

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM
RECEIVED

CIVIL CASE NUMBER: 79576

Claim ID: 11-7508

Date Received: 11/3/23

Receipt No: P000564 + E049609

Claim Fee: 73.00 By: m3

OCT 31 2023

IDWR/Preston

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) Michael and Jamie Robison Phone (208) 390-5836
Mailing address PO Box 54 Dingle ID 83233-0054
Street or Box City State
Email address (optional) _____
2. Date of priority: (Only one per claim) April/18/1888 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Unnamed Springs
which is tributary to (b) Dingle Bottoms
4. a. Location of point of diversion is: Township 14S, Range 44E, Section 11,
NE 1/4 of SE 1/4, Govt. Lot _____, BM, County of Bear Lake
Parcel no. _____
Additional points of diversion, if any: 14S 44E 11 NW NE
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
~~N-POD: Spring is dammed, with pipeline to pond. 10 HP pump in pond w/ piping to sprinkler system. S-POD:~~
Short ditch to gravity (flood) irrigation. Stock and wildlife drink from springs, ponds, ditches, and troughs on
east part of POU.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 4/15 to 10/31 amount 0.44 or

For Stockwater purposes from 1/1 to 12/31 amount 0.02 or

For Wildlife purposes from 1/1 to 12/31 amount 0.02 or

For purposes from to amount or

7. Total quantity claimed (a) 0.46 (cfs) and/or (b) (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) 2 bulls, 40 head mother cows, 40 head calves.

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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	44E	11													13	9.2			22.2
															S,W	S,W			

Parcel no(s). Total number of acres irrigated 22.2

10. In which county(ies) are lands listed above as place of use located? Bear Lake

11. Do you own the property listed above as place of use? Yes (✓) No ()
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

Dingle irrigation overlaps eastern part & Black Otter irrigation overlaps western part. or None ()

13. Remarks (Include an explanation of the priority date selected):

~~1) Priority date per homestead patent. Additional discussion in attached narrative.~~

2) Wildlife use is incidental to stockwater use.

3) Attachments include:

~~a) Narrative~~

b) Copy of Homestead Patent

c) Dennis Bird affidavit

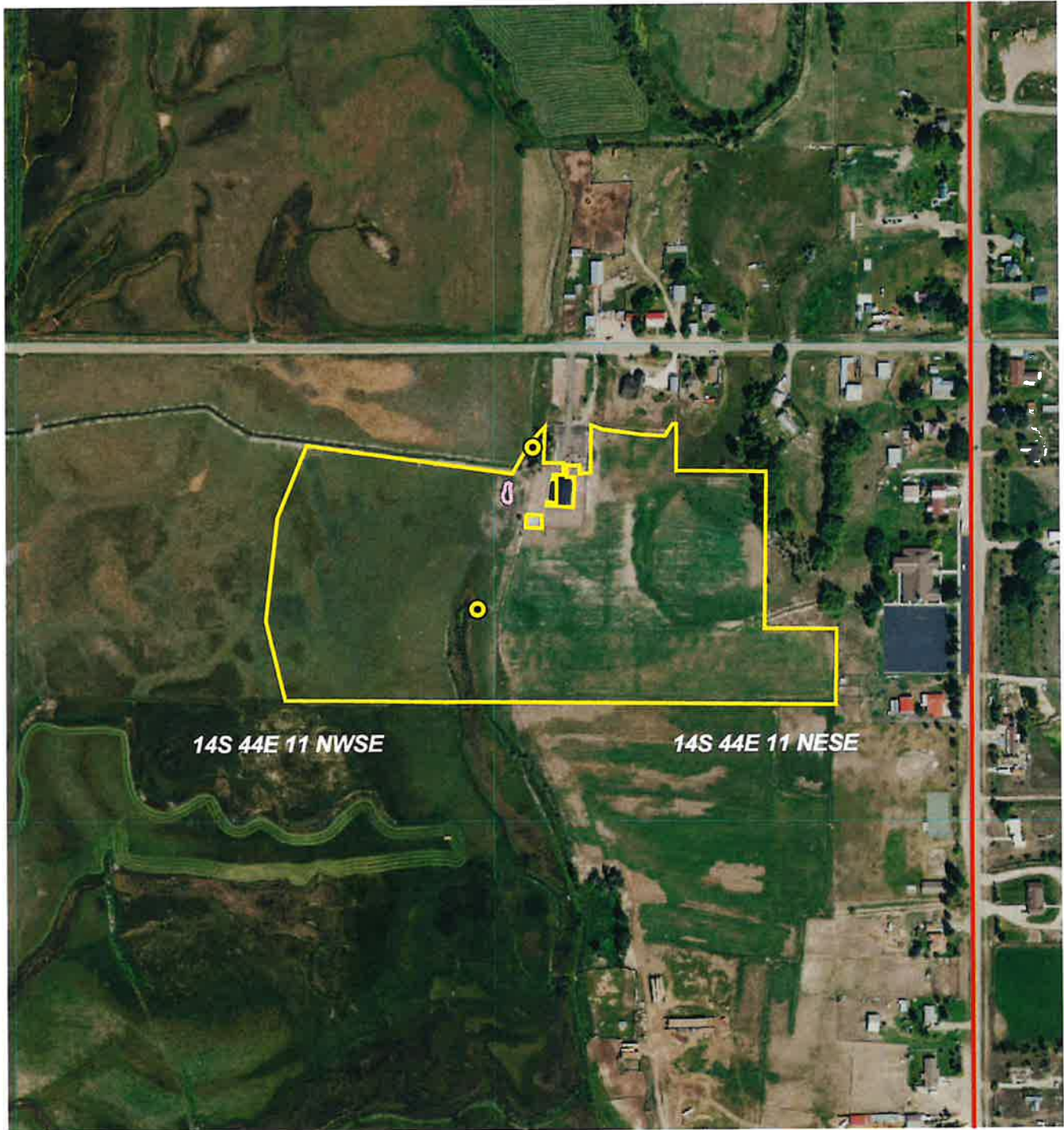
~~d) Michael Robison affidavit~~

e) Historical aerial images and map.

Name of claimant(s) Michael & Jamie Robison

Claim ID

Map of Project



700 0 700 Feet

- Claim POD
- Claim POU
- Pond
- Section QQ

Base Map 2019 USDA NAIP

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____

14. Basis of claim (Check one) Beneficial Use (☒) Posted Notice (☐) License (☐) Permit (☐) Decree (☐)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-7508

15. **Signature(s)**

- (a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."
(b.) I/We do (☐) do not (☒) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 5

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Michael Robison* Date: 10-31-2023

Jamie Robison Date: 10-31-23

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature *[Signature]* Date _____

Address _____

Name of claimant(s) Michael and Jamie Robison Claim ID _____

**Narrative to Accompany
Bear River Basin Adjudication Claim
Based on 11-7508**

Priority Date

The priority date is based on the 1888 Homestead-entry Land Patent, which confirms that the original patent holder had developed, used and occupied the parcel. While not a conclusive indication of irrigation, the original place of use overlaps the service area of the Grimmert Black Otter canal with an 1877 right, and the current owner is a shareholder. It is most likely that the development that allowed the patent to be granted included irrigation.

Per the attached Dennis Bird affidavit, starting at least 80 years ago, the spring water has been comingled and used with the Black Otter water on this property. In 1888 it would have been difficult to exclude this water from the Black Otter water, and there would have been no reason to do so, so it is most likely that the comingled use dates at least to 1888 and probably to the earlier date of original settlement, that marked the beginning of “proving up” to obtain the 1888 patent.

The attached series of aerial images and maps confirms continuous appearance of cultivation and irrigation since at least 1947. Additional discussion of these images is provided under the Place of Use discussion below.

Source of Water

Per Statutory Claims and affidavits.

Point of Diversion

The original 2002 Statutory Claim identified a single Point of Diversion on the upland portion of the Property where there is not a spring, per the Claimant. As noted below, water may appear at the location in some images. This may have been accumulated runoff from irrigation, but from the 2020 aerial image it is clear that this area can be tilled when not wet, which is more indicative of irrigation than of a spring. A 2018 Amended Statutory Claim added the two Points of Diversion that appear to be correct, but did not remove the erroneous Point of Diversion.

Photo 1 by Rocky Mountain Environmental Associates (RMEA) in the fall of 2023 shows the northern-most claimed Point of Diversion. This is in a location compatible with the Dennis Bird affidavit and with aerial imagery. RMEA did not visit the southern claimed Point of Diversion but it is reasonable given the aerial imagery that was reviewed.



Photo 1. Looking northwest at the northern Point of Diversion. The spring is visible just beyond the fence. The ditch beyond is a lateral of the Black Otter canal system. Photo by RMEA.

Diversion Works

Per attached Michael Robison affidavit. A clarification that could be added to Robison's affidavit is that the irrigation from the south Point of Diversion is gravity (flood) irrigation. Photo 2 shows the pond and pump system that irrigate the upland portions from the north Point of Diversion.



Photo 2. Looking southwest at pond and pump that deliver water from the north Point of Diversion to the sprinkler irrigation on the upland portion of the Place of Use. Photo by RMEA.

Uses and Season of Use

Per Amended Statutory Claims.

Diversion Rate

Per standard 0.02 cfs/acre rate. The Michael Robison affidavit provides data to calculate diversion rate from the north POD but no data were collected for diversion from the south POD.

Non-irrigation Uses

Per Amended Statutory Claim

Place of Use and Acreage

The original extent of Place of Use is unknown. The patent granted a full quarter-section (160 acres) but gravity irrigation could only have occurred on the western part of the parcel at lower elevation than the springs. From the fence lines in the images, it is assumed that the ownership had been split, and that irrigation from this source was retained on the parcel that contains both PODs. The attached series of aerial images shows the image alone on the top, so all features are visible, and on the bottom it shows the same image at approximately the same scale with polygons added. One polygon represents an interpretation of 1947 irrigation under the

assumptions above. One represents the current county parcel boundary, and one represents the Place of Use claimed in the Adjudication. The following interpretations are made from these images:

- The 1947 image was the basis for the 1947 irrigation polygon. The polygon is the part of the original homestead that is lower elevation than the springs and within the fencelines visible in the image. It sums to 23.6 acres. The uplands are cultivated, though it is not clear that they are irrigated. The status of the uplands is important because the claim includes an accomplished transfer that moved part of the Place of Use to the uplands, from a status of supplemental irrigation to Black Otter to a status of supplemental irrigation to Dingle Irrigation. There is a dark area consistent with standing water near the location indicated as a spring in the 2002 Statutory Claim.
- The 1953 image shows a robust dark color of most of the upland parcel, indicating vigorous green crops. The possible pond noted in the 1947 image may also be present in 1953.
- The 1966 images adds little information. The pond near the 2002 Point of Diversion does not appear wet.
- The 1969 image clearly shows a ditch system in the upland parcel. If the pond is wet, the wetted area is small.
- The 2002 Statutory Claim image shows the origin of mapping a Point of Diversion on uplands. It colors the entire parcel as Place of Use, though the claim does not reference enough acres to cover the mapped area.
- The 2004 image suggests that irrigation on the upland parcel has extend south to the quarter-section/parcel-boundary line. Irrigation on the lowland parcel continues as far south, though a difference still is apparent at the location of the 1947 fenceline. The pond appears to be dry in 2004.
- The 2009 image shows additional progression toward the current Place of Use having a consistent appearance across the parcel. The pond is dry.
- The 2011 image shows additional consistency across the claimed Place of Use and shows dark soil consistent with ongoing irrigation on the upland part of the parcel. The pond in the upland area appears to have more water in 2011 than in any other image.
- The 2013 through 2019 images add confirmation but little additional information.
- The 2020 image indicates that the entire upland portion is tilled, including across and through the pond indicated as the 2002 Point of Diversion. The constructed pond shown in Photo 2 above is first visible in the 2020 image.
- The circa 2021 image shows the upland portion with a robust dark green color typical of full irrigation, and running east to west on the south is a streak of lighter-colored blotches that are consistent with sprinkler irrigation, though not definitive. This image also shows the parking lot and building features on the north that resulted in small cutouts from the current Place of Use.

The western extent of irrigation is based on the 2018 Amended Statutory Claim and represents an estimate of the extent of irrigation from the south spring only, now that the north spring is

pumped to sprinklers that serve the uplands. The south irrigation continues to be an overlap with Black Otter, and the claimant is a shareholder and maintains shares for the lowland portion of the Place of Use. The claimant also is a shareholder of Dingle Irrigation and maintains shares for the upland portion, so that the accomplished change does not change the overlap status of the claimed right.

The current irrigation is 22.2 acres, very nearly the same as the 23.6 acres of the polygon drawn from the 1947 aerial image. The 2002 Statutory Claim only represented irrigation of 18 acres, and the 2018 Amended Statutory Claim echoed this acreage. It is not clear what the basis of this estimate was, but it appears that it was not made with benefit of aerial imagery. RMEA interprets the difference between 18 acres and 22.9 acres as an artifact of precision in methods and not as an enlargement.

Attachments to Narrative

- Homestead-entry Patent
- Dennis Bird Affidavit
- Michael Robison Affidavit
- Series of Historical Aerial Images and Maps



The United States of America,

To all to whom these Presents shall come, Greeting:

Homestead Certificate No. 429
 Application 376
Whereas, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Oxford Idaho Territory, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads for actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Alfred Sparks

has been established and duly consummated, in conformity to law, for the north east quarter of section eleven in township fourteen south of range forty four east of Boise Meridian in Idaho Territory containing one hundred and sixty acres

according to the Official Plat of the Survey of said Land, returned to the General Land Office by the Surveyor General.

Now know ye that there is, therefore, granted by the United States unto the said Alfred Sparks

the tract of Land above described: To have and to hold the said tract of Land, with the appurtenances thereof, unto the said Alfred Sparks and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietors of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof, J. Grover Cleveland, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the eighteenth day of April, in the year of our Lord one thousand eight hundred and eighty eight, and of the Independence of the United States the one hundred and twelfth.

By the President: Grover Cleveland

By M. M. McLean, Secretary.

Robt. W. Cross, Recorder of the General Land Office.



AFFIDAVIT - 29 SEPTEMBER 2023

I DENNIS BIRD AM ALMOST 92 YRS OLD.
EXCEPT FOR SHORT ABSENCES I HAVE LIVED
IN DINGLE ALL MY LIFE. THE PLACE
SOUTH OF THE POST OFFICE ROAD, WHERE
IT DROPS DOWN THE HILL, BELONGED TO
MY GRANPA WILLIAM HENRY BIRD.
THEN MY UNCLE RAY LIVED THERE.
AS LONG AS I CAN REMEMBER THE SPRING
HAS RUN INTO A BLACK OTTER LATERAL
AND MIXED W/ BLACK OTTER WATER
TO IRRIGATE GRANPA'S PLACE.

Dennis L Bird Sept 29, 2023

STATE OF IDAHO,
BEAR LAKE COUNTY

SIGNED AND AFFIRMED BEFORE ME BY DENNIS L BIRD
29 SEPTEMBER 2023



Bryce A. Contor
NOTARY PUBLIC

AFFIDAVIT - "THE 44"

29 SEPT 2023

I MIKE ROBISON AM 44 YRS OLD. I HAVE OPERATED AND IRRIGATED "THE 44" SINCE 2013 WHEN IT WAS TRRIGATED & OWNED BY DAVE GARSIDE. I HAVE OWNED AND OPERATED IT SINCE 2018. THE ATTACHED WATER RIGHT MAP 11-7508 WAS MARKED UNDER MY DIRECTION.

THERE ARE ONLY 2 SPRINGS, ON THE SLOPE BETWEEN THE HIGHER & LOWER GROUND. THE SOUTH SPRING WATERS TO THE WEST, ABOUT WHERE SHOWN ON THE MAP. THE N SPRING IS PIPED TO A POND. FROM THE POND A 10 HP PUMP RUNS SPRINKLERS ON THE EAST PART, RUNS 32 PIPE FOR 12 HRS, THEN I STOP AND LET THE POND FILL. THAT TAKES ABT 12 HRS. NOZZLES ARE 11/64". RUNS 45-48 PSI. I HAVE CORRECTED THE BOUNDARY OF THE EAST PART WITH BLUE INK.

STATE OF IDAHO
SIGNED
BY MICHAEL GEORGE ROBISON
BEFORE ME
ROBISON



Bryce A. Coulter
NOTARY PUBLIC
29 ~~MA~~ SEPT 2023

Michael George Robison
Mike R
9-29-23

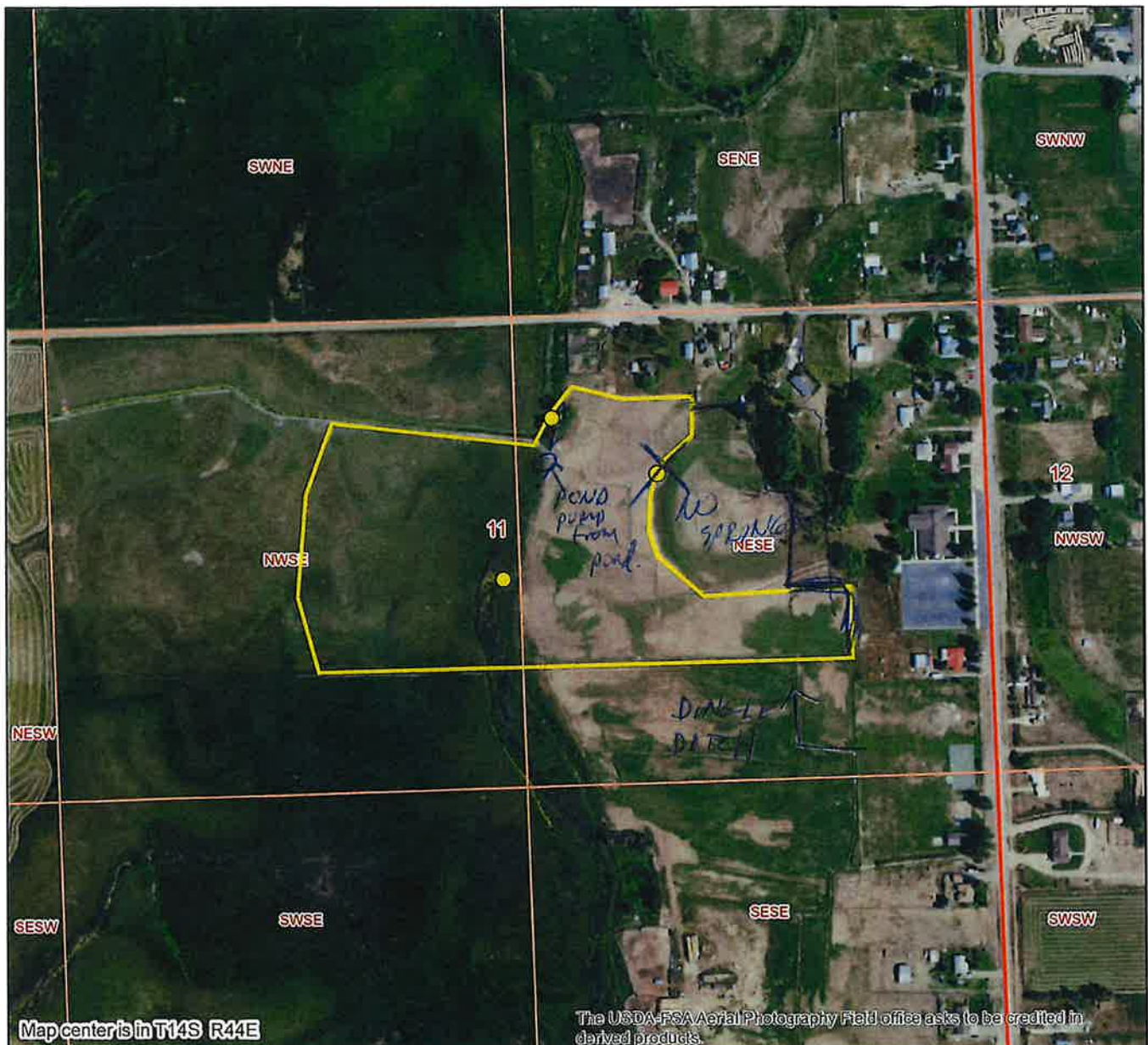
State of Idaho
Department of Water Resources

Water Right

11-7508

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/6/2023



Legend

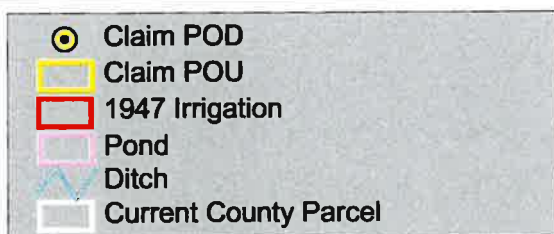
- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Historical Aerial Image Progression - 1947 USGS



660 0 660 1320 Feet



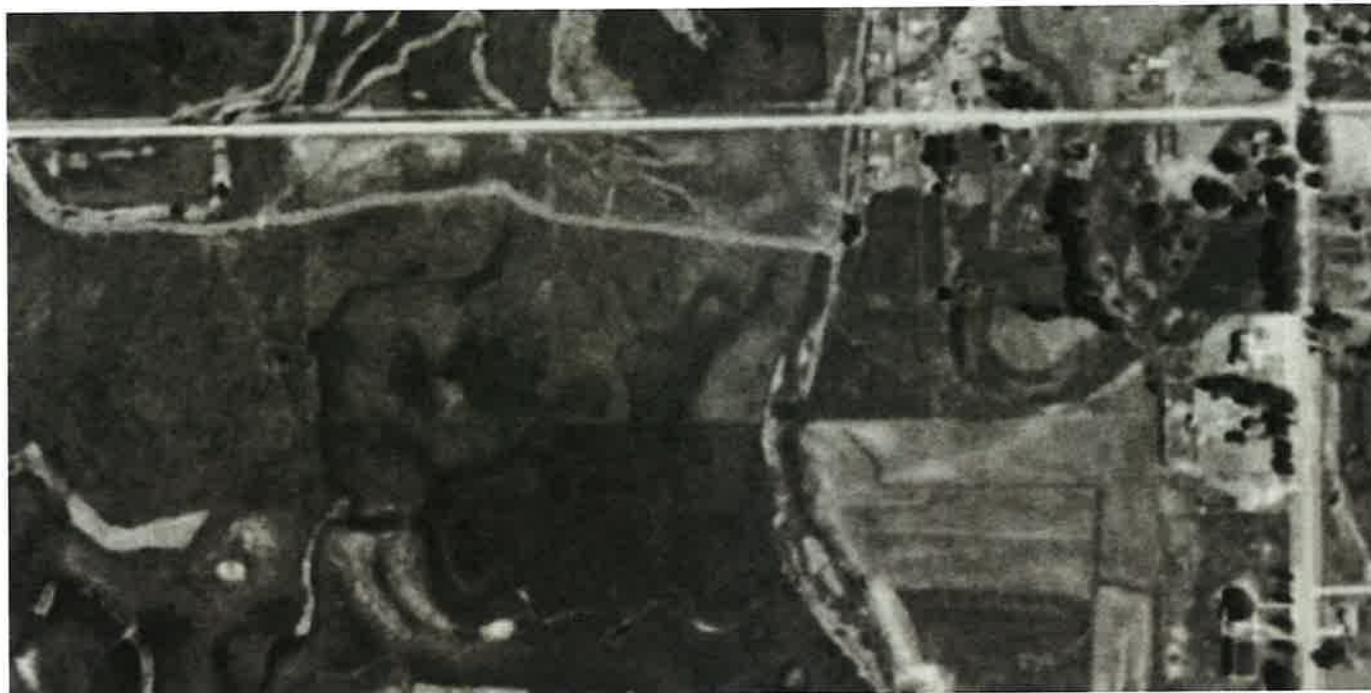
Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 1953 USGS



660 0 660 1320 Feet

- Claim POD
- Claim POU
- 1947 Irrigation
- Pond
- Ditch
- Current County Parcel

Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 1966 USGS



660 0 660 1320 Feet

- Claim POD
- Claim POU
- 1947 Irrigation
- Pond
- Ditch
- Current County Parcel

Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

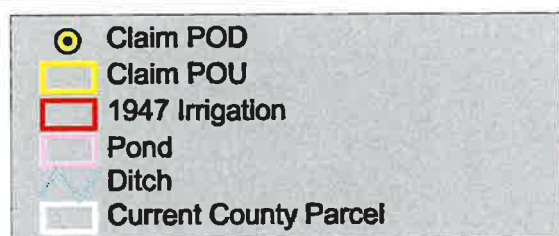
Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 1969 USGS



660 0 660 1320 Feet



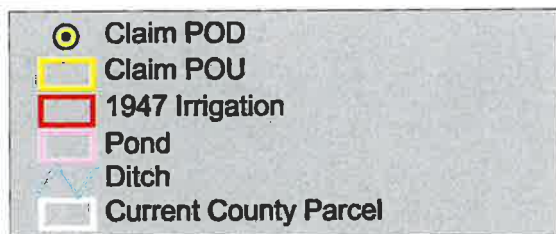
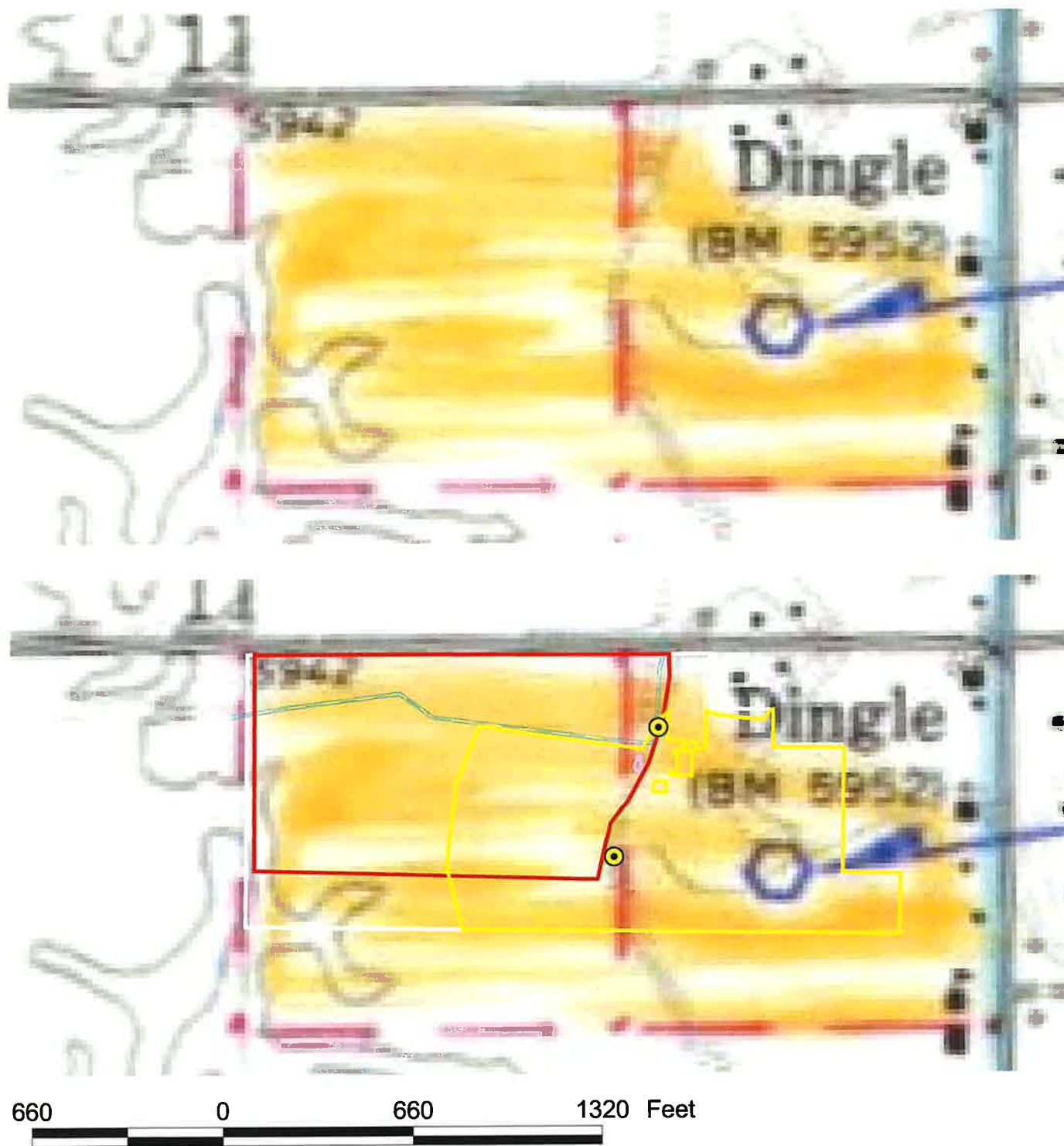
Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 2002 Statutory Claim



Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____



- Claim POD
- Claim POU
- 1947 Irrigation
- Pond
- Ditch
- Current County Parcel

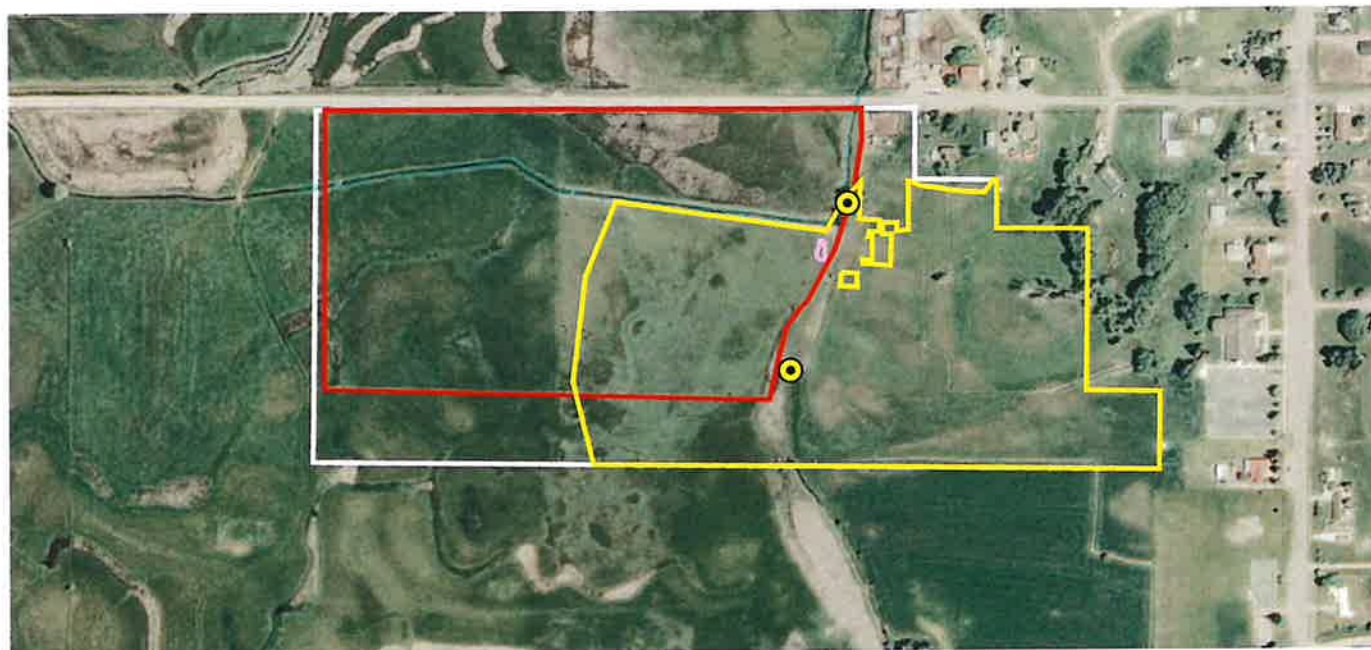
Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

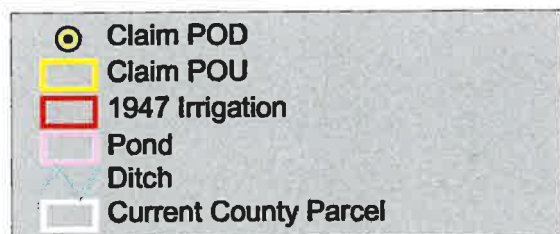
Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 2009 NAIP



660 0 660 1320 Feet



Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 2011 NAIP



660 0 660 1320 Feet

- Claim POD
- Claim POU
- 1947 Irrigation
- Pond
- Ditch
- Current County Parcel

Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

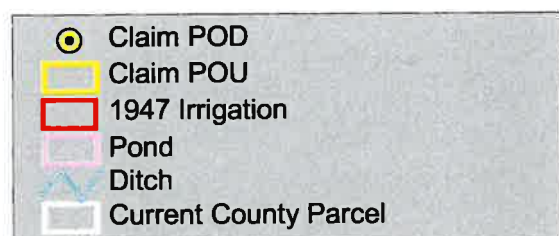
Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 2013 NAIP



660 0 660 1320 Feet



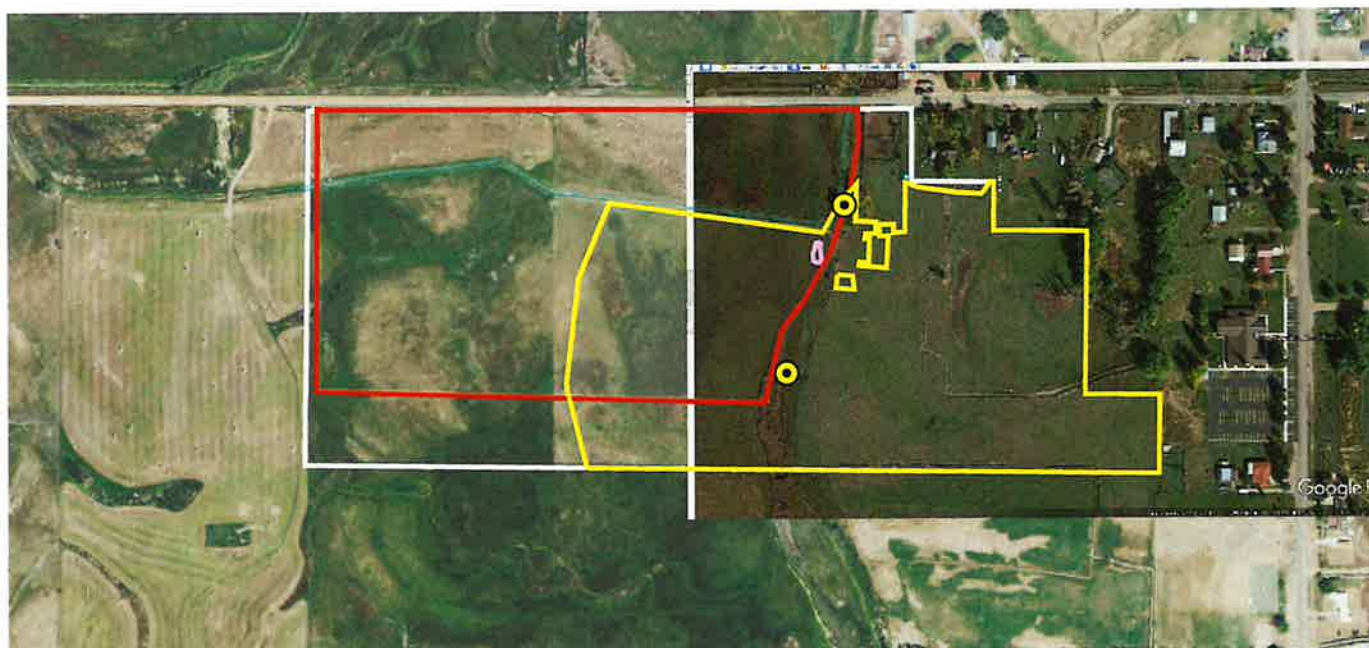
Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

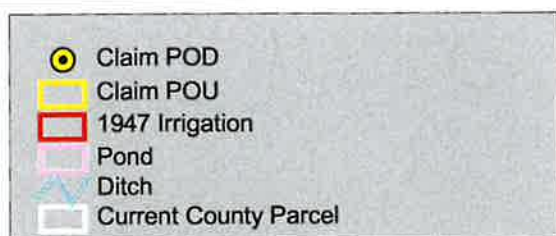
Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 2013 NAIP w/ 2014 Google Earth



660 0 660 1320 Feet



Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

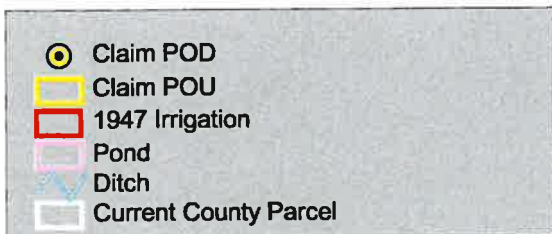
Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 2015 NAIP w/ 2016 Google Earth



660 0 660 1320 Feet



Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____



- Claim POD
- Claim POU
- 1947 Irrigation
- Pond
- Ditch
- Current County Parcel

Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

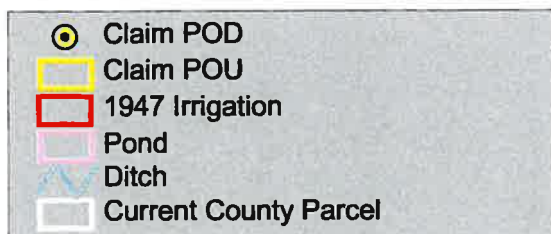
Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 2019 NAIP



660 0 660 1320 Feet



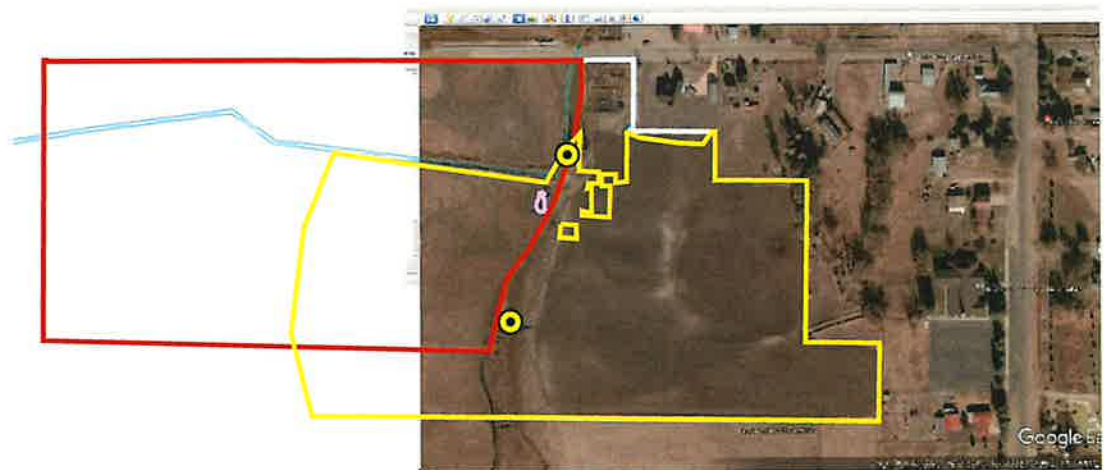
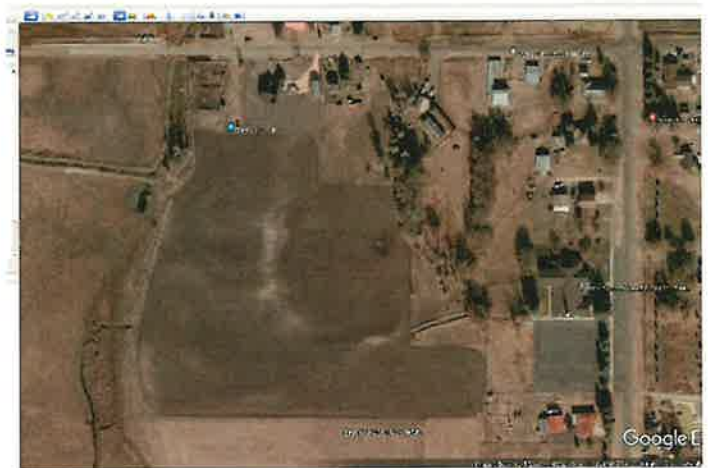
Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____

Historical Aerial Image Progression - 2020 Google Earth



660 0 660 1320 Feet

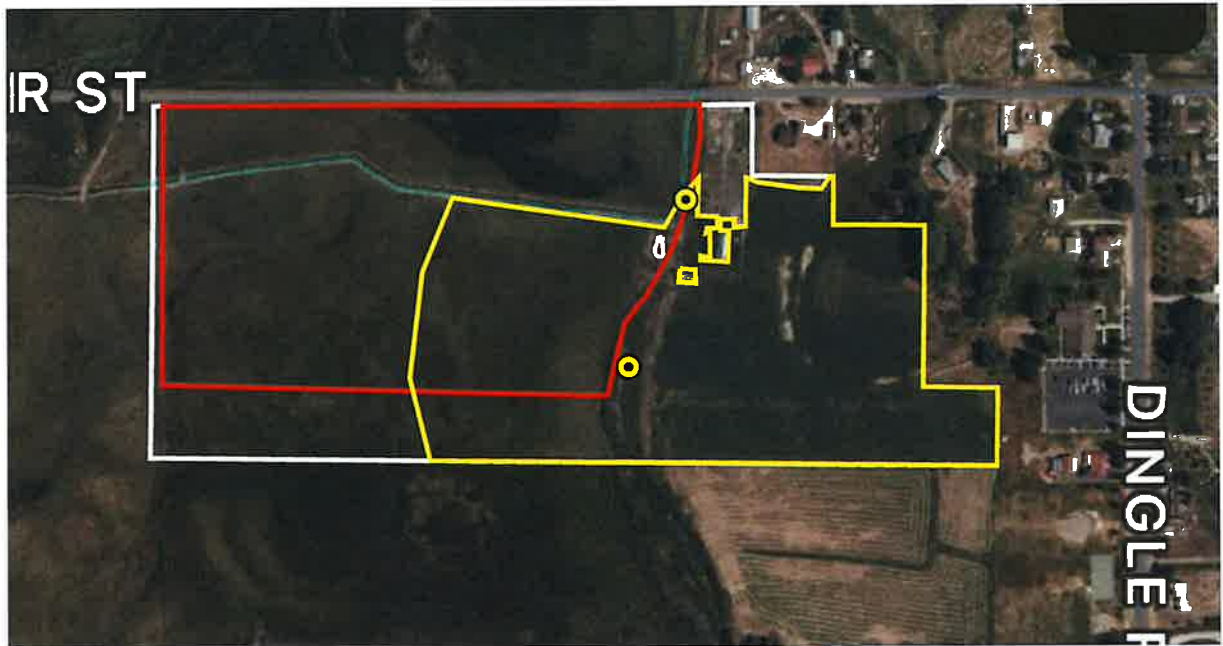
-  Claim POD
-  Claim POU
-  1947 Irrigation
-  Pond
-  Ditch
-  Current County Parcel

Claim Based on 11-7508

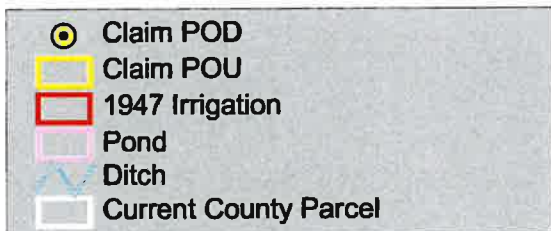
Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____



660 0 660 1320 Feet



Claim Based on 11-7508

Prepared by Rocky Mountain Env.
Assoc., Inc.

Claimant(s): Michael Robison

Claim No. _____

RECEIVED

OCT 31 2023

IDWR/Preston



October 31, 2023

RMEA Project No. 22-0063

Idaho Department of Water Resources
Preston Field Office
325 East 600 South
Suite 300
Preston, ID 83263-4921

Re: Fees for Bear River Basin Adjudication Claim based on 11-7508

Dear Water Resource Agent:

The enclosed check is for the Bear River Basin Adjudication fees for a claim submitted electronically by Rocky Mountain Environmental Associates, Inc. (RMEA) in behalf of the Claimants, Michael and Jamie Robison. The Adjudication claim is based on IDWR water-right record 11-7508. The claim was submitted electronically via e-mail, with a copy of this letter.

Also attached is a fee calculation sheet. Please let us know if IDWR calculates the fees differently, so that we can make an adjustment.

When you mail the receipt for payment, please copy RMEA, attention B. Contor, at the address at the bottom of this page.

Thank you,

A handwritten signature in blue ink that reads "Bryce A. Contor".

Bryce A. Contor
Principal Hydrologist

Attachments: Check
 Fee-calculation Worksheet

Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303, Idaho Falls, Idaho 83402
rockymountainenvironmental.com

Claimant:
Claim ID:

Michael & Jamie Robison
11-7508

Instructions for Form No. 42-1403-1

FILING FEES

Revised January 30, 2023

De Minimis
Non-De Minimis

Irrigation
Power Generation

Aquaculture
Municipal, industrial, commercial,
mining, heating, cooling

Public instream flow, public lake
level maintenance, wildlife
Fire protection
Groundwater recharge

Total

Duplicate this worksheet once
for each claim.

Note:

Rate/Unit Unit # Units \$ Amount

\$25 Claim \$50.00

\$1 Acre \$22.20

\$3.50 KW of Capacity

\$10 cfs

\$100 cfs

\$100 cfs

\$0 cfs

\$0 cfs or afa

\$72.20

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. However, if you are filing more than four (4) claims in which the only purpose of use listed is stockwater, only the first four (4) claims require the \$25.00 filing fee. All additional stockwater claims are fee exempt once the \$100.00 in filing fees has been paid for the first four (4) stockwater only claims filed after July 1, 2017.

The flat fee for filing all other claims filed is \$50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the \$50.00 flat fee to determine the total fee for the claim. The exceptions are the protection of ground water recharge which have a \$50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than 13,000 gallons per day in total. \$25.00

100 acres irrigation, domestic and stockwater as above . . . \$150.00

Fish propagation, 4.2 cfs \$92.00

Multiple family domestic, 1.6 cfs, irrigation of yards and gardens, 14 acres \$224.00

TABLE 3. VARIABLE FEE SCHEDULE

Irrigation	\$1.00 per acre	Each acre is charged only once.
Power generation	\$3.50 per kilowatt of capacity	Manufacturer's nameplate rating, or \$250,000.00, whichever is less.
Aquaculture	\$10.00 per cfs	
Domestic stockwater use in excess of 13,000 gallons per day	\$100.00 per cfs	
Municipal, industrial, commercial, mining, heating, cooling	\$100.00 per cfs	
Public instream flow, public lake level maintenance, wildlife	\$100.00 per cfs	

Exceptions: No variable fee is charged for fire protection or ground water recharge.

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