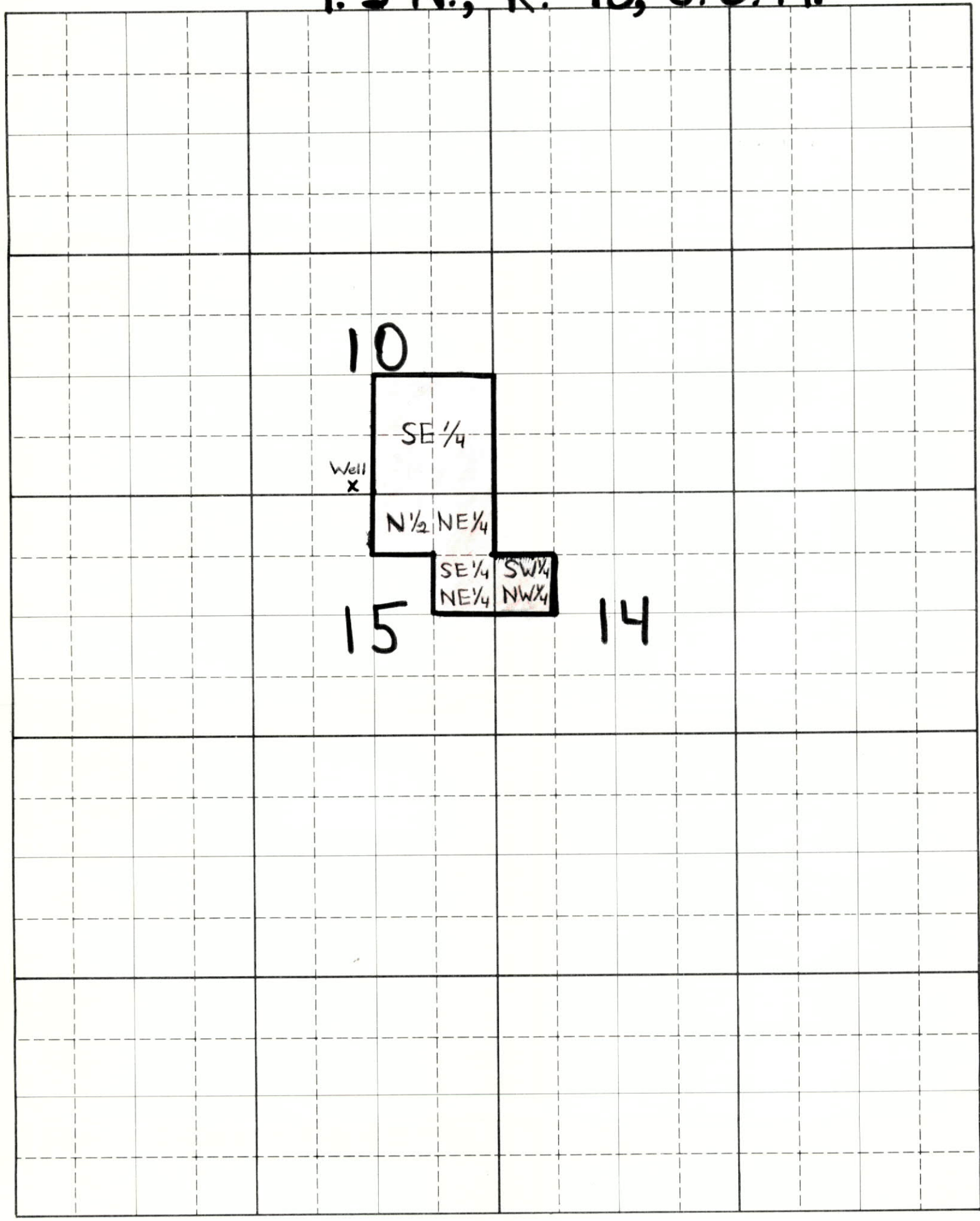


11. Map of proposed project:

T. 3 N., R. 40, E. B. M.



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.

Dewain C. Foster
(Applicant) Dewain C. Foster
Melba S. Foster
Melba S. Foster

Proof of Publication
The Post-Register

RECEIVED

SEP 1971

Department of Water Administration
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 9th day of September, 1971, last publication having been made on the 16th day of September, 1971, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 17th day of September, 1971

Karl H. Hale
Notary Public

My commission expires April 5, 1975

B10, 1M

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Dewain C. and/or Melba S. Foster, R. 2, Box 84, Rigby, Idaho, has on 8/25/71 submitted Application No. 25-7013 for a permit to appropriate 6.4 cubic feet per second of water from a groundwater source by means of well and pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 3N, R. 40E, B.M., Bonneville County, to be used from March 1 to Nov. 30 for irrigation within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3N, 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 Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho, 83401, on or before September 27, 1971.

