Identification No. 13-7021

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Thomas A. Robinson
   post office address 154 N. 2nd East, Preston, Idaho 83263
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW ¼ of SW ¼ of Section 18 Township 15 S
   Range 41 E B.M. Franklin County; adclitional points of diversion if any: _____

   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼
   of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
   Amount .20 (cfs or acre-feet per annum) for community supply purpose from Jan 1 to Dec 31 (both dates inclusive)
   Amount .02 (cfs or acre-feet per annum) for livestock water purpose from Jan 1 to Dec 31 (both dates inclusive)
   Amount 1.60 (cfs or acre-feet per annum) for irrigation purpose from July 1 to Sept 1 (both dates inclusive)
5. Total quantity to be appropriated:
   a. 1.82 cubic feet per second and/or
   b. _____ acre feet per annum.
6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc. _____
   well, pump, culinary water reservoir, pipes to houses and barns, pipes to sprinkler

   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 _____ (Mo. Day) to _____ (Mo. Day) inclusive.
   c. Proposed well diameter is 10 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 4 years.
   b. Estimated construction cost is $ 5,000.
8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: _____ ¼ of S½ NW¼ ¼ of Section 18 19 Township 15 S
      Range 41 E 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 50 to 100 head - cattle & horses
      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water 5 or 10.
      (5) If water is to be used for other purposes describe: livestock

13 7021

13 7021

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	
15 S	41 E	18									10	20	30	10					70
		19						10											10

Total number of acres to be irrigated 80 TOTAL

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

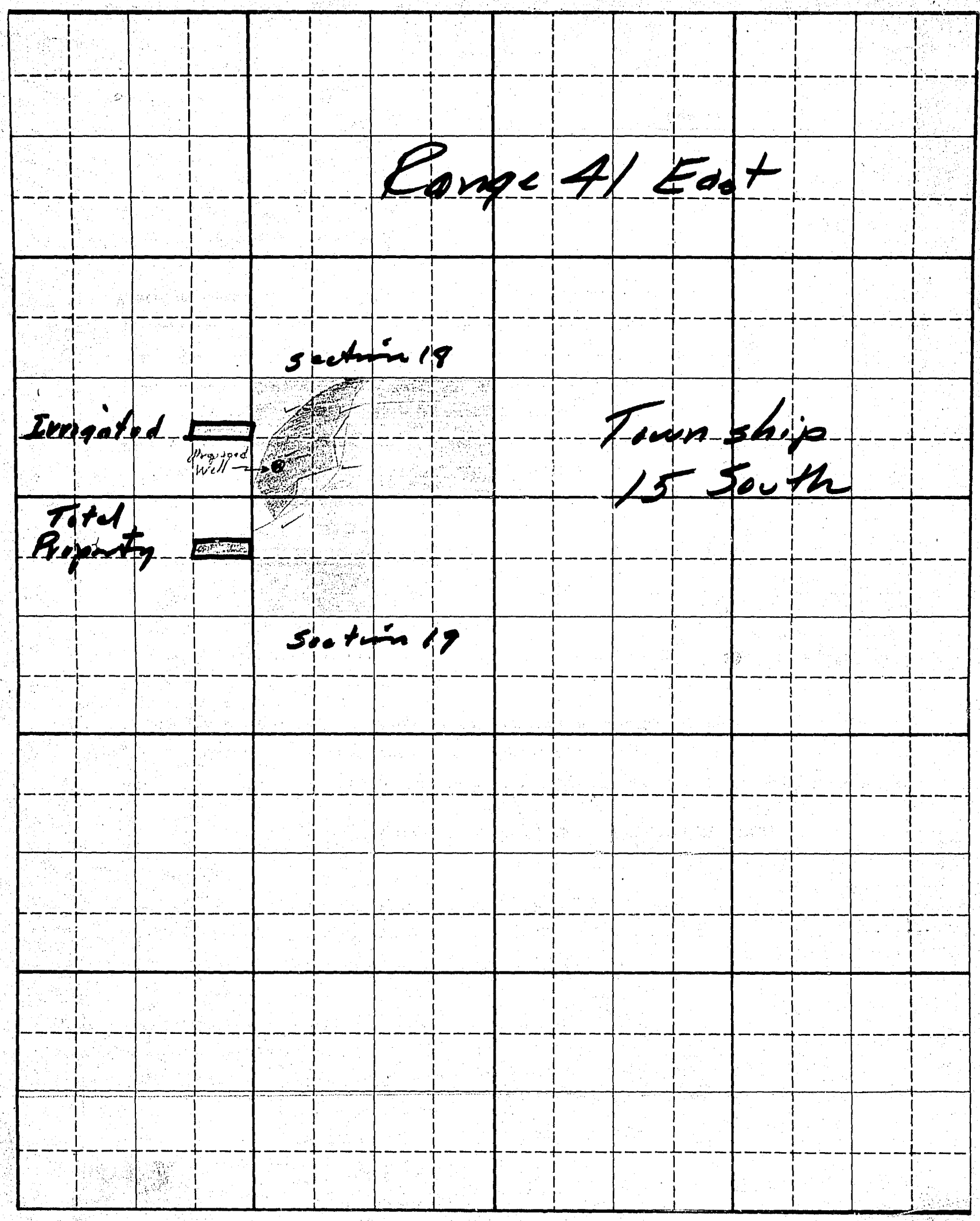
9. a. Who owns the property at the point of diversion applicant

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

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.

Thomas R. Lehman
(Applicant)

13 7021

13 7021

Received by cl Date 1-26-71 Time 8:30 a

Preliminary check by Rec Fee $ 25.00

Receipted by cl Date 1-27-71

Publication prepared by dg Date 2-2-71

Published in Preston Citizen

Publication dates 2-11 & 2-18, 71

Publication approved ~~by~~ Date 3-17-71

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by Dept. BDF DeM

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7021, 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 April 1, 1975.

   c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device at the point of diversion of a type approved by this Department.

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

Witness my hand this 23rd day of March 1971.

L. Kent Higgs

Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 13-7021 Name Thomas A. Robinson

Source ground water

Point of Diversion SW¼SW¼, Sec. 18, T. 15S, R. 41E, B.M., Franklin County

Quantity .20 Use community supply Period Jan. 1 - Dec. 31

Quantity .02 Use livestock watering Period Jan. 1 - Dec. 31

Quantity 1.60 Use irrigation Period July 1 - Sept. 1

Well Size _____ Diameter 10" Proposed Depth ? Feet

Use 10 families, 50 to 100 head - cattle & horses, 80 acres

Date Forwarded 2-2-71 Date Returned 2-12-71 Received by _____

COMMENTS: Water levels show some fluctuation (± 5 feet) but period of record is too short to predict either increases or declines. Primary aquifer is sand & gravel, probably not very productive. Water levels very variable. 80 Ft (?).

RECOMMENDED:

Applied:	Qty.	1.60	Use	IRR.	Period	7/1 - 9/1 (63)	AF/A 3.5	AF 82
	Qty.	.02	Use	STOCK	Period	1/1 - 12/31	AF/A	AF –
	Qty.	.20	Use	MULT. DOM.	Period	1/1 - 12/31	AF/A	AF 10
Maximum:	Qty.	1.60	Use	IRR.	Period	4/1 - 11/1 (214)	AF/A 3.5	AF 280
	Qty.	.02	Use	STOCK	Period	1/1 - 12/31	AF/A	AF 1.3
	Qty.	.20	Use	MULT DOM.	Period	1/1 - 12/31	AF/A	AF 10

ACTION: Approved ✓ Denied _____

Conditions of approval or reason for denial: _____

INVESTIGATION By Paul M. Castelin Title W.R.I. – I

Date Feb. 12, '71

13 7021

№ 2474

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Wayne D Bell
being duly sworn,

deposes and says:

That he is the Co-publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

October 4, 19 73, and ending

with the issue of October 11, 19 73

Wayne D Bell

Fees, $ 16.20

Subscribed and sworn to before me this 24 day

of October, 19 73.

Delores D Geddes

Notary Public, Residing at Preston, Idaho

My Commission Expires March, 19 74.

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

MB

Notice is hereby given that Permit No. 13-7021 in the name of Thomas A. Robinson was issued for the diversion of 1.82 c.f.s. of water from a ground-water source with point of diversion within the SW¼SW¼, Sec. 18, T. 15S, R. 41E, B.M., Franklin County, to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.

The permit holder now proposes to amend Permit No. 13-7021, changing the point of diversion to (2 pts.) SW¼SW¼, (2 pts.) NW¼SW¼, Sec. 18; (3 pts.) NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M; to be used for the irrigation of 60 acres within the S½SW¼, NE¼SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.; and for domestic purposes for 25 permanent homes, 25 summer homes and 25 campsites within the SW¼, Sec. 18; NW¼, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the proposed amending of the permit may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before October 23, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on October 4, and October 11, 1973.
Legal No. 2474 — Pub. Oct. 4, 11, 1973.

RECEIVED
OCT 25 1973
Department of Water Administration
Eastern District Office

13 7021

№ 2479

AFFIDAVIT OF PUBLICATION

RECEIVED
OCT 25 1973
Department of Water Administration
Eastern District Office

STATE OF IDAHO, }
County of Franklin } ss.

Wayne D. Bell
being duly sworn,

deposes and says:

That he is the Co-publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

October 18, 19 73, and ending

with the issue of October 18, 19 73

Wayne D Bell

Fees, $ 19.24

Subscribed and sworn to before me this 24 day

of October, 19 73.

Delann D. Geddes

Notary Public, Residing at Preston, Idaho

My Commission Expires March, 19 74.

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that Thomas A. Robinson, 154 North 2nd East, Preston, Idaho, has applied to the Idaho Department of Water Administration for an exchange of water evidenced by Permit No. 13-7021, for 1.62 cubic feet per second of ground-water with a priority of January 26, 1971. An Application for Amendment is pending to change the point of diversion of this permit to SW¼SW¼ (2 pts.), NW¼SW¼ (2 pts.), Sec. 18; NW¼NW¼ (3 pts.), Sec. 19, T. 15S, R. 41E, B.M.; and the place and nature of use to irrigation of 60 acres within the NE¼SW¼, S½SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M. and domestic purposes for 25 permanent homes, 25 summer homes and 25 camp sites within the SW¼, Sec. 18; NW¼, Sec. 19, T. 15S, R. 41E, B.M.

The proposed exchange is to divert .24 c.f.s. from an unnamed spring tributary to Litz Creek tributary to Cub River within the NE¼SE¼, Sec. 18, T. 15S, R. 41E, B.M. A like amount of water from Permit No. 13-7021 will be released into the Cub River at points within the NE¼SW¼, SE¼SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the above exchange of water must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before October 29, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on October 11 and October 18, 1973.
Legal No 2479 — Pub. Oct. 11, 18, 1973.

13 7021

No 1906

RECEIVED

MAR 11 1971

Department of Water Administration

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Wayne D. Bell
being duly sworn,

deposes and says:

That he is the Co-publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

February 11, 19 71, and ending

with the issue of February 18, 19 71

Wayne D. Bell

Fees, $ 8.74

Subscribed and sworn to before me this 18 day

of February, 19 71.

DeAnn D. Geddes

Notary Public, Residing at Preston, Idaho

My Commission Expires March, 19 74

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas A. Robinson, 154 N. 2nd East, Preston, Idaho, has on January 26, 1971, submitted Application No. 13-7021 for a permit to appropriate 1.82 cubic feet per second of water from a ground water source by means of well, pump, reservoir, and pipes within the SW¼SW¼, Sec. 18, T. 15S, R. 41E, B.M., Franklin County, to be used from January 1 to December 31 for community supply (0.2 cfs) and livestock watering (0.02 cfs) within the S½, Sec. 18; NW¼, Sec. 19, T. 15S, R. 41E, B.M.; and from July 1 to September 1 for the irrigation of 80 acres (1.6 cfs) in the SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S. R. 41E, 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 Administration, Statehouse, Boise, Idaho 83707, on or before March 1, 1971.

Published in the Preston Citizen, Preston, Idaho, on February 11 and Feb. 18, 1971.

Legal No. 1906 — Pub. Feb. 11 and 18, 1971.

13 7021

A C K N O W L E D G E M E N T

Date: 7/24/73

Re: Application No. _____

Transfer No. _____

Claim No. _____

Amendment No. _____

Exchange To A State Right # 13-7021

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Water Administration in the preparation of the above referenced instrument, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

13 7021

Signed: Thomas Orman

A C K N O W L E D G E M E N T

Date: 9/24/73

Re: Application No. _____
Transfer No. _____
Claim No. _____
Amendment No. 13-7021

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Water Administration in the preparation of the above referenced instrument, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed: Thomas Stimon 13 7021

Captain Thomas A. Robinson, U.S. Navy (ret.)
154 North, Second East
Preston, Idaho 83263

RECEIVED
JAN 15 1971
Department of Water Administration

January 13, 1971

Mr. Dorian Clay
Appropriation Examiner
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Clay,

Thank you for your letter of December 14, 1970 concerning authority to develop a well.

Herewith enclosed is my application for permit prepared as directed to the best of my knowledge. It would likely be helpful to me as you suggested if you would assist me in preparing the form.

