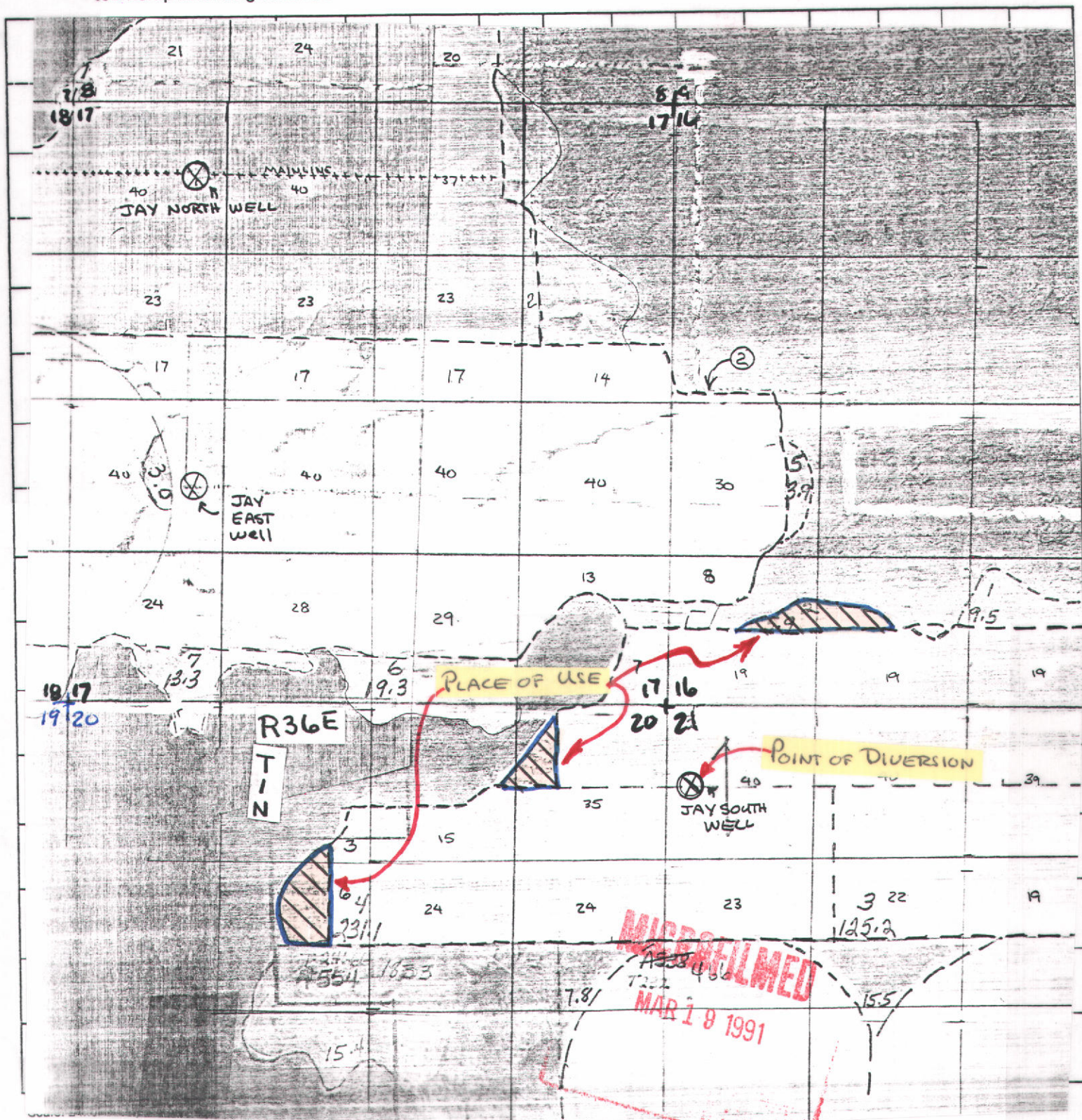
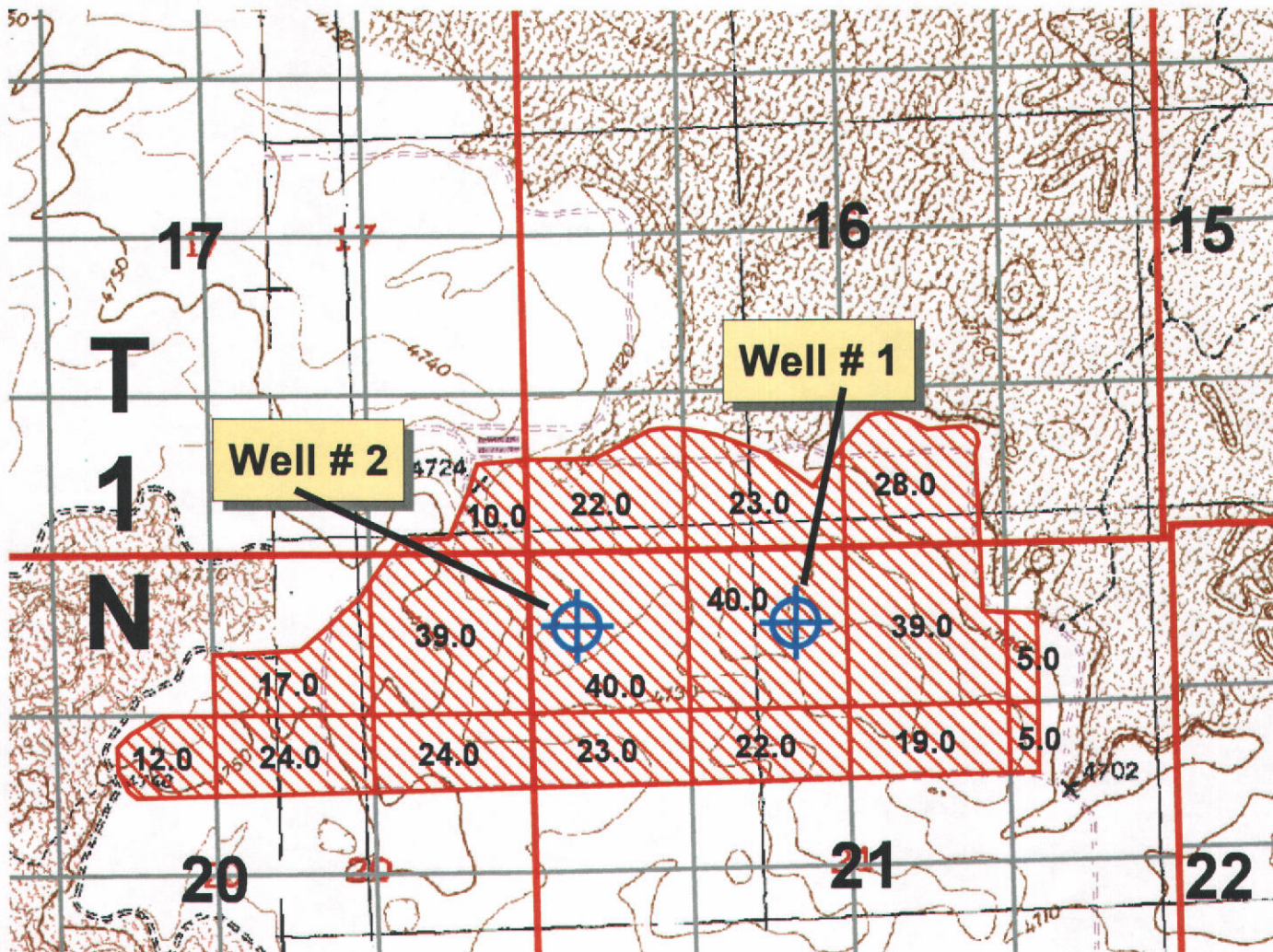


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Jay 2 Holmstedt
(Applicant)