R. KEITH HIGGINSON
Director
Pub: Sept 9, 16, 1971

25 7013

Proof of Publication
The Post-Register

RECEIVED

OCT 19 1971

Department of Water Administration

State of Idaho, }
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 7th day of October, 19 71, last publication having been made on the 14th day of October, 19 71, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 15th day of October, 19 71

Karel S. Dale
Notary Public

My commission expires April 5, 19 75

B10, 1M

RECEIVED

OCT 18 1971

Department of Water Administration
Eastern District Office

NOTICE OF CORRECTION
APPLICATION FOR WATER
PERMIT

Notice is hereby given that Application for Permit No. 25-7013 in the name of Dewain C. &/or Melba S. Foster, Box 84, Rigby, Idaho, was advertised incorrectly on September 9 and 16, 1971. The place of use was listed as being within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3 N, R. 40 E, B.M. WHEREAS, the actual place of use is within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3 N, R. 40 E, B.M.

Protests against the granting of this permit must be filed with the Idaho Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho, on or before October 25, 1971.

R. KEITH HIGGINSON
Director

Pub: Oct 7-14, 1971

25 7013

T.
3
N

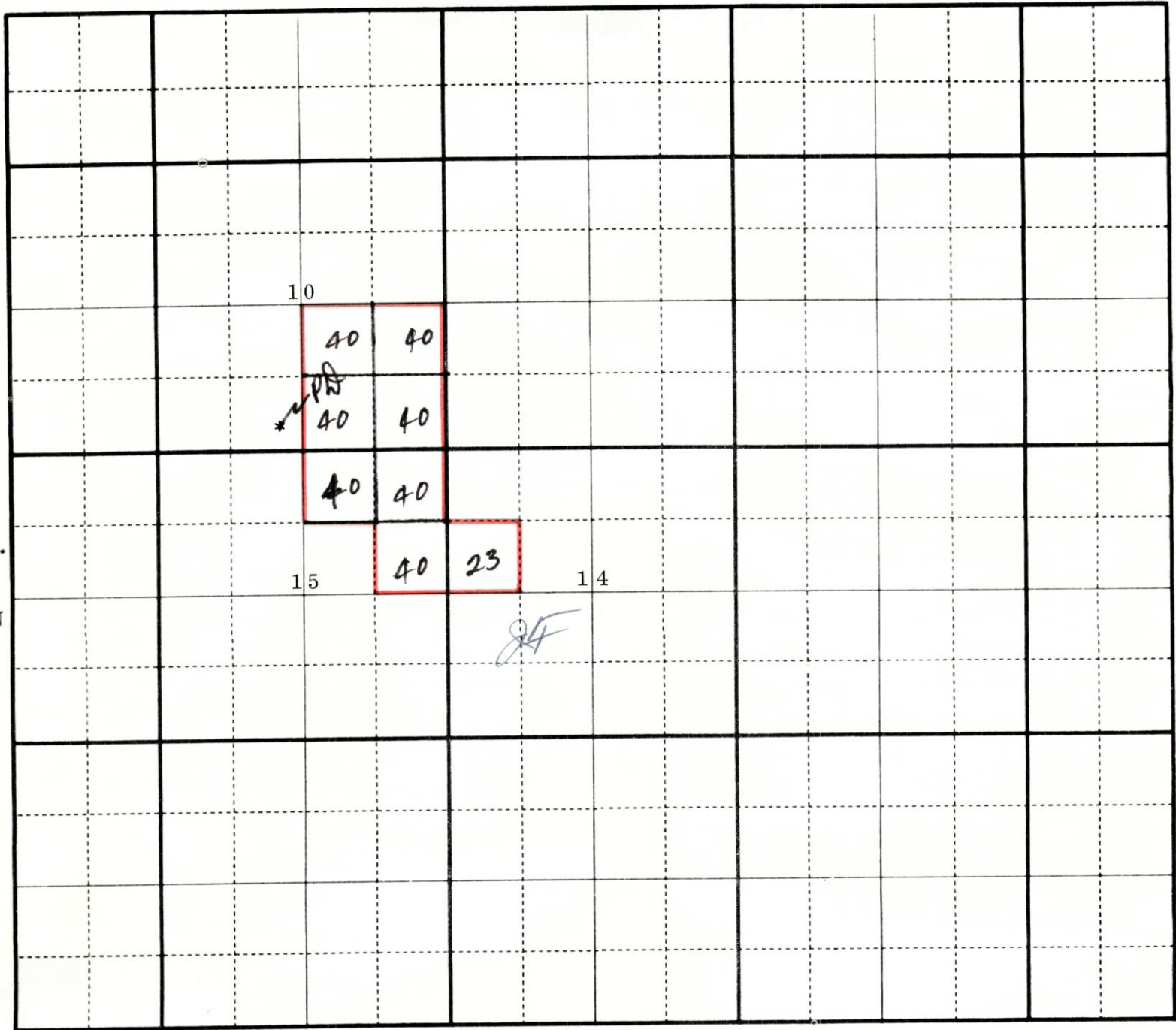
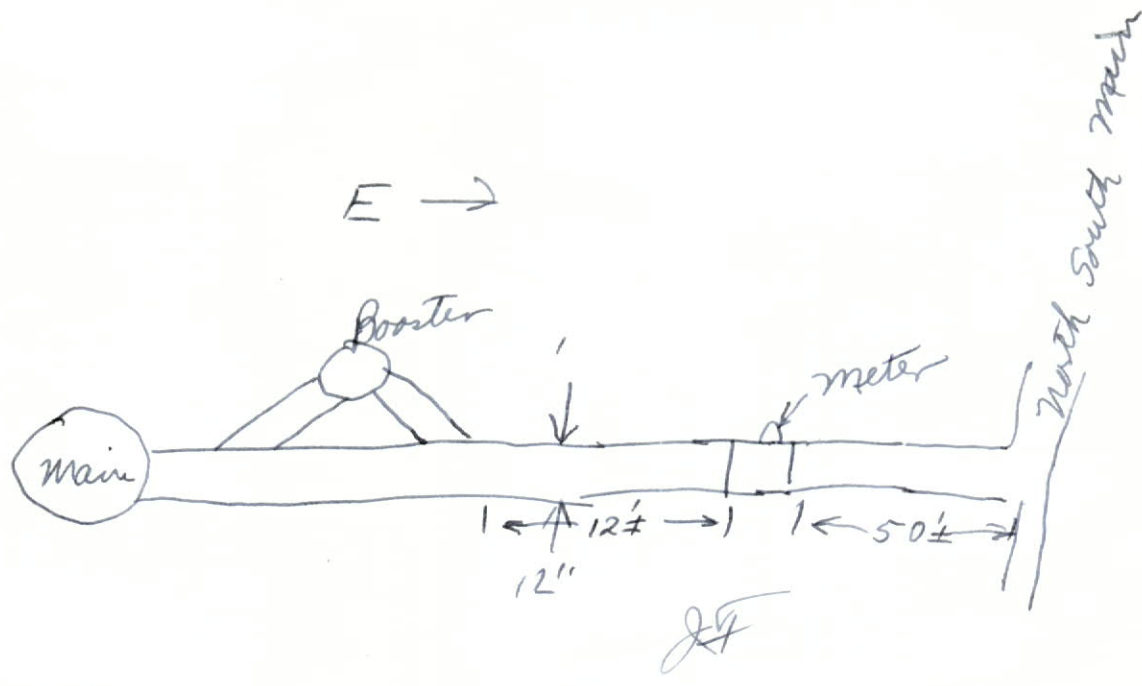