I have purchased a rather run-down ranch up Cub River and would like to drill a well for both culinary purposes and livestock and also to water with a small sprinkler system in the late summer when our irrigation water supply is turned off.

Please call me collect at Preston 852-1164 and confirm the information for spaces left blank or tentatively suggested by me in pencil.

Sincerely yours,

Thomas A. Robinson

Enclosed:
Application
check
TR/ber
2 copies

13 7021

January 18, 1971

Mr. Thomas A. Robinson
154 North 2nd, East
Preston, Idaho 83263

Dear Mr. Robinson:

We are returning your application for permit and personal check #92-171, in the amount of $20.00. We have taken the liberty or re-typing the application for your convenience, with the following requirements: Please note under item #4 that we have listed 0.20 of a cubic foot per second for community supply. In your application, you have indicated that there will be approximately ten (10) families serviced with water from your domestic system. The maximum quantity that we could approve is 0.02 cubic feet per second per family, thus making a total of 0.2 cubic feet per second. Also note that we have listed 1.60 of a cubic foot per second for irrigation. Again, this figure was determined by the maximum allowable quantity of water, which is 0.02 cubic feet per second per irrigated acre.

Please review the application thoroughly and if you are in agreement with these changes, sign it on page three and return it with a $25.00 filing fee, and we shall begin its processing.

If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: original application
re-typed application
check #92-171 ($25.00)

13 7021

January 22, 1971

14

Mr. Thomas A. Robinson
154 North 2nd, East
Preston, Idaho 83263

Dear Mr. Robinson:

Pursuant to your letter of January 15, 1971, we are returning your application for permit and personal check #92-171, in the amount of $20.00. As you will note, for your convenience, we have re-typed the application, filling in the spaces that you have left blank. Please review the application thoroughly and if you are in agree-ment with the changes and recommendations, sign it on page three (3) and return it with the required $25.00 filing fee.

The information concerning your transfer will be forwarded to you shortly under a separate cover letter.

If we may be of any further assistance, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: #92-171 (check)
original application
re-typed application

Captain Thomas A. Robinson, U.S. Navy (ret.)
154 North, Second East
Preston, Idaho 83263

RECEIVED
JAN 26 1971
Department of Water Administration

January 25, 1971

Mr. Dorian Clay
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Clay,

This letter responds to yours of January 22, 1971. Thank you for your assistance in preparing the application properly. I return it herewith signed as directed with the required twenty-five dollar filing fee.

Sincerely yours,

Thomas A. Robinson

TAR/ber

Enc: re-typed and signed application

13 [illegible]

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 27, 1971

Thomas A. Robinson
154 N. 2nd East
Preston, Idaho 83263

Dear Mr. Robinson:

Returned herewith is Departmental Receipt No. 5554 in the amount of $25.00 for Application for Permit, which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

13 7021

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas A. Robinson, 154 N. 2nd East, Preston, Idaho

has on January 26, 1971 submitted Application No. 13-7021

for a permit to appropriate 1.82 cubic feet per second

of water from a ground water source

by means of well, pump, reservoir, and pipes

within the SW¼SW¼, Sec. 18, T. 15S, R. 41E, B.M., Franklin County

to be used from January 1 to December 31 for community supply (0.2 cfs) and livestock watering (0.02 cfs) within the S½, Sec. 18; NW¼, Sec. 19, T. 15S, R. 41E, B.M.; and from July 1 to September 1 for the irrigation of 80 acres (1.6 cfs) in the SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, 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 Administration, Statehouse, Boise, Idaho, 83707, on or before March 1, 1971.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho

on February 11 and February 18, 1971.

13 7021

February 2, 1971

Re: Application No. 13-7021 - Thomas A. Robinson

Preston Citizen
Box 472
Preston, Idaho 83263

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,

Dorian Clay,
Appropriation Examiner

DC/DG
Enc: legal notice

Bill submitted
3-17-71
dw

13 7021

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas A. Robinson, 154 N. 2nd East, Preston, Idaho, has on January 26, 1971, submitted Application No. 13-7021 for a permit to appropriate 1.82 cubic feet per second of water from a ground water source by means of well, pump, reservoir, and pipes within the SW¼SW¼, Sec. 18, T. 15S, R. 41E, B.M., Franklin County, to be used from January 1 to December 31 for community supply (0.2 cfs) and livestock watering (0.02 cfs) within the S½, Sec. 18; NW¼, Sec. 19, T. 15S, R. 41E, B.M.; and from July 1 to September 1 for the irrigation of 80 acres (1.6 cfs) in the SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, 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 Administration, Statehouse, Boise, Idaho 83707, on or before March 1, 1971.

Published in the Preston Citizen, Preston, Idaho, on February 11 and Feb. 18, 1971.

Legal No. 1906 — Pub. Feb. 11 and 18, 1971.

13 7021

March 11, 1971

Re: Application No. 13-7021 - Thomas A. Robinson

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

We are herewith returning the certified bill in connection with the above referenced application. Please be advised that we cannot submit the bill for payment until we are in receipt of the affidavit of publication.

We would appreciate it if you would submit the affidavit and bill as soon as possible.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

13 7021

THE PRESTON Citizen

Phone 852-0155 Published Thursdays

PRESTON, IDAHO

RECEIVED

MAR 15 1971

Department of Water Administration

March 21, 1971

State of Idaho
Department of Water Administration
Statehouse--Annex 2
Boise, Idaho 83707

Gentlemen:

Both affidavits have been mailed to you.
The amount owing is just $ 8.74.
We will try to send these affidavits out to you sooner in the future.

Thank You,

13 7021

Sincerely,
J. Walter Ross
Co-publisher

March 26, 1971

Thomas A. Robinson
154 N. 2nd East
Preston, Idaho 83263

Dear Mr. Robinson:

Enclosed is a copy of your approved Application for Permit No. 13-7021. 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:kh

Enclosures

13 7021

NOTICE OF PROPOSED

AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 13-7021 in the name of Thomas A. Robinson was issued for the diversion of 1.82 c.f.s of water from a ground-water source with point of diversion within the SW¼SW¼, Sec. 18, T. 15S, R. 41E, B.M., Franklin County, to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.

The permit holder now proposes to amend Permit No. 13-7021, changing the point of diversion to (2 pts.) SW¼SW¼, (2 pts.) NW¼SW¼, Sec. 18; (3 pts.) NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M; to be used for the irrigation of 60 acres within the S½SW¼, NE¼SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.; and for domestic purposes for 25 permanent homes, 25 summer homes and 25 campsites within the SW¼, Sec. 18; NW¼, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the proposed amending of the permit may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before October 23, 1973.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho on October 4 and October 11, 1973.

13 7021

Cw-L.
Cw-L.
Cw-L.

xxxxxxxxxxxxxxxxxxxxxxx 1515 Lincoln Road

September 27, 1973

Re: Application for Permit No. 13-7063 Kent C. Porter
No. 13-7061 Richard Lemmon
No. 13-7062 James D. McElfish
Application for Amendment No. 13-7021 Thomas A. Robinson

Preston Citizen
P. O. Box 472
Preston, ID 83263

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 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. 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 10-25-73 by MB

NCY:mb
Enc: Legal Notices (4)

13 7021

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 13-7021 in the name of Thomas A. Robinson was issued for the diversion of 1.82 c.f.s. of water from a ground-water source with point of diversion within the SW¼SW¼, Sec. 18, T. 15S, R. 41E, B.M., Franklin County, to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.

The permit holder now proposes to amend Permit No. 13-7021, changing the point of diversion to (2 pts.) SW¼SW¼, (2 pts.) NW¼SW¼, Sec. 18; (3 pts.) NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M; to be used for the irrigation of 60 acres within the S½SW¼, NE¼SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.; and for domestic purposes for 25 permanent homes, 25 summer homes and 25 campsites within the SW¼, Sec. 18; NW¼, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the proposed amending of the permit may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before October 23, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on October 4 and October 11, 1973.

Legal No. 2474 — Pub. Oct. 4, 11, 1973.

13 7021

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that Thomas A. Robinson, 154 North 2nd East, Preston, Idaho, has applied to the Idaho Department of Water Administration for an exchange of water evidenced by Permit No. 13-7021, for 1.82 cubic feet per second of ground-water with a priority of January 26, 1971. An Application for Amendment is pending to change the point of diversion of this permit to SW¼SW¼ (2 pts.), NW¼SW¼ (2 pts.), Sec. 18; NW¼NW¼ (3 pts.), Sec. 19, T. 15S, R. 41E, B.M.; and the place and nature of use to irrigation of 60 acres within the NE¼SW¼, S½SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M. and domestic purposes for 25 permanent homes, 25 summer homes and 25 camp sites within the SW¼, Sec. 18; NW¼, Sec. 19, T. 15S, R. 41E, B.M.

The proposed exchange is to divert .24 c.f.s. from an unnamed spring tributary to Litz Creek tributary to Cub River within the NE¼SE¼, Sec. 18, T. 15S, R. 41E, B.M. A like amount of water from Permit No. 13-7021 will be released into the Cub River at points within the NE¼SW¼, SE¼SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the above exchange of water must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before October 29, 1973.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho on October 11 and October 18, 1973.

NCY
W. R. Id.
CW-Id.
CW-A.

13 7021

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that Thomas A. Robinson, 154 North 2nd East, Preston, Idaho, has applied to the Idaho Department of Water Administration for an exchange of water evidenced by Permit No. 13-7021, for 1.82 cubic feet per second of ground-water with a priority of January 26, 1971. An Application for Amendment is pending to change the point of diversion of this permit to SW¼SW¼ (2 pts.), NW¼SW¼ (2 pts.), Sec. 18; NW¼NW¼ (3 pts.), Sec. 19, T. 15S, R. 41E, B.M.; and the place and nature of use to irrigation of 60 acres within the NE¼SW¼, S½SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M. and domestic purposes for 25 permanent homes, 25 summer homes and 25 camp sites within the SW¼, Sec. 18; NW¼, Sec. 19, T. 15S, R. 41E, B.M.

The proposed exchange is to divert .24 c.f.s. from an unnamed spring tributary to Litz Creek tributary to Cub River within the NE¼SE¼, Sec. 18, T. 15S, R. 41E, B.M. A like amount of water from Permit No. 13-7021 will be released into the Cub River at points within the NE¼SW¼, SE¼SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the above exchange of water must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before October 29, 1973.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho on October 11 and October 18, 1973.

NCY
CW-L.J.
CW-L.
CW-A.

13 7021

1515 Lincoln Road

October 5, 1973

Re: Application for Exchange of Water No. 13-7021 Robinson
Application for Permit No. 13-7065 Robinson

Preston Citizen
Box 472
Preston, Idaho 83263

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 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. 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:mb
Enc: Legal Notices (2)

Bill submitted 10-25-73 by MB

13 7021

13 2021

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that Thomas A. Robinson, 154 North 2nd East, Preston, Idaho, has applied to the Idaho Department of Water Administration for an exchange of water evidenced by Permit No. 13-7021, for 1.82 cubic feet per second of ground-water with a priority of January 26, 1971. An Application for Amendment is pending to change the point of diversion of this permit to $SW^{1}_{4}SW^{1}_{4}$ (2 pts.), $NW^{1}_{4}SW^{1}_{4}$ (2 pts.), Sec. 18; $NW^{1}_{4}NW^{1}_{4}$ (3 pts.), Sec. 19, T. 15S, R. 41E, B.M.; and the place and nature of use to irrigation of 60 acres within the $NE^{1}_{4}SW^{1}_{4}$, $S^{1}_{2}SW^{1}_{4}$, Sec. 18; $NW^{1}_{4}NW^{1}_{4}$, Sec. 19, T. 15S, R. 41E, B.M. and domestic purposes for 25 permanent homes, 25 summer homes and 25 camp sites within the SW^{1}_{4}, Sec. 18; NW^{1}_{4}, Sec. 19, T. 15S, R. 41E, B.M.

The proposed exchange is to divert .24 c.f.s. from an unnamed spring tributary to Litz Creek tributary to Cub River within the $NE^{1}_{4}SE^{1}_{4}$, Sec. 18, T. 15S, R. 41E, B.M. A like amount of water from Permit No. 13-7021 will be released into the Cub River at points within the $NE^{1}_{4}SW^{1}_{4}$, $SE^{1}_{4}SW^{1}_{4}$, Sec. 18, $NW^{1}_{4}NW^{1}_{4}$, Sec. 19, T. 15S, R. 41E, B.M.

Any protest to the above exchange of water must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before October 29, 1973.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on October 11 and October 18, 1973.

Legal No 2479 Pub. Oct. 11, 18, 1973.

CONVERSATION MEMORANDUM

DATE 10/22/23

FILE 13-2021 (Amend)

NAME OF PARTY Wesley Crowther Atty @ Preston

EMPLOYEE NCY

RE: Called asked procedure for protesting amendments & exchanges. I explained. He indicated he would put protests in mail today.

I told him I would consider his phone call as an intent to protest & a hearing would be held if he followed it up in writing; however protest might not be timely as an item to be considered @ the hearing if the protest were not received in this office tomorrow.