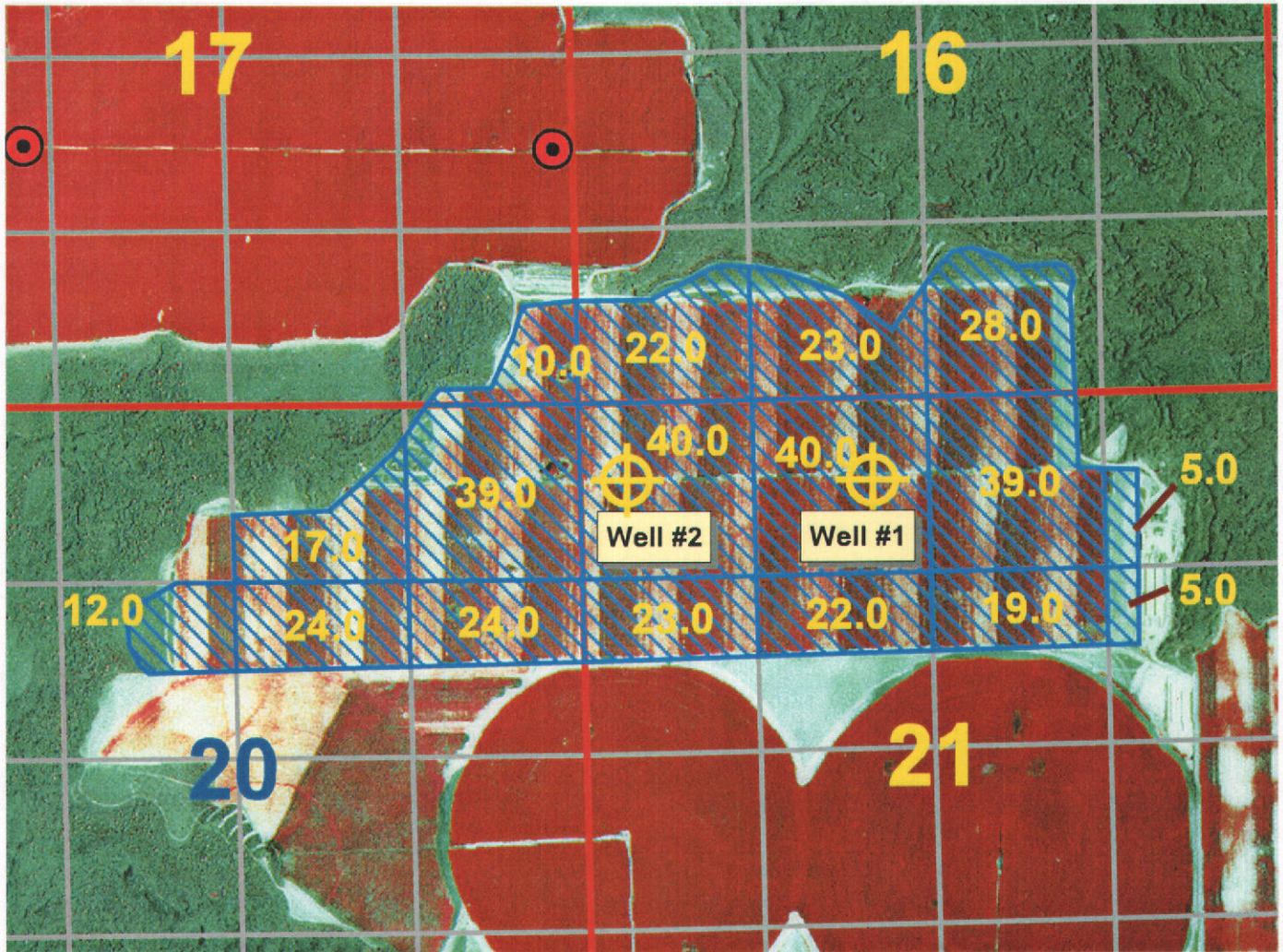
R36E

Pg 10 of 15

MICROFILMED

APR 03 2002

35-08919



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1
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R36E

Permissable Place of Use
35-8919, Part 35-8920
Plus Lic 35-7000D/7368D

Pg 11 of 15

MICROFILMED
APR 03 2002

35-08919



35-8919



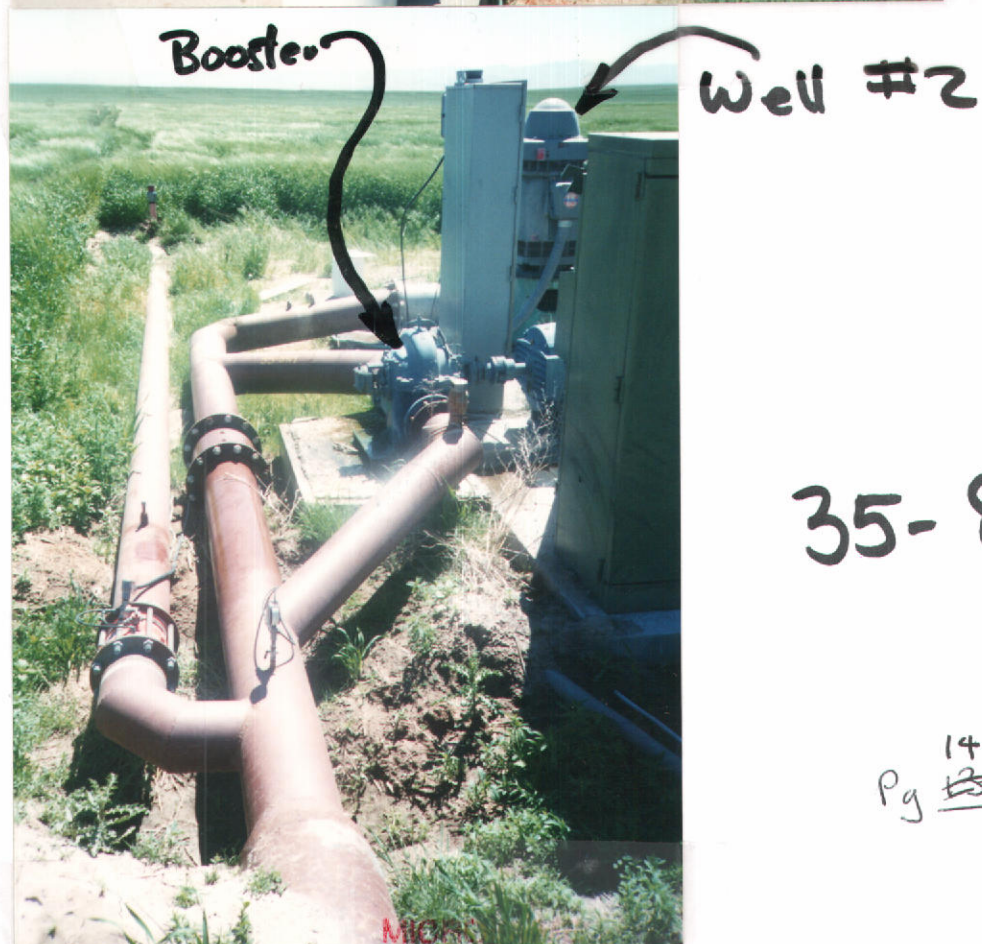
SYSTEM # 1



35-8919

Pg 13 of 15

MICROFILMED
APR 03 2002



35-8919

Pg ¹⁴~~13~~ of 15

APR 03 2002



← Well
#2

Booster

35-8919

Pg 15 of 15

MICROFILMED

APR 03 2002

INUNE

T25720
465

T-Z

R36E

18

ALL NAEL

4
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T25720
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R36E

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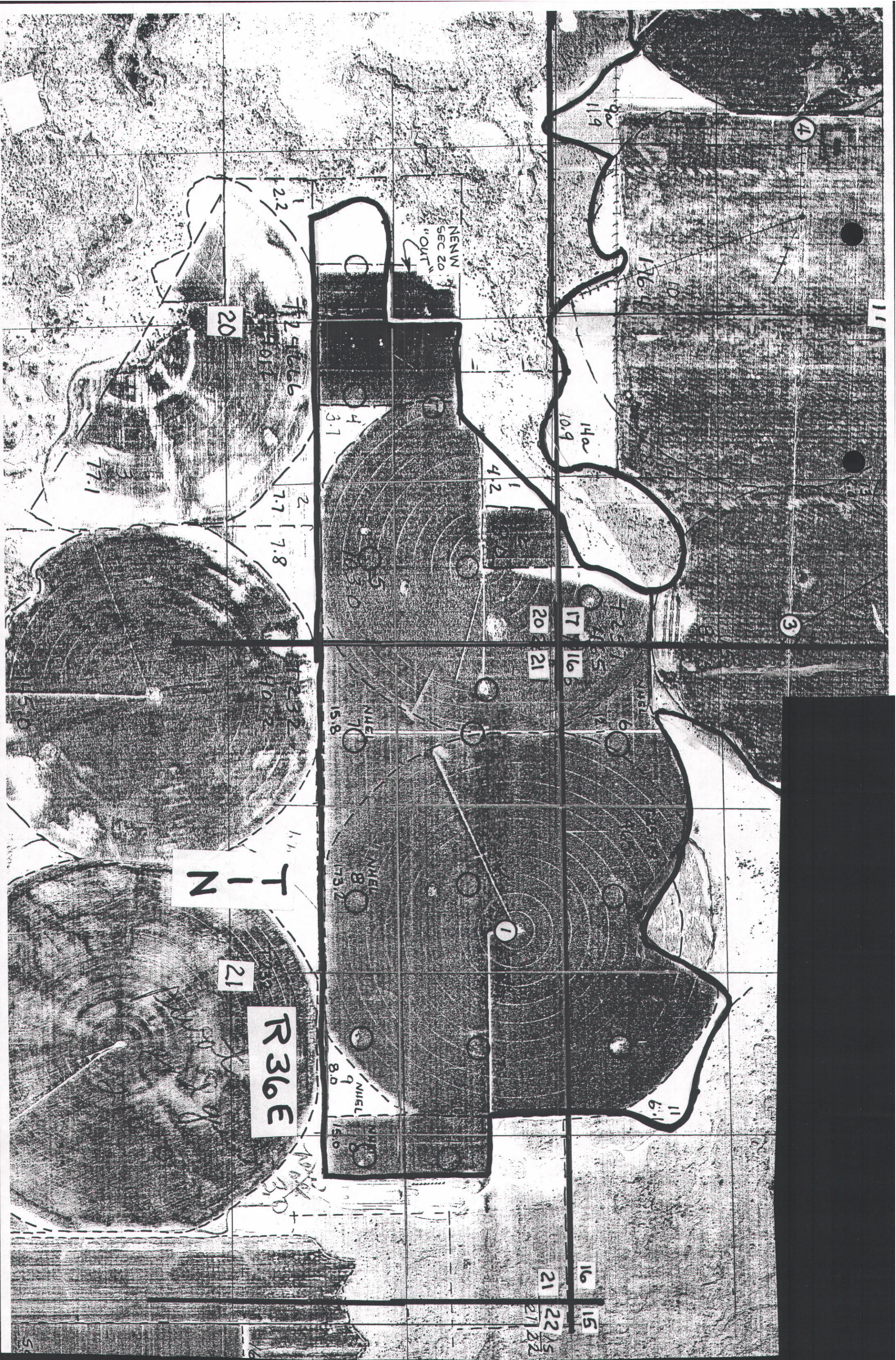
16

21

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NEW SEC 20
"OUT"

20

T-N

21

R36E

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08919

Priority: September 26, 1990

Maximum Diversion Rate: 0.33 CFS
Maximum Diversion Volume: 72.0 AF

It is hereby certified that KENT SEARLE And
STANLEY SEARLE
6267 S 55 W
IDAHO FALLS ID 83402 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 26, 1990; and have
submitted Proof of Beneficial Use on January 11, 1993. An examination indicates that the works have a
diversion capacity of 7.28 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
4/01 to 10/31

DIVERSION RATE
0.33 CFS

**ANNUAL
DIVERSION VOLUME**
72.0 AF

LOCATION OF POINT(S) OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, Twp 01N, Rge 36E, B.M. BINGHAM CountyGROUND WATER NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, Twp 01N, Rge 36E, B.M. BINGHAM County**PLACE OF USE:** IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 36E 16											22.0	23.0			28.0		73.0
01N 36E 17																10.0	10.0
01N 36E 20	39.0	17.0	24.0	24.0				12.0									116.0
01N 36E 21	5.0	39.0	19.0	5.0	40.0	40.0	23.0	22.0									193.0

Total Acres: 392

CONDITIONS OF APPROVAL

1. Rights 35-7000D, 35-7368D, and 35-8920 are also diverted through the points of diversion described above.
2. Rights 35-7000D, 35-7368D, 35-8919 and 35-8920 when combined shall not exceed a total diversion rate of 7.28 cfs and the irrigation of 392 acres.
3. This right is limited to the irrigation of 18 acres within the place of use described above in a single irrigation season.

MICROFILMED

APR 3 3 2002

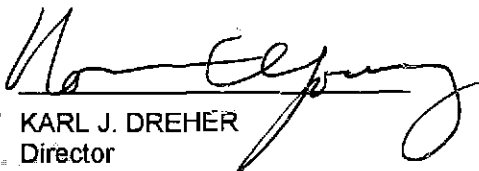
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08919

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 19th day of MARCH, 2002.


Acting for KARL J. DREHER
Director

MICROFILMED
APR 03 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08919

RECEIVED

MAR 11 2002

Department of Water Resources

Date of Priority: September 26, 1990

Maximum Diversion Rate: 0.33 CFS
Maximum Diversion Volume: 72.0 AF

Comes now KENT SEARLE
6267 S 55 W
IDAHO FALLS ID 83402

And

STANLEY SEARLE
6267 S 55 W

IDAHO FALLS ID 83402 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-08919, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.33 CFS	72.0 AF

LOCATION OF POINT(S) OF DIVERSION:

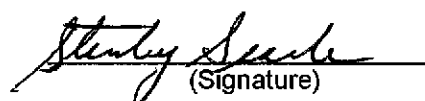
GROUND WATER	NE1/4NE1/4NW1/4	Sec. 21, Twp 01N, Rge 36E, B.M.
BINGHAM County		
GROUND WATER	NW1/4NW1/4NW1/4	Sec. 21, Twp 01N, Rge 36E, B.M.
BINGHAM County		

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 36E 16									22.0	23.0					28.0		73.0
01N 36E 17															10.0		10.0
01N 36E 20	39.0	17.0	24.0	24.0				12.0									116.0
01N 36E 21	5.0	39.0	19.0	5.0	40.0	40.0	23.0	22.0									193.0

Total Acres: 392

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 28 day of Feb, 2002


(Signature)

MICROFILMED

APR 03 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08919

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50⁰⁰ Received by SC # 6027491 Date 2/28/02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08919 with the following:

CONDITIONS OF APPROVAL

1. Rights 35-7000D, 35-7368D, and 35-8920 are also diverted through the points of diversion described above.
2. Rights 35-7000D, 35-7368D, 35-8919 and 35-8920 when combined shall not exceed a total diversion rate of 7.28 cfs and the irrigation of 392 acres.
3. This right is limited to the irrigation of 18 acres within the place of use described above in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Witness my hand this 19TH day of MARCH, 2002.

Acting for 
KARL J. DREHER
Director

MICROFILMED

APR 03 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED

ASSIGNMENT OF PERMIT

To change the ownership of a permit

JAN 17 1997

Jay Stolworthy and the
I, Est. of Merri Lynn Stolworthy hereby assign to
(Permit Holder)
of 6267 S. 55 W.
Idaho Falls, ID 83402
(Full Address and Permit Number)

Stanley and Kent Searle, a partnership
Department of Water Resources

All my right, title, and interest in and to Permit No. 35-08919
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 15th day of Jan, 19 97

Jay Z Stolworthy
Permit Holder(s)

State of Idaho)
County of Bonneville ^{SS}

On this 15 day of January, 199 97, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Smoking J. Hult
Notary Public

SEAL

My commission expires:

Jay Z Stolworthy
Signature

RECEIVED

JAN 23 1997

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
~~ORIGINAL APPLICATION~~	~~35-08919~~	~~STOLWORTHY, JAY L.~~	~~0.36~~
FULL ASSIGNMENT	35-08919	SEARLE, STANLEY SEARLE, KENT (A Partnership)	0.36

1/22/97

MICROFILMED
JAN 23 1997

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08919

Proposed Priority: September 26, 1990 Maximum Diversion Rate: 0.36 CFS

This is to certify, that **JAY L. STOLWORTHY**
820 S. PARK
SHELLEY, ID 83274

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	04/01 to 11/01	0.36 CFS
------------	----------------	----------

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	NWNW	Sec. 21, Township 01N, Range 36E BINGHAM 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>
01N	36E	16	SWSW 3	SESW 3		6
		20	NENE 4	NWNE 1	NENW 1	12
			SENW 6			

Total number of acres irrigated: 18

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1993**.
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. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. 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.

MICROFILMED

MAR 19 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08919

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

7th day of March, 1991.

R. Keith Higginson

R. Keith Higginson, Director

for



MAR 11 1991

\$ 45.00

35 8919

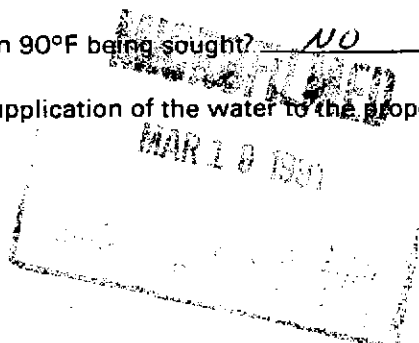
Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Jay L. Stolworthy Phone 357-3808
Post office address 820 South Park, Shelley Id 83274
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 21 Township 1 N Range 36 E B.M. BINGHAM County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.36 for Irrigation purposes from 4/1 to 11/1 (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) 0.36 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well pump mainline to laterals with sprinklers or center pivot.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 20 inches; proposed depth of well is 400 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).



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.

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

ponding place of use below. See instructions for standard symbols.

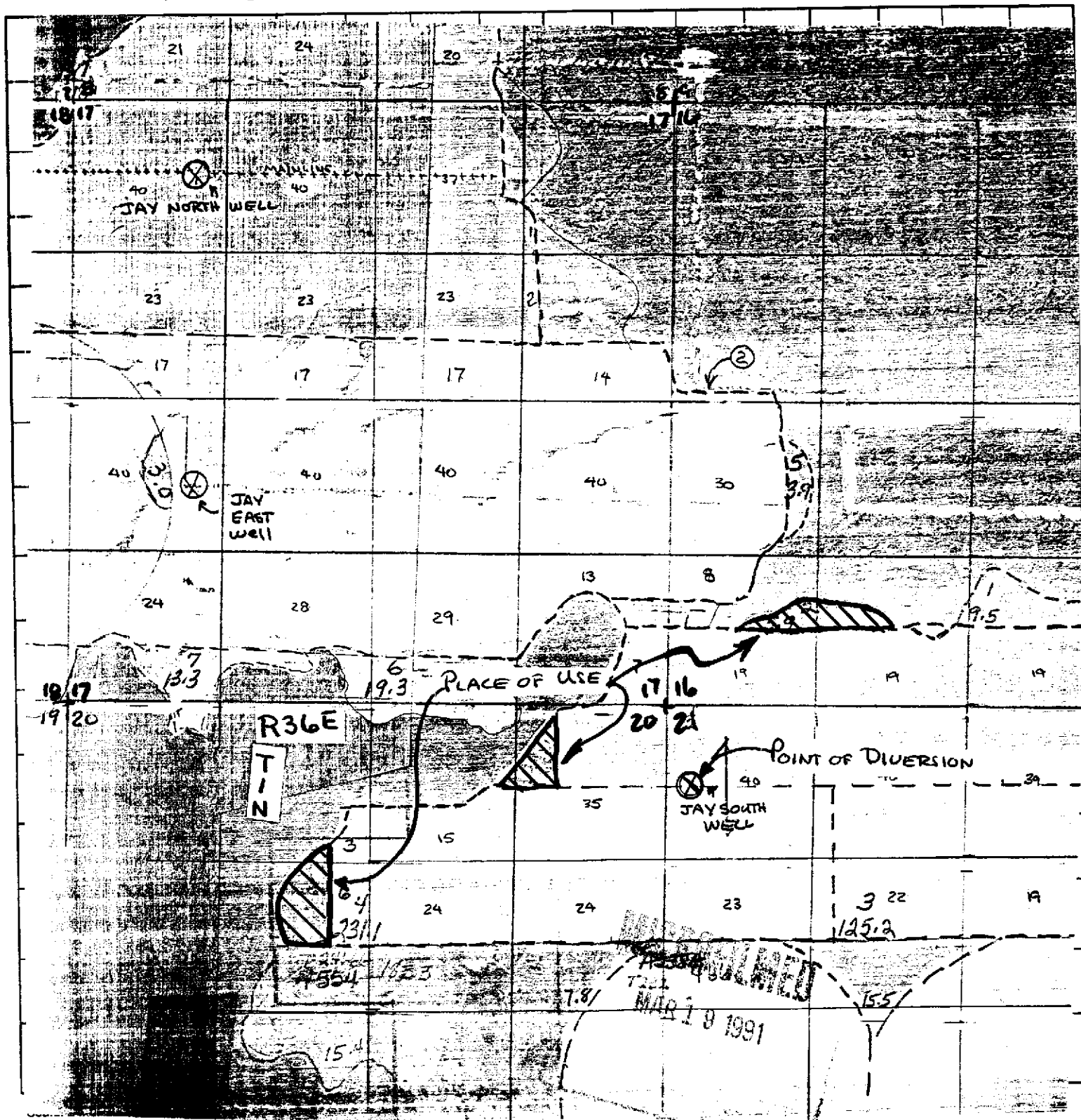
10 Total number of acres to be irrigated

11. a. Who owns the property at the point of diversion? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

12. Remarks: P/D known as Jay South West (35-7000E/1368E)

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Jay Z Holmwood
(Applicant)

Assisted by Kew

Received by _____ Date 9-26-90 Time _____
Preliminary check by _____
Fee \$ 45.00 Received by Kew
E015270 Date 9-26-90
Publication prepared by KB Date 12-6-90 Published in Morning News
Publication approved by KB Date 12-29-90

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. _____, and said application is hereby _____
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 _____, 19____.

- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
d. The water right acquired under this permit if 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 permit 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 permit.
e. Other: _____



DEC 2 1990

Department of Water Resources
Bingham District Office

35-08918

LEISY, Deann
2870 W. 2000 S.
Aberdeen, Idaho 83210

LEISY, Arthur E.
2870 W. 2000 S.
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt: SESESW, Sec. 8, T. 06S, R.
31E.

Use: IRRIGATION (1.060 CFS).
Total Diversion: (1.060 CFS).
Date Filed: 10/15/1990.
In: T06S, R31E, S08, NESW, SESW.
53.0 ACRES TOTAL.

35-08919

STOLWORTHY, Jay L.
820 S. Park
Shelley, Idaho 83274
Source: GROUNDWATER
Diversion Pt: NWNW, Sec. 21, T. 01N, R.
36E.

Use: IRRIGATION (.360 CFS).
Total Diversion: (.360 CFS).
Date Filed: 9/26/1990.
In: T01N, R36E, S16, SWSW, SESW, S20
ENE, NWNE, NENW, SENW.
18.0 ACRES TOTAL.

35-08920

STOLWORTHY, Jay L.
820 S. Park
Shelley, Idaho 83274
Source: GROUNDWATER
Diversion Pt: NENW, Sec. 21, T. 01N, R.
36E.

Use: IRRIGATION (.200 CFS).
Total Diversion: (.200 CFS).
Date Filed: 9/26/1990.
In: T01N, R36E, S16, SESW, SWSE.
10.0 ACRES TOTAL.

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before DECEMBER 24, 1990.

R. KEITH HIGGINSON
Director

(1000)
Pub.: 12/6, 13

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, Jacqueline Graham

do solemnly

swear that I am the Legal Coordinator of The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said

newspaper two consecutive weeks

the first publication having been made on the

6th day of December, 1990;

and the last publication having been made on the 13th day of December, 1990;

that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

On this 18th day of December, in the year 1990, before me a Notary Public of said State, personally appeared

Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Kase Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee \$5.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 21, 2002

STANLEY SEARLE
KENT SEARLE
6267 S 55 W
IDAHO FALLS ID 83402

RE: License No. 35-8919 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s) INCLUDE COPY OF APPLICATION FOR AMENDMENT

MICROFILMED

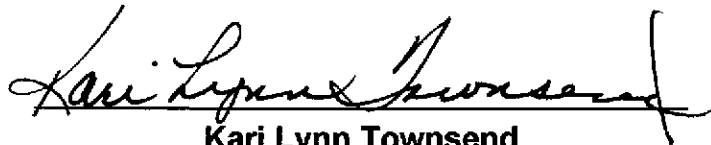
APR 03 2002

CERTIFICATE OF SERVICE

I hereby certify that on March 21, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8919

**STANLEY SEARLE
KENT SEARLE
6267 S 55 W
IDAHO FALLS ID 83402**


**Kari Lynn Townsend
Secretary**

MICROFILMED

APR 03 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
APR 3 3 2012

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 19, 2002

STANLEY SEARLE
6267 S 55 W
IDAHO FALLS ID 83402

RE: Water Right Permit No. 35-08919

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

- ☒ Point(s) of Diversion
- ☒ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosure(s)

MICROFILMED

APR 23 2002

Comment Report

35-8919

1. S. Keen 02/04/2002 License Review

Comment: License review and data entry on 2/4/2002 by S. Keen.

MICROFILMED

APR 03 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORTRECEIVED
FEB 11 2002
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 35-89191. Owner: Jay StobworthyPhone No. 357-3808Current Address: 820 S. Park Shelley Id 832742. Accompanied by: -EXAM DATE: 6-24-1994Address: -MEASURE DATE 7-2-1998
Phone No. -Relationship to Permit Holder: -3. Source: GROUNDWATER tributary to -

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-7000D/7368D/89202. Other water rights with the same point of diversion: 35-7000D/7368D/8920

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
# 2			NW	NW	21	1N	36E	BINGHAM	ON SITE FSA Aerial USGS Map
# 1			NE	NW	21	1N	36E	Bingham	ON SITE FSA Aerial USGS Map

2. Place(s) of Use:

Indicate Method of Determination FSA Aerial and PLANIMETER

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	36E	16											22	23			28		73
		17																10	10
		20	39	17	24	24				12									116
		21	5	39	19	5	40	40	23	22									193
																			392

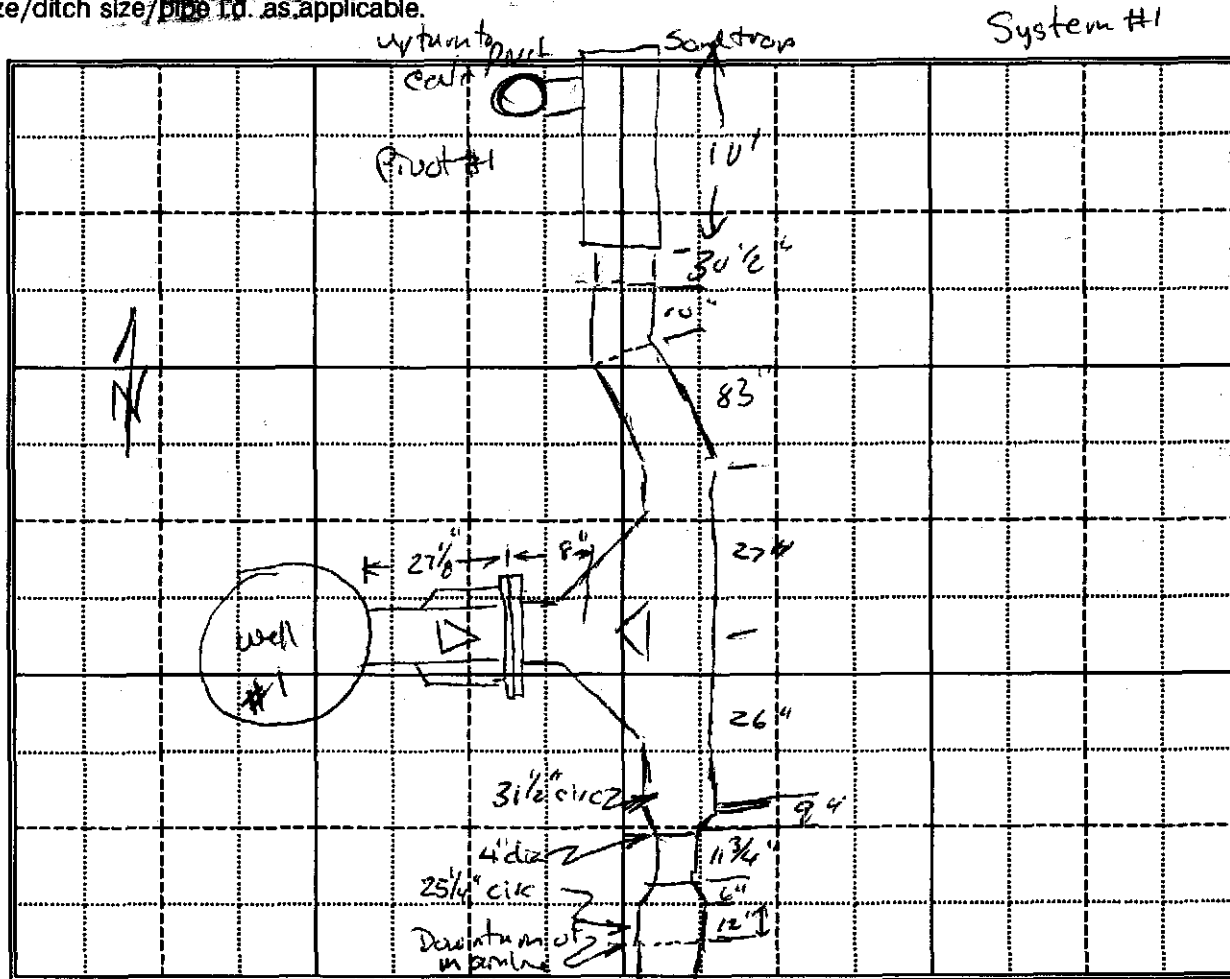
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Page 1 of 15

APR 03 2002

35-8919

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe ID, as applicable.



Scale: 1" =

SYSTEM #1

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached ☒ *
(required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4. SYSTEM #1

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	ALLIS-CHALMERS	200	51-347-506	Layne + Bowler Verti-line	0-0028

*Code to correspond with No. on map and aerial photo

* < ATTACHMENT A, B, i C >
also Page 11 of

Page 2 of 15

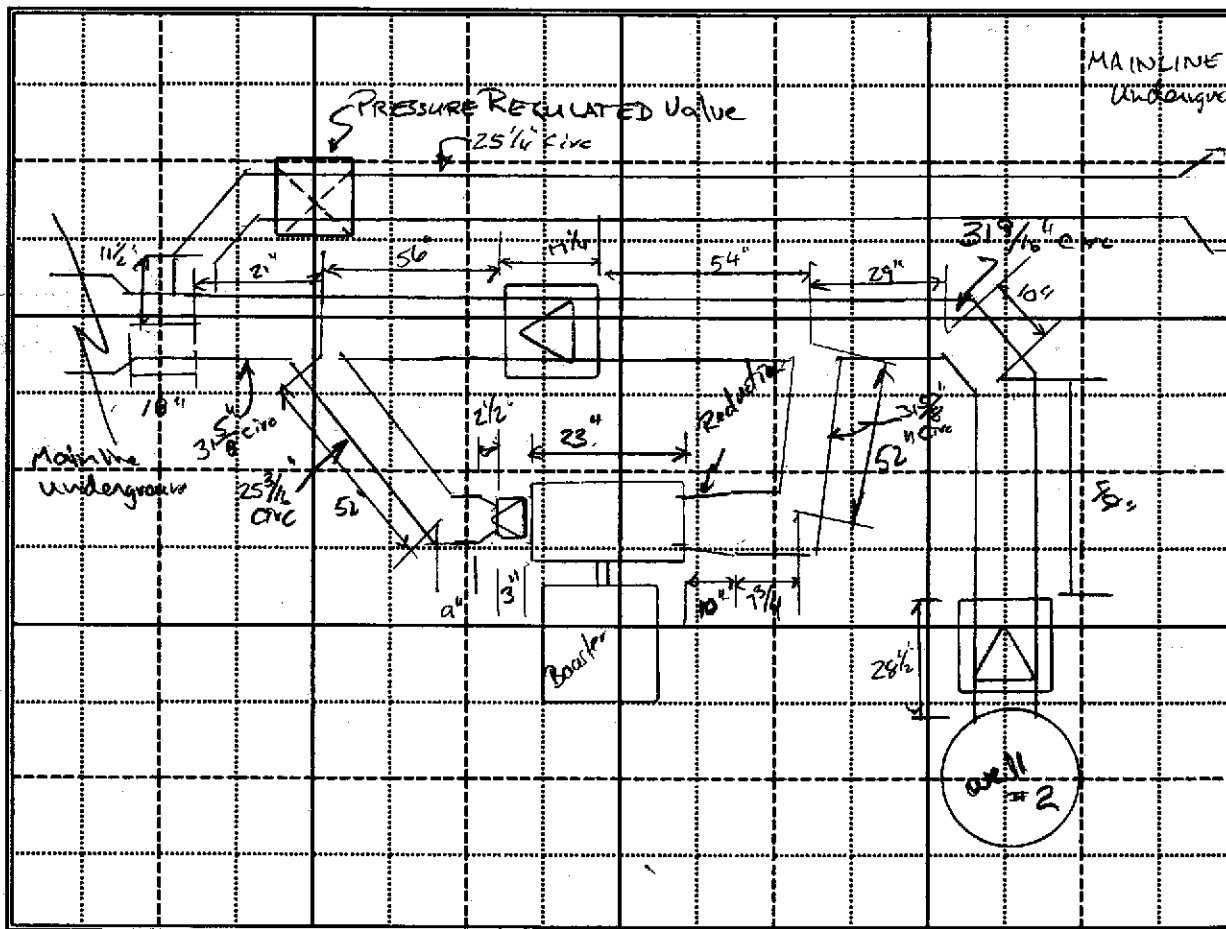
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APR 03 2002

35-8919

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.

SYSTEM #2



Scale: 1" =

SYSTEM #2

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4. SYSTEM #2

* < ATTACHMENT A, B, & C > also pg 11 of -

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#2 (Jag Southwell)	A.S. Electric	150	6502 T025271R025R10	Johnston	
#2 (Booster)	US Electric	60	84-04311 C9418-01-352	Paco	8"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PORTABLE FLOW METER	ULTRASONIC	Polysonics	TF-FC	UNKNOWN		
						MICROFILMED

2. Measurements: From Water Measurement DUT. (7-2-1998)

$$Q_{\#1} = Q_{PUMP} + Q_{HANDLINES} = 1172 \text{ gpm} + 192.8 \text{ gpm} = 1364.8 \text{ gpm} = 3.04 \text{ cfs}$$

$$Q_{\#2} = Q_{HANDLINES} = 1567 \text{ gpm} = 3.49 \text{ cfs}$$

Page 3 of 15

35-8919

E. NARRATIVE/REMARKS/COMMENTS

2 Wells pump mainline to center pivot & laterals with sprinklers

FROM FIELD EXAM 35-7000D/35-7368D Total $Q = 9.45 \text{ cfs}$

7.28 cfs Recommended for 35-7000D (5.82 cfs) and 35-7368D (1.46 cfs)

System #1 & 2 are connected and have been used together.

During the Groundwater Measurement District Measurement

Well #1 diverted water to the pivot & handlines.

Well #2 diverted water to only hand lines

Total $Q = 6.53 \text{ cfs}$ measured*

Recommend permissible place of use and rate/ac = $7.28 \text{ cfs} / 392 \text{ ac} = 0.01857 \text{ cfs/ac}$

35-8919 0.33 cfs for 18 ac within 392 ac

35-8920 0.19 cfs for 10 ac within 392 ac

35-8919 in combination with 35-8920, 35-7000D & 35-7368D

NOT TO EXCEED 7.28 cfs

* It is the opinion of this examiner that if System #1 & #2 were operated together the combined Systems could deliver at least the licensed amount of 7.28 cfs.

Recommend rate/ac = $7.28 \text{ cfs} / 392 \text{ ac} = 0.01857 \text{ cfs/ac}$

Have conditions of permit approval been met? ☒ yes ☐ no

Page 4 of 15

MICROFILMED

NOV 3 2002

35-8919

OWNER/OP. = STAN & KENT SEARLE

Well #1

"PIVOT #1"

7-2-98

Well Pump and Motor Information

173 AC
PIVOT
OK
POTATOES
+
23 AC
HL
POTATOES

PUMP DATA		MOTOR DATA	
Manufacturer	V-LINE	Manufacturer	G.I.E.
Serial Number	0028	Serial Number	
Model Number		Rated Horsepower	200
Type		Rated Amps	231
Impeller Diameter		Rated Volts	460
Rated Speed		Rated Speed	1770
Rated Discharge		Phase	3
Rated Head		Service Factor	1.15

Booster Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer		Manufacturer	
Serial Number		Serial Number	
Model Number		Rated Horsepower	
Type		Rated Amps	
Impeller Diameter		Rated Volts	
Rated Speed		Rated Speed	
Rated Discharge		Phase	
Rated Head		Service Factor	

Well #1

Power and Water Metering Information

Well #1

KILOWATT-HOUR METER		WATER MEASUREMENT EQUIPMENT and PIPE INFORMATION	
Utility	PACIFICORP	Std Meter Manufacturer	POLYSONICS
Pole No.	1423655	Std Meter Model No.	TF-PZ
Meter Manufacturer	G.I.E.	Std Meter Type	Sonic Pvg Collins Hall Anub Dye/chem Other
Meter Serial No.	91457907	Std. Meter Confidence	☒ Good ☐ Fair ☐ Poor 2% 5% 10% >10%
Disc Constant(Kh)	3.6	PSI gauge ID location = disch head?	☒ District / Owner ☐ Yes / No
Rated Voltage	480	Pipe material	STEEL
Demand	4.09	Pipe Outside Diameter	10"
Multiplier (Mult)		Pipe Inside Diameter	t = .11
CTR (Current)		Distance of straight pipe upstream and down	Upstream/Down 5/2
PTR (Voltage)			

pg 6 of 15

35-8919

APR 03 2002

Determination of Power Consumption Coefficient

well #1

7-2-98

Kilowatts of Energy Consumed

KW = 3.6 x Kh x Multiplier x No. of revolutions(N) ÷ Time(T) in seconds per N

Cond.#1 N = 10 (No. of Disc Rev) Time (sec) = (34.4)(34.4) / 3 :

3.6 x 3.6 (Kh) x _____ (Mult) x 10 (N) ÷ 34.2 (T) = _____

Cond.#2 N = _____ (No. of Disc Rev) Time (sec) = (____) + (____) + (____) / 3 :

3.6 x _____ (Kh) x _____ (Mult) x _____ (N) ÷ _____ (T) = _____

Cond.#3 N = _____ (No. of Disc Rev) Time (sec) = (____) + (____) + (____) / 3 :

3.6 x _____ (Kh) x _____ (Mult) x _____ (N) ÷ _____ (T) = _____

OUTER DIAMETER
10.0000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1100 IN

SPACING
7.523 IN U

13:02+ 1.172E 36PM 00R
+00000 *10 G 00R
-00000 *10 G 00R

13:07+ 1.162E 36PM 00R
+00586 *10 G 00R
-00000 *10 G 00R

13:12+ 1.162E 36PM 00R
+01171 *10 G 00R
-00000 *10 G 00R

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by water measurement meter in GPM, and discharge pressure measured in PSI documentation to support data such as notes, printout tapes etc.

GPM Cond. #1 1171 + 182 #2 _____ #3 _____

PSI Cond. #1 75 #2 _____ #3 _____

13:17+ 1.161E 36PM 00I
+01753 *10 G 00I
-00000 *10 G 00I

13:22+ 1.161E 36PM 00I
+02333 *10 G 00I
-00000 *10 G 00I

WELL#1

Power Consumption Coefficient (PCC) = KW x 5431 ÷ GPM

PCC Cond. #1 = _____ (KW) x 5431 ÷ _____ (gpm) = _____

Percent of seasonal use _____ Description _____

PCC Cond. #2 = _____ (KW) x 5431 ÷ _____ (gpm) = _____

Percent of seasonal use _____ Description _____

PCC Cond. #3 = _____ (KW) x 5431 ÷ _____ (gpm) = _____

Percent of seasonal use _____ Description _____

Is the system operator required to track and report changes in system operation (see form PCC3)

System Type (all that apply) Pneum. linear / Wheel In / Hard In / Gated pipe, floor

OUTER DIAMETER
8.0000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1000 IN

SPACING
5.785 IN U

13:31+192.845E 06PM 00R
+00000 *10 G 00R
-00000 *10 G 00R

13:36+180.165E 06PM 00R
+00091 *10 G 00R
-00000 *10 G 00R

well #1

Water Level Data

Does the well have access to measure water levels? Yes No

Is this well part of USGS, IDWR, or another network of water level monitoring wells? Yes No / Uncertain

Static Water Level _____ ft Pumping Water Level _____ ft (at condition # _____)

Date _____

Date _____

MICROPHONE

Pg 2 of 15

R. D. Hawkes 7-2-98

35-8919

well #2

"PIVOT 2"

7-2-98

103 AC
WIPER
PIVOT
+
68 AC
H2A

10/20/20

PUMP DATA		MOTOR DATA	
Manufacturer	PACO	Manufacturer	U.S. MOT.
Serial Number		Serial Number	
Model Number		Rated Horsepower	60
Type	SPLIT CASE	Rated Amps	74
Impeller Diameter		Rated Volts	460
Rated Speed		Rated Speed	1775
Rated Discharge		Phase	3
Rated Head		Service Factor	1.15

Well # 2

Well #2

N# 299
WLP
TEST

Pg 2 of 15

35-8919

MICROFILM

APR 13 2017

Determination of Power Consumption Coefficient 7-2-98

well #2

Kilowatts of Energy Consumed

KW = 3.6 × Kh × Multiplier × No. of revolutions(N) ÷ Time(T) in seconds per

Cond.#1 N = 10 (No. of Disc Rev) Time (sec) = (27.6) + (27.6) + ()

3.6 × 3.6(Kh) × (Mult) × 10 (N) ÷ 27.6(T) =

Cond.#2 N = () (No. of Disc Rev) Time (sec) = () + () + ()

3.6 × (Kh) × (Mult) × (N) ÷ (T) =

Cond.#3 N = () (No. of Disc Rev) Time (sec) = () + () + ()

3.6 × (Kh) × (Mult) × (N) ÷ (T) =

OUTER DIAMETER
10.000 IN

PIPE MATERIAL
CS-SS

WALL THICKNESS
0.1098 IN

SPACING
7.523 IN U

14:28+ 1.567E 3GPM 00R
+00000 *10 G 00R
-00000 *10 G 00R

14:28+ 1.563E 3GPM 00M
+00536 *10 G 00M
-00000 *10 G 00M

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by the "standard" water measurement meter in GPM, and discharge pressure measured in PSI. Attach documentation to support data such as notes, printout tapes etc.

GPM Cond. #1 1565 #2 #3

PSI Cond. #1 78 #2 #3

BY OWNER'S GAGE

Power Consumption Coefficient (PCC) = KW × 5431 ÷ GPM

PCC Cond. #1 = (KW) × 5431 ÷ (gpm) = (kWh/ac.ft)

Percent of seasonal use Description

PCC Cond. #2 = (KW) × 5431 ÷ (gpm) = (kWh/ac.ft)

Percent of seasonal use Description

PCC Cond. #3 = (KW) × 5431 ÷ (gpm) = (kWh/ac.ft)

Percent of seasonal use Description

Is the system operator required to track and report changes in system operation? Yes No

(see form PCC3)

System Type (all that apply) Pivot, linear / Wheel line / Hand line / Gated pipe, flood / Drip / Open ditch

Water Level Data

Does the well have access to measure water levels? Yes No

Is this well part of USGS, IDWR, or another network of water level monitoring wells? Yes / No / Uncertain

Static Water Level ft Pumping Water Level ft (at condition #)

Date Date

R. D. Hawkes 7-2-98

MICROFILMED

APR 3 3 2002

Page 3

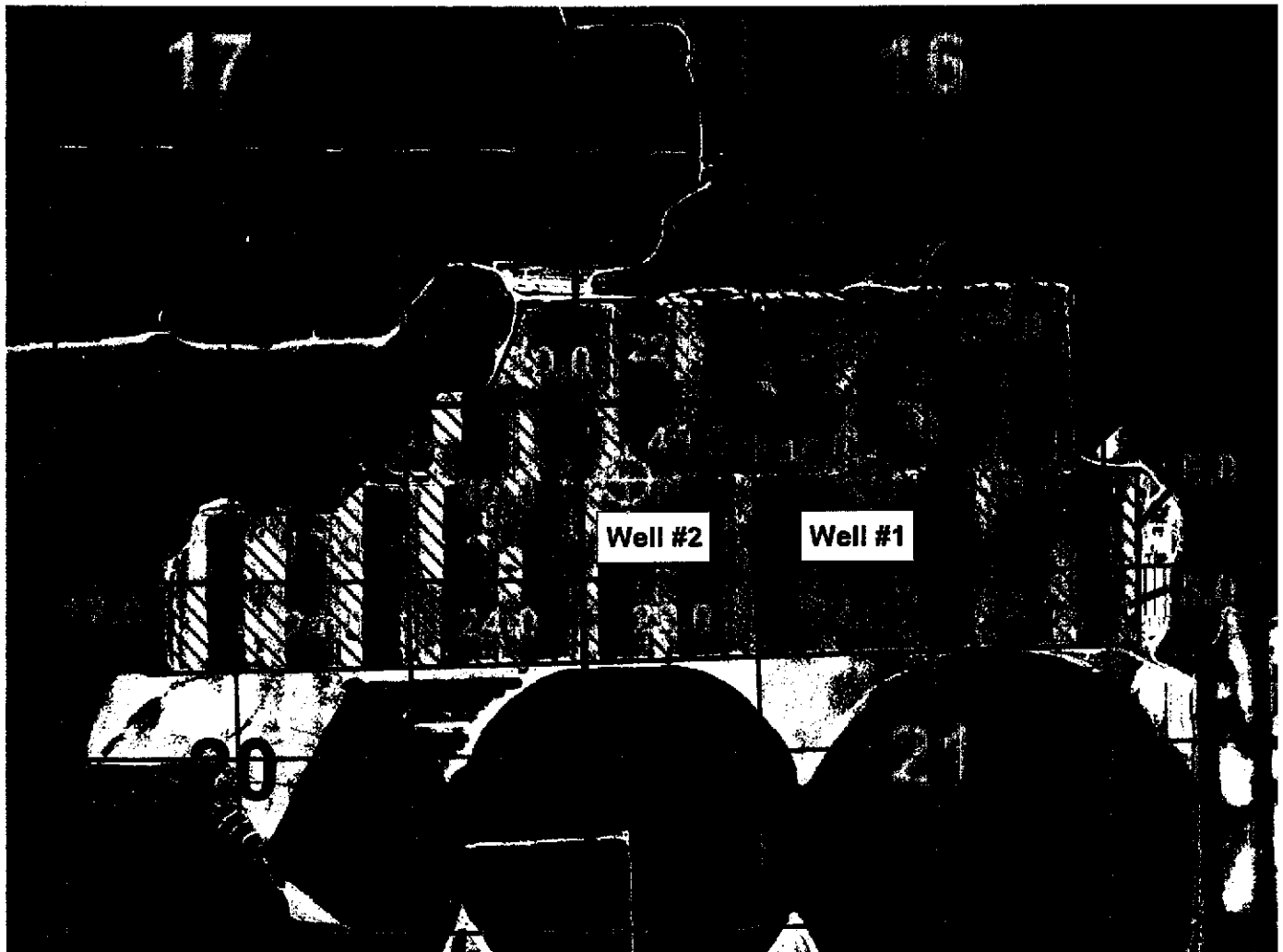
35-8919

well #2

pg 9 of 15

HLX
ONLY
W/BOOSTER
PIVOT
ONLY
W/AND

well #2



**T
1
N**

R36E

**Permissable Place of Use
35-8919, Part 35-8920
Plus Lic 35-7000D/7368D**

Pg 11 of 15

**MICROFILMED
APR 03 2002**

35-08919



Pg 12 of 15

35-8919

T-N

R36E

35-8919

Well #2

Well #1

12

24

17

39

20

21

2

40

23

22

10

5

5

34

28

23

22

9

17

116.6

14.2

10.9

176.4

12.4666

2

7.7

7.8

12.92

6.6

NHEL

2

15.9

21

22

23

16

15

21

22

23



System # 1



35-8919

Pg 12 of 15

MICROFILMED

SEP 13 2001



Booster

Well #2



35-8919

Pg ¹⁴~~13~~ of 15



← Well
#2

Booster

35-8919

Pg 15 of 15

ATTACHMENT "A"
FSA Aerial Info Only

IVINE

T25720
465

T-Z

R36E

18

11.9

ALL N4EL

4
36.0

5
95.2

T25720
465

3
5.0

#8

8

7

17

4

5

1364

-V01
A9

3

140
10.9

20

17

24

13

19

18

19

20

17

20

17

ATTACHMENT "B"
PSA Aerial INFO ONLY

MICROFILMED
APR 03 2002

R36E

T25720

465

5.0

#8

3

5

95.2

4

17

7

ND1
A9

3

17
A9

R36E

T-N

16

11
6.1

9.2

14.2

10.9

17.6

20

17

16

21

16

21

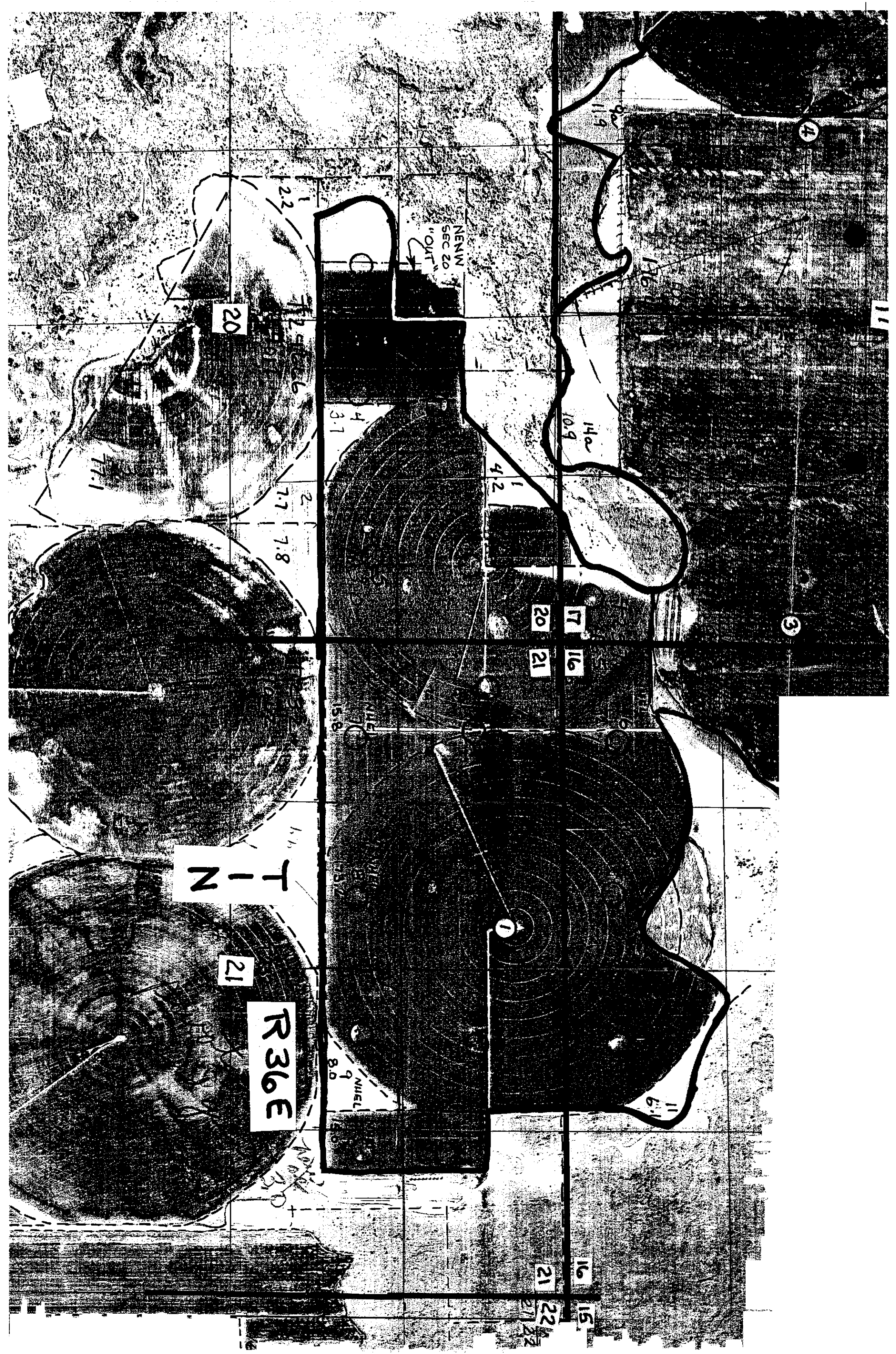
15

22

21

ATTACHMENT "C"
PSA AERIAL INFO ONLY

MICROFILMED
APR 03 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Memorandum

TO:

January 29, 2002

FILES 35-8911, 35-8913, 35-8914, 35-8915, 35-8924B
35-8912, 35-8924A
35-8910, 35-8920

FROM: Keith C. Wilson – Senior Resource Agent – Eastern

RE: Acreage calculations

The total irrigated acres, for each system(s) covered by these permits, was determined using a planimeter and the FSA aerals. Arc View was used to draw the place of use as shown on the FSA aerals and to determine the irrigated acres per quarter-quarter. To insure accuracy, the irrigated acres (determined by using the planimeter) were compared to the acres per quarter-quarter from Arc View.

Keith C. Wilson
Senior Resource Agent

~~35-8919~~ kaw

Attachment "D"

35-8919

MICROFILMED
APR 03 2002



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

January 22, 1997

STANLEY SEARLE
KENT SEARLE
6267 S 55 W
IDAHO FALLS ID 83402

RE: ASSIGNMENT OF PERMIT NO. 35-08919

Dear Water Right Holder(s):

We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

MICROFILMED

JAN 23 1997

January 15, 1993

JAY L. STOLWORTHY
820 S. PARK
SHELLEY ID 83274

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08919

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

JAN 26 1993

Amt. of Fee \$ 100.25
Date 1-4-93
Receipt No. E018193
Receipt by HWS

RECEIVED

JAN 11 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-08919 Telephone No. 357-3808
2. Name(s) of Permit Holder(s): Jay Stolworthy
3. Mailing Address: 820 S. Park Shelly, ID 83274
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: Doug Cushman Date Drilled: 1965

OPTIONAL:

Pump horsepower: 220hp Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 18 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.36 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ____ Yes ____ No Installed? ____ Yes ____ No

OR

Flow Measurement Port: Required? ____ Yes ____ No Installed? ____ Yes ____ No

8. Fee Enclosed: \$ 100.25 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name

Telephone No.

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Date

Signature (and title, if on behalf of a company or organization)

JAN 26 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 55-08919

Reviewed by Klg

Date 1/12/93

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigate -18
Correct Uses? yes

SOURCE OF WATER

Surface water source
Ground water source

NA Drilling permit required?
1965 Copy in the file? Drilling Permit No. _____
1965 Amount paid for permit _____ Correct?
1965 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
1 Installed?
1 Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

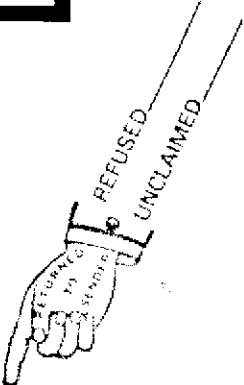
New Address _____

Proof Made 1/11/93
1/15/93 Klg

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

North Orchard Street
Boise, Idaho 83706-2237



REFUSED
UNCLAIMED

CERTIFIED MAIL

NO. 139668

Sent via Regular mail on 12/22/92

12/22

RECEIVED
DEC 21 1992

Department of Water Resources

DEC 21 1992

26-L-21

DEC 16 1992

November 30, 1992

JAY L. STOLWORTHY
820 S. PARK
SHELLEY ID 83274

PROOF DUE NOTICE

RE: PERMIT NO. 35-08919

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 February 1, 1993. (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.

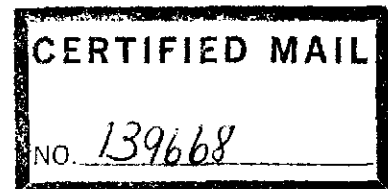
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

Karen L. Gustafson
Secretary/Records Manager

Enclosures



JAN 26 1993



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 18, 1991

JAY L. STOLWORTHY
820 S. PARK
SHELLEY, ID 83274

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08919

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

FILED

MAR 19 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

MICROFILMED

MAR 1 9 1981

APPLICATION FOR PERMIT REVIEW

Application #: 35-8919
Date: 2-11-91

Reviewer: Pam Skaggs

Existing:

✓ No

Complete in 1 year

- 26A-P17
- P16

Yes

Proof not submitted

- P16

Proof submitted

- N/A

Groundwater:

GT. 0.7 cfs

- 01G-P03, 01C-P03(existing well)

✓ LT. 0.7 cfs

- N/A

Drilling Permit:

✓ Approved w/permit

- P99

Not included

- 046-P23 (All GW, even existing wells)

Location:

Water Districts

- WD No. 01

Surface water

- 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)

✓ Groundwater

- P05

Irrigation Districts

- 023

Canal Co. Areas

- 023

Drainage Districts

- 024

Boise Front. (63)

- 058 (Groundwater)

✓ Swan Falls Flag

- 1 (1 or Blank)

Trust

- 051-052-053-P74(Cons.), 041(DCMI, w/Irr
or Irr & Dom)

✓ Non Trust

- 048-049

River Basins:

(Surface Water)

Water District Control Condition &....

Boise (63)

- 11D-P72

Payette (65)

- 047-P04, 059-P71

Snake (01, 02 & 03)

- 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation

- 002-P06, 06A, 007, 09E-P10, 010, 042, 044

Power

- Use Power Review

Mining

- 06A, 006, 09E-P10, 010, 054(req.)

Storage

- 18A-P for multiple measuring devices(In
W.D.), 18B-P09(Size)

Rec. & Aesthetic

- 027(Non-Consumptive)

Domestic

- 021(restricted areas)

Ownership:

Non land owner

- 004

Protested:

Agreement

- 020

Minimum Stream Flow:

Overlapping uses

- 029-P20

✓ Beneficial Use Due Date:

- 02-01-1993

Other Conditions Recommended

MICROFILMED

MAR 10 1991

3-6-91

Dist. for staffing: 11-2-90
Submitted for advertising: 11-6-90

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS SHEET

35-8919

INITIAL REVIEW BY James Dunn DATE 6 Nov 1990 APPLICATION NO.
APPLICANT NAME: JAY L. STOLWORTHY

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion 35-7000E / 7368E
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)*
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet)
See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested JAN 09 1991

RECEIVED

* Section 16 is in the trustwater however the Fed is now trust Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 12-24-90
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations, attached
☐ Yes ☐ No Measuring device required
☒ Yes ☐ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended 9-26-90 See below for additional information
By HWT Date 1-2-91

STATE OFFICE REVIEW

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

Condition: <OIG>

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other <u> </u>

Project impacts/implications report

COMMENTS

35-08919

STOLWORTHY, JAY L.
820 S. PARK
SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: NWNW Sec 21 T 01N R 36E

Use: IRRIGATION (.360 CFS)
Total Diversion: (.360 CFS)

Date Filed: 9/26/ 1990

In: T01N R36E S16	SWSW	SESW		
S20	NENE	NWNE	NENW	SENW

18.0 ACRES TOTAL

RECEIVED

MAR 19 1991

27-Nov-1990

JAY L STOLWORTHY
820 S PARK
SHELLEY ID 83274

RE: Application No. 35-8919 & 35-8920

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in MORNING NEWS on DECEMBER 6 & 13, 1990. The advertisement will be published 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 permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

NOV 28 1990