

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07908

Proposed Priority: March 26, 1990 Maximum Diversion Rate: 0.03 CFS
This is to certify, that **JAMES MARINI**
1502 S. OLD HWY. 91
INKOM, ID 83245
has applied for a permit to appropriate water from:

SPRING tributary of **SINKS**

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	03/15 to 11/15	0.01 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
	Totals	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNWSE Sec. 11, Township 08S, Range 36E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 36E 11	NWSE 0.5			0.5

Total number of acres irrigated: 0.5

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1991.
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. 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.
6. Stockwater use is for 3 horses.

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JUL 20 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07908

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

28th day of June, 19 90

R. Keith Higginson
for R. Keith Higginson, Director

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JUL 20 1990

Ident. No. 29-07908

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JAMES MARINI
Address: 1502 S. OLD HYWAY 91
INKOM, ID 83245

208-775-3449

2. Source: SPRING

Trib. to: SINKS

3. Location of Point of Diversion:

NWNWSE Sec. 11, Township 08S, Range 36E
BANNOCK County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	03/15	11/15	0.010		

5. Total quantity to be appropriated is:

0.030 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

PIPE FROM SPRING TO WATER TROUGH AND SPRINKLER

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 groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:

S/3 HORSES & IRRIGATION

9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
08S	36E	11	NWSE 0.5			0.5
Total number of acres irrigated:						0.5

Place of Use: STOCKWATER, same as IRRIGATION use

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JUL 20 1990

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

11. 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.

12. Remarks:

13. Map of proposed point of diversion and place of use attached? ☒

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.

Jane Mauri
Applicant

Received by HWS Date 3-26-90 Time 10:35 Preliminary check by KW

Fee \$ 30.00 Received by HWS # E012524 Date 3-26-90

Publication prepared by RB Date 5-19-90 Published in TD State Trul

Publication approved RB Date 6-5-90

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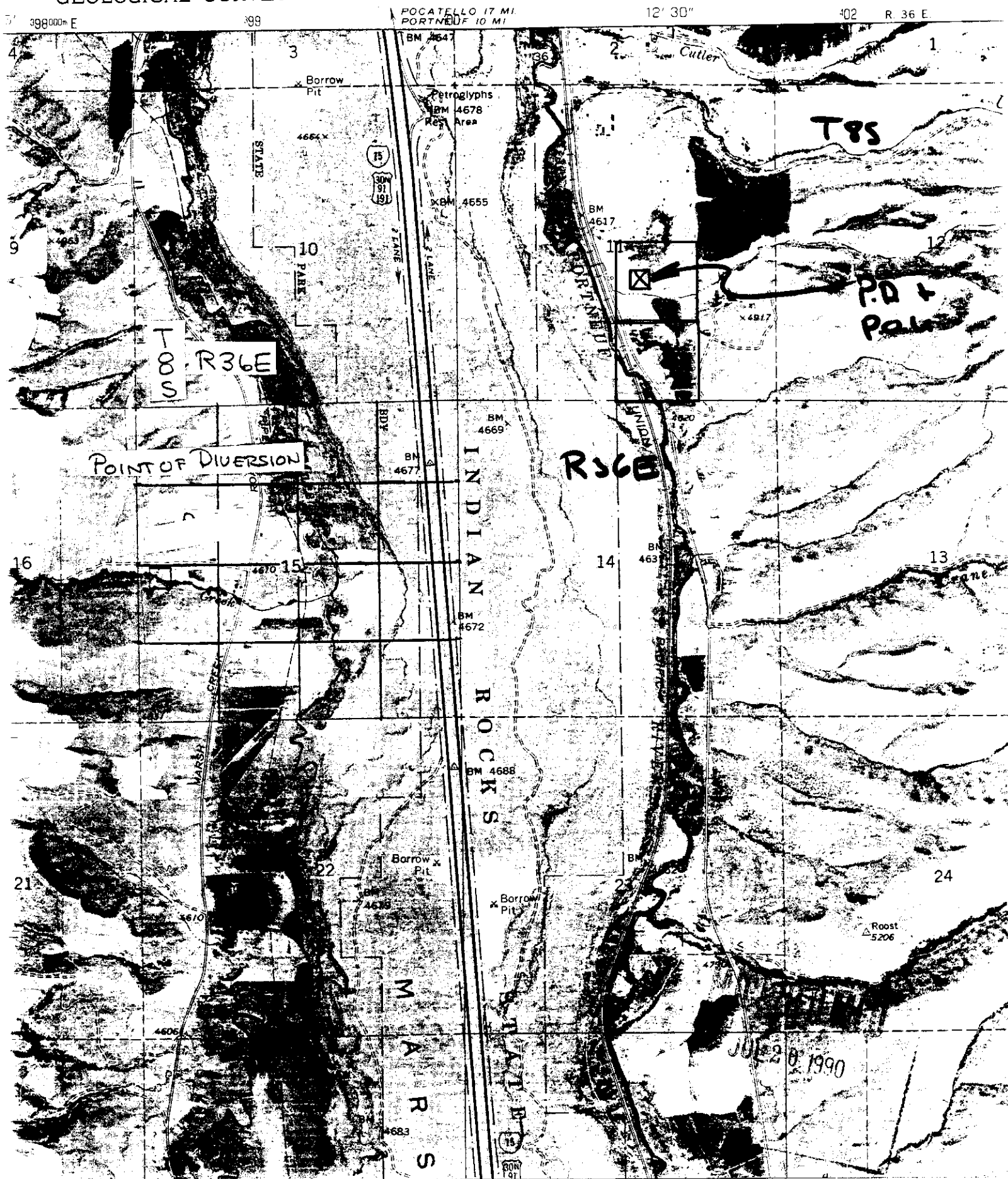
JUL 20 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R36E