13 7021

1515 Lincoln Road

October 23, 1973

Re: Application for Permit No. 13-7061 Richard Lemmon
No. 13-7062 James D. McElfish
No. 13-7063 Kent C. Porter
Application for Amendment No. 13-7021 Thomas A. Robinson

Preston Citizen
P. O. Box 472
Preston, ID 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on October 4 and October 11, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOING
District Engineer

NCY:mb

13 7021

RECEIVED
OCT 24 1973
Department of Water Administration
Eastern District Office

NOTICE OF PROTEST

Comes now Glen T. Bowman, R.F.D. Preston, Idaho and enters his protest to the application of Thomas A. Robinson to amend Permit No. 137021 to change the point of diversion and to exchange water. Said protest is based on the belief of protester that said amendments will deplete and inhibit the flow of water from springs heretofore appropriated for agricultural purposes and applied to beneficial use by protester in Section 24, T. 15 S. R. 40 E.B.M., and will deprive him of the full flow of the waters appropriated by him.

The undersigned requests that a date be set to receive and hear evidence on said application and protest.

Dated this 22nd day of October, 1973, at Preston, Idaho.

Glen T Bowman
GLEN T. BOWMAN

J. W. Crowther
75 So. State
Preston, Idaho
852-2610

13 7021

RECEIVED
OCT 24 1973
Department of Water Administration
Eastern District Office

NOTICE OF PROTEST

COMES NOW VAUDIS A. SHARP of Rt #3, Preston, Idaho and enters her protest to the application of Thomas a. Robinson to amend Permit No. 13-7021 to change the point of diversion and to exchange water. Said protest is based on the belief of protester that said amendments will deplete and inhibit the flow of water from springs heretofore appropriated for agricultural purposes and applied to beneficial use by protester in Section 24, T. 15 So. R. 40 E.B.M., and will deprive her of the full flow of the waters appropriated by her.

The undersigned requests that a date be set to receive and hear evidence on said application and protest.

Dated this 22nd day of October, 1973, at Preston, Idaho.

Vaudis A. Sharp
Vaudis A. Sharp

J. W. Crowther
75 South State
Preston, Idaho
Attorney for Protester
852-2610

13 7021

1515 Lincoln Road

October 25, 1973

Re: Permit No. 13-7021

Mr. Vaudis A. Sharp
Route #3
Preston, ID 83263

Dear Mr. Sharp:

This is to acknowledge receipt of your protest to issuance of an amendment pursuant to the above referenced permit. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of an amendment, partially approve the amendment, approve the amendment for a quantity of water less than applied for, or approve the amendment subject to special conditions.

An application for amendment issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

13 7021

NCY:mb

cc: J. W. Crowther

1515 Lincoln Road

October 25, 1973

Re: Permit No. 13-7021

Mr. Glen T. Bowman
R.F.D.
Preston, ID 83263

Dear Mr. Bowman:

This is to acknowledge receipt of your protest to issuance of an amendment pursuant to the above referenced permit. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of an amendment, partially approve the amendment, approve the amendment for a quantity of water less than applied for, or approve the amendment subject to special conditions.

An application for amendment issued by this office is subject all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

13 7021

NCY:mb

cc: J. W. Crowther

1515 Lincoln Road

October 25, 1973

Re: Application for Amendment No. 13-7021

Mr. Thomas A. Robinson
154 North Second East
Preston, Idaho 83263

Dear Mr. Robinson:

We have enclosed a copy of the protests filed against the issuance of the amendment pursuant to your Application No. 13-7021. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow an amendment for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code).

An application for amendment issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb
Enc: Copy of Protests

13 7021

XXXXXXXXXXXXXXXXX

1515 Lincoln Road

October 25, 1973

RE: Application for Exchange No. 13-7021

Ms. Vaudis A. Sharp
Rt. #3
Preston, Idaho 83263

Dear Ms. Sharp:

This is to acknowledge receipt of your protest to issuance of an exchange of water pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for an exchange (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of an exchange of water, partially approve the exchange, approve the exchange for a quantity of water less than applied for, or approve the exchange subject to special conditions.

An Application for Exchange of water issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

13 7021

NORMAN C. YOUNG
District Engineer
NCY:cw

cc: J. W. Crowther

XXXXXXXXXXXXXXXXX

1515 Lincoln Road

October 25, 1973

RE: Application for Exchange No. 13-7021

Mr. Glen T. Bowman
R. F. D.
Preston, Idaho 83263

Dear Mr. Bowman:

This is to acknowledge receipt of your protest to issuance of an exchange of water pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for an exchange (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of an exchange of water, partially approve the exchange, approve the exchange for a quantity of water less than applied for, or approve the exchange subject to special conditions.

An Application for Exchange of water issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:cw

cc: J. W. Crowther

13 7021

1515 Lincoln Road

October 25, 1973

Re: Application for Exchange of Water No. 13-7021

Mr. Thomas A. Robinson
154 North Second East
Preston, Idaho 83263

Dear Mr. Robinson:

We have enclosed a copy of the protests filed against the issuance of the exchange pursuant to your Application No. 13-7021. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying the application for exchange of water (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow an exchange for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code).

An application for exchange of water issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

13 7021

NORMAN C. YOUNG
District Engineer
NCY- MB
Enc: Copy of Protests

J. W. CROWTHER
ATTORNEY AT LAW

~~PROSECUTING ATTORNEY~~

60 NORTH MAIN MALAD CITY, IDAHO
PHONE 766-2644
AND
75 South State Preston, Idaho
852-2610

RECEIVED
OCT 29 1973
Department of Water Administration
Eastern District Office

October 26, 1973

Mr. Norman C. Young
District Engineer
State of Idaho Department of Water Administration
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Application # 13-7065
Application for Exchange # 13-7021
Permit # 13-7021
Thomas A. Robinson

Dear Mr. Young:

Reference is made to the Notice of Protest of Mrs. Vaudis A. Sharp, Route 3, Preston, on the above applications. After further consideration and investigation Mrs. Sharp has directed me to withdraw her protest. You are, therefore, instructed to disregard Mrs. Sharp's protest and consider it withdrawn and of no further effect as of this date.

Yours very truly,

J. W. Crowther

JWC:hm

cc: Thomas A. Robinson

13 7021

1515 Lincoln Road

October 29, 1973

Re: Application for Permit No. 13-7065
Application for Amendment No. 13-7021
Application for Exchange of Water No. 13-7021

Mr. J. W. Crowther
75 South State
Preston, Idaho 83263

Dear Mr. Crowther:

This is to acknowledge receipt of your letter dated October 26, 1973 withdrawing Mrs. Vaudis A. Sharp's protests against the above referenced applications. As of this date, the protests are of no further effect.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

cc: Vaudis A. Sharp

13 7021

1515 Lincoln Road

December 19, 1973

[redacted]

Franklin County Courthouse
Clerk of the District Court
Preston, Idaho 83263

Dear Sir:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Tuesday, January 22, 1974, at 2:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

13 7021

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

In the Matter of Protests Against Approval of Application for Amendment #13-7021, Application for Exchange of Water #13-7021, Application for Permit #13-7065 and Application #13-7066 in the name of THOMAS A. ROBINSON	NOTICE OF CONFERENCE AND/OR HEARING

On September 24, 1973, Thomas A. Robinson, 154 North Second East, Preston, Idaho, filed with the Department of Water Administration an Application for Amendment #13-7021 and an Application for Exchange of Water #13-7021. On October 5, 1973, Robinson filed an Application for Permit #13-7065 and on October 12, 1973, filed an Application for Permit #13-7066. On October 24, 1973, the Department received protests from Glen T. Bowman against the approval of Amendment #13-7021, Exchange #13-7021 and Application #13-7065 and on November 6, 1973, Bowman protested Application #13-7066. On November 1, 1973, a protest against Application #13-7065 was received from Cub River Irrigation Co. On November 2, 1973, Cub River Irrigation Co. submitted a protest against Application #13-7066.

The Department has set the matter of protests for conference and/or hearing for Tuesday, January 22, 1974, at 2:00 p.m., in the Courtroom of the Franklin County Courthouse, Preston, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the applications. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 21 day of December, 19 73. 13 7021

RONALD D. CARLSON
Assistant to the District Engineer

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

NAME AND ADDRESS OF SENDER

Indicate type of mail:
☐ REGISTERED ☐ INSURED ☐ C.O.D. ☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	SPEC. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1 276	Ellen J. Bowman RFD Preston, Idaho	08	30	15				13-7018-A 13-7011-A & 13-7021
2 277	J. L. Crowther, 755 State, Preston, Idaho	08	30	15				"
3 278	John Sobaro, 490 Memorial Dr. Idaho Falls, Id	08	30	15				"
4 279	[redacted] R. Robinson 154 N 2nd E, Preston, Idaho	08	30	15				"
5 280	[redacted] J. Bothly, Cal R. Irrig Co. PO Box 215 Lewiston, Utah	08	30	15				"
6								
7								
8								
9								
10								
11	Sent by certified mail 12/26/72							
12	by AB							
13								
14								
15	Ended M. Thompson - was certified							
16								
17								
18								
19								
20								

13

TOTAL NO. OF ITEMS LISTED BY [redacted]

TOTAL NO. OF PIECES RECD AT P.O. 5

POSTMASTER [redacted] (Number of articles received)

POD Form [redacted] APPLICATION FOR REGISTRATION OR CERTIFICATION (Surcharges are not required on insured mail)

RECEIVED

JAN 24 1974

Department of Water Administration
Eastern District Office

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

* *

In the Matter of Protests against approval of Application for Exchange of Water #13-7021 and Application for Ammendment #13-7021.	CONDITIONAL WITHDRAWAL OF PROTEST

* *

COMES NOW, Glen T. Bowman, by and through his Attorney J. W. Crowther, and does hereby withdraw his protest against the application of Thomas A. Robinson for the ammendment of permit #13-7021 and conditionally withdraws his protest of the application of Thomas A. Robinson for exchange of water under permit #13-7021.

Said withdrawal is specifically conditioned on the guarantee of adequate safeguard to insure that the quantity of water replaced by said applicant is at least equal to the quantity of water withdrawn and used by said applicant.

DATED THIS 23rd day of January, 1974.

J. W. Crowther

M E M O R A N D U M

RE: Conference on Amendment of Permit No. 13-7021

A conference was held at Preston, Idaho on January 22, 1974, to consider the protest against approval of the above referenced amendment. The permit holder, Thomas A. Robinson, was present and represented by Attorney John Sharp of the firm Sharp, Anderson and Bush of Idaho Falls. The protestant, Glen T. Bowman, was present and represented by Attorney J. W. Crowther of Preston, Idaho. The Department of Water Administration was represented by Bobby D. Fleenor, hearing office, and Norman C. Young. A brief conference was held to determine the nature of the protest and to allow the permit holder to clarify his project. As a result of this brief conference, the protestant through his attorney agreed to withdraw his protest. A signed withdrawal of protest was received by the Department on January 24, 1974.

Therefore, it is recommended that the above referenced amendment be approved with the condition that measuring devices be installed and maintained at all points of diversion.

NCY

NORMAN C. YOUNG
District Engineer

January 30, 1974

13 7021

M E M O R A N D U M

RE: Conference on Exchange of Water Right No. 13-7021

A conference was held at Preston, Idaho, on January 22, 1974, to consider the protest against approval of the above referenced exchange. The permit holder, Thomas A. Robinson, was present and represented by Attorney John Sharp of the firm Sharp, Anderson and Bush of Idaho Falls, Idaho. The protestant, Glen T. Bowman, was present and represented by Attorney J. W. Crowther of Preston, Idaho. The Department of Water Administration was represented by Bobby D. Fleenor, hearing officer, and Norman C. Young. A brief conference was held to determine the nature of the protest and to allow the permit holder to clarify his project. As a result of this brief conference, the protestant through his attorney agreed to withdraw his protest under the condition that any water diverted from the spring would be measured and that a like amount of water would be measured into the Cub River from the wells. A signed conditional withdrawal of protest was received by the Department on January 24, 1974.

Therefore, it is recommended that the above referenced amendment be approved subject to the following conditions:

1. Totalizing measuring devices be installed and maintained at the points of diversion on the spring and at the place of injection into the Cub River.
2. Use of water under this exchange is subject to control by the watermaster of State Water District No. 13-A, Cub River.
3. Whenever the flow in the Cub River Drainage is not sufficient to fill all rights prior in time to Permit No. 13-7028, water pumped from the permit holder's wells shall be diverted in the Cub River at a single point of injection at a rate at least as great as that then being diverted from the spring in the NE¼SE¼, Sec. 18, T. 15S, R. 41E, B.M. by the permit holder.

13 7021

Dated this 30th day of January, 1974.

NCY

NORMAN C. YOUNG
District Engineer

13 702

INTER-DEPARTMENT MEMO — 1

DATE January 30, 1974

RECEIVED
JAN 31 1974
Department of Water Administration

FROM Norm

TO Bob Fleenor

SUBJECT Exchange and Amendment on Permit No. 13-7021

I believe that the exchange and amendment to #13-7021 are ready for approval. I am not certain that the third condition for approval of the exchange is necessary, but I have included it for two reasons: 1. I want to be sure that Mr. Robinson exchanges only ground water and not other surface water that might have reached Cub River anyway. 2. I believe at the point of injection that the exchange should be limited to only one ~~part~~ point because it would add an extra and unnecessary hardship on the watermaster to have to check the additional points of diversion that were requested.