Diagram of System



Rge 40 E

25-7013

40

40

8-125

8-134

135.1

40

40

PD

24.1

10

barren

15.14

15-14

8-174

a
89.1

40

40

131.2
h

41.0

40

23

OUT

b
206.7

8-365
6-115

89
a
63.5

d
3.6

66.9

22 23

8-315
6-116

36.8

76.7

c
100.1

25-70127
53.7

NOT TO SCALE

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 25-7013 Priority August 25, 1971 Amount 4.84 cfs

THIS IS TO CERTIFY, that Dewain C. &/or Melba S. Foster
of Rigby, Idaho, has complied with the terms and conditions of Permit
No. 25-7013 issued pursuant to Application for Permit dated August 25, 1971,
and has submitted proof to the Department of Water Administration on November 15, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.84 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>4.84</u> cfs and	<u>1,060.5 acre feet or</u> <u>3.5 af per acre</u>
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 4.84 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,060.5 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 10,
Twp. 3 N, Rge. 40 E, B.M. in the County of Bonneville

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	40 E	10													40	40	40	40	160
		14							23										23
		15	40	40		40													120

Total number of acres irrigated 303

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2 day of
April, 19 74.

Director

25-7013

Identification No. 25-7013

Application No. _____

STATE OF IDAHO

LICENSE ISSUED FOR 487 REG. PI.
LICENSE PAG. NO. 1111

DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Dewain C. and/or Melba S. Foster
post office address Route #2, Box 84, Rigby, Idaho 83442
2. Source of water supply Ground Water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 3N
Range 40 E.B.M. Bonneville 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: April 1 to November 1 BDF see letter of 11/24
Amount 6.4 cfs for irrigation purpose from March 1 to Nov. 30 (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. 6.40 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well, pressure system
and sprinkler irrigation 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)
1. c. Proposed well diameter is 20 inches; proposed depth of well is 350 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$52,000.00.
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	
3N	40E	10													40	40	40	40	160
			40	40											X	X	X	X	
3N	40E	15	X	X															80
						40													
3N	40E	15				X													40
								40											
3N	40E	14							X										40

Total number of acres to be irrigated 320

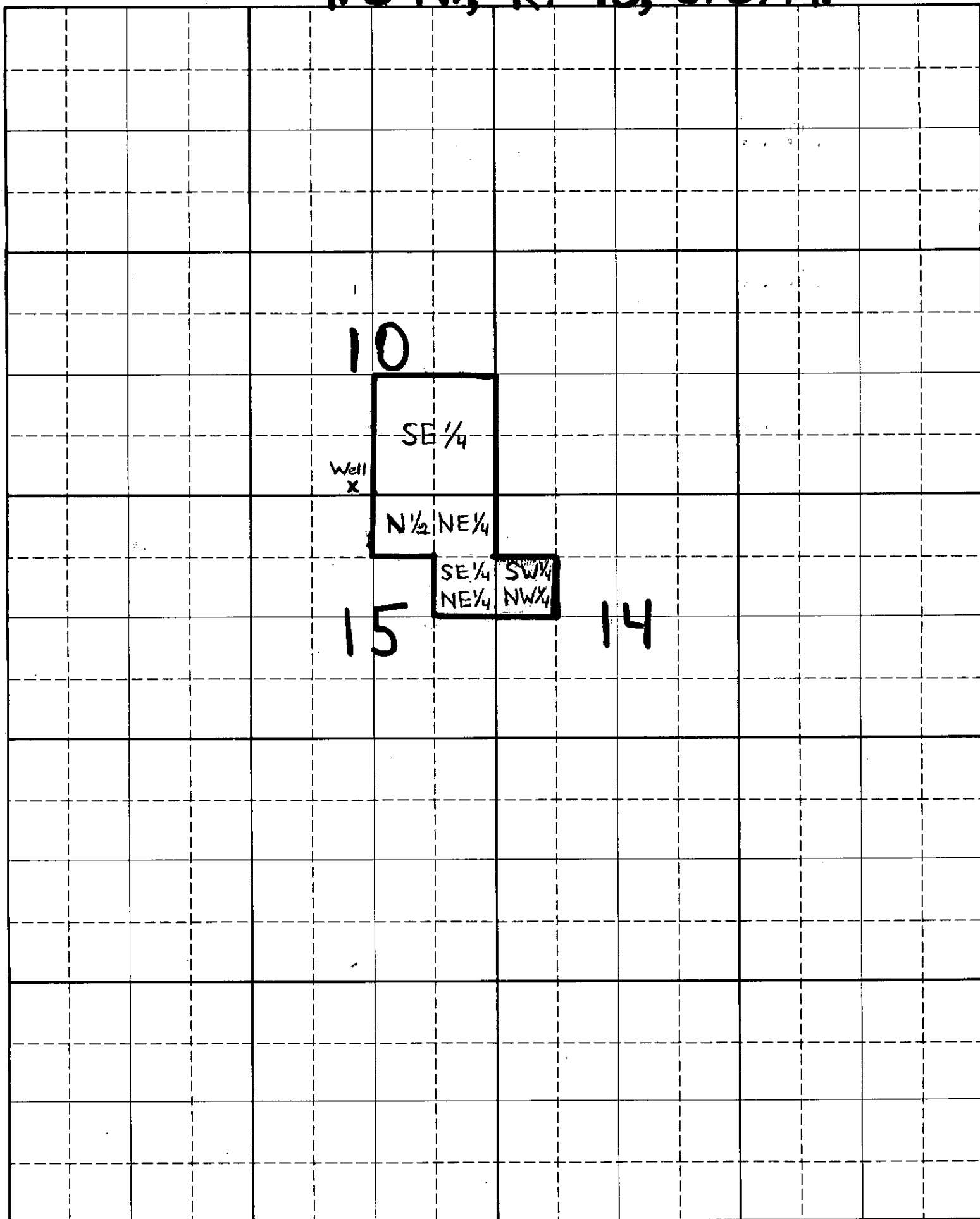
c. Describe any other water rights used for the same purposes none

9. a. Who owns the property at the point of diversion Dewain C. Foster
- b. Who owns the land to be irrigated or place of use Arthur C. Harris
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicants have a ten (10) year cash lease on the real property which is to be irrigated.

