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JAN 21 1997

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MAR 17 1997

FORM 202
296

Department of Water Resources
Eastern District Office

STATE OF IDAHO
Department of Water Resources

Ident. No. 15-7158

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

208-766-4519

209-431-4404

209-225-3703

7265

1. Name of Applicant Richard D. Jones Phone 209-225-3703
Mailing address 7271 N. Hulbert Fresno, California 93711
2. Source of water supply Ground water which is a tributary of N/A
3. Location of point of diversion is Township 14S Range 36E Sec. 17, in the NE 1/4, SW 1/4, Govt. Lot On-ida, B.M., On-ida County;
additional points of diversion if any: *Change as per tel-con 1-22-97 JWF
4. Water will be used for the following purposes:
* Amount 0.80 cfs for Irrigation purposes from Mar 15 to Nov 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)
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) 0.80 cfs and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Well and pump
 - b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet
 - c. Proposed well diameter is 20 inches; proposed depth of well is 400 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) ; Drilling Permit No.
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.
 - e. Other; describe fully.

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	36E	17									20			20					40

Total number of acres to be irrigated 40

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

11. a. Who owns the property at the point of diversion? Richard D Jones

b. Who owns the land to be irrigated or place of use? RICHARD D JONES

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

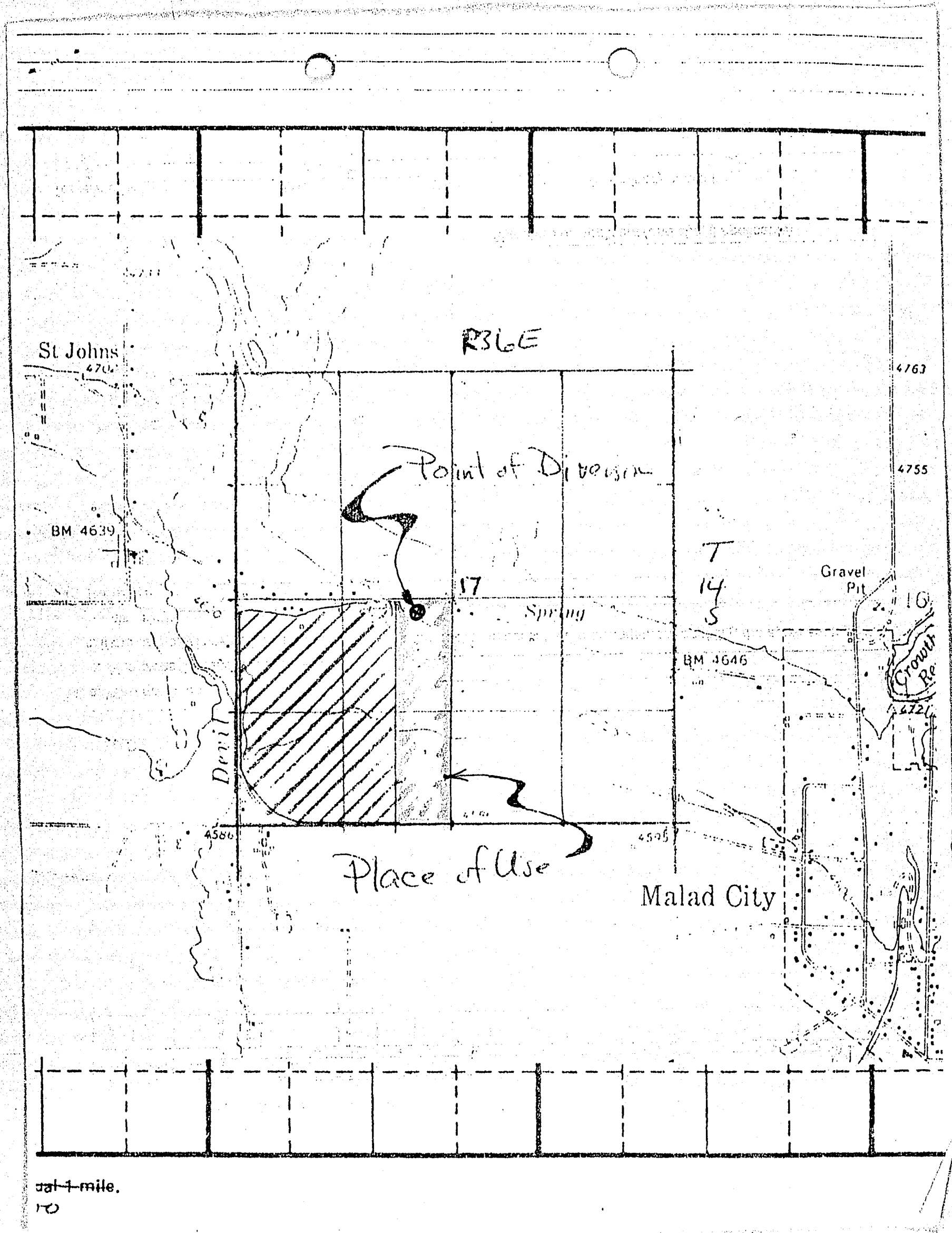
12. Remarks: Acres adjacent to claim 15-04177

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Richard D Jones
Signature of Applicant (and title, if applicable)

Received by HWT Date 1-21-97 Time _____ Preliminary check by _____
Fee \$ 100.00 Receipted by HWT # E022902 Date 1-22-97
Publication prepared by RB Date 2-20-97 Published in Idaho Enterprise
Publication approved RB Date 3-10-97



at 4 mile.
10

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 15-07158

Proposed Priority: January 21, 1997 Maximum Diversion Rate: 0.80 CFS

This is to certify, that RICHARD D JONES
7271 N HULBERT
FRESNO CA 93711

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	0.80 CFS
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LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 17, 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	17	NESW 20.0	SESW 20.0		40.0

Total number of acres irrigated: 40.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 2000.
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. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
7. 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. 15-07158

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

28 th day of March, 1997.

Karl J. Dreher
for Karl J. Dreher, Director





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 6, 1997

RICHARD D JONES
7271 N HULBERT
FRESNO CA 93711

RE: Notice of Application for Permit No. 15-07158

Dear Applicant:

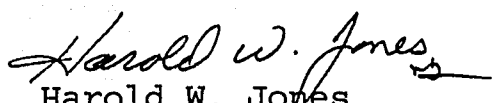
The Department of Water Resources acknowledges receipt of your application for permit of water right 15-07158. This office is currently in the process of advertising the application in the Idaho Enterprise on February 20 & 27, 1997. The advertisement will be published once a week for two consecutive 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 transfer is issued, you will be sent a copy. A typical processing time for an unprotested application is about twelve 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

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 11, 1997

Legal Notices Department
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 MARCH 10, 1997.

Yours truly,

Rita Bodell
Secretary

Encl.

15-07158

JONES, RICHARD D
7271 N HULBERT
FRESNO, CA 93711

Source: GROUNDWATER

Diversion Pt: NESW Sec 17 T 14S R 36E in ONEIDA County.

Use: IRRIGATION (0.800 CFS)
Total Diversion: (0.800 CFS)

Date Filed: 1/21/1997

In: POWER County
T14S R36E S17 NESW SESW

40.0 ACRES TOTAL

RECEIVED
MAR 17 1997
Department of Water Resources

2283

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

COUNTY OF ONEIDA)

Kristine D. Smith, begin duly sworn, deposes and says: That she is the publisher of *THE IDAHO ENTERPRISE*, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said newspaper 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 newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper 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 20, 1997, and ending with the issue of February 27, 1997.

Kristine D. Smith

STATE OF IDAHO)

)

COUNTY OF ONEIDA)

On this 27 day of February in the year of 1997, before me, Theresa Kieffenegger, a Notary Public, personally appeared Kristine D. Smith, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Theresa Kieffenegger
Notary public for Idaho
Residing at Malad City, Idaho
My commission expires: Jan. 3, 2001

RECEIVED

MAR 03 1997

Department of Water Resources
Eastern Region

NOTICE OF APPLICATION FOR WATER RIGHT

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

(15-07158)

JONES, RICHARD D.
7271 N HULBERT
FRESNO, CA 93711
Source: GROUNDWATER
Diversion Pt: NESW Sec 17 T 14S
R 36E in ONEIDA County.
Use: IRRIGATION (0.800 CFS)
Total Diversion: (0.800 CFS)
Date Filed: 1/21/1997
In: POWER County
T14S R36E S17 NESW SESW
40.0 ACRES TOTAL
29-08190

RIEHL, OLIVER MICHAEL
C/O DAVID MCPHERSON
315 E ALAMEDA RD
POCATELLO, ID 83206
Source: MILL CREEK Tributary:
BIRCH CREEK
Diversion Pt: NENWSE Sec 28 T
12S R 36E in ONEIDA County.
Use: RECREATION (0.890 CFS):
RECREATION STORAGE (1.00
AF)

Total Diversion: (0.890 CRS)
Date Filed: 1/14/1997
In: ONEIDA County
T12S R36E S28 NWSE

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 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before MARCH 10, 1997.

KARL J. DREHER, Director
Published: 2/20 1997 & 2/27/1997
L. 2283 2/20/27/97/T2

MEMORANDUM

DATE: March 26, 1997
TO: File No. 15-07158
FROM: Cindy Zimmerman *cz*
RE: Telephone Conversation

Per telecon today with Dr. Richard Jones, Malad Valley Irrigation Company water shares are currently being used on most of the place of use described under this application. Use of surface water will continue as the primary source for irrigation supplemented by the groundwater proposed under this application.

MEMORANDUM

DATE: March 25, 1997
TO: Fiscal
FROM: Cindy Zimmerman
THRU: Shelley Keen *OK Suter*
RE: Application for Permit No. 15-07158

~~~~~  
A \$120.00 filing fee for application for permit was received 01/22/97 under receipt no. E022902 (copy attached) on the above application. The correct filing fee for this application is \$100.00.

Please refund \$20.00 of the filing fee to:

Richard D. Jones  
7271 N. Hulbert  
Fresno CA 93711

Thanks,

*Cindy*

15-7158

Request \$20 be refunded  
to applicant.

For overpayment.

*Huff*

3/18/97 - per telecon Skip has not requested a refund.

REFUND.DOC



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

March 28, 1997

RICHARD D JONES  
7271 N HULBERT  
FRESNO CA 93711

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07158

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen  
Water Rights Supervisor

SK:ph

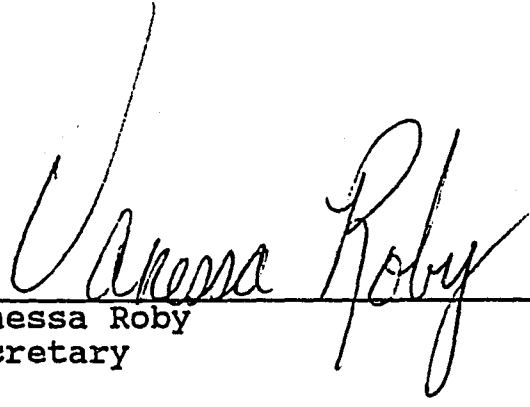
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of March, 1997, I mailed  
a true and correct copy, postage prepaid, of the foregoing  
PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 15-07158

RICHARD D JONES  
7271 N HULBERT  
FRESNO CA 93711

  
\_\_\_\_\_  
Vanessa Roby  
Secretary

Form No. 204  
12/99  
FILING FEE \$50.00

RECEIVED

MAR 2 2000

For Office Use Only  
\$50 Fee Received by 50.00  
Date 3-20-00  
Receipt No. 0048491

Department of Water Resources **STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**REQUEST FOR EXTENSION OF TIME**  
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 15-07158  
Name(s) of Permit Holder: Richard D Jones  
Address: 7271 North Hulbert City Fresno State Ca Zip 93711  
Telephone No. 559-431-4404 Date Proof is Due: 4/1/00

Describe what work has been completed toward the development of this water right:  
(This must be filled out! If no work has been completed, show "none".)

Sprinkler lines purchased. All farm land to be  
irrigated surveyed and brought into master  
crop plan study.

Costing \$ 7500

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Pumkin well motor failed and has been  
replaced at cost of \$16,000. Additional 7 1/2 acre  
lot has remained in probate awaiting 40+ heir  
signatures before title is clear.

Permit holder(s) request an extension to 4/1, 2002

Richard D Jones mo.  
(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

IT IS HEREBY ORDERED that the above request for extension of time be  
APPROVED and the time within which to submit proof of beneficial use is extended to  
April 1, 2002.

Signed this 21<sup>st</sup> day of March, 2000

L. Glen Saxton  
L. Glen Saxton, Chief  
Water Allocation Bureau

January 31, 2000

RICHARD D JONES  
7271 N HULBERT  
FRESNO CA 93711

PROOF DUE NOTICE

RE: PERMIT NO. 15-07158

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 April 1, 2000.

(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.

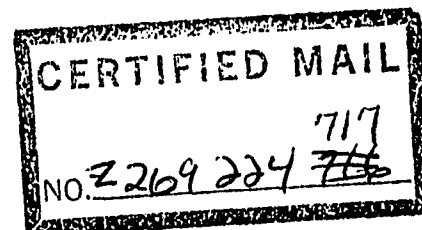
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



**RECEIPT**  
For Monies Paid  
to the  
Idaho Department of Water Resources

Receipt No: D048491

Date: 3/20/2000  
Time: 15:11:54

Received  
From: JONES RICHARD D MD

|            | Type of Payment |       | Program Acct | Amount |
|------------|-----------------|-------|--------------|--------|
| EXTENSIONS | #15-07158       | 56103 | 229 21 1155  | 50.00  |

CHECK 12353

Total \$ 50.00

Region: STATE

Signature: J. Mace



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

March 21, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RICHARD D JONES  
7271 NORTH HULBERT  
FRESNO CA 93711

RE: PERMIT NO. 15-07158

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **April 1, 2002**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of the project since the department **will not** be able to grant future extension requests based on due diligence.

Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact the department, if you have any questions regarding this matter.

Sincerely,

Deborah Drew-Ellis  
Administrative Assistant  
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office