

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

15~7118
Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Jennie or Jeff Alder Phone 776-4946
Post office address 440 S. Main, Malad, ID 83252
2. Source of water supply Two Mile Creek which is a tributary of Sinks
3. Location of point of diversion is _____ 1/4 of NW SW 1/4 of NE SE 1/4, Govt. Lot _____
Sec. 35 Township 14S Range 36E B.M. Oneida County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 3.22 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 3.22 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Ditch to Reservoir pipeline to
sprinkler & flood

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

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	36E	3		39	38		40	8	4	32									161

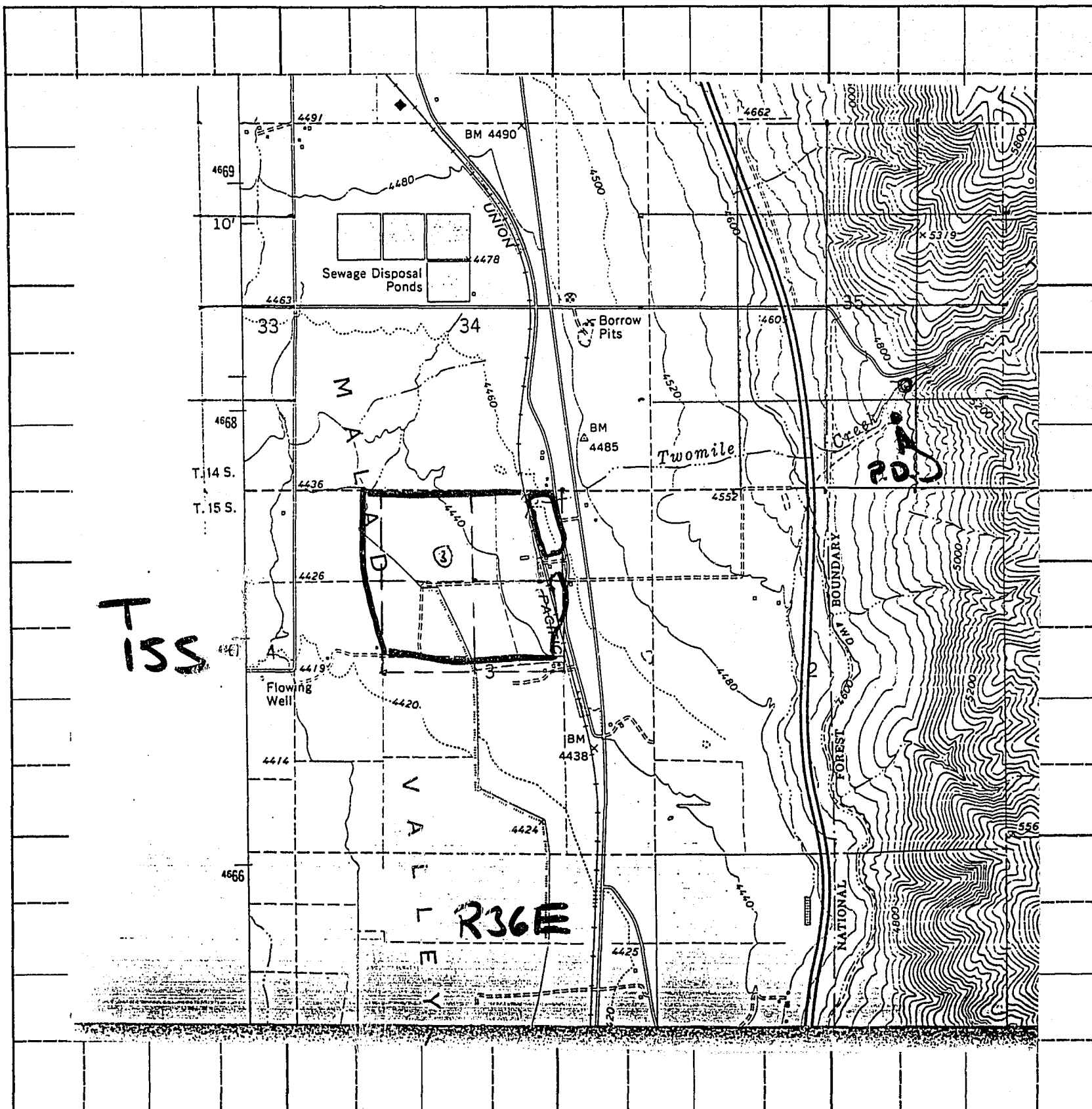
Total number of acres to be irrigated 161

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

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

12. Remarks: This system was upgraded in 1950 but in use since 1880. No claim was filed by previous owners.

13. 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.