10. Remarks

11. Map of proposed project:

T. 3 N., R. 40, E. B. M.



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.

Dewain C. Foster
(Applicant) Dewain C. Foster
Melba S. Foster
Melba S. Foster

25 7013

Received by ej Date 8-25-71 Time 10:30 a.m.

Preliminary check by _____ Fee \$ 85.00 Receipt # 7213

Receipted by bj Date 8-27-71

Publication prepared by bj Date 8-30-71

Published in Post Register, Idaho Falls, Idaho

Publication dates 9-9, 9-16-71

Correction Notice:
10-7 & 10-14, 1971

Publication approved CR Date 10-20-71

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by De Ho

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 25-7013, 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 February 1, 19 73.

c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 18 day of January, 19 72.

R. Keith Higin
Director

State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 25-7013 Name Dewain C. and/or Melba S. Foster

Source ground water

Point of Diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 3N, R. 40E, B.M., Bonneville County

Quantity 6.4 cfs Use irrigation Period March 1 to Nov. 30

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

USE irrigation of 320 acres within the SE $\frac{1}{4}$, Sec. 10; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15;

SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 3N, R. 40E, B.M.

Date Forwarded Date Returned Received by

COMMENTS: No U.S.G.S. obs. wells are located
in the area. Well logs are not available.

RECOMMENDED:

Applied: Qty. 6.4 cfs Use irrig. Period 4-1 to 11-1 AF/A 3.5 AF 2240

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. 6.4 cfs Use irrig. Period 4-1 to 11-1 AF/A 3.5 AF 2240

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved X Denied

Conditions of approval or reason for denial: Reduced irrig. screen

By Norman C. Young Title Dist. Engr.
Date 8/30/71

25 7013

RECEIVED

OCT 19 1971

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Department of Water Administration

Application No. 25-7013 Name Dewain C. &/or Melba S. Foster

Source Ground Water

Point of Diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 3N, R. 40E, B.M., Bonneville County

Quantity 6.40 cfs Use Irrigation Period March 1 to Nov. 30

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use The irrigation of 320 acres within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$ NE, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3 N, R. 40 E, B.M.,

Date Forwarded 10-18-71 Date Returned Received by

COMMENTS: A U.S.G.S. observation well about 2 miles west indicated a 10 ft drop in water levels spring 1969 to spring 1970. This same well shows an annual fluctuation of 40 ft. Aquifer is basalt. Permit & licensed rights have been issued for approx. 50 cfs of groundwater within 2 miles of this proposed well. Data are not available on well drawdowns.

RECOMMENDED:

Applied: Qty. 6.4 cfs Use irrig. Period 4/1 to 11/1 AF/A 3.5 AF 1120

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. 6.4 cfs Use irrig. Period 4/1 to 11/1 AF/A 3.5 AF 1120

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved X Denied

Conditions of approval or reason for denial: Locate well as far as possible from existing wells.

By Norman C. Young Title Dist. Engr
Date 9/21/71

25 7013

Proof of Publication
The Post-Register

RECEIVED

SEP 1971

Department of Water Administration
Eastern District Office

State of Idaho,
County of Bonneville } ss.

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Subscribed and sworn to before me, this 17th day of September, 1971

Karel Stale
Notary Public

My commission expires April 5, 1975

B10, 1M

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Dewain C. and/or Melba S. Foster, R. 2, Box 84, Rigby, Idaho, has on 8/25/71 submitted Application No. 25-7013 for a permit to appropriate 6.4 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 3N, R. 40E, B.M., Bonneville County, to be used from March 1 to Nov. 30 for irrigation within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3N, 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 Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho 83401, on or before September 27, 1971.

R. KEITH HIGGINSON
Director

Pub: Sept 9, 16, 1971

25 7013

Proof of Publication
The Post-Register

RECEIVED

OCT 19 1971

Department of Water Administration

State of Idaho, }
County of Bonneville } ss.

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That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 7th day of October, 1971, last publication having been made on the 14th day of October, 1971, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 15th day of October, 1971

E. F. McDermott

Karl Dale
Notary Public

My commission expires April 5, 1975

B10, 1M

RECEIVED

OCT 18 1971

Department of Water Administration
Eastern District Office

NOTICE OF CORRECTION
APPLICATION FOR WATER
PERMIT

Notice is hereby given that Application for Permit No. 25-7013 in the name of Dewain C. &/or Melba S. Foster, Box 84, Rigby, Idaho, was advertised incorrectly on September 9 and 16, 1971. The place of use was listed as being within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3 N, R. 40 E, B.M. WHEREAS, the actual place of use is within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3 N, R. 40 E, B.M.

