

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 25-07512)
IN THE NAME OF ARVIN RHOADES) **ORDER OF REINSTATEMENT**

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before July 1, 1994; and,

WHEREAS, on June 30, 1994, the permit holder submitted proof of beneficial use to the regional office; and,

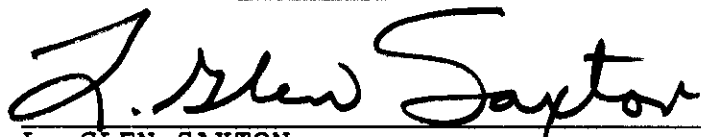
WHEREAS, on July 6, 1994, the Department lapsed the permit for failure to receive an acceptable proof or extension of time request; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause; and,

WHEREAS, the state office received the proof on July 6, 1994, after the lapse notice was mailed to the permit holder;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 25-07512 be REINSTATED with no advance in priority.

Dated this 27th day of July, 1994.



L. GLEN SAXTON
Chief, Water Allocation Bureau


AUG 15 1994

RECEIVED

STATE OF IDAHO

JUN 06 1994
Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 25-07512 Telephone No. 523-4900

2. Name(s) of Permit Holder(s): Arvin Rhoades &/or Colleen Rhoades

3. Post Office Address: PO Box 1422 Idaho Falls Idaho 83403

4. Source of Water: Twin Creek Tributary to Willow Creek

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 20 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted .40 cfs 20 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

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

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

Arvin Rhoades 523-4900
Name Telephone No.

PO Box 1422 Idaho Falls Idaho 83403
Address

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

30 June 1994
Date

Mrs Arvin Rhoades
(Signature (and title if on behalf of a company or organization) **AUG 15 1994**

RECEIVED
JUN 5 1992

For Office Use Only
\$15 Fee Received by JMD
Date 29 May 92
Receipt No. ED17397

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 25-07512

Name(s) of Permit Holder: Arvin Rhoades

Mailing Address: PO Box 1422 Idaho falls Idaho 83403

Date Proof is Due July 1 1992 Telephone No. 523-4900

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

The diversion works and the sprinkler system are in place.

Costing \$ 1500⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Due to the drought Twin Creek has gone dry and I am unable to work pump any water.

Permit holder(s) request an extension to July 1 1994, 19____.

FEE: \$15.00

Arvin Rhoades
(Signature)*

*If other than permit holder, Power of Attorney must be supplied

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

JUN 10 1992

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is extended to
July 1, 1994.

Signed this 9th day June, 19 92

J. Glen Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 25-07512

Proposed Priority: June 15, 1989 Maximum Diversion Rate: 0.40 CFS

This is to certify, that **ARVIN RHOADES**
P.O. BOX 1422
IDAHO FALLS, ID 83403
has applied for a permit to appropriate water from:

TWIN CREEK tributary of **WILLOW CREEK**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.40 CFS

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	SWSWSW	Sec. 28, Township 01S, Range 40E
	NESWSW	Sec. 28, Township 01S, Range 40E
		BONNEVILLE 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>
01S	40E	28	SWSW	20		20
Total number of acres irrigated:						20

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1992.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
6. Use of water under this permit is subject to control by the watermaster of State Water District No. 01.
7. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.

MICROFILMED

JUN 18 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 25-07512

CONDITIONS/REMARKS:

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

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

7th day of June, 1990

for R. Keith Higginson, Director

MICROFILMED

JUN 16 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

845
Ident. No. 25-7512

To appropriate the public waters of the State of Idaho

1. Name of applicant Arvin Rhoades Phone 523-4900
Post office address Box 1422 (83403) Idaho Falls Idaho
2. Source of water supply GROUNDWATER TWIN CREEK which is a tributary of WILLOW CREEK
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 28 Township 1S Range 40E B.M. BONNEVILLE County; additional
points of diversion if any: NE SW SW Sec 28, 1S, 40E
4. Water will be used for the following purposes:
Amount .40 for IRRIGATION purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .40 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PORTABLE PUMP TO
SPRINKLER IRRIGATION AND FLOOD IRRIGATION

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

MICROFILMED

JUN 18 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15	40E	28											20						20

