

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-07095
Date Received: 5/03/1989
Receipt No: E007113
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANCIS WHITTEN 208-785-0589
Address: 315 N. 400 E.
BLACKFOOT, ID 83221

2. Date of Priority: JUL 20, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	36E	22	SE	NE			BINGHAM

5. Description of diverting works:
WELL PUMP MAINLINE TO 3/4 CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.770		

7. Total Quantity Appropriated is:
1.770 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	36E	22	SW	NE		IRR	32.0
			SE	NE		IRR	32.0
			NW	SE		IRR	32.0

Section Acres 96.0

A27-07095

Page 1

Date: 05/03/89

MICROFILMED
NOV 12 1992

A2707095



10. Place of Use: Continued

Total Acres 96.0

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A27-00004P

14. Remarks:
P/U ALSO UNDER FOX WHITTEN WATER RIGHT

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin 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:

For Individuals:

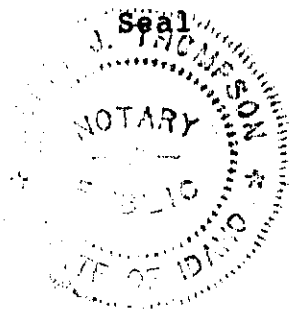
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Francis M. Hittler Date: 3 May 1989
Date:

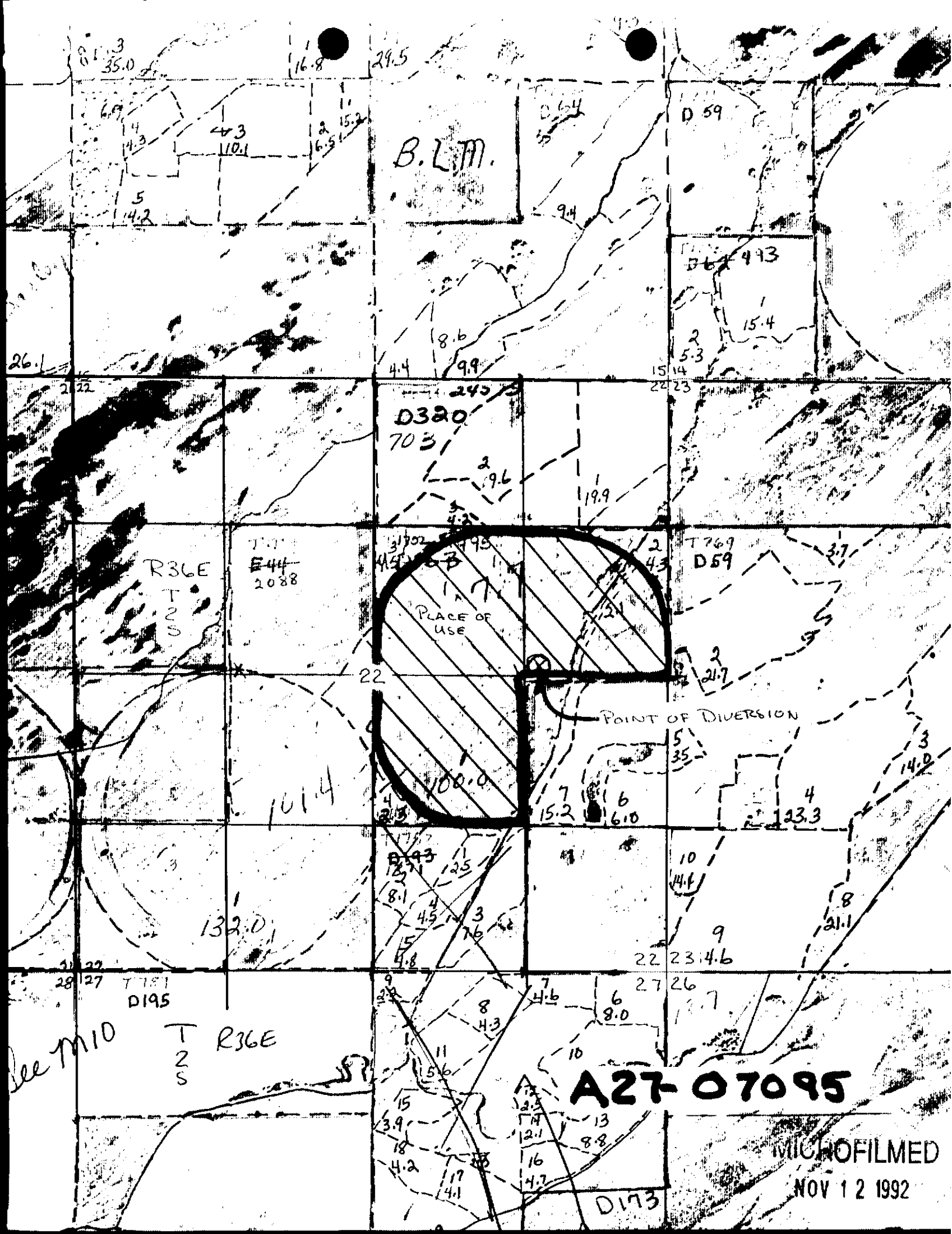
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of May 19 89