Protests against the granting of this permit must be filed with the Idaho Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho, on or before October 25, 1971.

R. KEITH HIGGINSON
Director
Pub: Oct 7-14, 1971

25 7013

OK WATER RIGHT NUMBER 25-7013

OWNER LAST NAME - FOSTER
OWNER LAST NAME - FOSTER
ADDRESS LINE 1 - RT. 2 BOX 84
ADDRESS LINE 3 -

ADDRESS LINE 2 -
CITY - RIGBY

ORIG OWNER -
ORIG OWNER -

STATE - ID ZIP CODE - 83442

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE STATUS - PRIORITY - 08-25-1971 COUNTY - BONNEVILLE TOTAL DIV. RATE - 4.8400 -CFS

TOTAL DIV. VOLUME - 1060.50 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - SESW 10 03N 40E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - 4.8400 CFS USE DIV. VOLUME - 1060.50 AFA

USE - IRRIGATION PLACE OF USE - TWN 03N RNG 40E SEC 15 TRACT NENE LOT AC 40 TRACT NWNE LOT AC 40

TRACT SENE LOT AC 40

USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 40E SEC 14 TRACT SWNW LOT AC 23

USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 40E SEC 10 TRACT NESE LOT AC 40 TRACT NWSE LOT AC 40

TRACT SWSE LOT AC 40 TRACT SESE LOT AC 40

DATE - TOTAL ACRES 303

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUF - PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

[illegible]

C April 3, 1974

O Re: Permit No. 25-7013

P Dewain C. &/or Melba S. Foster
Route 2, Box 84
Rigby, Idaho 83442

P Dear Mr. & Mrs. Foster:

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

Y Sincerely,

BOBBYDD. FLEENOR
Assistant Director

jfr

Enclosure

25-7013

March 14, 1974

Dewain C. &/or Melba S. Foster
Route 2, Box 84
Rigby, Idaho 83442

Dear Mr. & Mrs. Foster:

A representative of this Department has made an examination of the works covered by your Permit No. 25-7013 and has found the following:

Quantity of water diverted: 4.84 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 4.84 cfs

The maximum quantity diverted shall not exceed 1,060.5 acre feet per year.

Beneficial use: For irrigation of 303 acres within the SE 1/4, Sec. 10; SW 1/4 NW 1/4, Sec. 14; N 1/2 NE 1/4, SE 1/4 NE 1/4, Sec. 15; Twp. 3 N, Rge. 40 E

Point of diversion: SE 1/4 SW 1/4, Sec. 10, Twp. 3 N, Rge. 40 E, B.M.

Priority date established: August 25, 1971

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

25-7013

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Dewain C. &/or Melba S. Foster
 Post office address Route 2 - Box 84, Rigby, Idaho Phone _____
 Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount 6.4 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 1
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 25-7013
 Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 6.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3 N N/S, Range 40 E E/W, B.M., Section 10, Subdivision SE $\frac{1}{4}$ SW $\frac{1}{4}$, Bonneville
 County _____
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County _____
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County _____

Other Points of Diversions: _____

Description of diverting works: well, pump, motor, mainline & sprinkler (McCrometer-12")

Measuring device required: "yes" ☒ "no" ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	40E	10													40	40	40	40	160
		15	40	40		40													120
		14							40										40

25-7013 TOTAL ACREAGE 320

DATE OF EXAM July 26, 1973

ACREAGE
Found 303
Recommended 303

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 4.84 c.f.s. V = 1060.5 AF/Ann. from April 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge N/4 E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 4.84 CFS Method of measurement McCrometer Meter

Total Q recommended 4.84 CFS Meter No. T210160 Type Impeller flow Condition good

Total V recommended 1060.5 AF/ANN

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

Discharged 435.6 cu ft in 90 sec = 4.84 CFS

$V = (303)(3.5) = 1060.5 < (4.84 \text{ CFS})(1.9838)(215)$

SYSTEM DESCRIPTION:

250 HP Motor # CHJ32215 w/ Johnston pump # GE 14084

12" discharge

125 HP Motor # BHJ214101 w/ Johnston pump # GE 14085

REMARKS:

System shown by Kendle Lovell, employee of permit holder

Examiner's Signature John Ferbauer

Date 7/26/1973

Checked by W.R. Rhoads

Date Dec 20, 1973

Approved by _____

Date _____

25-703

0 10 E

25-7013

3-125

(B-134)

40

40

135.1

40

40

PD

40

40

131.2

41.0

40

23

B-365
B-172

89

a
63.5

d
3.6

284.7

a
89.1

B-1
B-1

c
100.1

22 23

B-315
B-176

36.8

76.7

53.1

NOT TO SCALE

November 21, 1972

Re: Permit No. 25-7013

**Dewain C. &/or Melba S. Foster
Route 2 - Box 84
Rigby, Idaho 83442**

Dear Mr. & Mrs. Foster:

We acknowledge receipt of your affidavit 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. 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 exam, please contact our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho.

Very truly yours,

**BOBBY D. FLEENOR
Assistant Director**

BDF:DR

**bc: Eastern District Office
Enc: Field exam report**

25 7013

November 15, 1972

Re: Permit No. 25-7013 - Dewain C. and/or Melba S. Foster

Mr. James A. Ririe
Attorney-at-Law
Lee & Ririe
P.O. Box 36
Rigby, ID 83442

Dear Mr. Ririe:

This is to inform you that Proof of Beneficial Use has been received in this office in connection with Permit No. 25-7013.

Issuance of a Water License is contingent upon an examination conducted by this department.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

25 7013

T. HAROLD LEE
JAMES A. RIRIE

RECEIVED

NOV 15 1972

LAW OFFICES
LEE & RIRIE
102 N. CLARK STREET
P.O. BOX 36
RIGBY, IDAHO 83442

TELEPHONE 745-6653
AREA CODE 208

Department of Water Administration
Eastern District Office

November 14, 1972

Norman C. Young
State of Idaho
Department of Water Administration
240 South Holmes Ave.
Idaho Falls, Idaho 83401

Dear Mr. Young:

Enclosed please find the completed Proof of Beneficial Use in the matter of Dewaine C. Foster. Would you kindly acknowledge receipt of this form?

Very truly yours,

LEE & RIRIE



JAR:sm
Enc.

25 7013



RECEIVED
NOV 15 1972

Identification No. _____
Permit No. 25-7013

STATE OF IDAHO
Department of Water Administration
Eastern District Office
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOV 10 1972

Department of Water Administration
Eastern District Office

1. a) Name of Permit Holder Dewain C. and/or Melba S. Foster
b) Post Office Address Route #2, Box 84, Rigby, Idaho 83442
2. Permit Number 25-7013
3. Date of Priority that you are prepared to establish 8/25/71
4. a) Source from which water was appropriated Ground Water
b) Location of the point of diversion: SE 1/4 SW 1/4, Section 10
Township 3N, Range 40E, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
amount 6.4 for irrigation purposes from Apr. 1 to Nov. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 6.4 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Gem State Irrigation Co. - measurement based upon pump selection, size and number of nozzles.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N.A.
b) Describe the agreement or understanding by which you take water from the works: N.A.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Deep well (370 ft. depth & 20 in. dia.) turbine pump, 250 HP electric motor with 125 HP booster, 14 inch mainline, & sprinkler
b) Describe the type and size of measuring device which you have installed at your point of diversion: 12 in. standard McCrometer, installed by Gem State Irrigation Inc. Rexburg, Idaho
c) Give well drillers name and address and date the well was completed R. P. Cope, March 1972

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
210 S. HOLMES
IDAHO FALLS, IDAHO 83401

Exam typed 11-21-72 by [Signature]

25 7013

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use NONE

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	40E	10													40	40	40	40	160
3N	40E	15	40	40		40													120
3N	40E	14						40											40

Total number of acres irrigated 320

10. Remarks:

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

(Date)

(Signature)

State of Idaho ss.
County of Jefferson

On this 9th day of November, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Highway, Idaho

My commission expires 10-24-76

November 10, 1972

Re: 25-7013 - Foster

Mr. James A. Ririe
Attorney-at-Law
P.O. Box 36
Rigby, ID 83442

Dear Jim:

We are in receipt of the Proof of Beneficial Use that you filed in behalf of Dewaine C. and Melba S. Foster.

We cannot accept the Proof of Beneficial Use until Item 7b is completed and evidence that a measuring device has been purchased is provided.

We are, therefore, returning the proof form to you.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:ba

Enclosure

25 7013

T. HAROLD LEE
JAMES A. RIRIE

LAW OFFICES
LEE & RIRIE
102 N. CLARK STREET
P.O. BOX 36
RIGBY, IDAHO 83442

TELEPHONE 745-6653
AREA CODE 208

November 9, 1972

RECEIVED

NOV 10 1972

Idaho Department of Water Administration
Eastern District Office
240 S. Holmes
Idaho Falls, Idaho 83401

Department of Water Administration
Eastern District Office

Gentlemen:

Enclosed for your consideration please find a Proof of Application of Water to Beneficial Use in the matter of Dewain C. and, or, Melba S. Foster. Would you kindly forward to this office acknowledgement of receipt of this form?