Total number of acres to be irrigated 20

10. Describe any other water rights used for the same purposes as described above. NONE

- Who owns the property at the point of diversion? APPLICANT
- Who owns the land to be irrigated or place of use? APPLICANT
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: TWO POINTS OF DIVERSION ARE LISTED ON MAP, HOWEVER ONLY ONE PORTABLE PUMP IS USED

Received by TO Date 6/15/89 Time 4:30 PM Preliminary check by SM
Fee \$ 45 Receipted by TO # E009113 Date 6/15/89
Publication prepared by RB Date 4-5-12-90 Published in Past-Register
Publication approved aw Date 5-14-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED

JUN 18 1990

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

23-07126
BAKER, RUTH F.
3911 LEGEND CIR.
HUNTINGTON BEACH, CA 92649
Source: SNAKE RIVER, SOUTH FORK;
Tributary: SNAKE RIVER
Diversion Pt: SESWSW Sec 5 T 03N R 41E
Use: IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)
Date Filed: 6/30/1989
In: T03N R41E S05 SWSW.
5.0 ACRES TOTAL

23-07135
VAN WINKLE, JOHN DEAN
VAN WINKLE, JOLANE P.
2057 W. 4250 S.
ROY, UT 84067
Source: RAINEY CREEK; Tributary:
SNAKE RIVER
Diversion Pt: SWSE Sec 6 T 01N R 44E
Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)
Date Filed: 7/24/1989
In: T01N R44E S06 SWSE
1.0 ACRES TOTAL

23-07136
ALEXANDER, LOREN C.
HC 34 BOX 10
SWAN VALLEY, ID 83449
Source: GROUNDWATER
Diversion Pt: SWNWSE Sec 17 T 01N R 44E
Use: IRRIGATION (.140 CFS)
COMMERCIAL (.060 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.240 CFS)
Date Filed: 8/22/1989
In: T01N R44E S17 NWSE
7.0 ACRES TOTAL

23-07137
LOVELL, GEORGE L.
P.O. BOX 398
RIRIE, ID 83443
Source: GROUNDWATER
Diversion Pt: SWSWNW Sec 14 T 02N R 42E
Use: IRRIGATION (.220 CFS)
STOCKWATER (.040 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.300 CFS)
Date Filed: 8/29/1989
In: T02N R42E S14 SWNW
11.0 ACRES TOTAL

23-07138
FULLMER, ELAINE BUCKLAND
6281 E. HEISE RD.
RIRIE, ID 83443
Source: SPRINGS; Tributary: SINKS
Diversion Pt: SWSWNW Sec 11 T 03N R 42E
Use: IRRIGATION (.160 CFS)
Total Diversion: (.160 CFS)
Date Filed: 8/31/1989
In: T03N R42E S11 NESW
8.0 ACRES TOTAL

23-07139
HENKEN, RAYMOND N.
HENKEN, ELAINE L.
1307 E. 25TH ST.
IDAHO FALLS, ID 83404
Source: PALISADES CREEK; Tributary:
SNAKE RIVER, SOUTH FORK
Diversion Pt: SWSWSE Sec 26 T 01N R 44E
Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)
Date Filed: 10/04/1989
In: T01N R44E S35 NWNE
1.0 ACRES TOTAL

23-07140
TAYLOR, HARRY JOSEPH
TAYLOR, BEVERLY JOAN
870 E. 1400 N.
SHELLEY, ID 83274
Source: PALISADES CREEK; Tributary:
SNAKE RIVER, SOUTH FORK
Diversion Pt: SWSWSE Sec 26 T 01N R 44E
Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)
Date Filed: 9/27/1989
In: T01N R44E S35 NWNE
1.0 ACRES TOTAL

P.O. BOX 2077
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: SESE Sec 28 T 02N R 38E
Use: IRRIGATION (.380 CFS)
Total Diversion: (.380 CFS)
Date Filed: 4/10/1989
In: T02N R38E S28 SESE
19.0 ACRES TOTAL

25-07511
KELSEY, DANNY
KELSEY, SHERRY
648 E. 97 S.
IDAHO FALLS, ID 83404
Source: SAND CREEK; Tributary: WIL-
LOW CREEK
Diversion Pt: NENWNW Sec 20 T 01N R 38E
Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 6/26/1989
In: T01N R38E S20 NWNW
2.0 ACRES TOTAL