13 7021

NCY

SIGNATURE

I APPROVE OF THIS DECISION AND AGREE THAT RETURN TO THE RIVER SHOULD BE AT ONLY ONE POINT.

RKH

13 7021

February 12, 1974

Re: Permit No. 13-7021

Mr. Thomas A. Robinson
154 N. 2nd East
Preston, Idaho 83263

Dear Mr. Robinson:

Enclosed herewith is an approved copy of the application for amendment and application for exchange of water in connection with the above referenced permit.

We direct your attention to the conditions of approval as listed on the third page of the exchange.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of amendment
Copy of exchange

cc: Mr. Roland Carter
Mr. J.W. Crowther
Eastern District Office - IDWA

COPY

13 7021

BELL & HOWELL SAFETY

RECEIVED
FEE $10.00
SEP 24 1973
Department of Water Administration
Eastern District Office
Receipt # 10360

RECEIVED
OCT 3 1973
Department of Water Administration
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR AMENDMENT

APPROVED

Permit No. 13-7021

Comes now Thomas A. Robinson of (address) Preston, Idaho, and represents to the State Reclamation Department of Water Administration

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 13-7021, and requests that the permit and permit map be changed as follows:

1. Point of diversion: (2 points) SW ¼ SW ¼, Sec. 18, T. 15S, R. 41E, B.M. Other points of diversion (2 pts.) NW¼SW¼, Sec. 18; (3 pts.) NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

			mo. - day		mo. - day	
Amount	1.00 (cfs or ~~acre-feet per annum~~)	for domestic *	purpose from	Jan. 1	to Dec. 31	(both dates inclusive)
Amount	0.82 (cfs or ~~acre-feet per annum~~)	for irrigation	purpose from	Apr. 1	to Nov. 1	(both dates inclusive)
Amount	1.82 (cfs or acre-feet per annum)	for TOTAL	purpose from	- - -	to - - -	(both dates inclusive)
Amount	_____ (cfs or acre-feet per annum)	for _____	purpose from	_____	to _____	(both dates inclusive)
Amount	_____ (cfs or acre-feet per annum)	for _____	purpose from	_____	to _____	(both dates inclusive)

3. Place of use or land to be irrigated:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
Irrigation																			
15S	41E	18									10		30	10					50
"	"	19						10											10
							**Domestic purposes for 25 permanent homes,												Total 60
							25 summer homes, and 25 campsites.												
Domestic																			
15S	41E	18									X	X	X	X					
"	"	19					X	X	X	X									

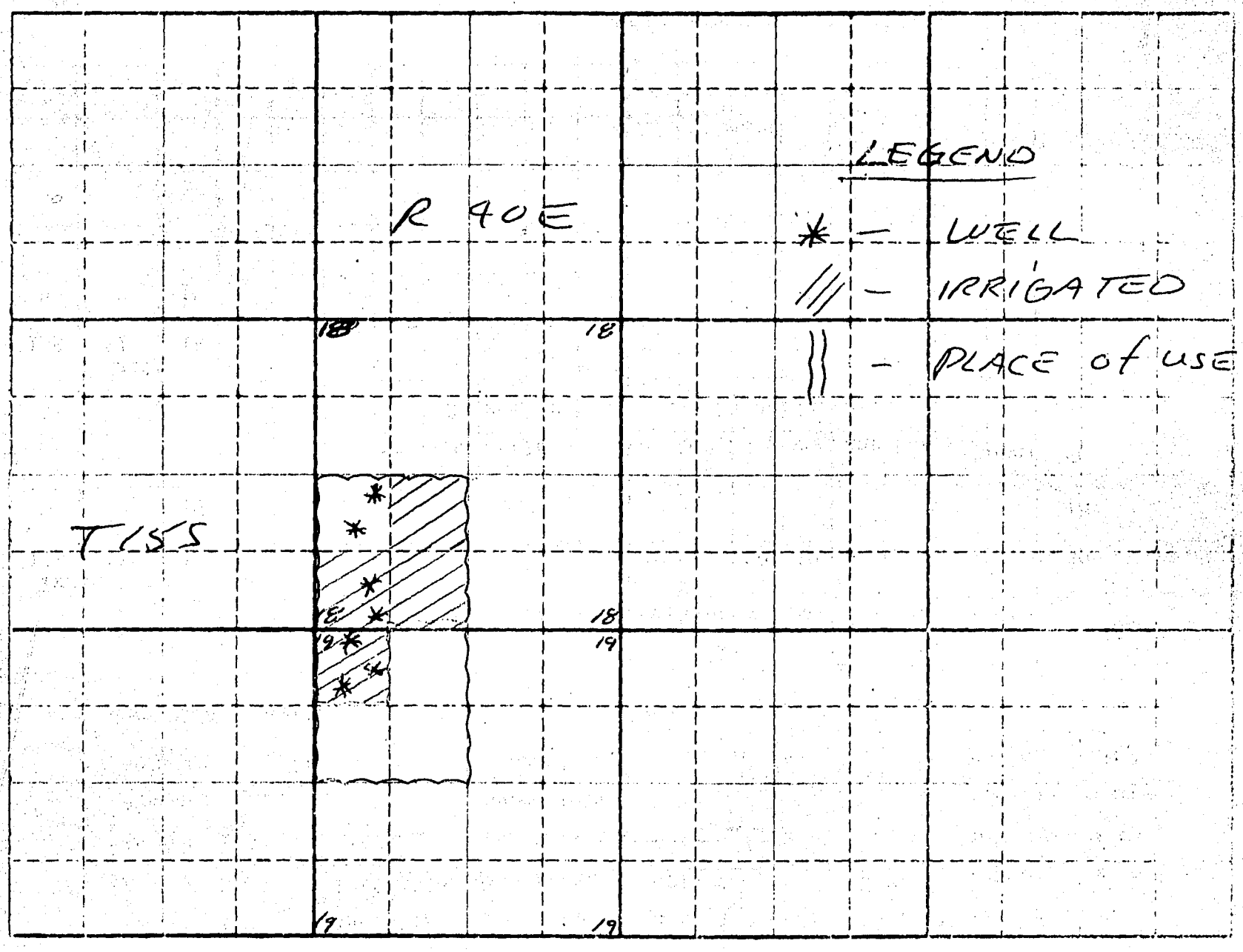
Total number of acres to be irrigated

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

13 7021

13 7021

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, Idaho, this 14th day of September 1973

Thomas A. Johnson
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration hereby approve the above application for amendment for Permit No. 13-7021 with the condition that measuring devices of a type approved by this Department be permanently installed and maintained at each point of diversion.

Witness my hand this 12 day of February, 19 74

R. Keith Higginson
Director

Identification No. 13-7021

Exchange No. _____

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR EXCHANGE OF WATER

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Thomas A. Robinson

   Post office address 154 North 2nd East, Preston, Idaho

2. Right obtained by:

   a. Decree to _____ (Name) in Case of _____

   vs. _____, Dated _____ in _____ (Name of Court)

   Court, County of _____. Fully describe decree _____

   _____

   _____

   b. Permit, ~~License, Claim No.~~ 13-7021 in the records of the Department of ~~Reclamation~~ Water Administration.

3. Source of water groundwater (Name of stream or source) tributary to - - - -

4. Date of Priority of Right January 26, 1971

5. Amount of water a. 1.82 c.f.s. and/or

   b. _____ acre feet/annum

6. Water is used for irrigation (Purpose) from Apr. 1 (Month-Day) to Nov. 1 (Month-Day)

   domestic (Purpose) from Jan. 1 (Month-Day) to Dec. 31 (Month-Day)

7. Location of point of diversion is SW ¼ SW ¼ of Section 18, Township 15S, Range 41E, B.M., in Franklin County; Additional points of diversion, if any NOTE: Amendment filed to make point of diversion as follows: (2 pts.) SW¼SW¼, (2 pts.) NW¼SW¼, Sec. 18; (3 pts.) NW¼NW¼, Sec. 19 T. 15S, R. 41E, B.M.

   _____

   _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	41E	18									10	20	30	10					70
"	"	19						10											10
Amendment Application filed as follows on 9/24/73																			
Irrigation																			
15S	41E	18									10		30	10					50
"	"	19						10											10
Domestic																			
15S	41E	18									X	X	X	X					
"	"	19					X	X	X	X									

Total number of acres to be irrigated _____

13 7021

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

9. Name of Right Holder N. A.

   Post office address _____

10. Source of water Unnamed Spring tributary to Litz Creek
    (Name of stream or source)

11. Name of canal or ditch _____

12. Amount of water a. 0.24 c.f.s. and/or
    b. _____ acre feet/annum

13. Right obtained by:

    a. Decree to _____ in Case of _____
    (Name)

    vs. _____, Dated _____ in _____
    (Name of Court)

    Court, County of _____. Fully describe decree (if known) _____

    _____

    _____

    b. Permit, License, or Claim No. _____ in the records of the Department of Reclamation.

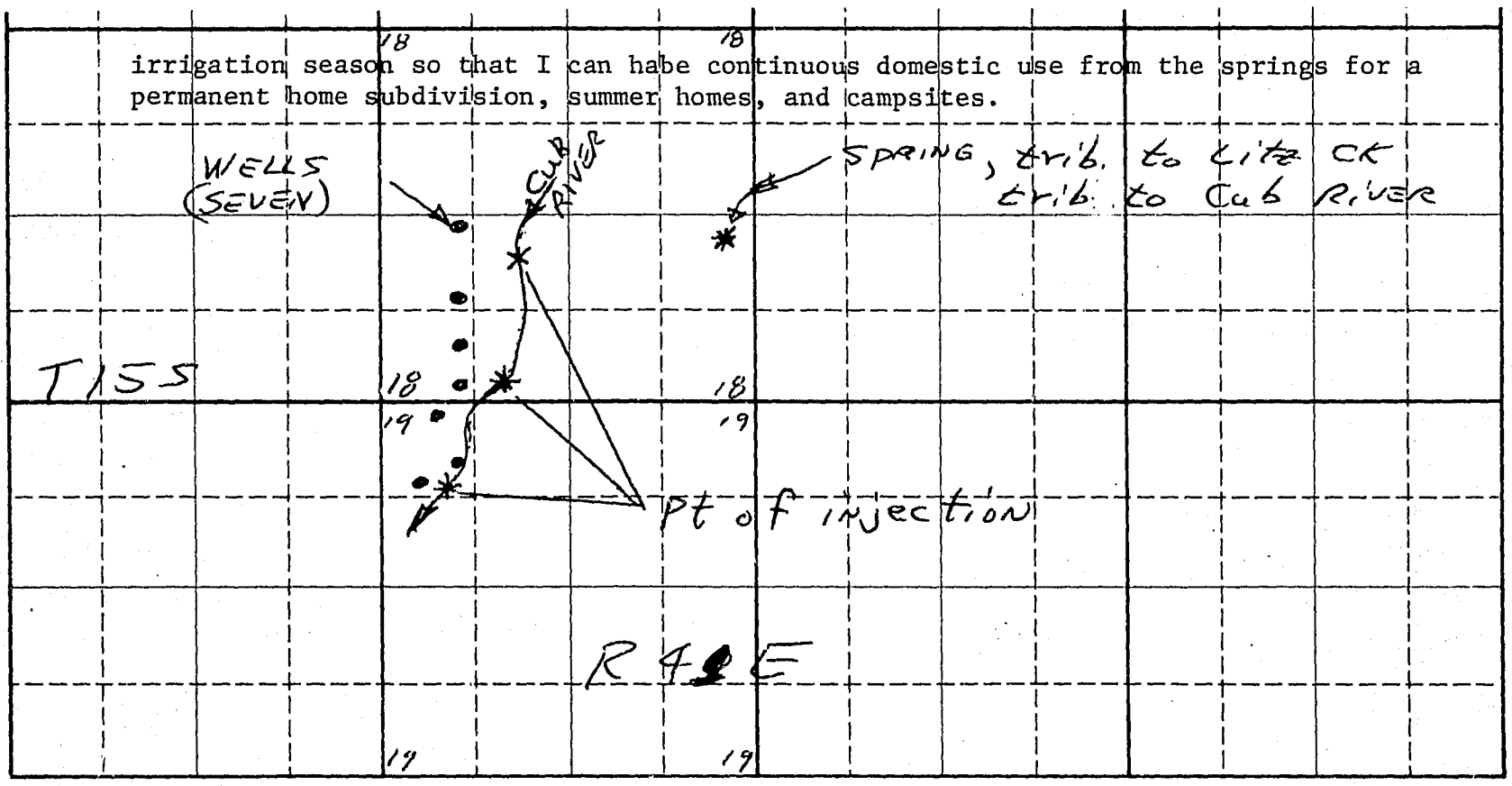
EXCHANGE

14. 0.24 c.f.s and/or - - - acre feet per annum of water diverted at the point described in line 7 and will be delivered into Cub River at a point in NE ¼ SW ¼ of Section 18, Township 15S, Range 41E, B.M., in Franklin County; Additional points, if any SE¼SW¼, Sec. 18; NW¼NW¼, Sec. 19, T. 15S, R. 41E, B.M.

15. In lieu thereof 0.24 c.f.s. and/or - - - acre feet per annum will be diverted from Unnamed spring at a point within the NE ¼ SE ¼ of Section 18, Township 15S, Range 41E, B.M., in Franklin County.

16. Explanation I have a 1972 right on the unnamed spring that is junior to irrigation rights on Cub River. I wish to trade groundwater from the wells for the spring water during those periods of the year that my 1972 right is not on during the critical irrigation season so that I can have continuous domestic use from the springs for a permanent home subdivision, summer homes, and campsites.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

(Signature of Applicant)

Subscribed and sworn to before me this 24th day of SEPTEMBER, 1973.

(Notary Public)

My commission expires 6/10/75

ACTION OF THE STATE RECLAMATION ENGINEER

I have examined Application for Exchange of Water No. 13-7021 and said application is hereby APPROVED.

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

(1) Totalizing measuring devices shall be installed and maintained at the points of diversion on the spring and at the place of injection into the Cub River.

(2) Use of water under this exchange is subject to control by the Watermaster of State Water District No. 13-A, Cub River.

(3) Whenever the flow in the Cub River Drainage is not sufficient to fill all rights prior in time to Permit No. 13-7028, water pumped from the permit holder's wells shall be diverted into the Cub River at a single point of injection at a rate at least as great as that then being diverted from the spring in the NE¼SE¼, Sec. 18, Twp. 15 S, Rge. 41 E, B.M. by the permit holder.

Witness my hand this 12th day of February, 19 74.

Director ~~State Reclamation Engineer~~
Idaho Dept. of Water Administration

FOR DEPARTMENT USE ONLY

Received by mb Date 9-24-73 Time 4:20 p Preliminary check by NCY 9/24/73
Fee $30.00 Receipt #10360 Receipted by mb Date 9-24-73 Publication prepared by mb
Date 10/5/73 Published in Preston Citizen, Preston Dates October 11-18, 1973
Affidavit of Publication received 10-25-73 Publication approved by CW 10/25/73
Republished Dates N.A.

Protests Filed By:

Protestant	Address	Date Filed	Copies Forwarded by	Date	Action Taken
Glen I. Bowman	RFD Preston, Id	10-24-73	MB	10/25/73	
~~Claudia A. Stamps~~	~~Rt #3 Preston, Id.~~	~~10-24-73~~	Withdrawn		

Agreement needed None Req'd Agreement received N.A.
~~Hearings~~ CONFERENCE held at Franklin City Courthouse, Preston, Id. Date 1-22-74 MB
Recommended for approval denial by NCY DIST. ENGR. 1/30/74
(Title)

INTER-DEPARTMENT MEMO — 1

Please file

FROM Mechelle

DATE Feb. 12, 1974

RECEIVED
FEB 13 1974
Department of Water Administration

TO Darlene

SUBJECT PROTESTED AMENDMENT & EXCHANGE No. 13-7021

Attached is a copy of the certified cards for the above subject apps. The original cards are in protested application No. 13-7065. Sorry I neglected to put copies in those applications.

Mechelle
SIGNATURE

13-7021

SENDER: Be sure to follow instructions on other side 13-

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 276
INSURED NO.
DATE DELIVERED 12-26-73

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Glen T Bowman
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side 13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 271
INSURED NO.
DATE DELIVERED DEC 27 1973

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) John Sharp
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY Eugene W Bush
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side 13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 280
INSURED NO.
DATE DELIVERED 12/26/73

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Cut Bank Inspection Co.
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY Howard Bradshaw
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side 13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 279
INSURED NO.
DATE DELIVERED 26 Dec 73

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Barbara K Robinson
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

13-7021

13

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 280

INSURED NO.

DATE DELIVERED 12/26/73

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

1 C.L. Kennington Jr.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2 Wanda O. Bell

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

3

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 279

INSURED NO.

DATE DELIVERED 26 Dec 73

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

1 Barbara Wilson

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

3

SENDER: Be sure to follow instructions on other side

13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 278

INSURED NO.

DATE DELIVERED DEC 27 1973

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

1 John Sharp

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2 Eugene W Bond

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

3

SENDER: Be sure to follow instructions on other side

13

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 277

INSURED NO.

DATE DELIVERED 12-26-73

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

1 Helen M Hilliard

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

3

3-7021

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PERIOD)
DATE IN CONNECTION WITH PERMIT NO. 13-7021) ORDER
in the name of THOMAS A. ROBINSON)

WHEREAS, on January 26, 1971, Thomas A. Robinson applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 1.82 cubic feet per second of groundwater within the SW¼SW¼, Sec. 18, Twp. 15S, Rge. 41E, B.M., Franklin County, to be used for domestic, irrigation, and livestock purposes; and,

WHEREAS, on March 23, 1973, the Department approved said application and issued Permit No. 13-7021 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before April 1, 1975; and,

WHEREAS, on February 11, 1975, the Department received a request for an extension of time for said permit; and,

WHEREAS, it appears that under the circumstances the permit holder has been proceeding with reasonable diligence and has given good cause fro delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 13-7021 be extended to April 1, 1976.

Dated this 27 day of February, 1975.

A. [illegible] DUNN, Administrator
Operations Division

BDF:JC

January 31, 1975

CERTIFIED MAIL

#260446

Re: Permit No. 13-7021

Thomas A. Robinson
154 North 2nd East
Preston, ID 83263

Dear Mr. Robinson:

One of the conditions of approval of your water Permit No. 13-7021 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

PS Form 3811, Nov. 1973 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery ..... 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	260446	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE

DATE OF DELIVERY
2-7-75

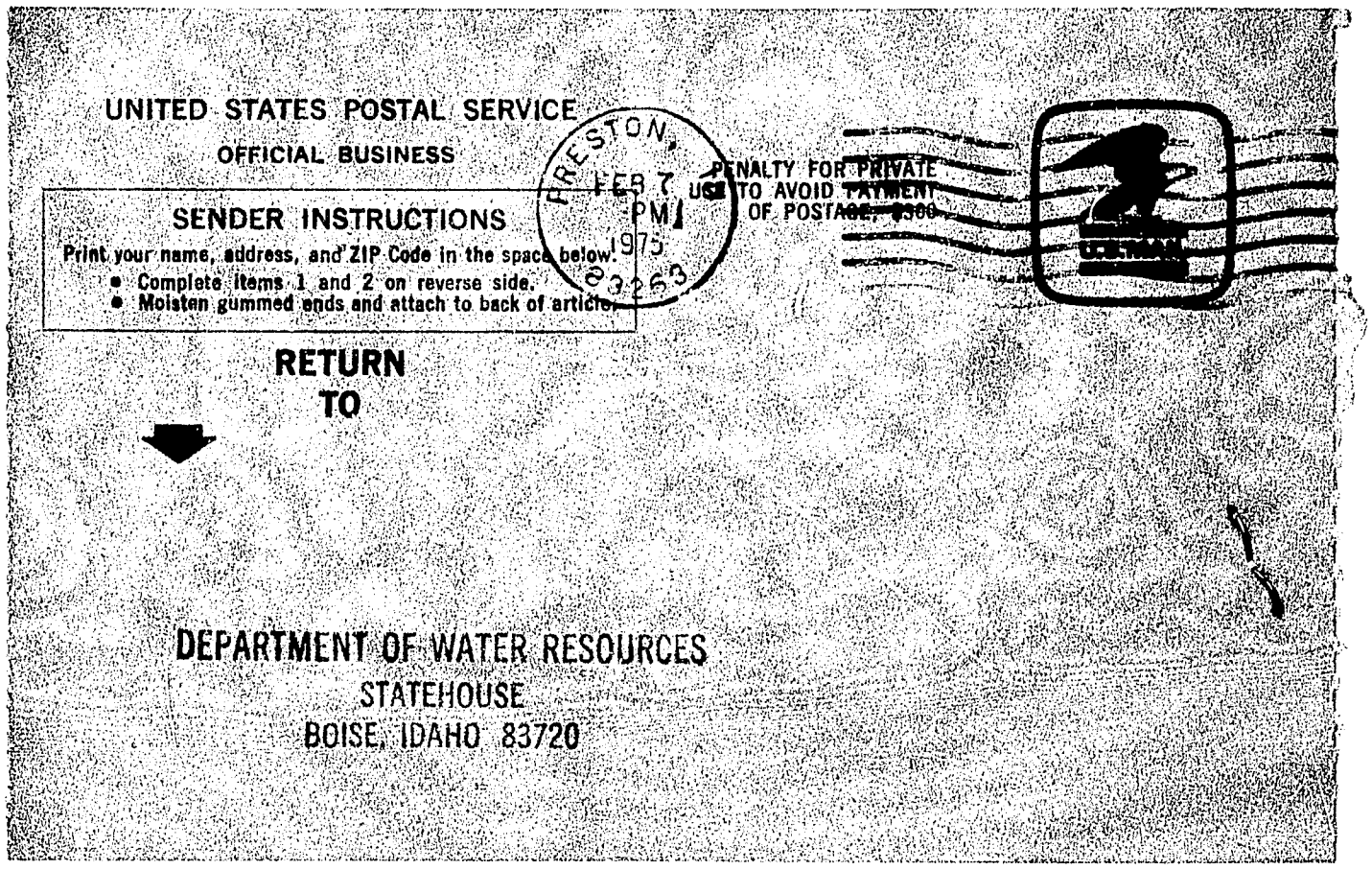
POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS
R.S.P.

☆ GPO : 1974 O - 527-803


UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS
SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1 and 2 on reverse side.
• Moisten gummed ends and attach to back of article.
RETURN TO
DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720
PRESTON, IDA
FEB 7 PM
1975
83263
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
U.S. MAIL

Captain Thomas A. Robinson, U.S. Navy (Ret.)
154 North, Second East
Preston, Idaho 83263

RECEIVED
FEB 11 1975
Department of Water Resources

February 10, 1975

Mr. R. Keith Higginson, Director
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

Dear Mr. Higginson:

Your form letter of January 31, 1975, concerning water permit No. 13-7021, forwarded an Affidavit form to submit proof of beneficial use and requested either a completed form or a request for an extension of time to be submitted prior to April 1, 1975.

A review of your records will indicate permit No. 13-7021 was amended on February 12, 1974. This amendment authorizes the total of seven wells if necessary to provide the water authorized by the original permit. The original well became No. 3 of the complex of seven.

To date, none of the afore wells drilled indicate sufficient water for irrigation purposes, but they do indicate adequate amounts for the culinary requirements of the small recreational subdivision involved in the permit. This subdivision is being developed on a steady, but somewhat modest rate.

Although the wires, pipes and pumps for the installation of wells No. 3 and No. 6 are either on hand or have been installed, the final installation is not expected to be for sometime, because the water is not required until the critical irrigation season this summer at the earliest. Final hookup of all wells will not be required for several years.

Furthermore, it appears logical to deepen well No. 3 before drilling any more new wells, and final installation of this well should be made after its total water capacity is established.

For the reasons stated above, it is respectfully requested that an extension of time be authorized for this permit to four years from the amended permit dated February 12, 1974.

Yours truly,

Thomas A. Robinson

THOMAS A. ROBINSON

TAR:dp

February 13, 1975

Re: Permit No. 13-7021

Thomas A. Robinson
154 North 2nd East
Preston, ID 83263

Dear Mr. Robinson:

Enclosed is an Order which extends the proof due date in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to April 1, 1979.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
ENclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

January 30, 1979

Re: Permit No. 13-7021

10666

Thomas A. Robinson
154 North 2nd East
Preston, ID 83263

Dear Mr. Robinson:

One of the conditions of approval of your water Permit No. 13-7021 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

Rita Fleck
RITA FLECK
Water Rights

Encl: Proof affidavit

Thomas A. Robinson
Rt. 3, Box 607C
Preston, Idaho 83263

PRESTON, ID
MAR 20
PM
1979
83263

Mr. C. Stephen Allred
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

February 10, 1975

Mr. R. Keith Higginson, Director
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

Dear Mr. Higginson:

Your form letter of January 31, 1975, concerning water permit No. 13-7021, forwarded an Affidavit form to submit proof of beneficial use and requested either a completed form or a request for an extension of time to be submitted prior to April 1, 1975.

A review of your records will indicate permit No. 13-7021 was amended on February 12, 1974, This amendment authorizes the total of seven wells if necessary to provide the water authorized by the original permit. The original well became No. 3 of the complex of seven.

To date, none of the afore wells drilled indicate sufficient water for irrigation purposes, but they do indicate adequate amounts for the culinary requirements of the small recreational subdivision involved in the permit. This subdivision is being developed on a steady, but somewhat modest rate.

Although the wires, pipes and pumps for the installation of wells No. 3 and No. 6 are either on hand or have been installed, the final installation is not expected to be for sometime, because the water is not required until the critical irrigation season this summer at the earliest. Final hookup of all wells will not be required for several years.

Furthermore, it appears logical to deepen well No. 3 before drilling any more new wells, and final installation of this well should be made after its total water capacity is established.

For the reasons stated above, it is respectfully requested that an extension of time be authorized for this permit to four years from the amended permit dated February 12, 1974.