PROOF OF PUBLICATION

RECEIVED

MAY 25 1990

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Sandra K. Wann

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-07898

JOHNSON, DEAN C.
JOHNSON, JAQUELYN
193 N. OLD HIGHWAY 91
POCATELLO, ID 83245
Source: PORTNEUF RIVER
Tributary: SNAKE RIVER
Diversion Pt:
SWSW Sec 35 T 07S R 36E
Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 3-6-1990
In: T07S R36E S35 SWSW
2.0 ACRES TOTAL

29-07900

SMITH, EARL H.
9589 E. MAUGHAN RD.
LAVA HOT SPRINGS, ID 83246
Source: DEMPSEY CREEK
Tributary: PORTNEUF RIVER
Diversion Pt:
SWNE Sec 29 T 09S R 38E
Use: FISH PROPAGATION (.480 CFS)
Total Diversion: (.480 CFS)
Date Filed: 3-6-1990
In: T09S R38E S29 NWNE
29-07908

MARINI, JAMES
1502 S. OLD HIGHWAY 91
INKOM, ID 83245
Source: SPRING
Tributary: SINKS
Diversion Pt:
NWNWSE Sec 11 T 08S R 36E
Use: STOCKWATER (.020 CFS)
IRRIGATION (.010 CFS)
Total Diversion: (.030 CFS)
Date Filed: 3-26-1990
In: T08S R36E S11 NWSE
0.5 ACRES TOTAL

29-07930

ANTHONY, JAY N.
ANTHONY, GOLDIE O.
P.O. BOX 210
INKOM, ID 83245
Source: SPRING
Tributary: SINKS
Diversion Pt:
NESWNE Sec 9 T 10S R 38E
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 3-15-1990
In: T10S R38E S09 NESW
29-07935

DAYLEY, MORRIS J.
6919 W. PORTNEUF RD.
POCATELLO, ID 83204
Source: GROUNDWATER
Diversion Pt:
SESW Sec 22 T 07S R 35E
Use: IRRIGATION (.400 CFS)
Total Diversion: (.400 CFS)
Date Filed: 3-15-1990
In: T07S R35E S22 NESW SESW
20.0 ACRES TOTAL