25-07512
RHOADES, ARVIN
P.O. BOX 1422
IDAHO FALLS, ID 83403
Source: TWIN CREEK; Tributary: WIL-
LOW CREEK
Diversion Pt: NESWSW Sec 28 T 01S R 40E
SWSWSW Sec 28 T 01S R 40E
Use: IRRIGATION (.400 CFS)
Total Diversion: (.400 CFS)
Date Filed: 6/15/1989
In: T01S R40E S28 SWSW
20.0 ACRES TOTAL

25-07525
LINCOLN CEMETERY DISTRICT
C/O CECIL SCOTT
3242 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNWNW Sec 15 T 02N R 38E
Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 8/15/1989
In: T02N R38E S15 NWNW
4.5 ACRES TOTAL

25-07545
PARKER, JERRY L.
P.O. BOX 358
RIRIE, ID 83443
Source: GROUNDWATER
Diversion Pt: SESW Sec 22 T 03N R 39E
Use: IRRIGATION (7.540 CFS)
Total Diversion: (7.540 CFS)
Date Filed: 11/02/1989
In: T03N R39E S22 SWSW SESW SWSE
SESE
S27 NENE NWNE SWNE SENE NENW
NWNW SWNW SENW NESW NWSW
377.0 ACRES TOTAL

25-07547
SCHEUERMANN, KEITH W.
756 S. FOOTHILL RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SENE Sec 19 T 02N R 39E
Use: IRRIGATION (.300 CFS)
Total Diversion: (.300 CFS)
Date Filed: 8/25/1989
In: T02N R39E S19 SENE
15.0 ACRES TOTAL

25-07561
NEIBAUR, RYAN
2320 ROSS
IDAHO FALLS, ID 83406
Source: GROUNDWATER
Diversion Pt: SENW Sec 17 T 01N R 38E
Use: IRRIGATION (4.000 CFS)
Total Diversion: (4.000 CFS)
Date Filed: 3/02/1990
In: T01N R38E S17 NENW NWNW
SWNW SENW NWSW SWSW
S18 NESE NWSE SWSE SESE
S19 NENE NWNE SWNE
383.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 23, 1990.

R. Keith Higginson, Director
Published: April 5, 12, 1990

MAILED
JUN 18 1990

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 25-07512 Reviewed by Jaf Date 7-21-94

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☒ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
? Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____
No. of days late _____
Priority Date _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable
need to reinstate w/no advance in
Priority.

DATA ENTRY

New Address _____

Proof Made 6-30-94

July 27, 1994

ARVIN RHOADES
P O BOX 1422
IDAHO FALLS ID 83403

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 25-07512

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Enclosed is an order reinstating your permit since the permit was lapsed. Please note that the priority date has not been advanced.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region


AUG 15 1994

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

July 6, 1994

ARVIN RHOADES
P.O. BOX 1422
IDAHO FALLS ID 83403

LAPSE NOTICE

RE: PERMIT NO. 25-07512

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated April 30, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

7/6/94
AUG 15 1994
I hereby certify that on 7/6/94
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

April 30, 1994

ARVIN RHOADES
P.O. BOX 1422
IDAHO FALLS ID 83403

PROOF DUE NOTICE

RE: PERMIT NO. 25-07512

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1994.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

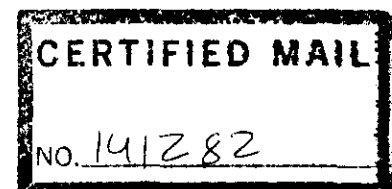
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

AUG 15 1994





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 9, 1992

Arvin Rhoades
P.O. Box 1422
Idaho Falls, ID 83403

Re: Permit No. 25-07512

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to July 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

MICROFILMED

JUN 10 1992

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 25-07512 Reviewed by Klg Date 6/5/92

BASIC INFORMATION

6/5/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Approve Based on due diligence
extend to 7/1/94*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date 6/9/92 Klg
Change Priority Date _____