Yours truly,

THOMAS A. ROBINSON

TAR:dp

ENCLOSURE 5

CALCULATION SHEET

1. The Cub River Acres Recreational Subdivision consists of three generally different types of land tracts: Small farm and pasture acreages running from 1½ to 30 acres in size, wooded forest tracts averaging about 2 acres, and stream frontage tracts with 100 to 800 feet of frontage and from 1/4 acre to 4 acres in size. There are 11 mini ranches involved including those of the developer and his son. There are 46 stream frontage tracts sold or planned for sale. 16 Wooded tracts are sold or platted. One mini ranch has two additional water outlets authorized and 2 more outlets are planned from the spring above the reservoir for one homesite and one campsite making the total number of 5/8" culinary water outlets 77.

2. Some mini ranches have irrigation water rights, but there is no way culinary water can be allocated to property owners on the basis of the area of their property. The water from the Cub River Acres water system will be metered to each user through a 5/8 inch meter. All existing connections have meter boxes and some have meters. All users will have meters installed within one year and all hook-ups from now on will include meters. Older water users from Preston, Idaho, where water has been short primarily due to water stealing for 50 years on an unmetered system, want no part of that situation on this fine new subdivision.

3. Water from the main spring tapers off gradually from an irrigation ditch stream in early spring to about 100 gallons per minute during the summer. As noted otherwise, reservoir water has not even been used to date although some careless owners have left sprinklers running constantly for up to 2 weeks on one spot. The new additional 30,000 gallon reservoir shown on the plans to be built in 1980 should, with the spring water alone, handle the requirements of this project for from 10 to 20 years, once the metered system of water allocation is implemented during the irrigation season.

4. Water flow from wells drilled to date are as follows:

Well #	Flow	Well #	Flow
1	6 gpm	5	Not drilled
2	30 gpm	6	25 gpm
3	60 gpm	7	Not drilled
4	50 gpm	Additional Ranch Springs-15 gpm.	

Due to the handy availability of well water in the aquifer located between 100 and 120 feet below the surface there appears to be no reason to utilize either well #1 or available additional ranch spring water. Well #6 is currently rigged for and being used to pump water into the river during the irrigation season. In 1979 and 1980, well #3, also rigged and in commission, will be used for this purpose.

...ending on requirements, #5 will be used with #3 for the next ... 5 years, thenc#2 will be rigged and water pumped into the river. ... #2 and #5 are insufficient to replace spring water #4 will be ...ed as needed for this purpose. When demands exceed spring capacity, #3 will be rigged with a suitable size pump with culinary water system qualifications to handle needed additional water. This well was used for culinary water in 1973 and 1974. If and when more water is needed, wells #6 and/or #7 will be drilled and put on the river lines and #4 put on the culinary system.

5. Assuming 40 gpm from #5 and #7 for future planning and neglecting #1 and additional spring water available, the total well water available adds up to about 250 gpm. Utilizing 60,000 gallons in storage and the following maximum foreseen construction requirements, there appears to be sufficient water available indefinitely, particularly in comparison with recent energy and water savings trends:

Use	Estimated Construction	Each user		Total
		gpm	gp day	gpm
Permanent Homes	30	2.5	3600	75
Summer Homes	30	2.0	2880	60
Recreation Vehicles	17	1.5	2160	25.5
			Total	160.5 gpm

6. With 8" lines on the main trunks and the natural fall of the canyon property below the reservoir excess water pressure is a more serious problem than low pressure, hence a pressure relief valve in the division number two lower systems.

7. The one 3/4 horsepower and two 1½ horsepower multiple stage submersible pumps (Tait model 7 EC35) now on hand will meet requirements for many years. Electrical and piping installations will permit up to 5 horsepower if required in the futhre. Pumps and pumping activities will not be required in winter.

Thomas A. Robinson

217a

Identification No. 13-7021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 21 1979
Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of permit holder Thomas A. Robinson

   b) Post office address Rt. 3, Box 607C, Preston, Idaho 83263

2. Permit number 13-7021

3. Date of priority that you are prepared to establish September 24, 1973

4. a) Source from which water was appropriated groundwater (Well #3)

   b) Location of the point of diversion: SW ¼ SW ¼, Section 18

   Township 15 S, Range 41 E Boise Meridian. Other points of diversion: Note:

   See application for exchange of water 13-7021 dated February 12, 1974.

5. a) The amount of water and use to which the water has been applied:

   Amount 60 cfs (cfs &/or acre-feet per annum) for domestic purposes from Jan. 1 (month-day) to Dec. 31 (month-day) incl.

   Amount _____ (cfs &/or acre-feet per annum) for _____ purposes from _____ (month-day) to _____ (month-day) incl.

   Amount _____ (cfs &/or acre-feet per annum) for _____ purposes from _____ (month-day) to _____ (month-day) incl.

   b) Total amount appropriated _____ 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:
   Water meter read by the watermaster of State Water District No. 13-A, Cub River

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:

   Buried pipe lines

   b) Describe the agreement of understanding by which you take water from the works: Easement for pipes included in Warranty Deed. Ownership of well site retained by permit holder.

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):

   1½ hp submersible Tait pump in 10" casing 140 feet depth of well

   b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)
   1½" Badger water meter

Exam typed 4-9-79 by RPT

c) Give well driller's name and address and the date the well was completed:

Ivan Bortz, Grace, Idaho (Now deceased)

Well deepened by William H. Dubbe, May 22, 1978

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

The water from this well is now pumped into the Cub River to replace spring water during the critical irrigation season annually. At a later date some portion may be used directly for domestic use.

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

None

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated

10. Remarks: As explained in the forwarding letter the original permit was exchanged in 1974. This Well, #3, in a series, is used and will continued to be used to it's established capacity for domestic use.

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

3/19/79
(Date)

William A. Tolman
(Signature)

State of IDAHO)
) ss.
County of FRANKLIN)

On this 19th day of March, 1979, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Diane Kay
Notary Public
Residing at Swan Lake, Idaho

My commission expires Lifetime

Mr. R.
State
Depar
Stat
Boi

March 19, 1979

RECEIVED
MAR 22 1979
Department of Water Resources

Mr. C. Stephen Allred
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

Dear Mr. Allred,

The affidavit form of beneficial water use forwarded in your form letter of January 30, 1979 and concerning Permit No. 13-7021, is herewith returned.

It should be noted that the original permit was amended in 1974 with related matters explained in my letter of February 10, 1975, copy enclosed.

Since 1975, the well has been deepened and its total flow established at 60 gpm. It is now one of several authorized wells to be used exclusively as replacement and culinary water for the Cub River Acres subdivision. This is further explained in the engineers report to the Idaho Division of Environment, dated August 16, 1978. Copy of applicable Enclosure 5, Calculation Sheet, herewith enclosed.

If convenient, it would be helpful to delay the field examination until summer in case the examiner wishes to see the system in operation. We normally do not request the power company to turn on the power until it is needed in order to avoid unnecessary expense.

Sincerely yours,

Thomas A. Robinson

Encl: Proof of Application of Water to Beneficial Use
Copy of Letter dated February 10, 1975
Calculations Sheet, Engineers report dated August 16, 1978

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

April 20, 1979

Thomas A. Robinson
Route 3,,Box 607C
Preston, ID 83263

Dear Mr. Robinson: Re: Permit No. 13-7021

We acknowledge receipt of the 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 examination, please contact our regional office in Idaho Falls.

Sincerely,

RITA FLECK
Water Rights

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 13-07021

Priority: January 26, 1971

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume:[1] 10.8 AF

This is to certify, that THOMAS A. ROBINSON
RT. 3 BOX 607C
PRESTON, ID 83263 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 26, 1971; and has submitted Proof of Beneficial Use on March 21, 1979. An examination indicates that the works have a diversion capacity of .200 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
DOMESTIC	01/01 to 12/31	0.20 CFS	10.8 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 18, Township 15S, Range 41E
NWNW , Sec. 19, Township 15S, Range 41E
FRANKLIN County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC			
15S	41E	18	NESW SESW	NWSW	SWSW
		19	NENW	NWNW	SWNW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 6 homes & 12 campsites.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23RD day of FEBRUARY, 1990.

Acting for R. Keith Higginson, Director

NUMBERED TRACTS ARE PRIVATELY OWNED.

DENOTES 5' OVER AND UTILITY EASEMENT. ALL ARE 30'

DENOTES EXISTING FENCES.

1/2" REBAR SET A PROPERTY CORNERS.

NOTES

1. BASIS OF BEARINGS FOR THIS PLAT IS THE NORTH LINE OF THE N.E. 1/4 OF SECTION 19, WHICH IS N. 89°53'00" E., TAKEN FROM PLAT OF CUB RIVER ACRES, DIV. #1
2. SANITARY RESTRICTIONS IMPOSED. PLANS FOR COMMUNITY SEWER SYSTEM NOT SUBMITTED.

NW NW Sect 19

N.E. CORNER OF THE N.W. 1/4 OF THE N.W. 1/4

ROAD

CUB RIVER

CUB RIVER

DRIVE

ROAD

WATERWAY

BONNIEVILLE

Brian Robinson 162667

N. 20°02'E.

S. 70° E.

S. 23° 1'

N. 33° E.

181.5'

S. 60°00'00" E. 450.00'

1.40A

1.24A

1.08A

1.24A

1.52A

S. 55°32'E. 169.75'

N. 62° 40' E. 180.6'

N. 59° 53' E. 182.2'

N. 65° 32' E. 551'

S. 28° E. 75'

S. 28° E. 95'

S. 28° E. 101'

S. 55°00'00" E. 310.00'

S. 50°00'00" E. 260.00'

S. 40°00'00" E. 310.00'

S. 32°30'00" E. 240.00'

S. 28°00'00" E. 240.00'

S. 28°00'00" E. 240.00'

S. 28°00'00" E. 240.00'

N. 17° 47' 30" E. 239.5'

S. 50°31'00" E. 201.20'

S. 51° 37'

N. 40° 30' E. 133.44'

N. 76° 20' E. 105.7'

N. 57° 48' 30" E. 223.61'

S. 46°15'00" E. 273.72'

S. 60°00'00" E. 279.36'

S. 26° W. 208.22'

N. 27° 19' E. 105.4'

21A

27B

26

90

89

88

87

86

85

50

42

117

118

123

122

121

120

#124

#125

6.3A

State of

BROC-21

SWNW Sect 19

WE THE DO HERE NUMBERED NUMBER TH DIVISION # 2 SUBDIVISION SUBJECT

RIVER
DIVISION NUMBER
PART OF THE N.W. 1/4 SEC. 19, T. 1
T.15S R4W.M. Franklin County,

(13-7021 & 13-1018 Exchange)

NUMBERED TRACTS ARE PRIVATELY OWNED.
30' ROAD AND UTILITY EASEMENT.
ING FENCES.
A PROPERTY CORNERS.

PLAT IS THE NORTH
ION 19, WHICH IS
T OF CUB RIVER ACRES, DIV. #1
POSED. PLANS
EM NOT SUBMITTED.

N.E. CORNER OF THE N.W. 1/4 OF THE N.W. 1/4

88.00'

T.P.O.B.

ROAD

N. 20° 02' E. 172.5

S. 29° 41' W.

S. 60° E. 130'

409.65' (M) N. 89° 53' 00" E. 324.89'

S. 74° 24' 00" E. 292.35' (M)

S. 70° E.

1.46A

S. 60° 00' 00" E. 230.00'

NORTH 200'

N. 9° 19' W. 127'

N. 42° 40' E. 310'

RIVER

N. 33° E. 181.8'

CUB

RIVER

S. 60° 00' 00" E. 450.00'

46 1.40A

23

22

1.24A

1.08A

S. 55° 00' 00" E. 310.00'

S. 50° 00' 00" E. 260.00'

50

85

N. 18° 14' E. 246.15'

116 1.17A

N. 17° 47' 30" E. 239.5'

S. 74° 18' 30" E. 230.50'

N. 7° 49' W. 183.05'

S. 62° 17' 69.85'

S. 20° 47' W. 308.52'

S. 10° 7' 30" W. 169.8'

116.03'

N. 7° 30' E.

S. 43° W.

140'

112.83'

114.53'

N.E. COR. OF N.W. 1/4

S. 40° 30' E. 133.44'

S. 50° 31' 00" E. 201.20' 1.52A

1.2A

117

118

DRIVE

279.36'

S. 46° 15' 00" E. 213.72'

ERWAY

120

ROAD

208.22'

BONNEVILLE

NEW Sect 19

0 100' 200' 400'

SCALE: 1" = 200'

OWNER'S CERTIFICATE

WE THOMAS A. ROBINSON AND BARBARA R. ROBINSON DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE NUMBERED TRACTS OF THIS PLAT OF CUB RIVER ACRES, DIVISION NUMBER TWO IN THE NORTHWEST QUARTER SECTION 19

Division #2 Cub River Acres

THE CENTER OF SECTION 19 BEARS S. 20° 47' W. 367.36 FEET; THENCE S. 47° 43' 30" W., S. 60° 49' 222.1' W.

Park Area

121

NESW Sec 18

R. Osterlin

102

142561

103

101

Dean L Abrams

14827

111

SESW Sec 18

120

Tabor

106

137035

M.L. Rogers

107

Neil Wooley

14726

108

M.H. Duckworth

140621

109

M. Burrup

142226

Litz Road

Bonneville Road

112

Foster

110

140011

R.B. Grover

Cub River

20' utility easement

20' access easement

Johnson

Christensen

Atkinson

Bros. Dopp

Keith

Duckworth

Oyler

Smith

Whitney

Chatterton

Wadsworth

Sorlie

Johnson

Hofmiester

(7AC.)