Thank you for your consideration in this request.

Very truly yours,

LEE & RIRIE



JAR:sm
Enc.

25 7013

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 21, 1972

Re: Permit No. 22-7052 - Howard and Robinson
" " 25-7006 - Merle G. Robinson
" " 25-7013 - Dewain C. &/or Melba S. Foster
" " 35-7191 - Albert Horsch

Norman C. Young
District Engineer
Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Dear Norm:

Please find enclosed copies of the above referenced permits which have been approved by this office.

If you have any questions, please contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:CR

Enc: copies

25 7013

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 21, 1972

Re: Permit No. 25-7013 - Dewain C. &/or Melba S. Foster

Dewain C. Foster
Route #2, Box 84
Rigby, Idaho 83442

Dear Mr. Foster:

Enclosed is a copy of your approved Application for Permit No. 25-7013. 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.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosures

25 7013

November 24, 1971

Re: Application for Permit No. 25-7013 - Dewain C. &/or Melba S. Foster

Dewain C. Foster
Route #2, Box 84
Rigby, Idaho

Dear Mr. Foster:

On your application for permit, you have listed the period of use for irrigation as March 1 to November 30. The normal irrigation season in this area is from April 1 to November 1. Unless you can justify the extended period, we will reduce the period of use to the required number of days.

Your assistance in this matter is appreciated.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE/bb

25 7013

T. HAROLD LEE
JAMES A RIRIE

RECEIVED

LAW OFFICES
LEE & RIRIE
102 N. CLARK STREET
P. O. BOX 38
RIGBY, IDAHO 83442

TELEPHONE 745-6653
AREA CODE 208

SEP 30 1971

September 29, 1971

Department of Water Administration
Eastern District Office

Mr. Norman C. Young
District Engineer
Department of Water Administration
Eastern District Office
240 S. Holmes
Idaho Falls, Idaho 83401

Re: Application for Permit No. 25-7013

Dear Mr. Young:

In accordance with our telephone conversation of this date, enclosed please find the corrected page for the application of Dewain C. Foster and Melba S. Foster.

Thank you for your consideration in this matter.

Very truly yours,

LEE & RIRIE



JAR:sm
Enc.

25 7013

September 27, 1971

Re: Application No. 25-7013 - Dewain C. &/or Melba S. Foster

Idaho Falls Post Register
Box 1800
Idaho Falls, Idaho 83401

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 ample time for you to submit us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

Bill submitted to Boise Office 10-20-71 by CR

NCY:BJ
Enc: Legal notice

25 7013

NOTICE OF CORRECTION
APPLICATION FOR WATER PERMIT

C
O
P
Y

Notice is hereby given that Application for Permit No. 25-7013 in the name of Dewain C. &/or Melba S. Foster, Box 84, Rigby, Idaho, was advertised incorrectly on September 9 and 16, 1971. The place of use was listed as being within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3 N, R. 40 E, B.M. WHEREAS, the actual place of use is within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3 N, R. 40 E, B.M.

Protests against the granting of this permit must be filed with the Idaho Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho, on or before October 25, 1971.

R. KEITH HIGGINSON

Director

Published in the Post Register, Idaho Falls, Idaho, on October 7 and October 10, 1971.
14

25 7013

August 27, 1971

Re: Application No. 25-7013 - Dewain C. and/or Melba S. Foster

The Post Register
P.O. Box 1800
Idaho Falls, Idaho 83401

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 ample time for you to submit us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

NCY:BJ
Enc: Legal notice

Bill submitted to Boise Office 9-22-71 by ds

25 7013

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dewain C. and/or Melba S. Foster, R. 2, Box 84,
Rigby, Idaho

has on 8/25/71 submitted Application No. 25-7013
for a permit to appropriate 6.4 cubic feet per second ~~XXXXXX XXXX XXXX XXXX~~
of water from a ground-water source
by means of well and pump
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 3N, R. 40E, B.M., Bonneville County,

to be used from March 1 to Nov. 30
for irrigation

within the SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; T. 3N, 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 Dept. of Water Administration, 240 So. Holmes, Idaho Falls, Idaho, 83401, on or before September 27, 1971

R. KEITH HIGGINSON

Director

Published in the Post Register, Idaho Falls, Idaho
on Sept. 9 and Sept. 16, 1971

25 7013