Jeff Alder
(Applicant)

Received by OW Date 1-19-90 Time 12:15P Preliminary check by _____
Fee \$ 105.00 Received by HWT # FOU796 Date 1-19-90
Publication prepared by RB Date 4-19; 26-90 Published in ID Enterprise
Publication approved RB Date 8-13-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

AFFIDAVIT OF PUBLICATION

Nº

RECEIVED

AUG - 6 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO, }
County of Oneida } ss.

Sandra Struhs

being duly sworn,
deposes and says: That she is the secretary of THE
IDAHO ENTERPRISE, a weekly newspaper published at Malad,
in the County of Oneida and State of Idaho; that said paper has
been and is in general circulation in the county aforesaid, and in
the vicinity of Malad; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
2 consecutive weeks in the regular and entire issue of said
paper during the period of 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

July 5, 19 90, and ending
with the issue of July 12, 19 90

Sandra Struhs

Fee \$ 27.23

Subscribed and sworn to before me this 27th day

of July, 19 90

Susan J. Wetteman

Notary Public, Residing at Malad, Idaho

My Commission Expires Feb. 9, 19 94

Correction Notice

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that
Application No. 15-7118 in the name
of JENNIE OR JEFF ALDER was ad-
vertised incorrectly on APRIL 19 &
26, 1990. The PLACE OF USE was
advertised as being in T 15S R36E
S03 NWNE SENE NENW NWNW
SWNW SENW.

WHEREAS, the actual PLACE OF
USE is T 15S R36E S03 NWNE SWNE
NENW NWNW SWNW SENW.

Any protests against the granting
of this application as a result of this
correction must be filed with the
Idaho Department of Water Resour-
ces, 150 Shoup Ave., Idaho Falls, Id.
83401, on or before JULY 23, 1990.

R. KEITH HIGGINSON
DIRECTOR

No. 1242
7-4-12 T2

Subscribed and sworn to before me this _____ day

of May, 1990

Susan J. Wittman

Notary Public, Residing at Malad, Idaho

My Commission Expires February 9, 1994

Re-Add

NESW NWSW
150.0 ACRES TOTAL
15-07118

ALDER, JEFF
ALDER, JENNIE
440 S. Main
MALAD, ID 83252
Source: TWO MILE CREEK
Tributary: SINKS

Diversion Pt: SWSE
Sec 35 T 14S R 36E
Use: IRRIGATION(3.220 CFS)
Total Diversion: (3.220 CFS)

Date Filed: 1/19/1990
In: T15S R36E S03
NWNE ~~SENE~~ NENW NWNW
SWNW SENW
161.0 ACRES TOTAL
15-07119

ALDER, JEFF
ALDER, JENNIE
440 S. MAIN
MALAD, ID 83252
Source: GROUNDWATER
Diversiton Pt:

SWNE Sec 3 T 15S R 36E
Use: IRRIGATION(5.280 CFS)
Total Diversion: (5.280 CFS)
Date Filed: 1/19/1990

In: T15S R36E S03
NWNE SWNE NENW SENW
NESW NWSE SWSE
264.0 ACRES TOTAL
15-07120

ALDER, JEFF
ALDER, JENNIE
440 S. MAIN
MALAD, ID 83252
Source: GROUNDWATER
Diversiton Pt:

NWSE Sec 4 T 15S R 36E
Use: IRRIGATION(.290 CFS)
Total Diversion: (.290 CFS)
Date Filed: 1/19/1990

In: T15S R36E S04
NWSE SWSE
14.5 ACRES TOTAL
15-07121

ALDER, JEFF
ALDER, JENNIE
440 S. Main
MALAD, ID 83252
Source: GROUNDWATER
Diversiton Pt:

NESE Sec 4 T 15S R 36E
Use: IRRIGATION(.640 CFS)
Total Diversion: (.640 CFS)
Date Filed: 1/19/1990

In: T15S R36E S04
NESE NWSE SESE
32.3 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Department of
Water Resources, Eastern Region,
150 Shoup Avenue, Suite 15, Idaho
Falls, Idaho 83402 on or before MAY
7, 1990.

R. KEITH HIGGINSON, Direc-
tor
No. 1211
4-19-26 T2

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 15-07118

Proposed Priority: January 19, 1990 Maximum Diversion Rate: 3.22 CFS
This is to certify, that JEFF ALDER

JENNIE ALDER
440 S. MAIN
MALAD, ID 83252

has applied for a permit to appropriate water from:

TWO MILE CREEK tributary of SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	3.22 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSE Sec. 35, Township 14S, Range 36E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15S	36E	3	NWNE 39	SWNE 38	NENW 40	
			NWNW 8	SWNW 4	SENE 32	161

Total number of acres irrigated: 161

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1991.
2. Subject to all prior water rights.
3. A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

5th day of September, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

15-07118

ALDER, JEFF
ALDER, JENNIE
440 S. MAIN
MALAD, ID 83252

Source: TWO MILE CREEK

Tributary: SINKS

Diversion Pt: SWSE Sec 35 T 14S R 36E

Use: IRRIGATION (3.220 CFS)
Total Diversion: (3.220 CFS)

Date Filed: 1/19/ 1990

In: T15S R36E S03

NWNE
SWNW

SWNE
SENE

NENW

NWNW

161.0 ACRES TOTAL

15-Jun-1990

The Idaho Enterprise
P.O. Box 205
Malad City, ID 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before July 23, 1990.

Yours truly,

Rita Bodell
Secretary/Office Coordinator

Encl.

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN, that Application No. 15-7118 in the name of JENNIE OR JEFF ALDER was advertised incorrectly on APRIL 19 & 26, 1990. The PLACE OF USE was advertised as being in T 15S R36E S03 NWNE SENE NENW NWNW SWNW SENW.

WHEREAS, the actual PLACE OF USE is T 15S R36E S03 NWNE SWNE NENW NWNW SWNW SENW.

Any protests against the granting of this application as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before JULY 23, 1990.

R. KEITH HIGGINSON
DIRECTOR

Published in the IDAHO ENTERPRISE on JULY 5 & 12, 1990.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 6, 1990

JEFF ALDER
JENNIE ALDER
440 S. MAIN
MALAD, ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07118

Dear Permit Holder:

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

Be sure to note the special condition requiring you to install and maintain a measuring device at your point of diversion. We have enclosed a description of the different types of measuring devices accepted by this office.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 15-07118)
IN THE NAME OF JEFF AND JENNIE ALDER) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October 1, 1991; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

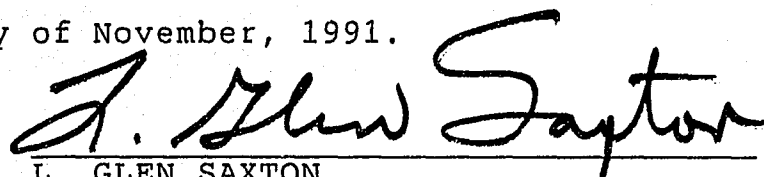
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on November 7, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 15-07118 be REINSTATED with an advance in priority to February 25, 1990.

Dated this 21st day of November, 1991.


L. GLEN SAXTON
Chief, Water Allocation Bureau

138887
July 31, 1991

JEFF ALDER
JENNIE ALDER
440 S. MAIN
MALAD, ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07118

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

October 8, 1991

JEFF ALDER
JENNIE ALDER
440 S. MAIN
MALAD ID 83252

LAPSE NOTICE

RE: PERMIT NO. 15-07118

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated July 31, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 10-11-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



Form 217
07/90

RECEIVED
NOV 07 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 175.00
Date 11-7-91
Receipt No. 022252
Received by [Signature]

Department of Water Resources

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

1. Permit No. 15-07118 Telephone No. 766-4946

2. Name(s) of Permit Holder(s): Jeff Alder, Jennie Alder

3. Post Office Address: 440 South Main, Malad, Idaho 83252

4. Source of Water: Two Mile Creek

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

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

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 161 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 3.22 cfs _____ acre/feet

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

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

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

8. Fee Enclosed: \$ 175.00 (See License Examination Fee Schedule)

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

Jeff Alder 766-4946
Name Telephone No.
440 South Main, Malad, Idaho 83252
Address

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

11/6/91
Date

Jeff Alder
Signature (and title if on behalf of a company or organization)

November 22, 1991

JEFF ALDER
JENNIE ALDER
440 S. MAIN
MALAD ID 83252

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 15-07118

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure