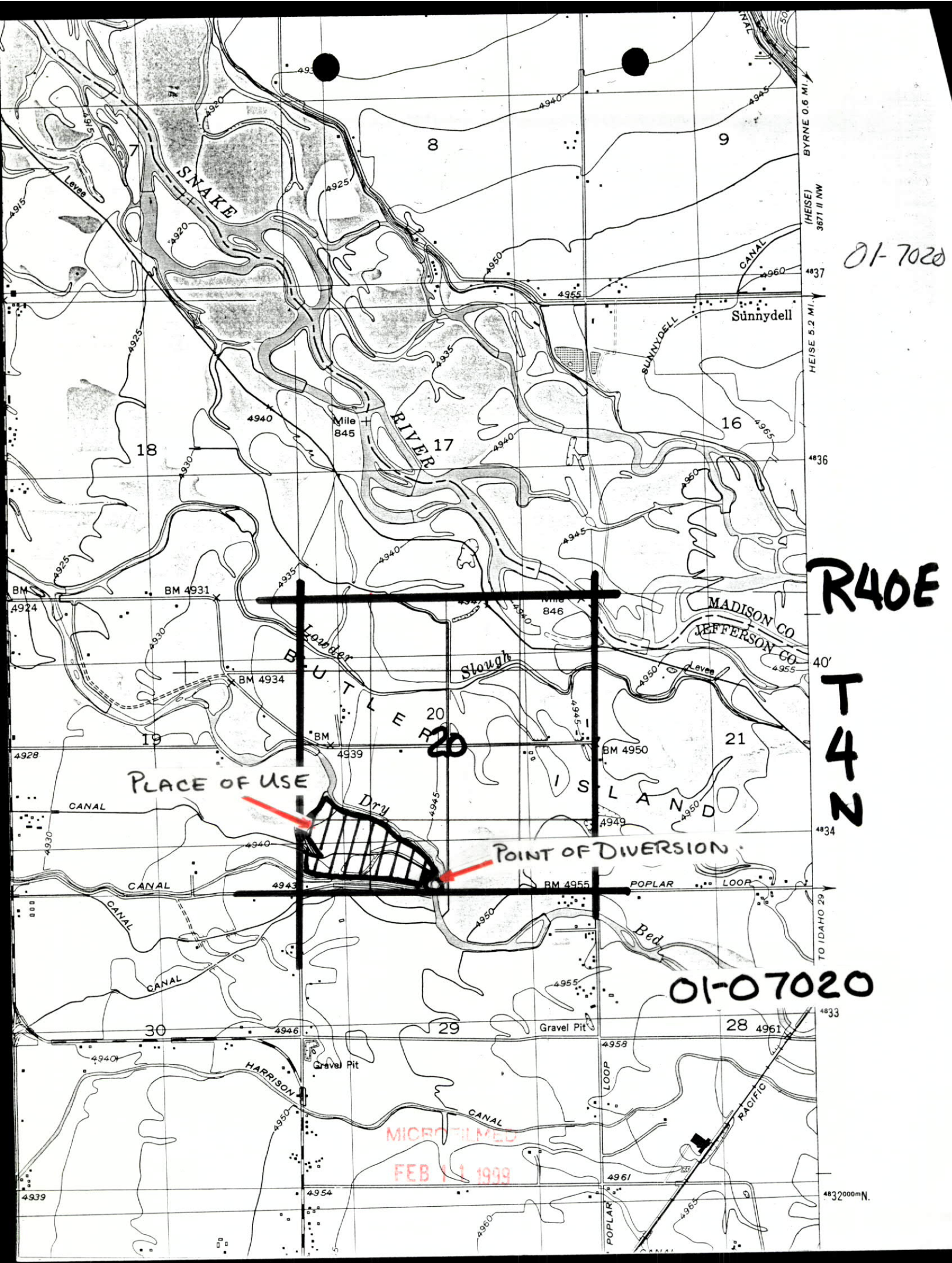
Subscribed in my presence and sworn to before me this Twenty-Seventh day of April, 1978.
[SEAL]

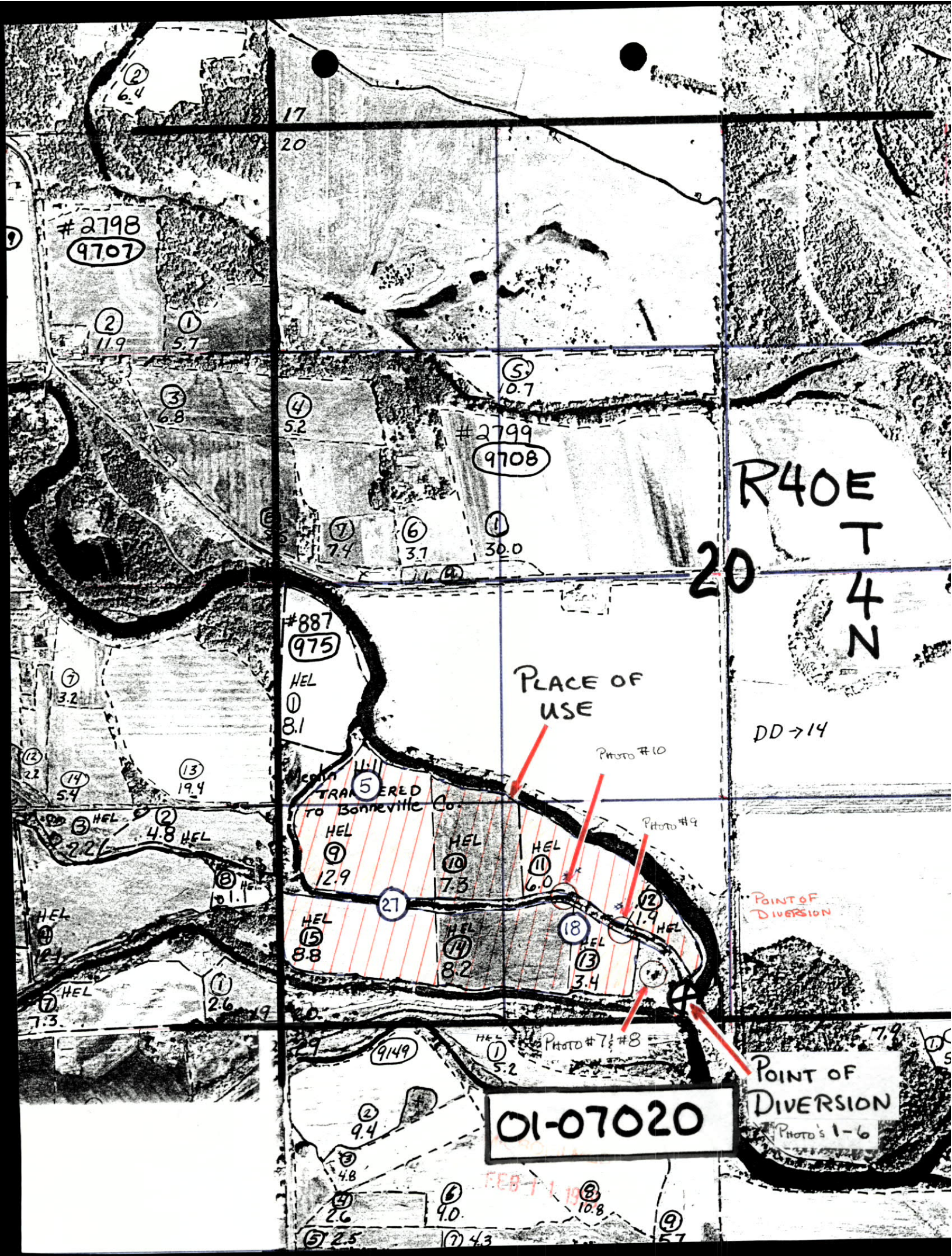
Evelyn M. Flaherty
Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Non-Exper, 19

