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JUN 05 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Idaho Water Resource Board Phone (208) 327-7900  
Mailing address 1301 N. Orchard St., Boise, ID 83706

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

3. Location of point of diversion is Township 04N Range 40E Sec. 20, in the 1/4,  
SE 1/4, SW 1/4, Govt. Lot \_\_\_\_\_, B.M., Jefferson County;

additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

- Amount 1095.0 cfs for Groundwater Recharge purposes from 01/01 to 12/31 (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) 1095.00 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 Headworks of the Burgess 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 85°F being sought? \_\_\_\_\_

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. Groundwater Recharge using canal systems

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. SEE ATTACHED RECHARGE PLAN

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS	
			NE	NW	SW	SE														

Total number of acres to be irrigated \_\_\_\_\_

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? Burgess Canal & Irrigation Co.

b. Who owns the land to be irrigated or place of use? Burgess Canal & Irrigation Co.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: There is an agreement signed by the canal and the Board

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

Clarence Rasmussen  
 Signature of Applicant (and title, if applicable)

Received by MS Date 3-20-98 Time 3:30 P. Preliminary check by \_\_\_\_\_  
 Fee \$ N/A Received by \_\_\_\_\_ # \_\_\_\_\_ Date \_\_\_\_\_  
 Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
 Publication approved \_\_\_\_\_ Date \_\_\_\_\_

AN AGREEMENT TO CONVEY RECHARGE WATERS  
BETWEEN THE IDAHO WATER RESOURCE BOARD  
AND  
BURGESS CANAL AND IRRIGATION COMPANY

This Agreement is entered into by and between the Idaho Water Resource Board (hereinafter "IWRB") and the Burgess Canal and Irrigation Company (hereinafter "Company" or "District"). The purpose of this Agreement is to secure permission for the IWRB to convey waters through the water delivery system of the Company or District to the place of recharge.

NOW THEREFORE, IN CONSIDERATION OF THE PROMISES STATED  
HEREIN:

1. The Company or District hereby agrees to allow recharge waters to be diverted into its canal system for recharge and conveyance purposes at times when water is available to IWRB for recharge purposes and unused capacity is available in the canal system to carry the recharge waters. The legal description of the point of diversion to the canal system is as follows: T4N R40E Sec 20 SESW, Jefferson County.

2. The Company or District further agrees to allow the recharge waters to be conveyed unimpeded through its canals and ditches to the place of recharge described as follows: \_\_\_\_\_

\_\_\_ [see appended ATTACHMENT for legal description of recharge site]

3. The parties jointly acknowledge and accept as consideration for this Agreement the water supply benefits expected to be derived from the managed recharge of the state's ground water basins. Subject to the availability of funds, IWRB agrees to pay and the Company or District agrees to accept as additional consideration for this Agreement a per acre-foot conveyance fee, as determined by IWRB, to be paid for the water diverted into and conveyed through the Company's or District's canal system for recharge purposes.

4. IWRB agrees to indemnify and hold harmless the Company or District from all liability and expense on account of claims, suits and costs growing out of or connected with willful or negligent acts, errors, or omissions by its employees or agents, provided, however, that the Company or District shall not be relieved hereby from liability for its own willful or negligent acts, errors, or omissions, and those of their employees or agents.

5. This Agreement shall remain in effect for one year from the date of execution and shall renew annually unless terminated by either party after 90 days written notice.

Lloyd R. Heifer  
Title: President  
Representing: Burgess Canal Co.  
Date: 6/12/98

Charlene Pan  
Chairman  
Idaho Water Resource Board  
Date: \_\_\_\_\_

Canal maximum flow = 58000" / 1160 cfs

Received  
Feb 21 1996

AQUIFER RECHARGE PLAN  
EASTERN SNAKE PLAIN AQUIFER

RECEIVED  
MAR 11 1996  
Department of Water Resources  
Eastern Region

1. NAME AND ADDRESS OF THE PARTICIPATING ORGANIZATION:

NAME BURGESS CANAL Co. INC. (BCCI)  
ADDRESS 225 N 3600 E  
RIGBY IDAHO  
CONTACT PERSON Lloyd Hicks - President / Jim Boulter - WATERMASTER  
PHONE 208 754-4302 521-2828 or 754-8230  
ADDRESS 225 N 3600 E Rigby Idaho.

2. PROPOSED BEGINNING AND ENDING DATES OF RECHARGE:

ANTICIPATED STARTING DATE: April 10, 1996 - Dependent on snow melt  
MAY BE EARLIER.  
ANTICIPATED ENDING DATE: July 15, 1996 \* MARCH 15, 1996 \*\*

3. AMOUNT OF WATER REQUESTED: 20000 (SPRING) OF 1996 Acre-feet.

4. MAP OF RECHARGE AREA

Attach a map of the recharge area paying specific attention to location of features directly related to the recharge effort. This would include such things as measuring devices, seepage pits, injection wells etc. These features should be indicated on the map and then identified and described below.

- A. HEAD OF BURGESS CANAL
- B. GRAVEL PIT AT L. HICKS PROPERTY
- C. GRAVEL PIT AT N. RANDAL PLACED.
- D. SEEPAGE LATERALS / CANALS & DITCHES
- E. DRAINAGE POND - TANNON - HICKS PROPERTY
- F. SEE NOTE 1 BELOW
- G. \_\_\_\_\_
- H. \_\_\_\_\_
- I. \_\_\_\_\_
- J. \_\_\_\_\_
- K. \_\_\_\_\_
- L. \_\_\_\_\_

NOTE-1 THE BCCZ HAS 17 CANAL LATERALS AND EACH RECEIVE SNOW FLOW TO SEEP AND PERMEATE ALONG WITH THE BURGESS MAIN STEM.

\* SPRING RECHARGE WOULD END IN JULY 1996

\*\* FALL RECHARGE WILL BE SUBMITTED LATER

5. MEASUREMENT FREQUENCY FOR EACH MEASURING DEVICE IDENTIFIED IN 4.

- |   |  |
|---|--|
| A. <u>DAILY MEASUREMENT</u>                     | B. <u>BI-WEEKLY (13 READINGS + PHOTOS)</u> |
| C. <u>DAILY - DEAD STOP DAM INTO GRAVEL PIT</u> | D. <u>WEEKLY LATERAL READINGS</u>          |
| E. <u>WEEKLY READINGS - DAILY EARLY</u>         | F. <u>DATE RECORDED PHOTOS</u>             |
| G. _____  | H. _____                                   |
| I. _____  | J. _____                                   |
| K. _____  | L. _____                                   |

6. WRITTEN SUMMARY OF PROPOSED RECHARGE PLAN

This summary should include such things as time limited elements of the plan, the measuring devices and procedures that will be used to identify water that is diverted but not recharged.

THE BCCI WILL BEGIN SPRING PROGRAM FOR AQUIFER RECHARGE AS SOON AS SNOW/ICE MELTS AND GREAT FEEDER CANAL SUPPLY IS ESTABLISHED. DAILY CHARGING VOLUME WILL BEGIN AT ABOUT 12000 MINER INCHES (480 ACRES/FEET/DAY) AND INCREASE TO ABOUT 18000 MINER INCHES (720 ACRES/FEET/DAY) THROUGH TO ABOUT MAY 10<sup>TH</sup>. AFTER FARMER IRRIGATION STARTS AT ABOUT MAY 10, 1996 THE BCCI WILL CONTINUE TO RUN WATER INTO THE GRAVEL PITS, SEEPAGE PONDS AND CANAL BODY SEEPAGE UNTIL ABOUT JULY 15, 1996. RECORD KEEPING AND PHOTOS WILL CLOSELY DOCUMENT AQUIFER RECHARGE VOLUMES. THE BCCI IS A QUALIFIED WATER MANAGER WITH FORMER TRAINING IN WATER MEASUREMENT AND MANY YEARS OF EXPERIENCE. THE IDWR MAINTAINS STRIP CHART RECORDINGS AND DATA

6. CONTINUED

LINK RECORDINGS FROM THE BCCI WEIR. PERIODIC INSPECTIONS OF THE BCCI BY IDWR AND THE STATE WATER BOARD ARE INVITED. THE LOWER OUTLET OF THE BCCI WILL BE TIME/DATE PHOTOGRAPHED TO ENSURE NO OUTFLOWS EXIST. THE BCCI DOES RECEIVE INFLOWS FROM THE RYBAY CANNAL CO VIA THE SENEY TRAYLER LATERAL. THESE INFLOWS SHOULD BE CREDITED TO THE BCCI FOR RECHARGE.

THE BCCI HAD A VERY SUCCESSFUL AQUIFER RECHARGE PROGRAM IN THE SPRING AND FALL OF 1995. ~~THE~~ THE WORK DONE TO MANAGE AQUIFER RECHARGE IN 1995 WILL HELP US IN 1996. WE OF THE BCCI BELIEVE THE AQUIFER RECHARGE IS GOOD FOR THE REGION AND THE STATE OF IDAHO. THE BCCI CAN AND WILL COMMIT A MAJOR EFFORT TO THIS PROGRAM.

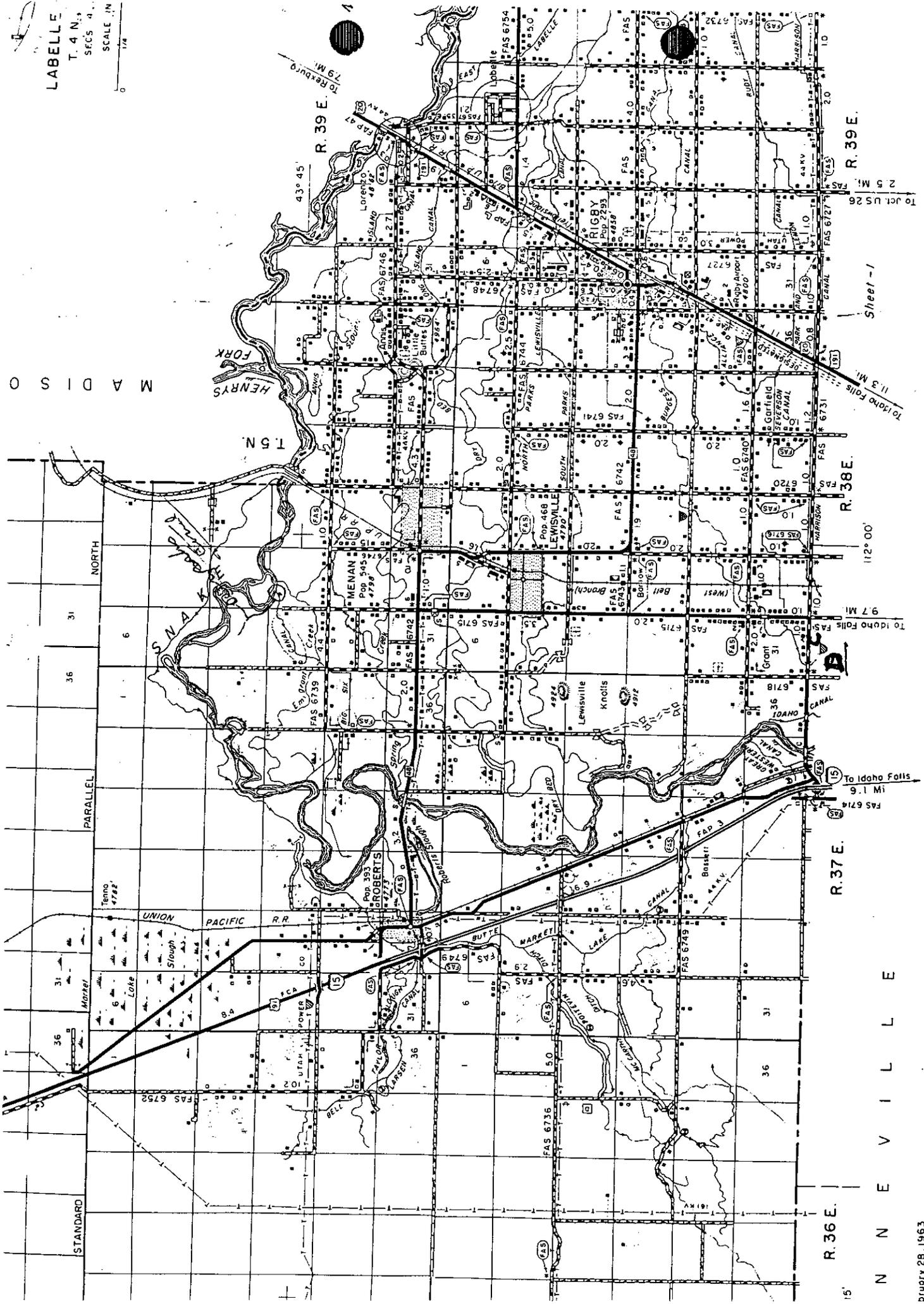
SUBMITTED BY loyd R. Hecker, President BCCI DATE 3-11-96

WATERMASTER REVIEW \_\_\_\_\_ DATE \_\_\_\_\_

DIRECTOR'S REVIEW \_\_\_\_\_ DATE \_\_\_\_\_

WATERBOARD APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_

LABELLE  
 T. 4 N.  
 SECS 4.  
 SCALE 1" = 1/4



R. 36 E. | R. 37 E. | R. 38 E. | R. 39 E.

N N E V I L L E

February 28, 1963  
 Reprinted September 15, 1960  
 Local Road System Revised - March 1969

Sheet - 1

To Idaho Falls 11.3 Mi.

To Idaho Falls 9.7 Mi.

To Idaho Falls 9.1 Mi.

15'

MADISO

T. 5 N.

R. 39 E.

R. 39 E.

R. 38 E.

R. 37 E.

R. 36 E.

NORTH

PARALLEL

STANDARD

36

31

36

31

36

31

36

31

36

31

Union Pacific R.R.

Utah Power Co.

Garfield Severson Canal

Snake River

Henry's Fork

Rigby

Lewisville

Menan

Roberts

Butte

Market Lake

Garfield

Severson

Canal

43° 45'

7.9 Mi.

To Rexburg

To Idaho Falls

112° 00'

11.3 Mi.

To Idaho Falls

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