

-AMENDED-

RECEIVED

JAN 15 2013

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 21-7578

1. Name of applicant(s) Idaho Water Resource Board Phone (208)287-4800
Name connector (check one): and or and/or

Mailing address: PO Box 83720 City Boise

State ID Zip 83720-0098 Email: iwrw-info@idwr.idaho.gov

2. Source of water supply Henrys Fork which is a tributary of Snake River

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
							SEE		
							ATTACHMENT		

4. Water will be used for the following purposes:

Amount 568 for Recharge purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 568 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Headgates on canals as shown on Attachment

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? Yes No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? Yes No

e. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

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 or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. Aquifer recharge

-AMENDED-

SCANNED
JAN 24 2013

8. 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	NE				NW				SW				SE				TOTALS	
			NE	NW	SW	SE														

Total number of acres to be irrigated: _____

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____

10. a. Who owns the property at the point of diversion? St Anthony Irrigation District and its members

b. Who owns the land to be irrigated or place of use? Shareholders of canal companies

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

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The application is for recharge within the canals themselves.

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" 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.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Roger Chase
 Signature of Applicant
ROGER CHASE, CHAIRMAN, IWRB
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Received by _____ Receipt No. _____ Date _____

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Page 1

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To appropriate the public water of the State of Idaho

1. Name: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098
(208)287-4800

2. Source: HENRYS FORK Tributary to: SNAKE RIVER

3. Location of Point of Diversion:
#1 HENRYS FORK NE1/4NW1/4 Sec. 33, Twp 08N, Rge 41E, B.M.
FREMONT County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
GROUND WATER RECHARGE	1/01	12/31	568.00 CFS	

5. Total quantity to be appropriated is: 568.00 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: HEADWORKS OF ST. ANTHONY UNION CANAL

b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;

c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85F being sought?

e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

STATE OF IDAHO
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PLACE OF USE: GROUND WATER RECHARGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 38E 2	X				X												
	L 16				L 5												
06N 38E 1																	X
06N 38E 12	X			X									X				X
06N 38E 13	X			X									X				X
06N 38E 23											X	X			X	X	
06N 38E 24	X			X							X	X	X		X	X	
06N 38E 25	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
06N 38E 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
06N 38E 27	X			X									X				
06N 38E 34	X			X									X				X
06N 38E 35	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
06N 38E 36	X	X			X	X											
06N 39E 5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L 1	L 2			L 3	L 4											
06N 39E 6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L 1	L 2			L 3	L 4	L 5			L 6	L 7						
06N 39E 7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
						L 1	L 2			L 3	L 4						
06N 39E 8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
06N 39E 18	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
						L 1	L 2			L 3	L 4						
06N 39E 19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
				L 7		L 1	L 2			L 3	L 4						
06N 39E 30		X				X											
		L 8				L 1											
07N 38E 25													X				X
07N 39E 1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L 1	L 2			L 3	L 4											
07N 39E 4											X	X			X		
07N 39E 5						X	X			X	X	X			X	X	
						L 4											
07N 39E 6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L 1	L 2			L 3	L 4	L 5			L 6	L 7						
07N 39E 7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
						L 1	L 2			L 3	L 4						

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07N 39E 8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 9	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 10	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 13	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 14	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 18											X	X			X	X	
07N 39E 19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 20	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 21					X	X							X			X	
07N 39E 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 24					X												
07N 39E 29	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 30	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 39E 32	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 40E 1					X					X	X						
07N 40E 2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 40E 3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 40E 4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 40E 5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
07N 40E 6					X	X				X	X						
07N 40E 7					X	X				X	X						

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08N 41E 30											X	X			X	X
08N 41E 31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
08N 41E 32					L1	L2				L3	L4					
					X	X				X	X					
											L3					

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

Refer to 9b.

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

The point(s) of diversion and place(s) of use described by the application are owned by the collaborating recharge partner, in this case the Freemont Madison Irrigation District and its members, which owns the headgate(s) and water conveyance system(s) in which recharge will occur. An example contract agreement for recharge between the Board and the FMID is included with this application detailing typical arrangements for recharge.

10. Remarks: Refer to attached narrative for overview of application resubmittal and the Board's recharge practices.

11. Map of proposed point of diversion and place of use attached? [yes]

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.

Boyer Chase

Applicant

Received by CLS Date 1-15-13 Time _____ Preliminary check by CLS
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No.

Date: _____

Received by: _____

WATER CONVEYANCE CONTRACT

BETWEEN THE IDAHO WATER RESOURCE BOARD AND THE FREMONT-MADISON IRRIGATION DISTRICT

CONTRACT No. CON00920

THIS AGREEMENT is made and entered into this 28th day of March, 2012, by and between the IDAHO WATER RESOURCE BOARD (Board) and the FREMONT-MADISON IRRIGATION DISTRICT (FMID).

RECITALS

- A. The Board was created under Article XV, Section 7 of the Constitution of the State of Idaho, with the power to construct and operate water projects.
- B. The Board has approved expenditures for aquifer recharge in 2012. Any unspent balance may be used to fund recharge conveyance in future years.
- C. FMID operates and maintains an irrigation delivery system.
- D. The Board and FMID seek to enter into a contract for the delivery of water into the FMID system for the purpose of aquifer recharge to assist with implementing the Eastern Snake Plain Comprehensive Aquifer Management Plan (CAMP).

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. DESIGNATION OF PROJECT MANAGERS

A. The Board's Project Manager shall be Bill Quinn, of the Idaho Department of Water Resources. The Director of the Department may change the Board's Project Manager at any time by written notice served on FMID.

B. FMID's Project Manager shall be Dale Swensen, FMID.

2. STATEMENT OF PURPOSE

The purpose of this Contract is to provide the conditions for the delivery of water into the FMID Canal for the purposes of managed recharge to assist with implementing the Eastern Snake Plain CAMP.

3. SCOPE OF WORK TO BE PERFORMED

A. FMID shall deliver the Board's recharge water right (01-7054) or other waters that may be legally available to the Board for aquifer recharge at the request of the Board and when in priority as determined by the Watermaster of Water District 1, pursuant to Exhibit A, Notice to Proceed, attached hereto labeled as Exhibit A and incorporated by this reference. Recharge may occur before, during or after the delivery of irrigation water.

B. The quantity authorized to be diverted and the time period for recharge will be established in the Notice to Proceed, except that FMID may reduce or cease delivery of Board's water at its discretion to provide for the needs of its shareholders.

C. No diversion of recharge water shall occur until a Notice to Proceed has been issued by the Board specifically authorizing the date to begin diverting water for recharge and the quantity of water to be diverted.

D. FMID will provide an accounting of the Board's water delivered to its canal system including an accounting of any of the Board's water not recharged and spilled back to the Snake River. The canal manager or his designee shall report recharge flows to the Board's Project Manager on a regular basis but no less than once weekly during recharge operations. In the event that a report is not filed for two consecutive weeks, the Board will impose a penalty as specified in Section 4. D. herein. In computing accomplished recharge, a conversion factor of 1.9835 acre-feet per day (a-f/d) per cubic feet per second (cfs) shall be used. Miner's inches shall be defined as 50 inches equal to 1 cfs. Discrepancies in flow or volume measurements between the Board and the FMID shall be resolved before payment will be made.

E. There shall be an acceptable method of measuring delivered water and any spilled water.

F. If spill from the canal system occurs while only the Board's recharge right or other waters specifically identified for recharge purposes are being diverted, the spilled water shall be subtracted from the volume of diverted water. The spilled recharge water shall not be credited as accomplished recharge.

G. If spill from the canal system occurs while diversions for irrigation and recharge are occurring, the spilled water shall be assumed to be in the same proportion of irrigation to recharge as is diverted into the system. The spilled recharge water shall not be credited as accomplished recharge.

H. In the event that the Board's recharge right or other waters identified for recharge purposes are not in priority during 2012 no deliveries shall be made by the FMID.

I. For the duration of this contract, FMID shall remain an active participant in the Eastern Snake Plain Comprehensive Aquifer Management Plan (ESPA CAMP) process through its representatives to the ESPA CAMP Implementation Committee and shall not actively oppose the ESPA CAMP process.

J. To the extent possible, the Board shall manage geographical distribution of recharge in accordance with the ESPA CAMP goals.

4. COMPENSATION AND INVOICES

A. The Board shall pay the FMID three dollars (\$3.00) per acre-foot for accomplished recharge, up to an amount not to exceed thirty-six thousand, five hundred dollars (\$36,500).

B. No payment is authorized under this Contract unless a Notice to Proceed has been issued by the Board specifically authorizing the date to begin diverting water for recharge and the quantity of water to be diverted.

C. The amount of water recharged shall be calculated as the amount of the Board's recharge water or other waters legally available for recharge purposes, diverted into the FMID canal less any water identified for recharge purposes that is spilled back to the Snake River System. During times of irrigation deliveries, only that recharge that occurs at designated off-canal sites shall be recognized.

D. In the event a recharge report is delinquent for two consecutive weeks, the Board will withhold as a penalty an amount equal to 50% of the compensation otherwise due during the delinquent period.

E. FMID shall submit an invoice for payment in an amount not to exceed thirty-six thousand, five hundred dollars (\$36,500) upon successful completion of recharge water delivery. Under no circumstance shall payment authorized under the Notice to Proceed exceed the total amount of compensation authorized under the Contract. The Board shall approve the invoice and provide payment within 30 days from the receipt of the invoice.

5. INSPECTIONS BY THE BOARD

The Board's Project Manager, or his designee, together with the FMID's Project Manager or his designee, shall inspect or review the work for compliance with the Scope of Work during the term of this Contract.

6. RECORD KEEPING

FMID shall establish and keep for a period of three years following final disbursement by the Board such financial records as will fully disclose the amount and disposition of the total payment, the purpose or undertaking for which such funds were used, and such other records as the Board may reasonably prescribe.

7. TERM

This contract shall take effect when both parties have signed it and shall continue in effect until December 31, 2012. This contract may be renewed upon execution of an extension amendment by both parties.

8. GENERAL TERMS AND CONDITIONS

FMID shall abide by all applicable terms and conditions contained in the Standard Contract Provisions, Idaho Water Resource Board, attached hereto as "Attachment A" and incorporated herein by this reference.

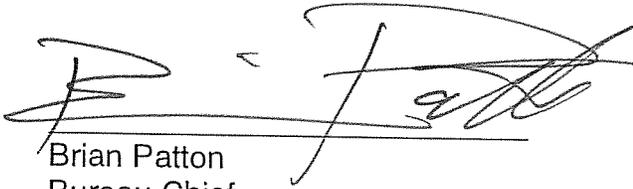
9. DUPLICATE ORIGINAL

This contract is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

IN WITNESS WHEREOF, the parties have executed this contract on the date following their respective signatures.

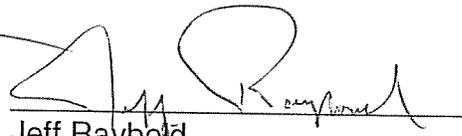
IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-9098

FREMONT- MADISON IRRIGATION DISTRICT
P. O. Box 15
St. Anthony, ID 83445



Brian Patton
Bureau Chief
Idaho Water Resource Board

Date 4/2/12



Jeff Raybold
Fremont-Madison Irrigation District

Date 3-28-12

21-7578 (St Anthony)

Total Diversion Rate: 568 cfs

 Water Right Point of Diversion

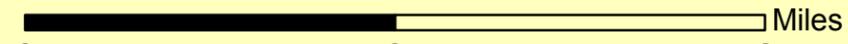
 Saint Anthony Canal

 Place of Use

 Counties

 Township/Range



 Miles

0 3 6

Egin Lakes includes Egin Lake, Hidden Lake, Dry Lake and Tibbets Lake