Publication Fee: \$ 9.94

MICROFILMED





01-07020

4934

slow

Sec 20

CROFT DITCH

38145

BM

250 N.P

4939

R40E

T 4 N

PLACE OF USE

Dry

LOWDER

38090

POINT OF DIVERSION

EDWARDS

15

40

BURGESS CANAL

38110

MERLIN RIVER

RENTS

49419 20

30 29

RUDY CANAL

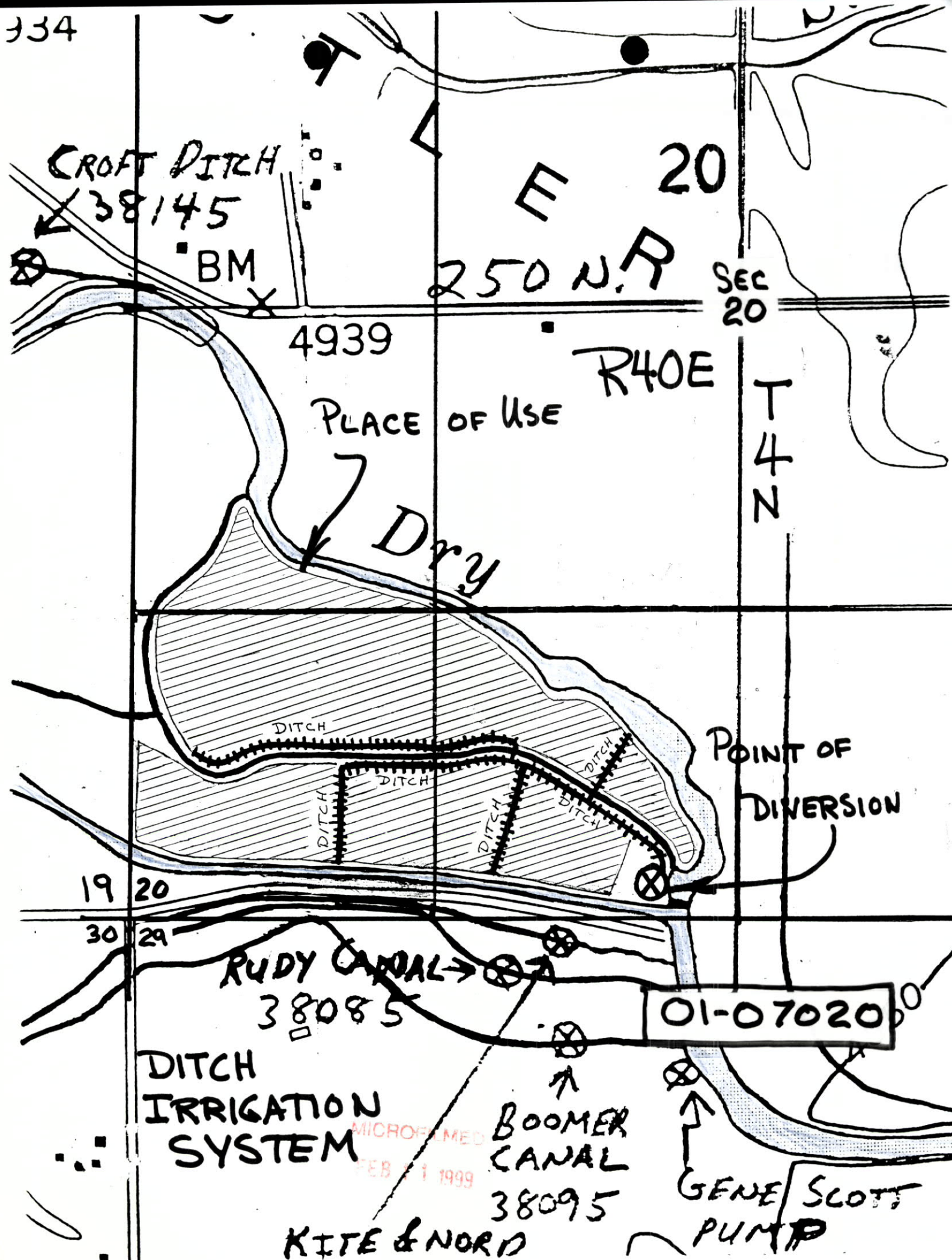
38085

01-07020 350

MICROFILMED

FEB 11 1999

BOOMER CANAL



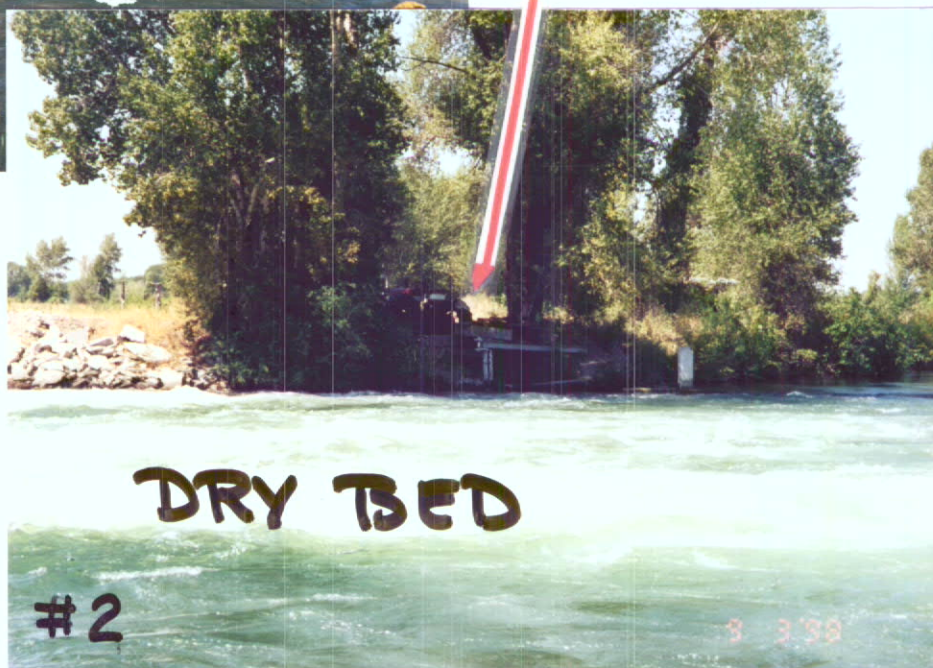
← PHOTO #1

POINT OF
DIVERSION



HEADGATE OF
BURGESS CANAL

PHOTO 1 & 2



DRY BED

#2

8 3 '39

MICROFILMED
FEB 11 1939

01-07020

IRRIGATION
DITCH



Photo # 3

POINT OF
DIVERSION

OPEN DISCHARGE
TO DITCH FOR
FLOOD IRRIGATION



Photo # 4

01- 07020

MICROFILMED
FEB 11 1999

DIVERSION SYSTEM

PUMP
DRIVE
SHAFT

MAINLINE FROM
PUMP

Photo #5



PTO DRIVE

MICROFILMED
FEB 11 1999

01-07020

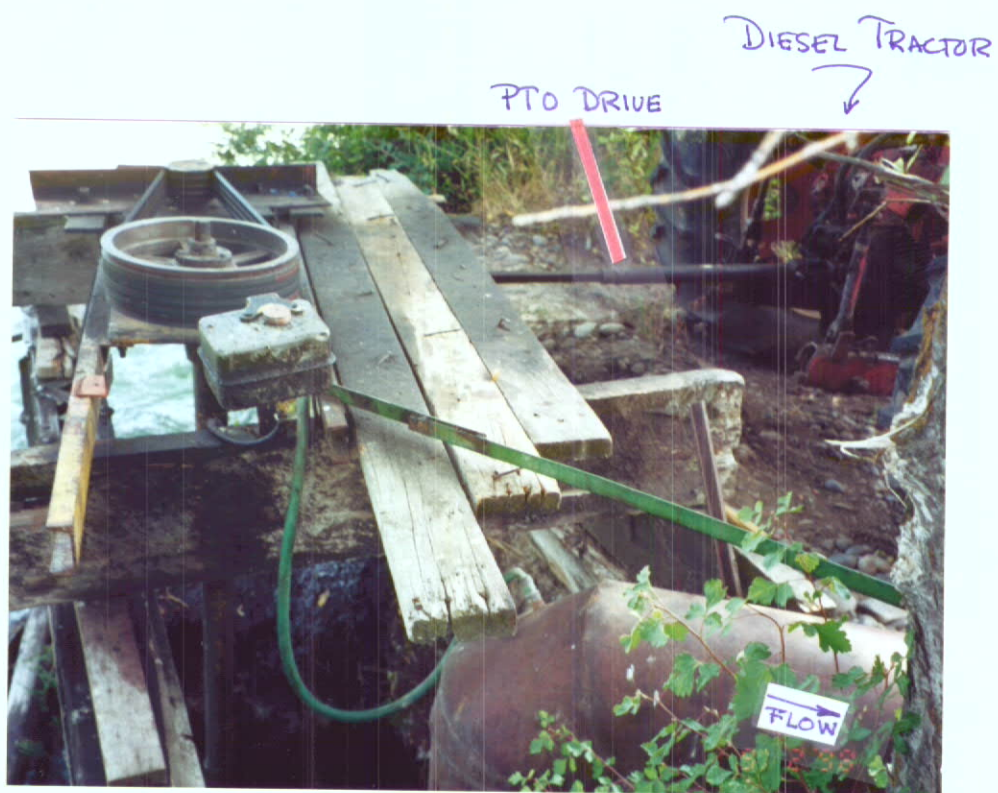


PHOTO # 6

DIVERSION
SYSTEM

MAINLINE TO
OPEN DISCHARGE

01-07020

MICROFILMED
FEB 11 1999

Photo # 7

SLOUGH OR
COLLECTION DITCH
APPEARS TO HAVE
BEEN DUG



DIVERSION SETUP FROM
SLOUGH/COLLECTION DITCH
WHITE PVC PIPE COULD BE
USED TO DIVERT WATER
INTO IRRIGATION DITCHES

Photo # 8

01-07020

MICROFILMED
FEB 11 1999

Photo #9

IRRIGATION DITCH



CLARK & EDWARDS CANAL



DIVERSION DITCH OVER
CLARK & EDWARDS CANAL

IRRIGATION DITCH

DIVERSION DITCH UNDER
CLARK & EDWARDS
CANAL

Photo #10

MICROFILMED

FEB 11 1999

01-07020

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 01-07020

Priority: April 11, 1978

Maximum Diversion Rate:

1.00 CFS

Maximum Diversion Volume:

200.0 AF

This is to certify, that MERLIN H HILL

RT 2 BOX 213

RIGBY ID 83442

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 11, 1978; and has submitted Proof of Beneficial Use on March 17, 1983. An examination indicates that the works have a diversion capacity of 4.520 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

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 10/31	1.00 CFS	200.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 20, Township 04N, Range 40E
JEFFERSON 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>
04N	40E	20	NWSW 5	SWSW 27	SESW 18	50

Total number of acres irrigated: 50

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. When water is not available to fill this right, the right holder shall cease diversion or shall rent supplemental storage water.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

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FEB 11 1999

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 01-07020

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 22nd day of

JANUARY, 1999.

Acting for

KARL J. DREHER, Director

MICROFILMED

FEB 11 1999

Identification No. _____

Application No. 01 7020

**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 Merlin H. Hill Phone: 523-3523
post office address Rt. #2, Box 213, Rigby, Idaho 83442
2. Source of water supply Snake River which is a tributary of Columbia
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 4N
Range 40E B.M. Jefferson County; additional points of diversion if any: _____
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 4N, R. 40E, B.M.

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 1.50 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. 1.50 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pumps, ditches 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: _____

APPROVED

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	40E	20										17	36	22					75

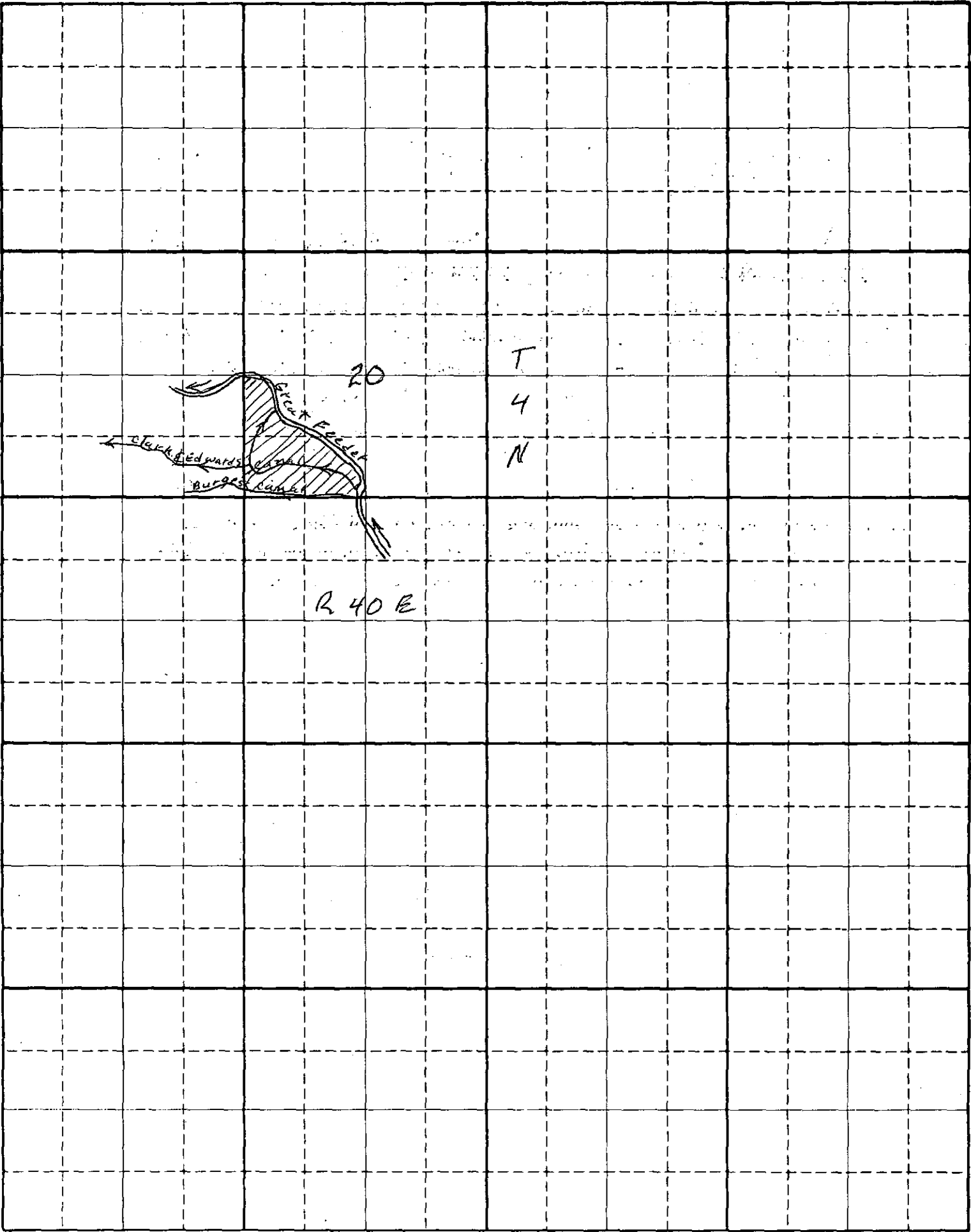
Total number of acres to be irrigated 75

c. Describe any other water rights used for the same purposes as described above.
70 shares of stock in the Great Feeder Canal Co. Stock
represents 350 inches of water

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 Diversion is via the Great Feeder Canal (dry bed)
The 350 inches of water referenced in Item 8-c is decreed to
other land. The land covered by this application has no decreed water.

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.

Merlin Hill
(Applicant)

Affidavit of Publication

RECEIVED

THE RIGBY STAR

MAY 10 1978

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER PERMIT

NOTICE IS HEREBY GIVEN that Merlin H. Hill, Rigby, Idaho has on 4-11-78 submitted Application No. 01-7020 for a permit to appropriate 1.50 cubic feet per second of water from the Snake River tributary to Columbia River by means of pumps and pipeline within the NW 1/4 SW 1/4, SE 1/4 SW 1/4, Sec. 20, T. 4N, R. 40E, B.M., Jefferson County; to be used from Apr. 1 to Nov. 1 for the irrigation of 75 acres within the NW 1/4 SW 1/4, S 1/2 SW 1/4, Sec. 20, T. 4N, R. 40E, 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 May 8, 1978.

C. Stephen Allred
Director

Published in the Rigby Star, Rigby, Idaho on April 20 and April 27, 1978.

STATE OF IDAHO,

County of Jefferson

ss

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

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

Twentieth day of April, 1978

and the last publication on the

Twenty-Seventh day of April, 1978

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Kent Stevens

Editor

Subscribed in my presence and sworn to before me this Twenty-Seventh day of April, 1978.
[SEAL]

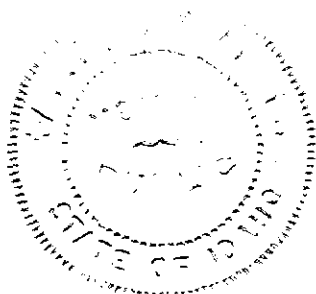
Evelyn M. Flaherty

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Non-Exper, 19

Publication Fee: \$ 9.94

RECEIVED



RECEIVED
FEB 01 1999
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO
LOI-07020
MERLIN H HILL
AT 2 BOX 213
RIGBY

NO SUCH NUMBER
12

RETURNED TO SENDER

ID 83442

2.3.99- Tried phone number on FE report. No answer and no message machine. No phone listed in phone book for Merlin Hill. Ret.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MERLIN H HILL
RT 2 BOX 213
RIGBY ID 83442

RE: WATER RIGHT NO. 01-07020

Dear Water Right Holder(s):

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

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FEB 11 1999

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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FEB 11 1999

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

FEB 11 1999

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of January, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 01-07020

MERLIN H HILL
RT 2 BOX 213
RIGBY ID 83442


Kari Lynn Townsend
Secretary

MICROFILMED

FEB 11 1999

LICENSE REVIEW CHECKLIST

PERMIT NO. 01-07020

DATE 1/8/99

REVIEWER: SHARLA

NAME Change/OK
Address OK

SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40

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

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

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

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

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

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate 1.50 cfs

Fee limit 1.00 cfs ~~NO FEE PD~~ \$100.00

Measured 4.52 cfs

Theoretical ? cfs

Recommended Total Div Rate 1.00 cfs

WATER USES OK Change (P46)
1.00 cfs 50X4.0 af
____ cfs _____ af
____ cfs _____ af
____ cfs _____ af
____ cfs _____ af
TOTALS 1.00 cfs 200.0 af