29-07936

CITY OF LAVA HOT SPRINGS
P.O. BOX 187
LAVA HOT SPRINGS, ID 83246
Source: SPRING
Tributary: PORTNEUF RIVER
Diversion Pt:
LOT 6 (SWSWSW) Sec 22 T 08S R 38E
Use: MUNICIPAL (1.000 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 3-14-1990
In: T09S R38E S21
S22
S28

29-07939

KIRKHAM, DALE B.
KIRKHAM, JR., DALE B.
P.O. BOX 4026
POCATELLO, ID 83201
Source: SPRING
Tributary: SINKS
Diversion Pt:
NENESW Sec 8 T 07S R 35E
Use: IRRIGATION (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 3-26-1990
In: T07S R35E S08 SENW NESW
NWSE
12.0 ACRES TOTAL

29-07940

DAVIS, GLADE H.
21128 S. MARSH CREEK RD.
DOWNEY, ID 83234
Source: GROUNDWATER
Diversion Pt:
NENESW Sec 8 T 07S R 35E
Use: IRRIGATION (2.400 CFS)

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

17 May	19 90	19
24 May	19 90	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

STATE OF IDAHO

COUNTY OF Bannock

On this 24th day of May in the year of 1990, before me, a Notary Public, personally appeared Sandra K. Wann, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at

My commission expires

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JUL 20 1990

December 17, 1990

JAMES MARINI
1502 S. OLD HWY. 91
INKOM, ID 83245

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07908

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.

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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JAN 63 1991

RECEIVED

AUG 10 1990
no 1 enclosed
Department of Water Resources

STATE OF IDAHO
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.

Permit No. 29-07908 Telephone No. 208-775-3449

Name(s) of Permit Holder(s): JAMES MARINI

Post Office Address: 1502 SO. OLD HWY 91 INKOM, IDAHO 83245

Source of Water: SPRING

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

Extent of Use:
Domestic _____ (No. of households) Irrigation 0.5 (No. of acres)
Stockwater 3 (No. and type of stock) Other _____

EVENTUALLY 3 HORSES BUT RIGHT NOW ONLY 1 HORSE

Total rate and/or volume for which proof is submitted 0.03 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 4-1-90

One of the following may be a condition of approval of your permit:

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

OR

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

Fee Enclosed: \$ - 0 - (See License Examination Fee Schedule)

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

JAMES MARINI 208-775-3449
Name Telephone No.

1502 SO. OLD HWY 91 INKOM, IDAHO 83245
Address

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

RECEIVED

JAN 03 1991

8-7-90
Date

James Marini
Signature (and title if on behalf of a company or organization)

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 29, 1990

JAMES MARINI
1502 S. OLD HWY. 91
INKOM, ID 83245

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P29-07908

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.

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. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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JUL 20 1990

PROCESSING

☒ Yes ☐ No 1. 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 ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ 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 6-4-90
☐ 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. 29
☐ Yes ☐ No Special conditions of approval or cover letter below.

- N/A source
 29 sinks

See below for additional information
 Date of priority recommended 3-26-90
 By HWS Date 6-12-90

STATE OFFICE REVIEW

P/K

48 49

See below for additional information
 By KW Date 6-22-90

ADDITIONAL INFORMATION

App. in NON-TRUST area-

10-May-1990

James Marini

Inkom, ID 83245

RE: Application for Permit No. 29-7908

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 Idaho State Journal on MAY 17 & 24, 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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JUL 20 1990

29-07908

MARINI, JAMES
1502 S. OLD HYWAY 91
INKOM, ID 83245

Source: SPRING

Tributary: SINKS

Diversion Pt: NWNWSE Sec 11 T 08S R 36E

Use: STOCKWATER (.020 CFS)
IRRIGATION (.010 CFS)
Total Diversion: (.030 CFS)

Date Filed: 3/26/ 1990

In: T08S R36E S11 NWSE

0.5 ACRES TOTAL

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JUL 20 1990