April 30, 1992

ARVIN RHOADES
P.O. BOX 1422
IDAHO FALLS ID 83403

PROOF DUE NOTICE

RE: PERMIT NO. 25-07512

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

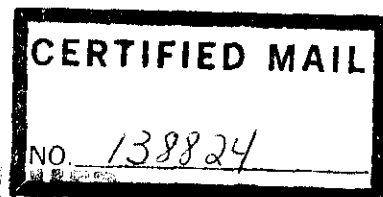
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



JUN 10 1992

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 7, 1990

ARVIN RHOADES
P.O. BOX 1422
IDAHO FALLS, ID 83403

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P25-07512

Dear Permit Holder:

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

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

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JUN 1 8 1990

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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JUN 18 1990

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESNON-TRUST HOW

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY David Smith DATE 22 July 1989 APPLICATION NUMBER 25-7512REQUIRED INFORMATIONArvin Rhoades

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

MAY 13 1990

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☒ Idaho Dept. of Fish & Game 3-13-90 ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☒ Water District 01
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 4-23-90
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☒ Yes ☐ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 6-15-89
By HWS Date 5-15-90

STATE OFFICE REVIEW

P01, P17

01H 48 49 05(01) 26

See below for additional information
By KW Date 5-25-90

ADDITIONAL INFORMATION

Conditions, L0576001 Snake River L01H7
App. in NON-TRUST area -
Allow 2 yrs. to develop -

WATERMASTER COMMENTS

I have reviewed Application for Permit No. 25-7512 and have the following comments/objections to the approval of this application for permit:

Without appropriate arrangements to provide replacement water on Willow Creek and to assure data are available for proper accounting by the Snake River Watermaster the use of water as proposed in this application could reduce supplies presently available to permittees by about 60 acre feet per year

4/25/60

Date

Ronald D. Carlson
RONALD D. CARLSON, WATERMASTER
Water District No. 01

→ However, because of the location it is likely that water could be diverted and used beneficially that would not reach Willow Creek.

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JUN 18 1990



IDAHO FISH & GAME

REGION 6
1815 Lincoln Road
Idaho Falls, ID 83401
(208) 522-7783

RECEIVED

APR 11 1990

Department of Water Resources
Eastern District Office

April 10, 1990

Mr. Harold Jones
Water Rights Specialist
Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83402

Re: Water Right Application 25-^{7512 Rhoades}~~7511~~ - ~~Kelsey~~

Dear Skip:

Idaho Department of Fish and Game has reviewed the referenced application by ~~Danny and Sherry Kelsey~~. Twin Creek is intermittent with limited fish and wildlife values. Our Department has no objections to granting this water right.

Thank you for the opportunity to comment.

Sincerely,

Herbert A. Pollard II
Regional Supervisor
Region 6

HAP:SE:ab

cc: U.S. Fish and Wildlife Service (Lobdell)
Bureau of Program Coordination
Bureau of Fisheries

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JUN 16 1990

Cecil D. Andrus / Governor
Jerry M. Conley / Director



Working for wildlife since 1938

13-Mar-1990

Arvin Rhoades
Box 1422
Idaho Falls, ID 83403

RE: Application for Permit No. 25-7512

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Post-Register on April 5 & 12, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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JUN 18 1990

12-Mar-1990

Department of Fish & Game
1515 Lincoln Rd.
Idaho Falls, ID 83401

RE: Applications for Permit 29-7867, 25-7512, 25-7511, 23-7140,
23-7139, 23-7135, 22-7658, & 22-7660

Dear Sir:

We are enclosing a copy of the applications that may be of interest to your department. Please review the applications and submit any comments you may have to our Department as soon as possible. The last date of protest is April 23, 1990, and we are required to take final action shortly thereafter.

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

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb
enc.

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JUN 18 1990

25-07512

RHOADES, ARVIN
P.O. BOX 1422
IDAHO FALLS, ID 83403

Source: TWIN CREEK

Tributary: WILLOW CREEK

Diversion Pt: NESWSW Sec 28 T 01S R 40E
 SWSWSW Sec 28 T 01S R 40E

Use: IRRIGATION (.400 CFS)
 Total Diversion: (.400 CFS)

Date Filed: 6/15/1989

In: T01S R40E S28 SWSW

20.0 ACRES TOTAL

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JUN 18 1990