R64
Irrig - overlap (R58-R61, R62-R65, R66-R69)
supp. gw (WB7/065/079)
overlap spec. combined rts (W35)
<1 acre (W31)
Domestic (W01/WB5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate 1.00 cfs X 214 days X 1.98 = 423.7 af

REMARKS spec supp rental water

ADD'L CONDITIONS

Watermaster Control WD# _____

spec. R43 GW Measurement/Measuring Device

Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes no

SRBA Claim ✓

Adjust Memo

Amend letters

3/17/83 proof filed

*Season
4/1-10/31*

Post-it* Fax Note 7671		Date 1/14/99	# of pages 1
To SHARLA CURTIS		From TONY OLENICHAK	
Co./Dept.		Co.	
Phone #		Phone #	
Fax # 327-7866		Fax # 525-7177	

MEMORANDUM

To: ~~Sharla Curtis~~ File
From: Tony Olenichak
Date: January 14, 1999
RE: Fax to Ron Carlson concerning Merlin Hill Permit 01-07020

The Merlin Hill tractor pump, SESW, S20, T4N, R40E, which lifts water from the Dry Bed into a flood irrigation ditch, is checked each morning during the irrigation season by a Water District #1 deputy watermaster to see if it is operating. The flow rate in the ditch is measured periodically by a district hydrographer using a Price AA flowmeter (it usually doesn't vary by a significant amount). In addition, Water District #1 requires Merlin Hill provide daily records of the hours the pump is used. This appears to be the most accurate method of measurement for our daily water right accounting.

The condition of requiring a measurement device should not be removed from license 01-07020, since it is the basis for the arrangement with Merlin Hill to submit daily records of his pumping, nor should you hold up the licensing. The condition requiring that daily records be submitted rather than installing a measurement device may be appropriate for the time being. However, if Mr. Hill modifies his pump in the future, it may be necessary to require that he install a totalizing meter instead of, or in addition to, submitting daily records. Perhaps the measuring device condition could be modified as ".....an appropriate measuring device and/or method required by the watermaster."

MICROFILMED
FEB 11 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 21 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 01-07020

1. Owner: MERLIN H. Hill

Phone No. 523-3523

Current Address: Rt 2 Box 213 Rhy, Id 83442

2. Accompanied by: —

EXAM DATE: 9-2-1998

Address: —

Phone No. —

Relationship to Permit Holder: —

3. Source: SNAKE RIVER

tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: —

2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: NO GOV LOTS IN SW 1/4 Sec 20

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SW	20	4N	40E	Jefferson	USGS Quad/FSA Aerial/ONSITE

2. Place(s) of Use: No Gov Lots in SW 1/4 Sec 20

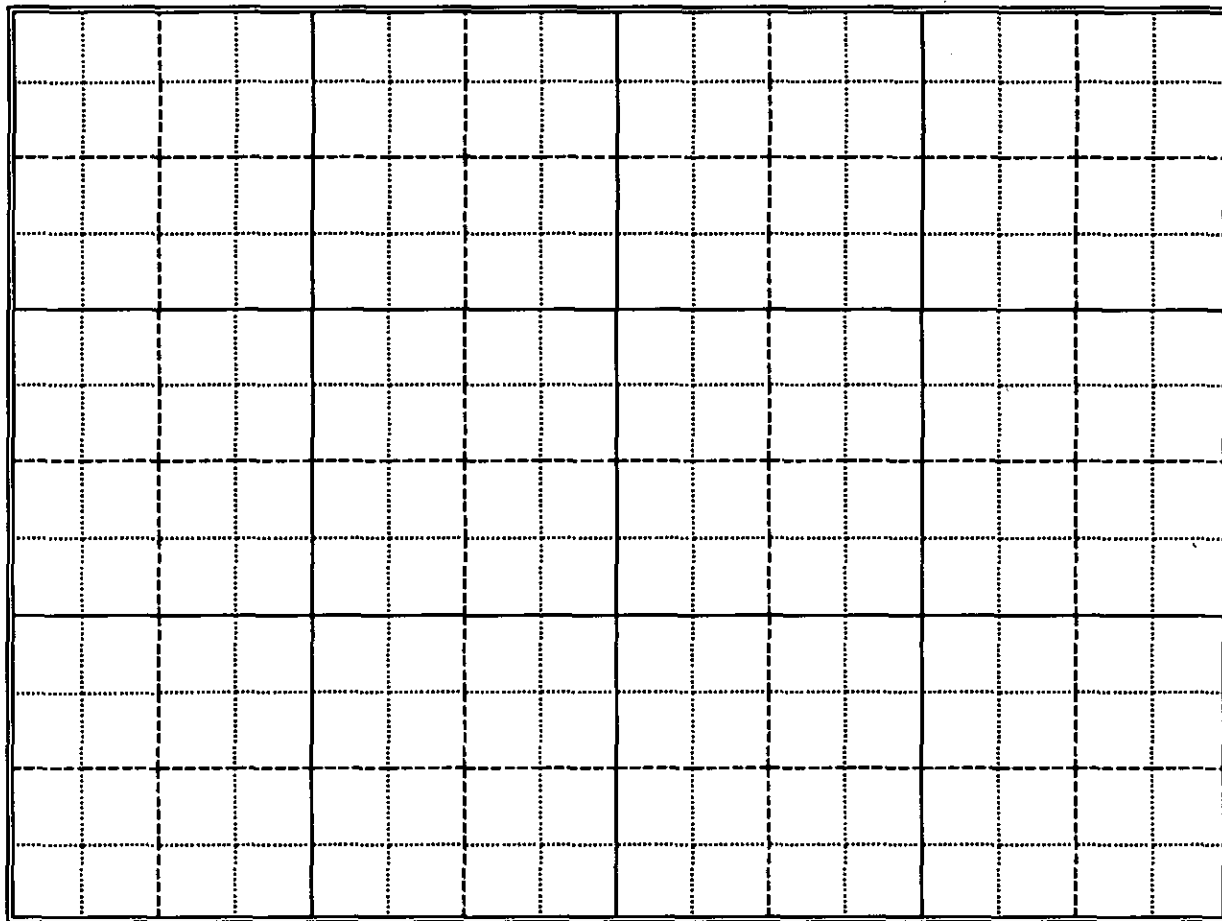
Indicate Method of Determination FSA AERIAL

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	40E	20										5	27	18					50

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FEB 11 1999

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Formall 560 Diesel		56783 SY-CC	UNKNOWN	13.98" od

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: FROM WDOI RECORDS

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FEB 11 1999

F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

 $Q = 4.52 \text{ cfs}$ $Q_{\text{LIMITED}} \text{ to } 0.02 \text{ cfs/acre} = 1.0 \text{ cfs}$ **G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 50 \times 4 = 200 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.00(214)(1.9835) = 424.5$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 200 \text{ af}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	1.00 cfs	2000 f
Totals:			1.00 cfs	2000 f

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name KEITH C WILSON Date 9-2-1998

Reviewer _____ Date _____

SEAL

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FEB 11 1999

E. NARRATIVE/REMARKS/COMMENTS

Farmall 560 Diesel Tractor to Pump in the DRY BED
with open discharge to ditches for flood irrigation.

No Measuring device on system. DIVERSION is subject to
watermaster

P/D Location confirmed with WD 01 personnel

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

MICROFILMED
FEB 11 1999

GAGE READ

Time

* GPO: 1971-O-425-824

9-275-F
(May 1971)UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

WATER RESOURCES DIVISION

DISCHARGE MEASUREMENT NOTES

Meas. No. _____

Comp. by _____

Checked by _____

Sta. No. _____

MERLIN HILL PUMP

Date 6/9 1989 Party GINGERICH - VAN ACHENWidth 5.5 Area 5.0 Vel. .91 G. H. _____ Disch. 4.5

Method _____ No. secs. _____ G. H. change _____ in _____ hrs. Susp. _____

Method coef. _____ Hor. angle coef. _____ Susp. coef. _____ Meter No. _____

GAGE READINGS

Time Recorder Inside Outside

1405

Weighted M. G. H. _____

G. H. correction _____

Correct M. G. H. _____

Measurement rated excellent (2%), good (5%),

conditions: Cross section _____

Flow _____

Other _____

Gage _____

Record removed _____

Observer _____

Control _____

Remarks _____

G. H. of zero flow _____

River at—

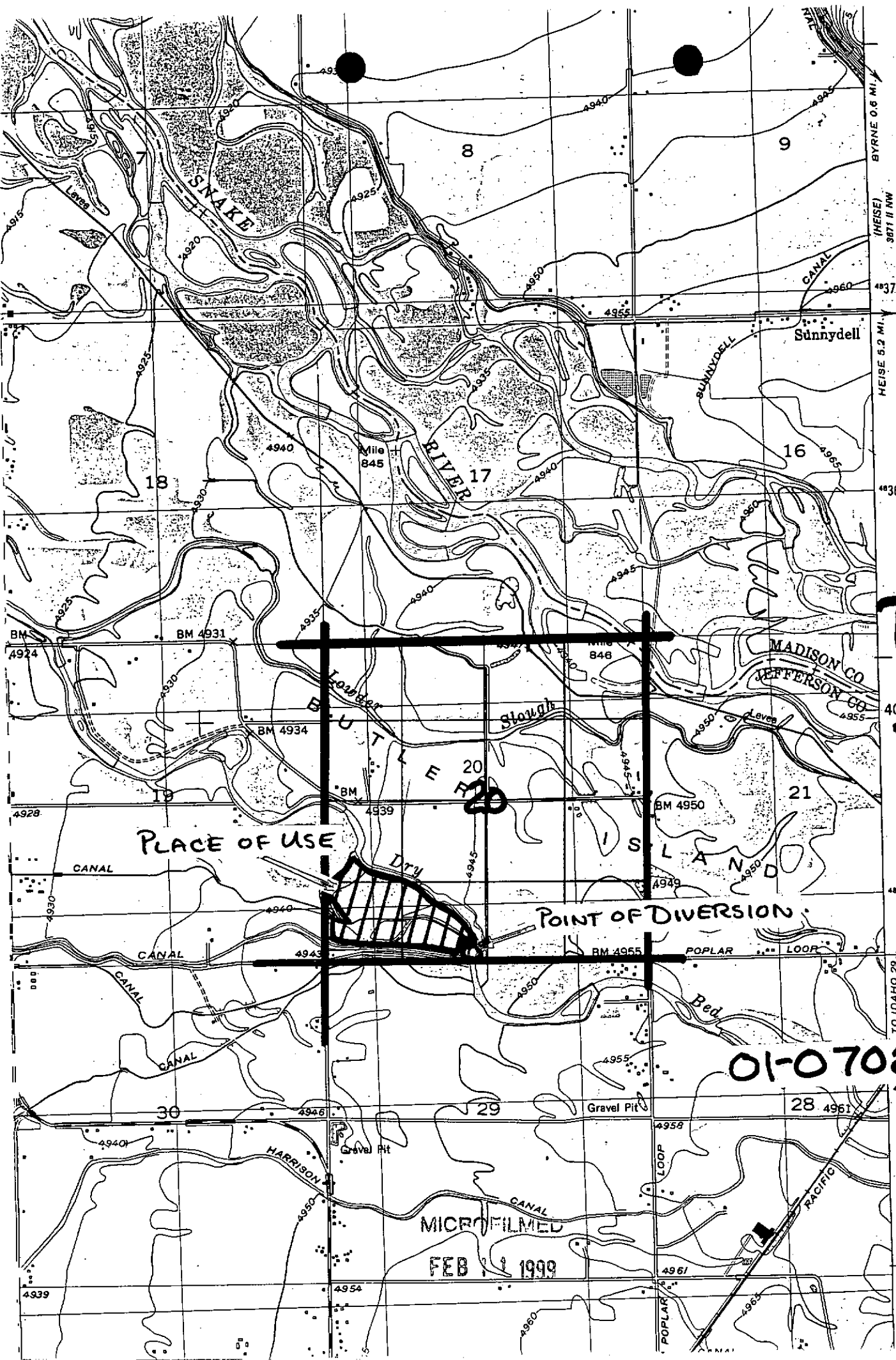
Angle coef. Refract	Dist. from initial point	Width	Depth	Observed depth	Revolutions	Time in seconds	VELOCITY	Adjusted for hor. angle or vertical	Area	Discharge
At point	Mean in ver- tical									
		0	.25	0						
		.5	.5	.2	7°	42	.383		.10	.038
		1	.5	.62	15	42	.799		.31	.25
		1.5	.5	1.0	15	41	.818		.5	.41
		2	.5	1.12	20	45	.989		.56	.55
		2.5	.5	1.2	20	41	1.08		.60	.65
		3.0	.5	1.25	20	47	.948		.62	.59
		3.5	.5	1.27	20	41	1.08		.64	.68
		4	.5	1.22	20	40	1.11	3.858	.61	.68
		4.5	.5	1.12	15	42	.799		.56	.45
		5	.5	.82	10	46	.494		.41	.20
		5.5	.25	.3	3°	46	.162		.075	.012
0	✓	5.5					.91		4.99	4.52

01-07020

MICROFILMED

FEB 11 1999

Water District
01
RECORDS



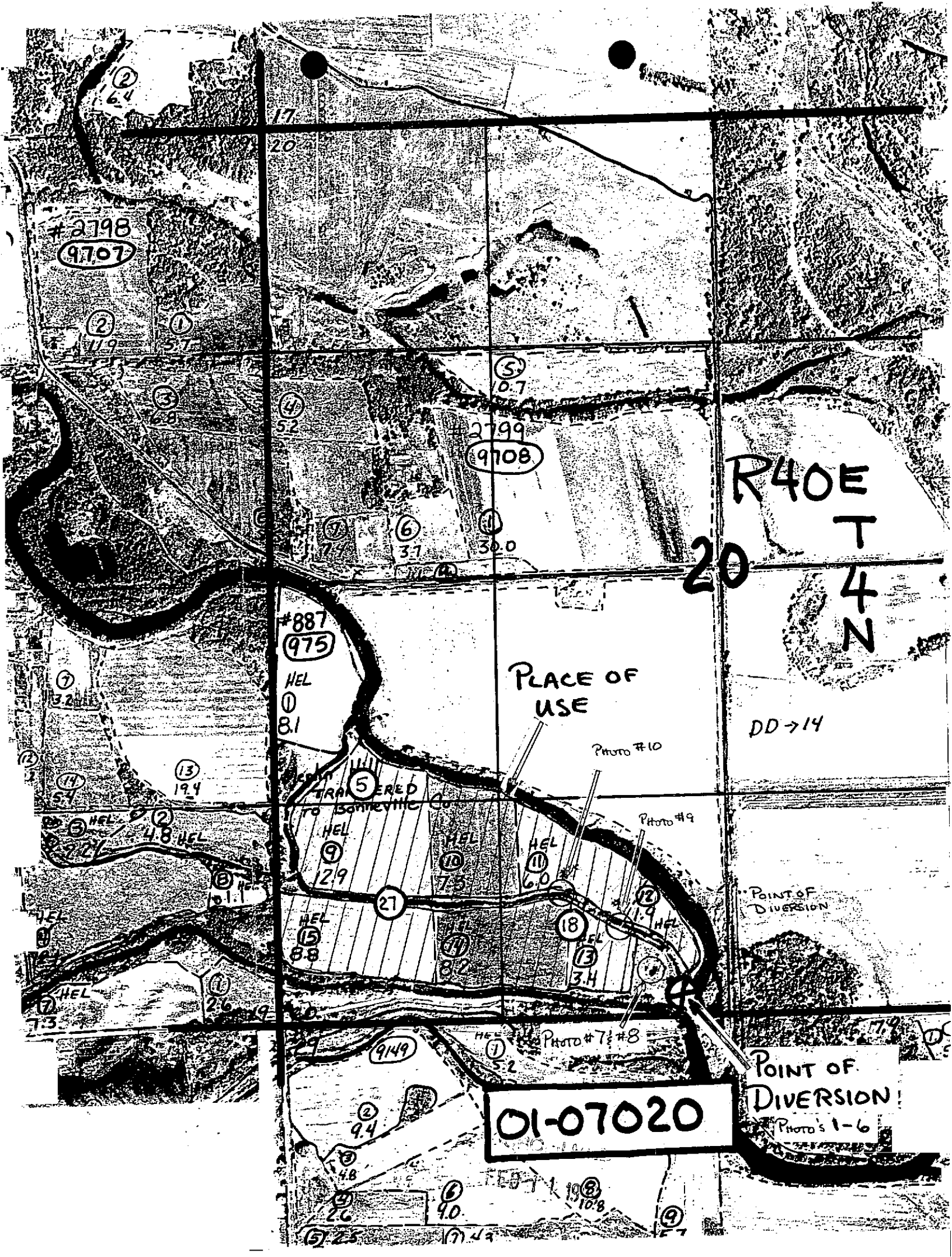
01-7020

R40E

T4N

01-07020

MICROFILMED
FEB 11 1999



#2798
(9707)

#2799
(9708)

#887
(975)

R40E
T
4
N

DD-14

PLACE OF
USE

Photo #10

Photo #9

Photo #7 & #8

POINT OF
DIVERSION

POINT OF
DIVERSION
Photo's 1-6

01-07020

TRANSFERRED
TO SOMERVILLE Co

(9149)

(18)

(13)

(94)

(90)

(108)

(25)

(49)

(9)

4934

slow

Sec
20

CROFT DITCH

38145

BM

250 N.P

4939

R40E

T
4
N

PLACE OF USE

Dry

LOWDER

38090

POINT
OF DIVERSION

EDWARDS

15

40

BURGESS CANAL

38140

MERLETTI

38140

49419 20

30 29

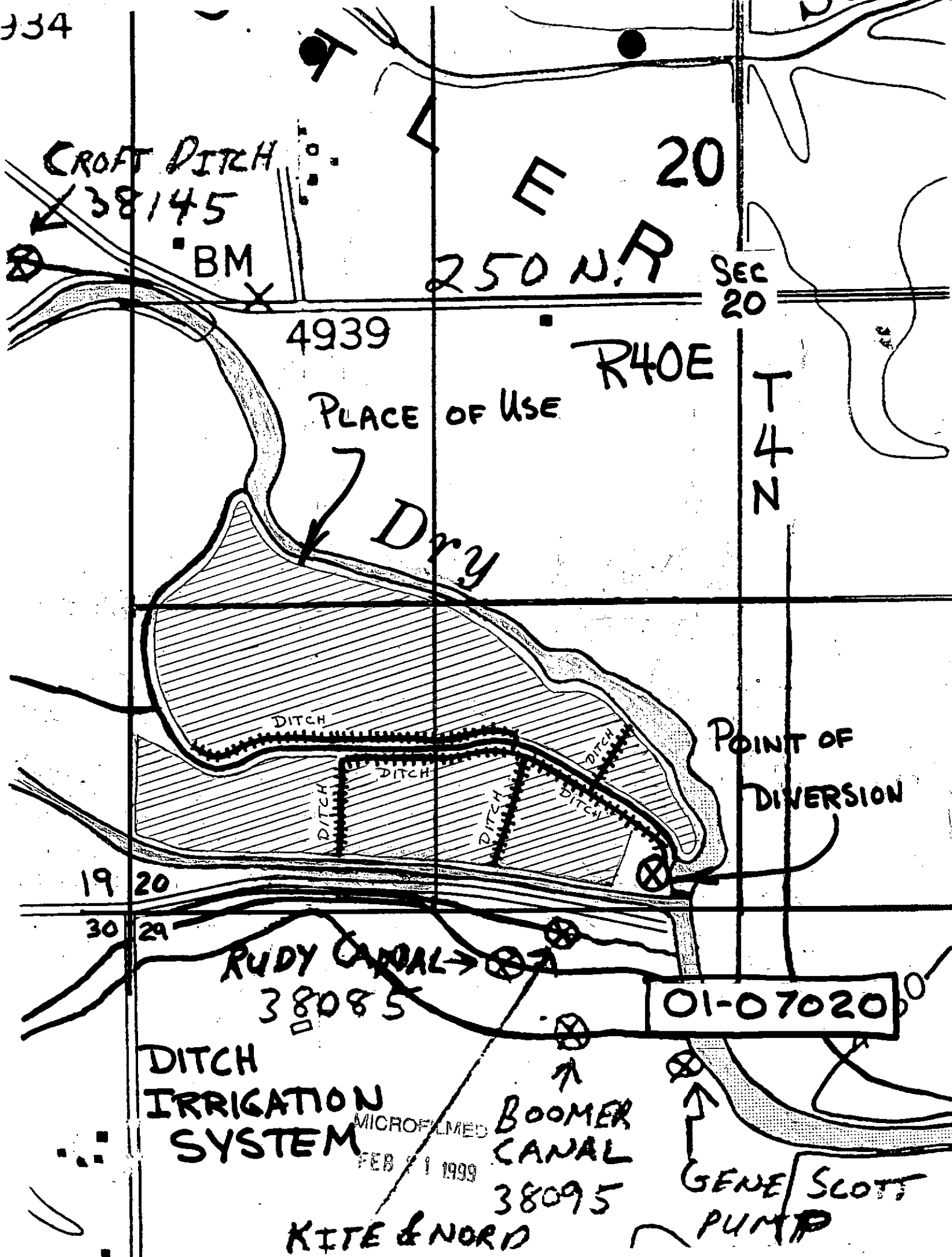
RUDY CANAL

38085

01-07020 350

MICROFILMED
FEB 11 1999

BOOMER
CANAL



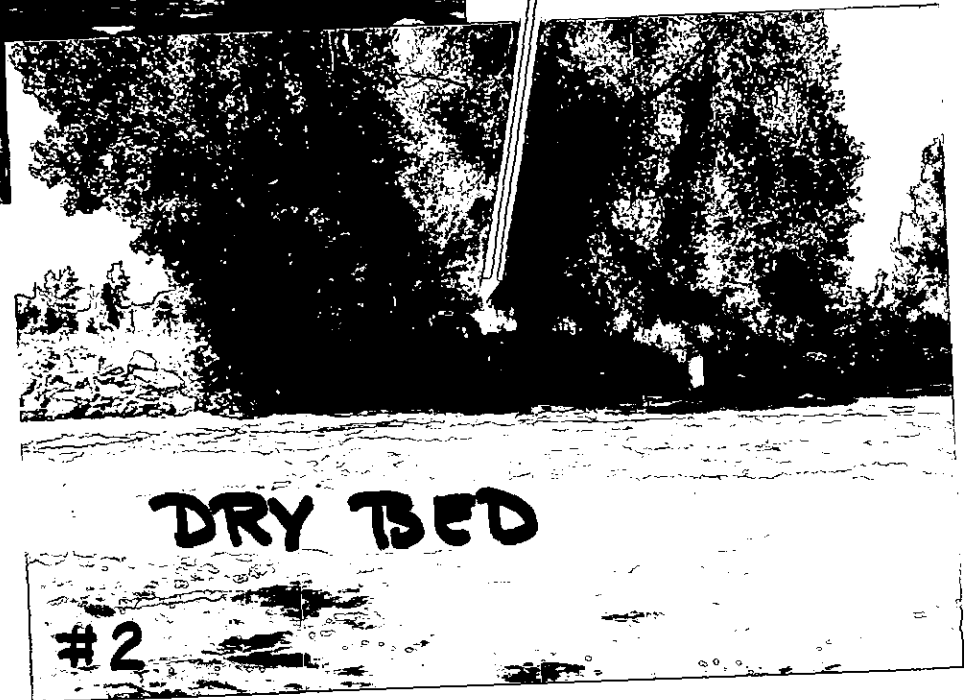
← PHOTO #1

POINT OF
DIVERSION



HEADGATE OF
BURGESS CANAL

PHOTO 1 & 2



MICROFILMED

FEB 11 1999

01-07020

IRRIGATION
DITCH

PHOTO # 3



POINT OF
DIVERSION

OPEN DISCHARGE
TO DITCH FOR
FLOOD IRRIGATION



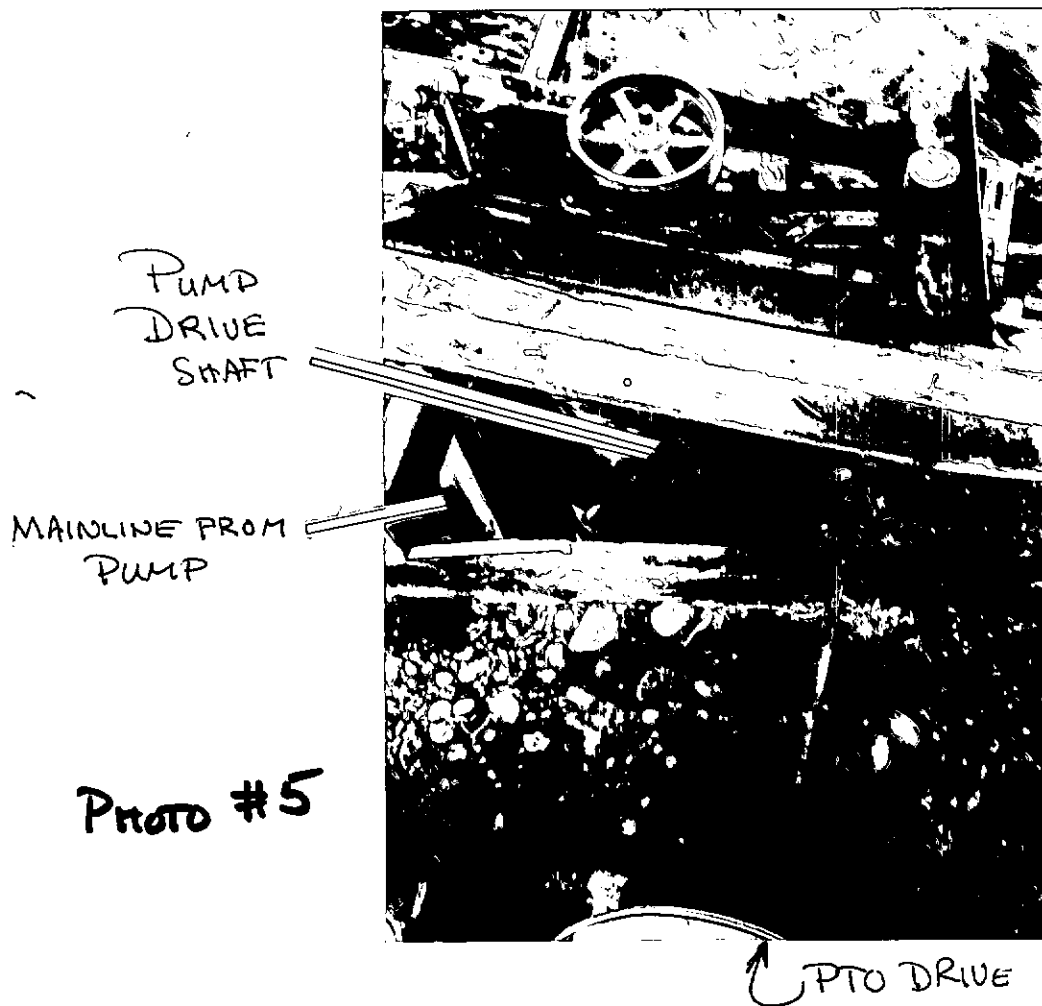
PHOTO # 4

01-07020

MICROFILMED

FEB 11 1999

DIVERSION SYSTEM



MICROFILMED
FEB 11 1999

01-07020



PHOTO # 6

DIVERSION
SYSTEM

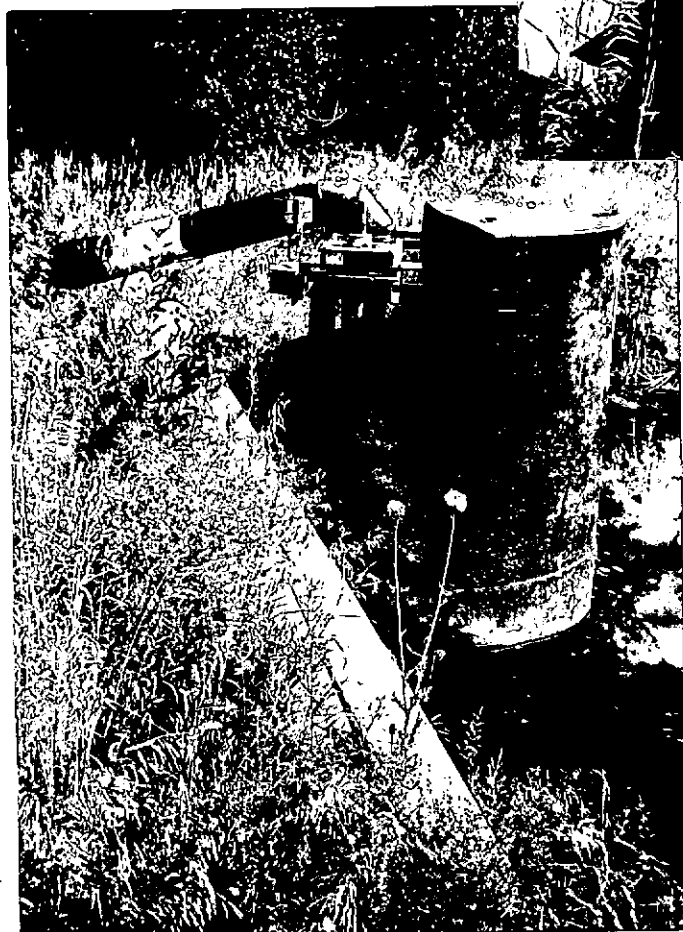
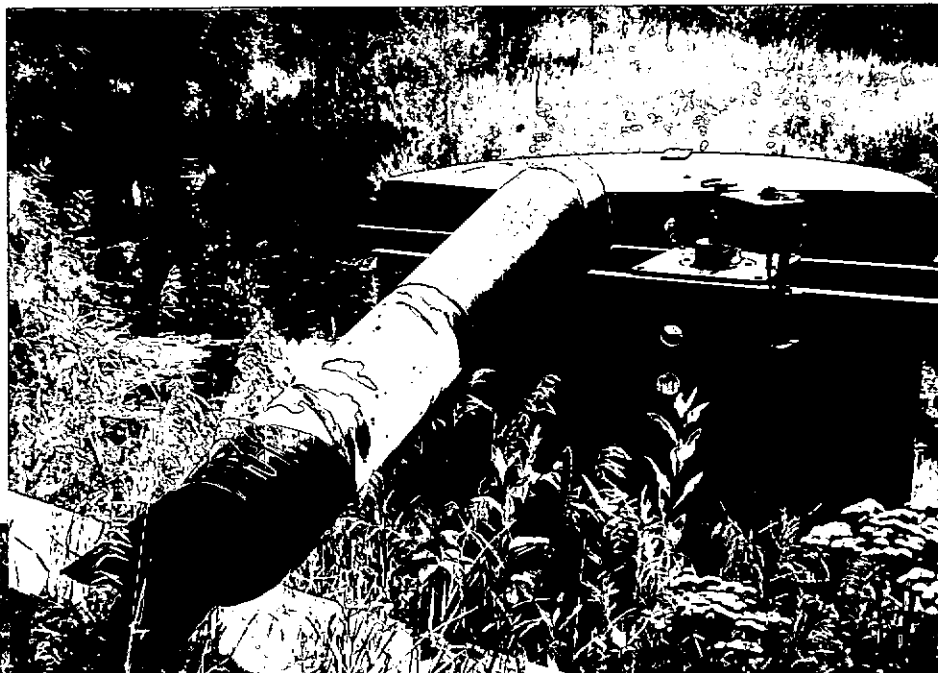
MAINLINE TO
OPEN DISCHARGE

01-07020

MICROFILMED
FEB 11 1999

Photo # 7

SLOUGH OR
COLLECTION DITCH
APPEARS TO HAVE
BEEN DUG



DIVERSION SETUP FROM
SLOUGH/COLLECTION DITCH
WHITE PVC PIPE COULD BE
USED TO DIVERT WATER
INTO IRRIGATION DITCHES

Photo # 8

MICROFILMED
FEB 11 1999

01-07020

Photo #9

IRRIGATION DITCH



CLARK & EDWARDS CANAL



DIVERSION DITCH OVER
CLARK & EDWARDS CANAL

IRRIGATION DITCH

DIVERSION DITCH UNDER
CLARK & EDWARDS

CANAL
MICROFILMED

FEB 11 1999

Photo #10

01-07020



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

21-Jul-1992

MERLIN HILL
12537 N 105 E
IDAHO FALLS ID 83401

RE: ORDER TO CEASE AND DESIST

Dear Mr. Hill:

Enclosed is a copy of the Order to Cease and Desist irrigating approximately 30 acres of land from a sump pit as described in the order.

Section 42-1701a(3) Idaho Code provides that a party aggrieved by an action of the director is entitled to a hearing upon the submittal of a written request for a hearing. The petition must be filed with the director within fifteen (15) days after the receipt of the order and must specifically state the grounds for contesting the action of the director.

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

Sincerely,

RONALD D. CARLSON
Eastern Regional Manager

RDC/rb

MICROFILMED

FEB 11 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE DIVERSION OF)
SUBSURFACE WATER WITHOUT A VALID)
RIGHT ON LANDS OWNED OR CONTROLLED)
BY MERLIN H. HILL)

ORDER TO
CEASE & DESIST

The Director of the Department of Water Resources (Department), being charged with the duties of protecting vested water rights, enforcing specific statutes of the State of Idaho and the rules promulgated by the Department, and being authorized to order the cessation of violations or attempted violations of the provisions of the law relating to all aspects of the appropriation and distribution of water, has investigated a certain diversion of water being made by or under the control of Merlin Hill. Based upon the Director's investigation and his understanding of the law, the Director makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

- 1) A field investigation conducted by the Department in early July 1992, revealed that an excavation was made next to the Snake River in the SESESW of Section 20 T04N R40E for the purpose of pumping water onto lands controlled by Merlin Hill.
- 2) As of this date there is no application on file by Merlin Hill to appropriate subsurface water to irrigate the lands described in Fact No. 1.
- 3) On May 15, 1992, a Moratorium on the issuance of new permits to appropriate water in the Snake River Basin was declared by the Director.
- 4) The Director of the Department has not given approval to divert subsurface water onto any of the lands described in Finding of Fact No. 1 and the only water right contained in the records of the Department which authorize the applicant to divert water and apply it to irrigation of land described in Finding of Fact No. 1 is an April 11, 1978 surface right which priority has been cut.

CONCLUSIONS OF LAW

- 1) Section 42-351, Idaho Code, provides as follows:

If the director of the department of water resources finds, on the basis of available information, that a person is diverting water from a natural water source without obtaining a valid right to do so or is applying water not

in conformance with the conditions of a valid right, then the director of the Department of water resources may issue an order directing the person to cease and desist the activity or activities alleged to be in violation of applicable law or of any existing water right.

2) Section 42-229, Idaho Code, provides that: "The right to the use of subsurface water of this state may be acquired only by appropriation."

3) The lands described in Finding of Fact No. 1 are being irrigated in violation of the statutes of the state of Idaho and Water Appropriation Rule 3,1,1.

4) The illegal diversion of the public waters of the state of Idaho must be stopped or mitigated to prevent injury too other water rights, to protect the water resources of the state and to assure that the allocation and use of available water supplies takes place in an orderly manner.

5) Section 42-352, Idaho Code, provides that:
Any person who willfully violates any cease and desist order issued under Chapter 3, Title 42, Idaho Code, after the same has been served upon him shall be subject to a civil penalty not to exceed one hundred dollars (\$100) for each day following service of the cease and desist order in which the illegal diversion or use of water occurs.

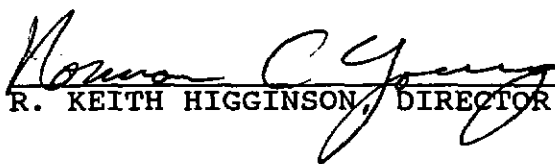
6) The Director should issue a Cease and Desist Order pursuant to the authority of Section 42-351, Idaho Code.

ORDER

IT IS HEREBY ORDERED, that the Merlin Hill CEASE AND DESIST the diversion and use of subsurface water for the land described in this order.

IT IS FURTHER ORDERED, that the Merlin Hill CEASE AND DESIST the irrigation of all lands for which the right to irrigate does not exist until such approval is received from the Director to appropriate or otherwise use water for the irrigation of these lands.

Dated this 23RD day of July, 1992.

for 
R. KEITH HIGGINSON, DIRECTOR

4/86

For Office Use Only
Fee Received 100.00
Date 2-23-87
Receipt # 41067
Receipt by EW
Sent to S.O.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

1. Permit No. 01-7020

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

- ☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Merlin H. Hill3. Post Office Address: Rt. #2, Box 213, Rigby, Idaho 83442
Telephone No. 523-35234. Source of Water: Snake River5. Extent of Use:
Domestic (No. of households) Stockwater (No. and type of stock)
Irrigation 50 (acres) Other/Remark 6. Total rate &/or volume for which proof is submitted 1.0 cfs acre-feet

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

3/83

8. Person to contact to accompany the department representative during the field examination:

Applicant

(Name)

(Address)

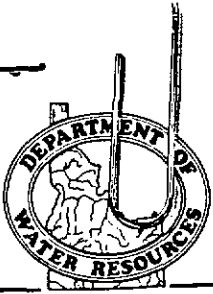
(Telephone Number)

- ☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

2-23-87
DateMerlin H. Hill
Signature of Permit Holder (and title, if appropriate)

MICROFILMED

FEB 11 1999



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

A. Kenneth Dunn
Director

January 26, 1987

01-7020
HILL, MERLIN H.
RT 2 BOX 213
RIGBY, ID 83442

EXAMINATION FEE NOTICE



Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

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FEB 11 1999

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

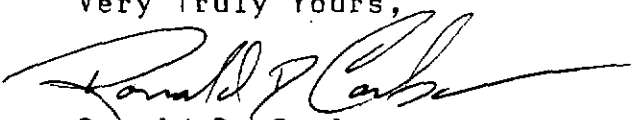
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401
Phone: 525-7161

Very Truly Yours,


Ronald D. Carlson
Eastern Regional Manager

Enclosures

MICROFILMED
FEB 11 1999



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 16, 1985

Merlin H. Hill
Rt. 2, Box 213
Rigby, ID 83442

Re: Water Right Identification No. 01-7020

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

MICROFILMED
FEB 11 1999



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

A. Kenneth Dunn
Director

April 13, 1983

Merlin H. Hill
Rt. 2 Box 213
Rigby, ID 83442

RE: 01-7020

Dear Mr. Hill

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

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

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

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

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

Sincerely,

Keith C. Wilson
Sr. Resource Agent

KCW:JK

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FEB 11 1989

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 01-7020.

Name(s) of Permit Holder: Merlin H. Hill

Post Office Address: Rt 2 Box 213

Riabin Idaho 83442 Tel. No. 523-3523

RECEIVED
MAR 17 1983
IDaho DEPT. OF WATER RESOURCES
BOISE

Extent of Use: ☒ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 75 (acres)
☐ Other _____

Department of Water Resources

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.

3-17-83
Date

Merlin H. Hill
Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE

RECEIVED

MAR 23 1983

Department of Water Resources

OFFICE OF THE
DIRECTOR



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138216

HILL, MERLIN H.
RT. 2 BOX 213
RIGBY, ID 83442

PROOF DUE NOTICE

FEBRUARY 28, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 01-7020 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

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

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



May 31, 1978

Re: Permit No. 01-7020

Merlin H. Hill
Route #2, Box 213
Rigby, ID 83442

Dear Mr. Hill:

Enclosed is a copy of your approved Application for Permit No. 01-7020. 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.

Please be advised that there is insufficient natural flow available in the Snake River to provide water for a new appropriation throughout the entire irrigation season.

During the spring run-off each year, there may be a period of time in which the prior rights to the use of the natural flow and storage are filled leaving water available for your later-in-time permit. As the natural flow diminishes, however, there would be no water available for your right and unless you had arranged for an additional source of water to supplement the flow right, you may find that you have to cease irrigating in the middle of the season.

This information is provided so that you will not be mislead into thinking that this permit will provide sufficient water thru the entire irrigation season. If you have any questions regarding this matter, please feel free to contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

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RECOMMENDED

CONDITIONS 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 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 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.

⑰ OTHER Use of water under this permit is contingent upon
applicant obtaining supplemental water storage water.

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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

May 8, 1978

RE: Application for Permit No. 01-7020 HILL

Rigby Star
P.O. Box 37
Rigby, Idaho 83442

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 April 20 and April 27, 1978.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Senior Secretary

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF FISH AND GAME

RECEIVED

REGION 6
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

APR 20 1978

Department of Water Resources
Eastern District Office

April 20, 1978

Mr. Ronald D. Carlson, Supervisor
Eastern Region
State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Ron:

Re: Appl. No. 01-7020
Merlin H. Hill

Personnel from our Department have reviewed the above-referenced application for a permit to appropriate water from the Snake River in Jefferson County. We have no objections to this work.

Thank you for the opportunity to review and comment on this project.

Sincerely,

DEPARTMENT OF FISH AND GAME
Joseph C. Greenley, Director

Tom Reinecker

Tom Reinecker
Regional Supervisor
Region 6

cc: U.S. Fish and Wildlife Service
Bureau of Program Coordination
Bureau of Fisheries
Paul Jeppson

MICROFILMED

EQUAL OPPORTUNITY EMPLOYER

April 14, 1978

RE: Application for Permit No. 01-7020 HILL

The Rigby Star
P.O. Box 37
Rigby, ID 83442

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 5-10-78 by OW

RDC:CS

Enclosure: Legal Notice

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Merlin H. Hill,
Rigby, Idaho

has on 4-11-78 submitted Application No. 01-7020
for a permit to appropriate 1.50 cubic feet per second ~~acre feet per annum~~
of water from the Snake River tributary to Columbia River
by means of pumps and pipeline
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 4N, R. 40E, B.M., Jefferson County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 75 acres

within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20, T. 4N, R. 40E, 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 May 8, 1978

C. STEPHEN ALLRED

Director

Rigby Star, Rigby, Idaho

Published in the
April 20

April 27, 1978

on _____ and _____

CW-A
the J.

MICROFILMED

April 13, 1978

RE: Application for Permit No. 01-7020 HILL

Mr. Tom Reinecker
Regional Supervisor
Department of Fish & Game
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Tom:

We are enclosing a copy of an application 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 May 8, 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:CS

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Mechan H. Hill

☒ 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 4/12/78

In form to receipt yes

(2) _____

Send Copies to:

☒ Idaho State Health Department Snake
☒ Idaho Fish and Game Department River & Trib
☒ Bureau of Land Management Watermaster RDC Letter
☒ Request Special Use Permit from U.S.F.S. Idaho Power
☒ Request Easement from B.L.M.
☒ Request Information from Applicant

(3) _____

(4) _____

In form for advertising yes

(5) _____

Platted on Map No. Topo X-44

(6) _____

Located within Water District No. 01

(7) _____

n/a Critical groundwater area: yes _____ no _____

(8) _____

n/a Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use 70 shares of
stock in the Great Feeder Canal Company

(10) _____

Comments: None None platted 16

(11) CA 5-10-78

Affidavit of Publication received (date) May 10-1978

(12) CA 5-10-78

Final date for protests May 8-1978

Protests received: yes _____ no ✓

(13) EMC 5/12/78

All requested information received from agencies or applicant: yes ✓ no _____

(14) EMC 5/12/78

Action recommended:

✓ Approve _____ Deny

4/11/78 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

✓ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District _____ By _____ Date _____

RECEIVED
MAY 15 1978

Department of Water Resources

Copy
Sent