142709

52

53

54

55

56

57

58

59

60

Larry Pio

Larry Beckstead

29AC

140462

Beckstead

139340

Day Road

20' access easement

1320'

N0° 04'W

Well #1

Well #3

G. Dandridge

140399

129025

B. Robinson

141618

158 A-B

Utah Power & Light

Proposed

Proposed 24' utility and access

Merrill Day & Tol Road

Preston-Whitney Canal

Clair Buxton

146867

Larry Thomas

140623

82

81

(6 AC)

80

79

78

77

139360

NWSW Sec 18

N89°53'E



Division
in S.W. 1/4 Section
(13-7
Legend:
1. Platted tracts are numbe
2. Non-numbered tracts are
privately Owned
3. Cul-de-sac and corner rad
are 30' unless noted other
4. denotes sev
and utility easement
5. existing F
6. o basic 2" pipe mar
based on 1907 survey
Bonneville Road
Cub River
Waterway Drive
North
Proposed Day Road
Merrill, Day + Taylor Ditch
Power Light Line
Proposed 20' Utility and access
20' utility easement + access
20' sewer and utility easement
Well #3
Dean L. Abrams
M. Burrup
R.B. Grover
A.V. Smith
G. Dandridge
B. Robinson
Clair Buxtor
Larry Thomas
Tom Robinson
Section 18
Section 19
Section 24
1320'
N 0° 04'W
N 89° 53'E

Division number One

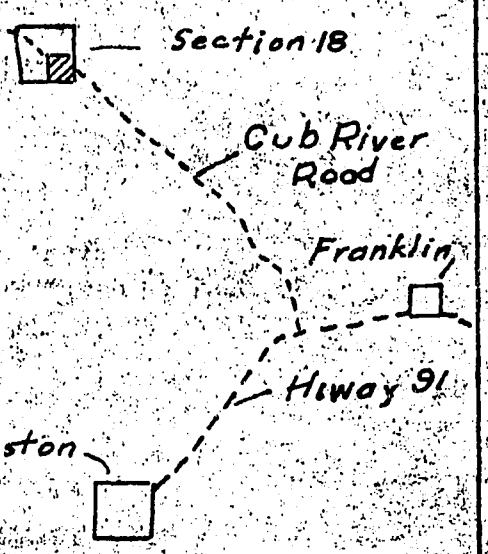
in S.W.¼ Section 18, T. 15 S., R. 41 E. B.M.

(13-7021 + 13-7028 exchange)

Legend:

1. Platted tracts are numbered
2. Non-numbered tracts are privately Owned
3. Cul-de-sac and corner radii are 30' unless noted otherwise
4. —·—·— denotes sewer and utility easement
5. →→→→→ existing Fences
6. o basic 2" pipe markers based on 1907 survey

Vicinity Map



Well # Tests

1. not involved

[redacted] 240' deep — 2. 28 gpm — Drilled, cased, tested with connecting pipes installed - no pump installed

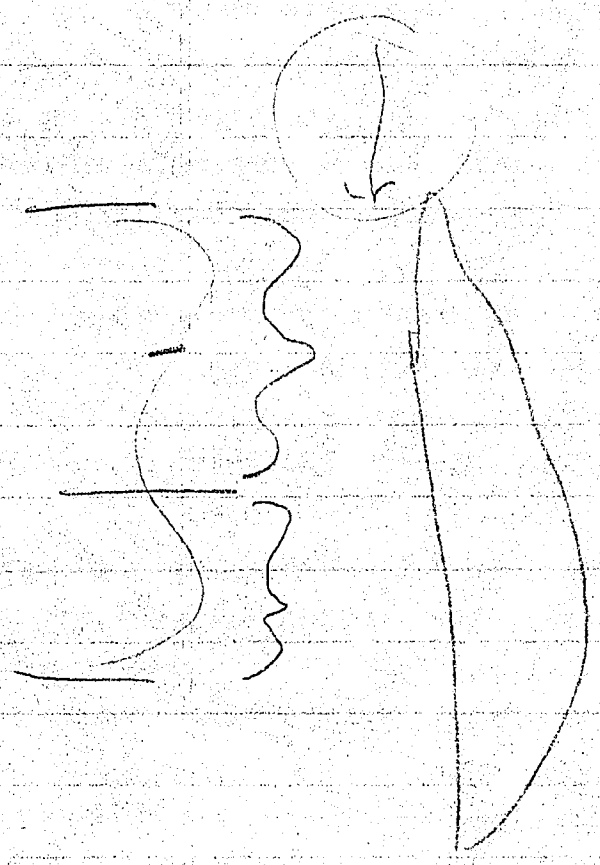
140' deep pump at 110 3hp — * 3. ~~40~~ 60 gpm — In use

140' deep — 4. 40 gpm (est) — Drilled, cased, with connecting pipes - no pump installed

5. — Not drilled as considered necessary at this time

140' deep 1.5hp Pump at 120' — * 6. 28 gpm — Drilled, cased, pump installed - connecting pipes covered

7. — Same as 5



Copies back to Tom Robinson

Schedule Water Use as of 8/13/82

A - Permanent Home B - Summer Home

C - Used Tract (campsite) D - unused outlet

Tract #	A	B	C	D	Comment
1					
2					
3					
4			✓		
5	✓		✓		Summer cabin
6					
#28 (No water)					
7 " "					
8			✓		
9	✓				Summer cabin
10	✓				" "
11			✓		
12			✓		
13			✓		
No 14 - 15					
16 (No water)					
17			✓		
18, 19 & 20	✓				Knudson
21			✓		
22			✓		
23			✓		
No 24					
25				✓	
26				✓	
27A + 27B				✓	
28 (see above)					
29			✓		
30			✓		
31			✓		
32	✓				
33/109			✓		
No 34 thru 39					
40			✓		
41				✓	
42				✓	
43				✓	
44	✓				Summer cabin
45				✓	
46				✓	
47				✓	
48			✓	✓	
49			✓		
Section 19 50	✓				Summer cabin
Section 18 51		✓			?
52			✓		
53 thru 60 (one tract)			✓		Davidson tract
?		✓			46/4 Davidson
?				✓	(" " Lot)

Tract #	A	B	C	D	Comment
?	—				Erin Robinson
70 + 72 (No 71)	—				Tom Robinson
No 73					
74	—				Christie
75				—	
76, 77 + 78	—				Larry Eichelkraut
79 + 80			—		
81				—	
82				—	
No 83 or 84					
85		—	—		
86				—	
87		—			
88				—	
89			—		
90				—	
91				—	
No 92 thru 100					
101, 102 + 103			—		
104				—	(unused cabin)
105				—	
106	—				Woolsey
107				—	
108			—		
33/109	/				(see 33)
110			—		
111				—	
112				—	
113				—	
114				—	
115				—	
116			—		
117				—	
118				—	
119		—			
120			—		
121			—		
122			—		
123			—		
124				—	
125			—		

Permanent Homes	8	
Summer "	9	
Used Tracts	29	
	46	current outlets
other	35	including 3 abuse reservoir
Total outlets	81	

MEMORANDUM

RECEIVED
MAY 5 1987
Department of Water Resources
Eastern District Office

TO: Skip

FROM: Jim

DATE: May 1, 1987

RE: 13-7021 & 13-7028

It appears to me that Rt. 13-7028 is definitely limited to a maximum of 0.24 cfs but a change in nature of use can be allowed to accomodate the uses found developed to the extent that no expansion will occur.

To do this, we would have to estimate maximum volume and maximum consumptive use which would occur on the original uses identified under the permit.

The permit shows 6 summer homes at 0.02 cfs/home and 12 camp sites at 0.01 cfs/camp site.

Volume used annually:

You may have a better handle on this. I am going to assume that summer home water use is ½ of normal volume. Therefore, the AFA would be 0.6 X 6 - 36. Also assume camp site AFA at 0.6 per camp site. On consumptive use we normally assume in-house use as non-consumptive. For this case, I assume all domestic and camp site use to be so small that it can be considered as non-consumptive. Therefore, the amount available for change in nature of use is:

Rate: 0.24 cfs
Volume: 10.8 AFA
Consumptive use: 0

Actual water use found was 81 domestic units and 22 acres irrigated. Using the parameters described above, the 0.24 cfs with 10.8 AFA could supply 18 of the 81 units. Water could not be used on any of the irrigated lands because of the consumptive use restriction.

In conclusion, I agree with the assessment that 18 units could be recognized under 13-7028. I went to more detail than perhaps was necessary, but I wanted to address the change in nature of use option.

Hope this helps.

#1

ACTION REQUIRED

FROM: H. W. Jones

TO: Jim Johnson

RE: Rough Draft of 13-7028 + 13-7021

RECEIVED
APR 16 1987
Department of Water Resources

This "exchange" of permits addresses only an amt. of water listed as 0.24 cfs. However the permits themselves differ in the amt. of home sites served. Amended permit 13-7021 says 25 homes, 25 summer homes & 25 campsites or 75 lots stubbed in. Permit 13-7028 shows 6 homes & 12 campsites. Even so, the exchange was approved. In actual practice the spring water is used all the time and the wells only turned on to supplement the Run Flow when the 1972 priority of the spring is supposed to be viewed by the water master as shut off. (Continued)

#2

ACTION REQUIRED

FROM: H.W. Jones

TO: Jim Johnson

During my field inspection I found 81 lots stubbed in. How does one interpret the "exchange." Can 75 lots be interpted as the place of use as per 13-7021 or is the place of use limited to 6 homes & 12 campsites as per 13-7028 or do we ignore those numbers & just use .24cfs as applicable to whatever I Find it being used for?

Ernie feels that the permit for 13-7028 and its 18 sites is limiting & the use of the additional sites might require an additional application. Anyway hope to hear from you soon.

*P.S See attatched memo From Dave Futhill on exchanges

Form 219
12/82

RECEIVED
APR 16 1987

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

WORK COPY

13-7028
~~13-7021~~
Permit No.

CONTACT WITH PERMIT HOLDER

Department of Water Resources

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location).			ORIGINAL WRITE-UP - VOID HWJ

EXAMINATION

Date 1983 Accompanied by Thomas Robinson Total Q measured 0.20 cfs

Source Groundwater Tributary to _____ Supp. annubar measurement sheet used? _____

If source is surface water, estimate total flow of source _____

Methods of measurement Bucket + stopwatch Meets permit requirements? _____

Measurement calculations: Bucket + stopwatch at spring — 90gpm or 0.20 cfs — groundwater is exchanged for this water from spring under permit 13-7028 so spring water can be used continuously.

Well #3 — 60gpm discharge
Well #6 — 30gpm discharge
} total 90gpm or 0.20 cfs

Spring flow & well flow match for use in exchange

Domestic V. = 81 outlets x 0.6afa = 48.6afa
irrigation V = 22acres x 3.5afa = 77afa
V = 0.2cfs x 214d x 1.9835 = 84.8

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
#3	3	NA		NA		Bucket & watch		
#6	1.5	NA		NA		Bucket & watch		

System Description Spring with line to 30,000 gallon storage tank with lines to 81 outlets (summer homes, trailer sites etc) 46 of which are in current use. The two functioning wells are to be used to provide exchange water to be injected into the Cub river, so that the spring water will not be cut off (See exchange agreement) by watermaster. (well #3 140' deep, pump set at 110' — well #6 140' deep, pump set at 120')

