

RECEIVED  
Form 202-10/92  
NOV 16 1994

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 15-7146

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant Tarrell O. Jones Phone 766-2235  
Post office address 262 N 100 W Malad Idaho 83252
2. Source of water supply groundwater which is a tributary of \_\_\_\_\_
3. Location of point of diversion is \_\_\_\_\_ 1/4 of NW 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_  
Sec. 28 Township 14S Range 36E B.M. Oneida County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 49 for Irrigation purposes from 4-15 to 10-15 (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) \_\_\_\_\_ and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. well & pump connected to a  
sprinkler system.  
\_\_\_\_\_  
\_\_\_\_\_  
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 12" inches; proposed depth of well is 100' feet.  
d. Is ground water with a temperature of greater than 85°F being sought? NO  
e. If well is already drilled, when? \_\_\_\_\_; Drilling firm \_\_\_\_\_;  
Well was drilled for (well owner) \_\_\_\_\_
7. Time required for the completion of the works and application of the water to be proposed beneficial use is  
3 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.

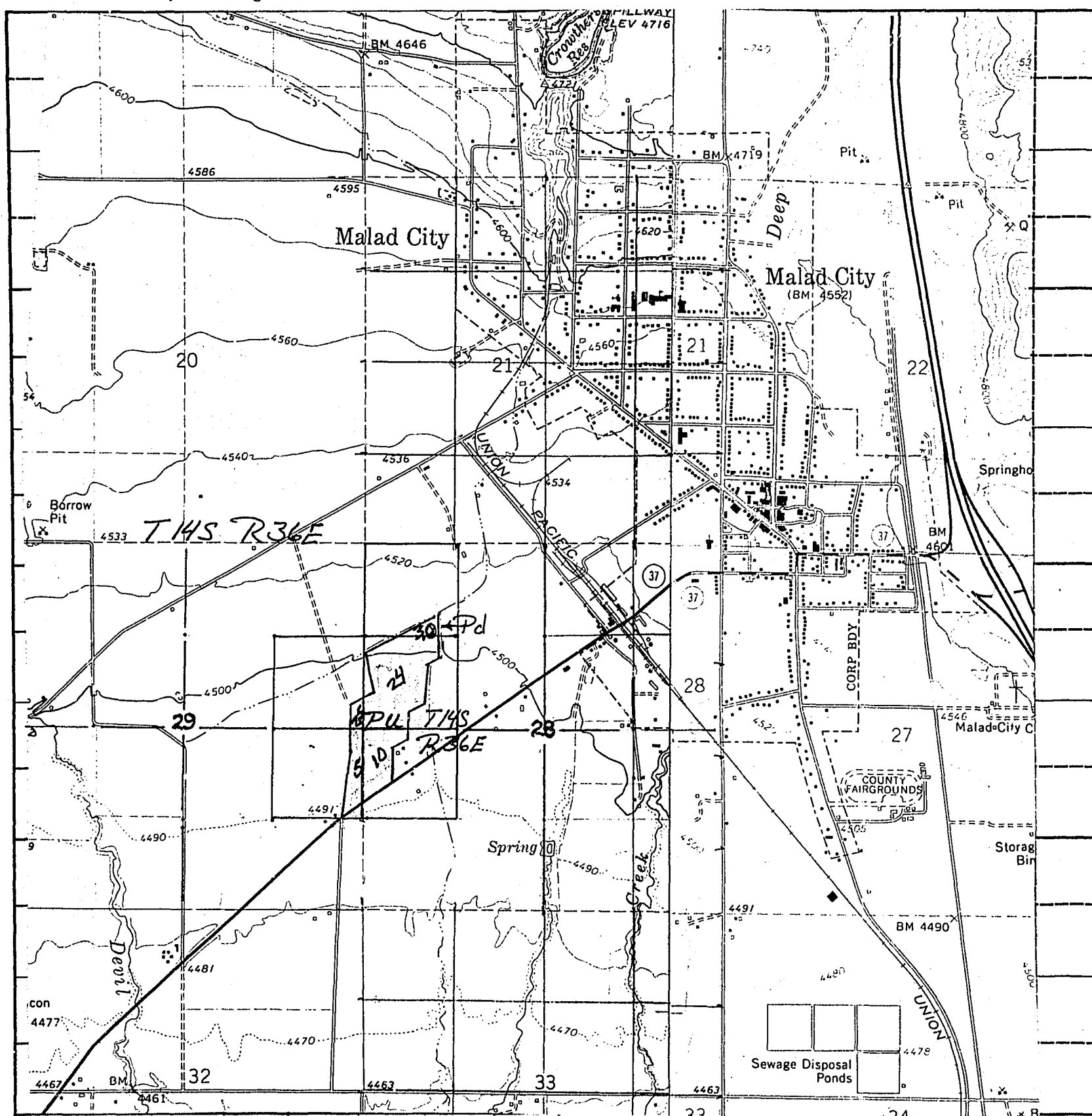
| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       | 28   |     |     |     |     | 3   | 24  |     |     | 10  |     |     |     |     |     |     |     | 37     |
|     |       | 29   |     |     |     |     |     |     |     |     |     |     |     | 25  |     |     | 5   |     | 7.5    |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 44.5

10. Describe any other water rights used for the same purposes as described above. 15-02039, 1502081
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

13. Map of proposed 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.

*Tarnell O. Jones*  
(Applicant)

Received by WM Date 9/20/94 Time 11:53 CK# 153 \$200.00 Preliminary check by \_\_\_\_\_  
Fee \$ 100 <sup>00</sup>/<sub>100</sub> Receipted by HWT # EO20311 Date 9/20/94  
Publication prepared by RB Date 10-6-94 Published in LD Enterprise  
Publication approved RB Date 11-10-94

### 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:

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

NO. 15-07146

Proposed Priority: September 20, 1994      Maximum Diversion Rate: 0.49 CFS

This is to certify, that TARRELL O JONES  
262 N 100 W  
MALAD ID 83252

has applied for a permit to appropriate water from: GROUNDWATER

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            | 04/15 to 10/15       | 0.49 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:      NWNW , Sec. 28, 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 14S        | 36E        | 28         | NWNW 3       | SWNW 24      | NWSW 10      | 37           |
|            |            | 29         | NESE 2.5     | SESE 5       |              | 7.5          |

Total number of acres irrigated: 44.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1997.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
6. Construction of the well must comply with Idaho well construction standards.
7. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

PAGE 2

State of Idaho  
Department of Water Resources

## Permit To Appropriate Water

NO. 15-07146

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

2<sup>nd</sup> day of December, 1994.

R. Keith Saxton  
for R. Keith Higginson, Director



September 30, 1994

TARRELL O JONES  
262 N 100 W  
MALAD ID 83252

RE: Application for Permit No. 15-07146  
Application for Transfer No. 4454

Dear Mr. Jones:

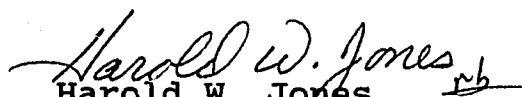
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho Enterprise on October 6 & 10, 1994. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

  
Harold W. Jones  
Water Right Supervisor

HWJ/rb

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before OCTOBER 24, 1994.

R. KEITH HIGGINSON, Director

Published: 10/ 6/1994 & 10/13/1994

15-07146

JONES, TARRELL O  
262 N 100 W  
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWNW Sec 28 T 14S R 36E in ONEIDA County.

Use: IRRIGATION ( .490 CFS)  
Total Diversion: ( .490 CFS)

Date Filed: 9/20/1994

|                   |      |      |      |
|-------------------|------|------|------|
| In: ONEIDA County |      |      |      |
| T14S R36E S28     | NWNW | SWNW | NWSW |
| S29               | NESE | SESE |      |

44.5 ACRES TOTAL

NOTICE OF APPLICATION FOR WATER RIGHT

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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region  
900 N Skyline

Idaho Falls, Idaho 83402  
(208) 525-7161

SEPTEMBER 28, 1994

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 OCTOBER 24, 1994.

Yours truly,

Rita Bodell  
Secretary

Encl.

Nº 2001

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Oneida

ss.

Donna Schuesen

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

October 6, 1994, and ending

with the issue of October 13, 1994.

Donna Schuesen

Subscribed and sworn to before me this 31<sup>st</sup> day

of October, 1994.

Mylene Jones

Notary Public, Residing at Malad, Idaho

My Commission Expires 9/11, 1998.

### NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07146

JONES, TARRELL O

262 N. 100 W.

MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWNW Sec 28 T

14S R 36E In ONEIDA County.

Use: IRRIGATION (.490 CFS)

Total Diversion: (.490 CFS)

Date Filed: 9/20/1994

In: ONEIDA County

T14S R36E S28 NWNW

SWNW NWSW

S29 NESE SESE

44.5 ACRES TOTAL

The permit(s) will be subject to  
all prior water rights. Protests must  
be filed with the applicant and the  
Director, Dept. of Water Re-  
sources, along with a \$25.00 filing  
fee, Eastern Region, 900 N Sky-  
line, Idaho Falls, Idaho 83402 on  
or before OCTOBER 24, 1994.

R. KEITH HIGGINSON, Director  
Published: 10/6/1994 & 10/13/  
1994

No. 2001



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

December 5, 1994

TARRELL O JONES  
262 N 100 W  
MALAD ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07146

Dear Permit Holder:

Enclosed is a copy of your approved application for permit.  
Please be sure to thoroughly review the "CONDITIONS/REMARKS:"  
listing on the permit.

As a permit owner you must commence the excavation or  
construction of the diverting works within one year of the date  
the permit was issued, and you must proceed diligently until the  
project is completed. The date shown under condition no. 1  
is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately  
60 days prior to the above referenced date requesting you to file  
either a Proof of Beneficial Use form or a Request for Extension  
of Time form.

If a well has not already been constructed you are required to  
obtain a "drilling permit" from the department. The right to  
drill a well is not a part of this permit to appropriate water.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Manager  
Water Right Permits Section

JJ:dc

Enclosures

RECEIVED

NOV 1997

Department of Water Resources

FOR OFFICE USE ONLY

Amt. of Fee \$: 125.00

Receipt No. 125116

Receipt By: SS

Date Received: 11/24/97

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

NOV 24 1997

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 15-07146 Telephone No. (208) 766-2235

2. Name(s) of Permit Holder(s): Tarrell O. Jones

3. Mailing Address: 262 N. 100W, Malad, Id. 83252

4. Source of Water: \_\_\_\_\_ If GROUNDWATER (well), Date Drilled: mo. Sept yr. 94

LaVell Losce

a. Well Driller: American Well Drilling Drilling Permit Number: 15-94-E-017

b. OPTIONAL:

Pump Horsepower: 40 Pressure (psi): 60 Dynamic pumping level (ft): 80'

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): \_\_\_\_\_ Stockwater (No. and type of stock): 50- Beef

Irrigation (No. of acres): 48 1/2 Other: \_\_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted: 2 cfs OR \_\_\_\_\_ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes \_\_\_\_\_ or No ✓

Has the measuring device been installed?

Yes \_\_\_\_\_ or No ✓

Flow Measurement Port: Is a flow measurement port required?

Yes \_\_\_\_\_ or No ✓

Has the measurement port been installed? Yes \_\_\_\_\_ or No ✓

8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Tarrell O. Jones Telephone Number: (208) 766-2235

Address: 262 N. 100W, Malad, Id. 83252

10. The information given on this form 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.

Signature of permit holder: Tarrell O. Jones  
(include your title, if on behalf of company of organization)

Date: Nov. 24, 1997

September 30, 1997

TARRELL O JONES  
262 N 100 W  
MALAD ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07146

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 December 1, 1997.

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

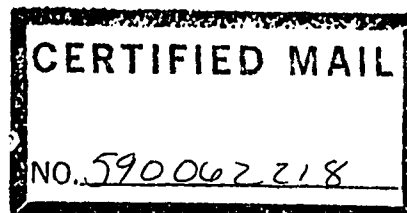
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

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

**PHILIP E. BATT  
GOVERNOR**

**KARL J. DREHER  
DIRECTOR**

February 10, 1998

Tarrell O Jones  
262 N 100 W  
Malad ID 83252

**RE: Water Right No. 15-07146**

Dear Permit Holder:

I am in receipt of the Proof of Beneficial Use statement and the \$125.00 license examination fee you submitted in connection with the above referenced water right permit. You indicate you are diverting 2.0 cfs for irrigation and stockwater use, however, Permit No. 15-07146 (copy enclosed) only authorizes a maximum rate of diversion of 0.49 cfs for irrigation use. You are not authorized to divert more than 0.49 cfs and the license examination fee for a rate of 0.49 cfs is \$100.00. Therefore, I have initiated the process to refund the excess \$25.00 examination fee submitted with the proof. You should receive the refund within seven (7) to ten (10) business days under separate cover.

The Proof of Beneficial use statement you submitted will be accepted as filed, however, please be advised that if you are diverting more than 0.49 cfs, you are doing so without a water right.

If you have any questions regarding this matter, please contact me at (208)327-7953.

Sincerely,

**JULIE L. YARBROUGH**  
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office  
Mary McCulley - Fiscal