Betty J. Thompson
Notary Public



Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission ~~Expires~~ COMMISSION EXPIRES: 6-30-94



B.L.M.

D320

703

PLACE OF USE

POINT OF DIVERSION

A27-07095

MICROFILMED

NOV 12 1992

R36E

T2S

T769
E44
2088

T769
D59

T751
D195

T2S
R36E

D173

D64 493

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Log for claim 27-07095

Spatial Dynamics LTD

12/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s36e	22	NWSE	32	34	
02s36e	22	SWNE	32	34	
02s36e	22	SENE	32	35	
Totals:			96	103	

 SPATIAL
DYNAMICS

AJ5809NP
No. A27-07095

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 104

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANCIS WHITTEN 315 N 400 E BLACKFOOT ID 83221 (208) 785-0589	07/20/1977	IRRIGATION	04-01 11-01	1.770 CFS	
					TOTAL DIVERSION:	1.770 CFS
					CONSUMPTIVE USE:	240.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R36E S22

SENE

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE												
		NENE	NWNE	SWNE	SENE	:		NENW	NWNW	SWNW	SENW	:		NESW	NWSW	SWSW	SESW	:		NESE	NWSE	SWSE	SESE	:				
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 27-7095 (Late Proof) Priority July 20, 1977 Amount 1.77 cfs

THIS IS TO CERTIFY, that Francis Whitten
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 27-7095 issued pursuant to Application for Permit dated July 5, 1977,
and has submitted proof to the Department of Water Resources on September 25, 1985,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.77 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>1.77</u> cfs and	<u>336.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.77 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
336.0 acre feet per year, said waters to be diverted within the SE 1/4 Section 22,
Twp 2S, Rge 36E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	36E	22			32	32											32		96

Total number of acres irrigated 96

Department of Water Resources

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26TH day of NOVEMBER, 19 86.

MICROFILMED

DEC 1 1986

Department of Water Resources

Acting for the Director

Norman C. Young

Identification No. 27 7095

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

APPROVED

**To Appropriates the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)**

1. Name of applicant Francis Whitten Phone: 785-0589
post office address Rt. #1, Box 287, Blackfoot, Idaho 83221
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 2S
Range 36E B.M. Bingham County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.40 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.40 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, flood irrigation

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 12 inches; proposed depth of well is 60 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 8,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe _____

APPROVED

[illegible]

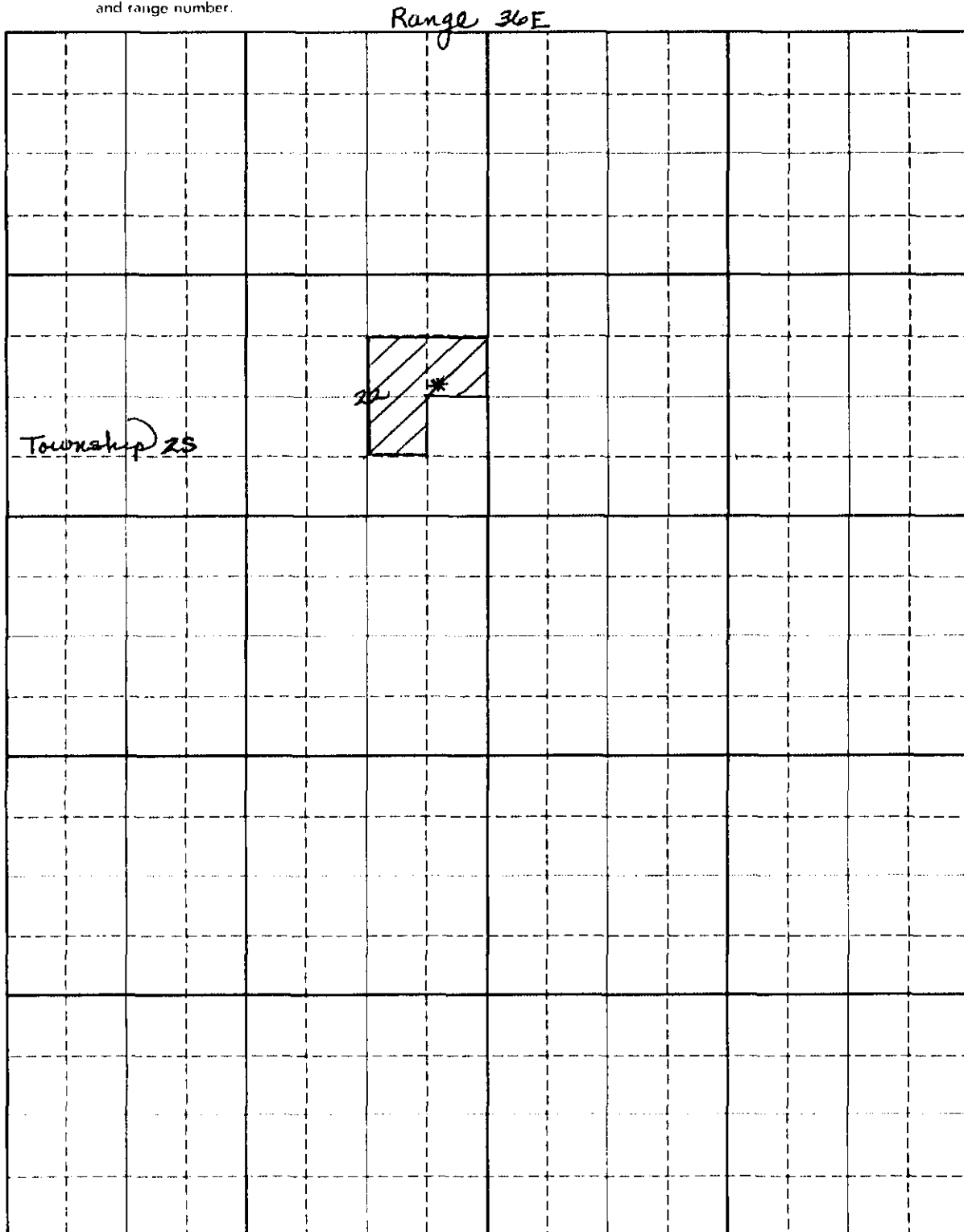
c. Describe any other water rights used for the same purposes as described above.

120 in. of Fox & Whitten water in Blackfoot Slough, 1884 right

9. 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 _____

[illegible]

11. 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.

Francis M. Butler
(Applicant)

Proposed Priority 7/ 5/77

Received by CU Date 7-05-77 Time 10:20A

Preliminary check by ARK Fee \$ 45.00

Received by CU Date 7-05-77 # 2239

Publication prepared by CU Date 7-08-77

Published in Blackfoot Times

Publication dates July 14 & 21-1977

Publication approved 7th Date July 25, 1977

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RCU jg

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. 27-7095, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

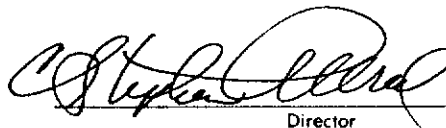
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 82.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 30 day of August, 19 77.


Director

11 my

(late proof)

- Date 7/10/86
Date 8-1-86
Date 10/23/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

27-7095

Permit No.

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

THEORETICAL

$$Q = \frac{40(8.814) \cdot 8}{52 \text{ psi}(2.31) + 10'} = \frac{2.44}{2.17} \text{ cfs} \text{ theoretical capacity}$$

Cox

$$Q = 18 \text{ in} \times .32 \times \frac{\pi \left(\frac{7.5}{12}\right)^2}{4} = 1.77 \text{ cfs} \checkmark$$

$$Q @ .02 \text{ cfs/acre} = .02 \times 96 = 1.92 \text{ cfs}$$

Q IS LIMITED BY 1.77 cfs

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{ir} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 96 \times 3.5 = 336 \checkmark \\ V_{dr} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.77 \times 214 \times 1.9835 = 751.3 \checkmark \\ V &= \text{Smaller of } V_{ir} \text{ and } V_{dr} = 336 \text{ cfs} \checkmark \end{aligned}$$

c) Volume Calculations for Other Uses:

2. Overlap Review per VAX 10/23/86:

a) Other water rights with same place of use: None 01-0001 I, 01-0298

b) Other water rights with same point of diversion: NONE ✓

c) Analysis: Recommend R30

MICROFILMED

DEC 15 1986

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Permit No. 27-7095

Phone No. 785-0589

1. Owner: FRANCIS WHITTER

Current Address: (Rt 6 Box 246) Blackfoot ID 83221
→ 315N 400 E

2. Accompanied by: FRANCIS Whitten

EXAM. DATE: 7/10/86

Address: SAME

Phone No.

Relationship to Permit Holder:

3. Source: GROUNDWATER

tributary to

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US ELEC	40	R6228-06-160	NOT AVAILABLE	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. **System Description** (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

MR. Whiffers has a 8 tower low pressure pivot with end gun (Pierce Pivot)

10' to STATIC H₂O level

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Hall Flow Meter		Cox	120387	120385	6-12	
MANOMETER				#1	46"	
Eagle Eye				091473	10-80	

7. Measurements

75"

☐ Additional data/computation sheets attached

MANOMETER 25.8" - 12.1" = 13.7" ^{MANOMETER} HALL'S METER Reading of 80"
EAGLE EYE 99" 11.5" 22.5" - 14.9" = 7.9"

Eagle Eye 9.9" 11.5"

Pressure 52 psi

4 1/2 mile from road into P/D

8. Point(s) of Diversion:

Indicate Method of Determination

[illegible]

9.

Irrigation - give acres served by system at time of exam.

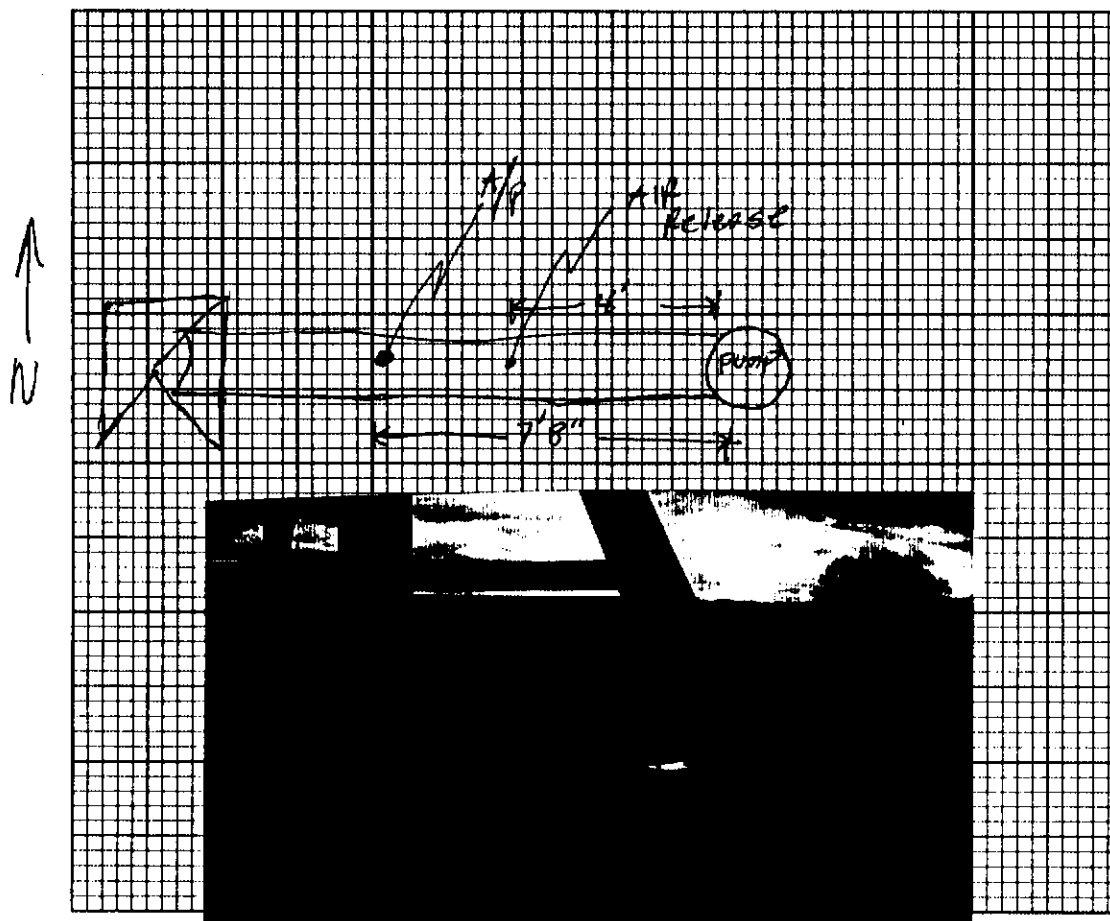
Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	36E	22			32	32										32			96
																		Total Acres	96

10. Other water rights on these lands 120 in Fox + Whitten Water from the Blackfoot River
 11. Other water right diverted from same p.d. NONE

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

- ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks No GATE VALVE After the pump + Long delay for turning on. Small irregularities in the angle eye $\pm .5$ inches.

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature Sam Filtz

Date 7/10/86

Consultant's License Number _____

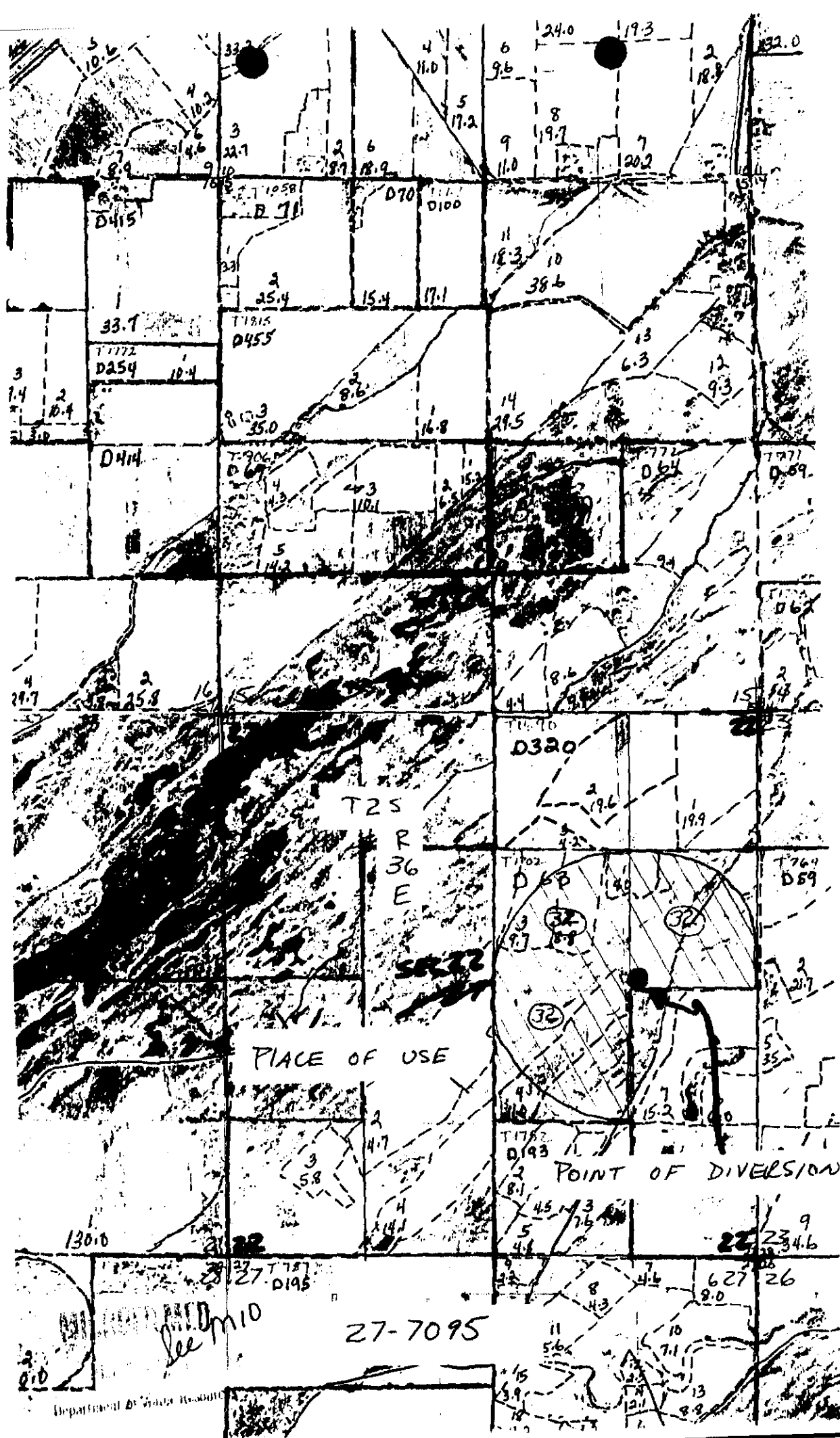
IDWR Director's Authorization to Conduct

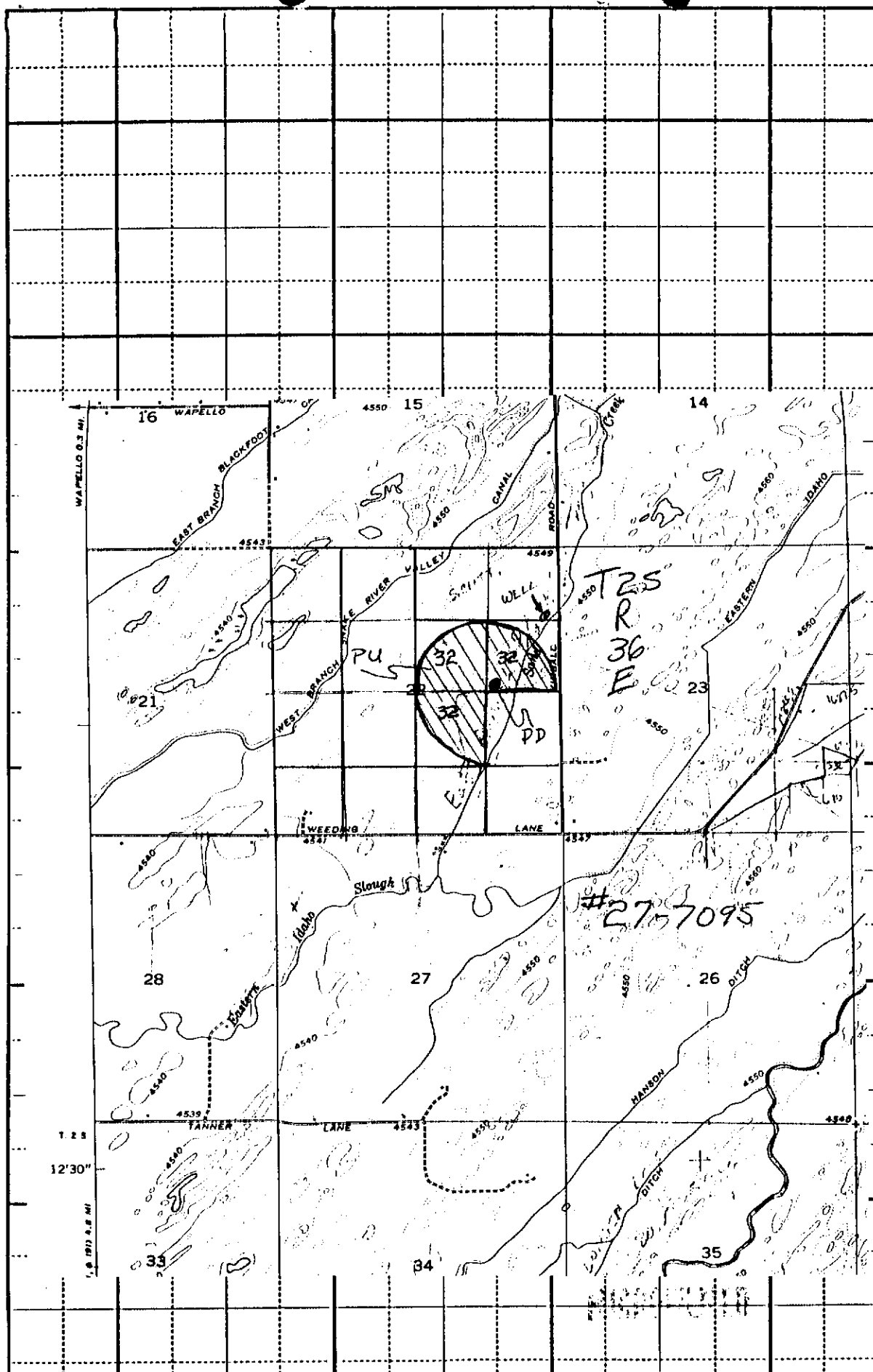
Beneficial Use Examination _____

Date

CONSULTANT SEAL

CONSULTANT SEAL





SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.