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

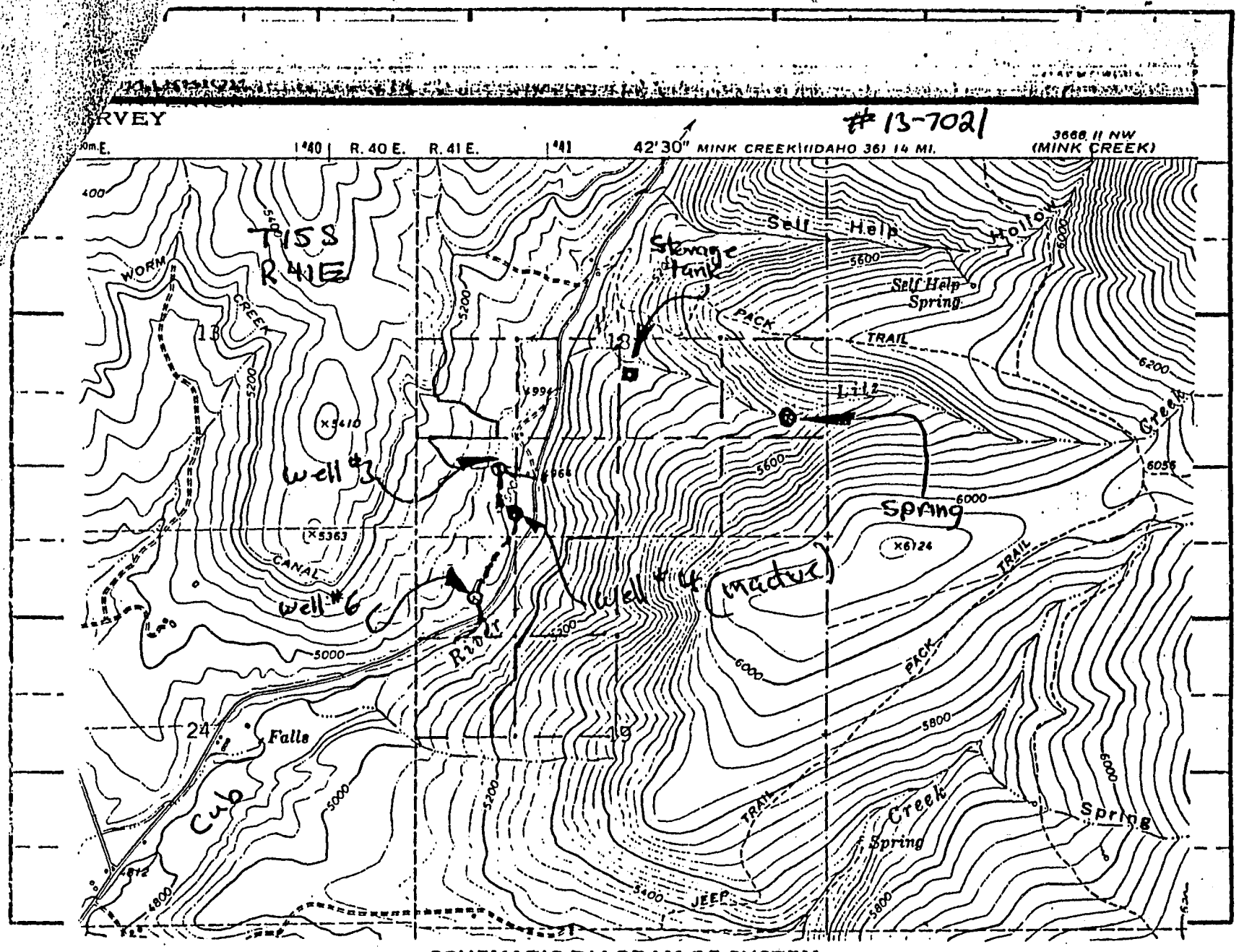
RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Domestic	0.20	48.6	1-1	12-31
Irrigation	0.20	77	4-1	11-1
Not Total	0.20 cfs	125.6 afa		

Remarks I recommended only allowing for 1/4 acre of irrigation per summer home site as only small lawns or no lawns would be planted with a number of the sites heavily forested. Also there is not sufficient water available from the spring to do more than provide for the domestic needs of these sites. Also there is an interconnecting line that runs from well #3 to #4 & then to #6. Also see application for exchange of rights between 13-7028 and 13-7021

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

No measuring device on spring or wells!
Bucket & stop watch was used

Point(s) of diversion: (well #3) SW¼ SW¼ Sect. 18 and (well #6) NW¼ NW¼ Sect. 19 T15S R41E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	41E	18									7	1	1	5					14
		19					2	3	3										8

Total 22 acres

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above
- ☑ None
- ☐ Other _____

Examiner's Signature H W Jones Date 10-21-85

Checked by _____ Date _____

Approved by _____ Date _____

MEMORANDUM

RECEIVED
APR 13 1983
Department of Water Resources
Eastern District Office

TO: Ron Carlson, et al.

FROM: Dave Tuthill DT

THRU: Bob Fleenor BF

DATE: April 6, 1983

RE: Memos Dated March 10, 1983 and March 25, 1983, Attached

Based on a request from Skip Jones, et al., this office reviewed in detail the issue of licensing a water right that has been perfected via an exchange. As a result, we prepared a memo, dated March 25, 1983, Re: Exchange of a Decreed Surface Water Right with a Newly Developed Groundwater Permit. The guidelines expressed in the memo were intended to be general enough to apply to most practical situations.

On the day the memo was to be mailed to the regional office we received the memo dated March 10, 1983, which outlined a case-in-point. The general guidelines from the March 25, 1983 memo can be applied to answer the questions raised in the final paragraph of the memo dated March 10, 1983, as follows:

1. Yes, the two permits (34-7096 and 34-7097) can be licensed even though the well has never provided water to the permitted place of use <u>because</u> the exchange methodology was described in the approved exchange of 34-0032A.

2. As indicated in the memo dated March 25, 1983, the exam should include measurements of the rates of flow of (1) the exchange well, (2) diversion into the Moore Canal, (3) conveyance into the Utah Construction Canal, and (4) rediversion from the Utah Construction Canal. Also, the lands irrigated as described by Permits Nos. 34-7096 and 34- 7097 and the lands irrigated by the exchange well must be quantified.

3. The land lists for the recommended licenses for Permits Nos. 34-7096 and 34-7097 will be limited to the number of acres currently irrigated via the exchange well in Sec. 17, (limited to 226 by the exchange). The rates of flow for the recommended licenses will be limited to the lesser of the surface diversion system and the exchange well diversion system.

4. The seepage loss in the canal should be addressed in remarks, as described in the memo dated March 25, 1983.

It appears that the situation described in the memo dated March 10, 1983 is adaptable to the guidelines described in the memo dated March 25, 1983.

Form 219B
5/84

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LICENSING REPORT

exchange { 13-7028
13-7021
Permit No.

1. **Measurement Calculations**
   a) Field Measurement Calculations (Include theoretical capacities and system capacity)

a/ Springs flow at overflow pipe in storage tank; by bucket & stopwatch 90gpm or 0.20cfs

b/ well #3 - open discharge to bucket & stopwatch; 60gpm } total 90gpm or 0.20cfs
well #6 - " " " " ; 30gpm }

allow 0.20cfs for exchange

   b) Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____
$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____
V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

   c) Volume Calculations for Other Uses:

0.6afa x 18 allowable sites = 10.8afa

2. **Overlap Review**

   a) Other water rights with same place of use: N.A.

   b) Other water rights with same point of diversion: N.A.

   c) Analysis:

RECOMMENDED AMOUNTS

3.

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: _____

   Address: _____

5. Source: _____ tributary to _____

6.

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Domestic	1-1	12-31	0.20	10.8

   Allowable Maximums: 0.20 cfs 10.8 afa

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
Total Acres _____																			

9. Recommended Conditions/Remarks: _____

10. 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 _____

11. Examiner's Signature Harold W. Jones Date 5-13-87

    Checked in Regional Office by _____ Date _____

    Approved in State Office by JOM Date 4/17/89

Form 219A
2/84

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

13-7028
Permit No. 13-7021

1. Owner: Thomas Robinson Phone No. 852-2962
   Current Address: Rt. 3 Box 607 C

2. Accompanied by: Applicant EXAM. DATE: 1983 & 1987
   Address: _____ Phone No. _____
   Relationship to Permit Holder: _____

3. Source: Groundwater (13-7021) & Springs (13-7028) tributary to Cub River

4.

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#3	NA	3	NA	NA	
#6	NA	1.5	NA	NA	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
This is an exchange whereby subdivision uses water from the springs which is stored in a 30,000 gallon tank with lines to 81 outlets (summer homes, trailer sites etc) 46 of which are in current use. The two functioning wells are to be used to provide exchange water to be injected into the Cub River so the springs water will not be cut off. (See exchange agreement)

6.

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

7. Measurements a/Spring overflow – 90gpm or 0.2cfs measured with bucket & stopwatch ☐ Additional data/computation sheets attached
b/well #3 - 140' deep, pumpset at 110 – bucket & stopwatch – Flow was 60gpm
c/well #6 - 140' deep, pumpset at 120 – bucket & stopwatch Flow was 30 gpm
total 90gpm well flow or 0.20cfs

8. Point(s) of Diversion: Indicate Method of Determination

	Ident #	1/4	1/4	1/4	Sec.	Twp.	Rge.	Survey Information from Known Corner	County	Remarks
wdl	3		SW	SW	18	15S	41E		Franklin	
wdl	6		NW	NW	19	15S	41E			
Springs		SE	NE	SE	18	15S	41E			

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination _____

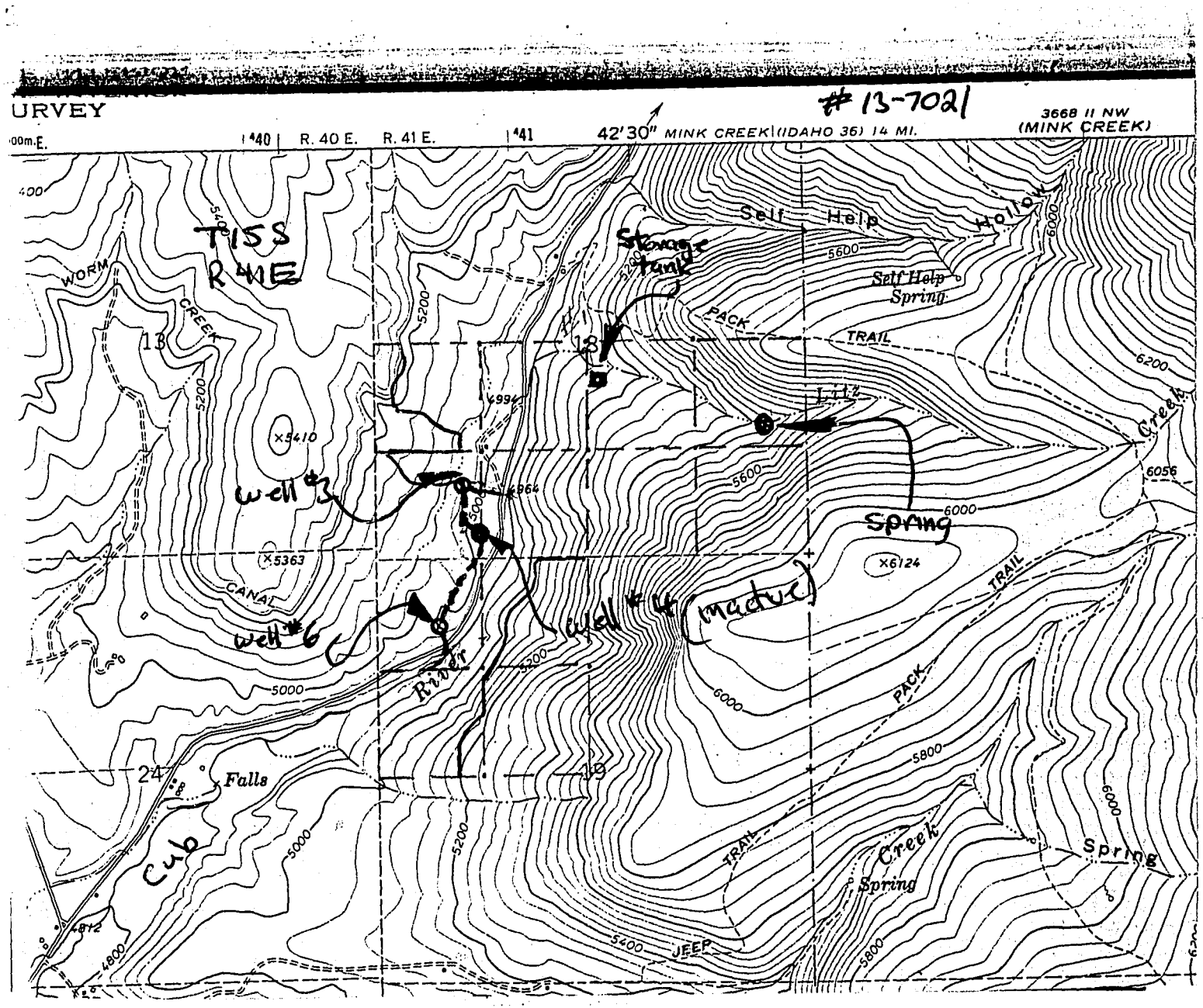
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15S	41E	18									D	D	D	D					
		19					D	D	D										

Total Acres _____

10. Other water rights on these lands NA.

11. Other water right diverted from same p.d. N.A.

12. **Diversion and Delivery System Diagram**: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ **Photo of Diversion & System Attached** ☒ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks As per memorandum From Jim Johnson rate of 0.20 cfs will be used on 18 sites as permit 13-7028 seems to limit use to this amt. via exchange. No irrigation use is recognized and this then leaves 28 sites Now occupied and 35 unoccupied sites without a permit for any use. Lots selected for licensing are 18, 19, 20, 5, 9, 10, 51, 77, 78, 70, 72, 76, 106, 74, 44, 85, 87 and 119

15. 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

16. Examiner's/Consultant's Signature H.W. Jones Date 6-12-87

Consultant's License Number 87-122

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____ Date

Steve McCormick 7-9-87
CONSULTANT SEAL

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT 1\4	1\4	1\4	LT	#SOURCE	#NAME
1307021	15S	41E	18		SW	SW		GROUNDWATER	ROBINSON, THOMAS A.
1307065								WASTE WATER	ROBINSON, THOMAS A.
1307021	15S	41E	18		NW	SW		GROUNDWATER	ROBINSON, THOMAS A.
1307021	15S	41E	19		NW	NW		GROUNDWATER	ROBINSON, THOMAS A.
1307066								SPRING	ROBINSON, THOMAS A.

January 18, 1990

THOMAS A. ROBINSON
RT. 3 BOX 607C
PRESTON, ID 83263

RE: PERMIT NO. 13-07021

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

February 26, 1990

THOMAS A. ROBINSON
RT. 3 BOX 607C
PRESTON, ID 83263

RE: PERMIT NO. 13-07021

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure