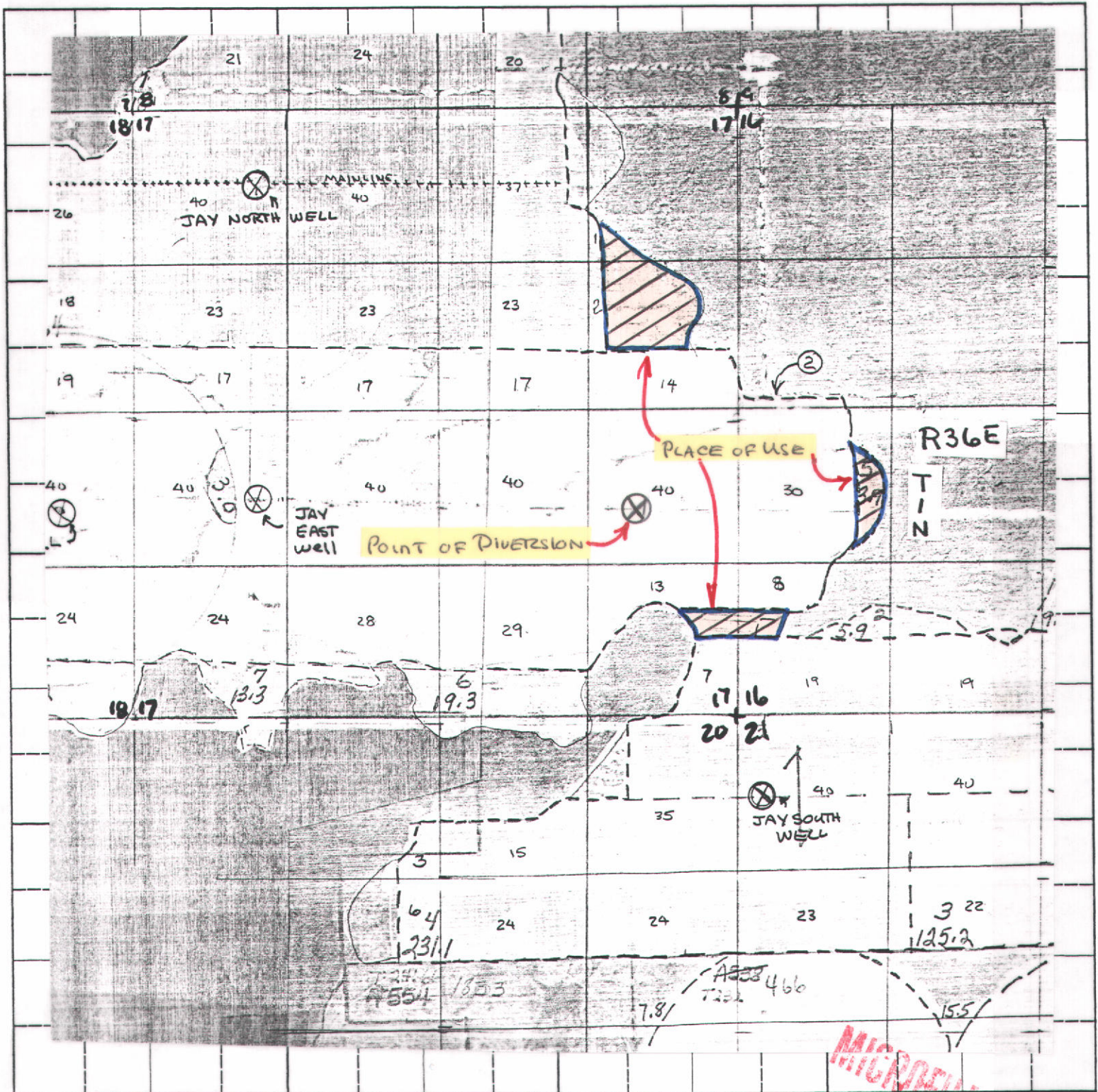


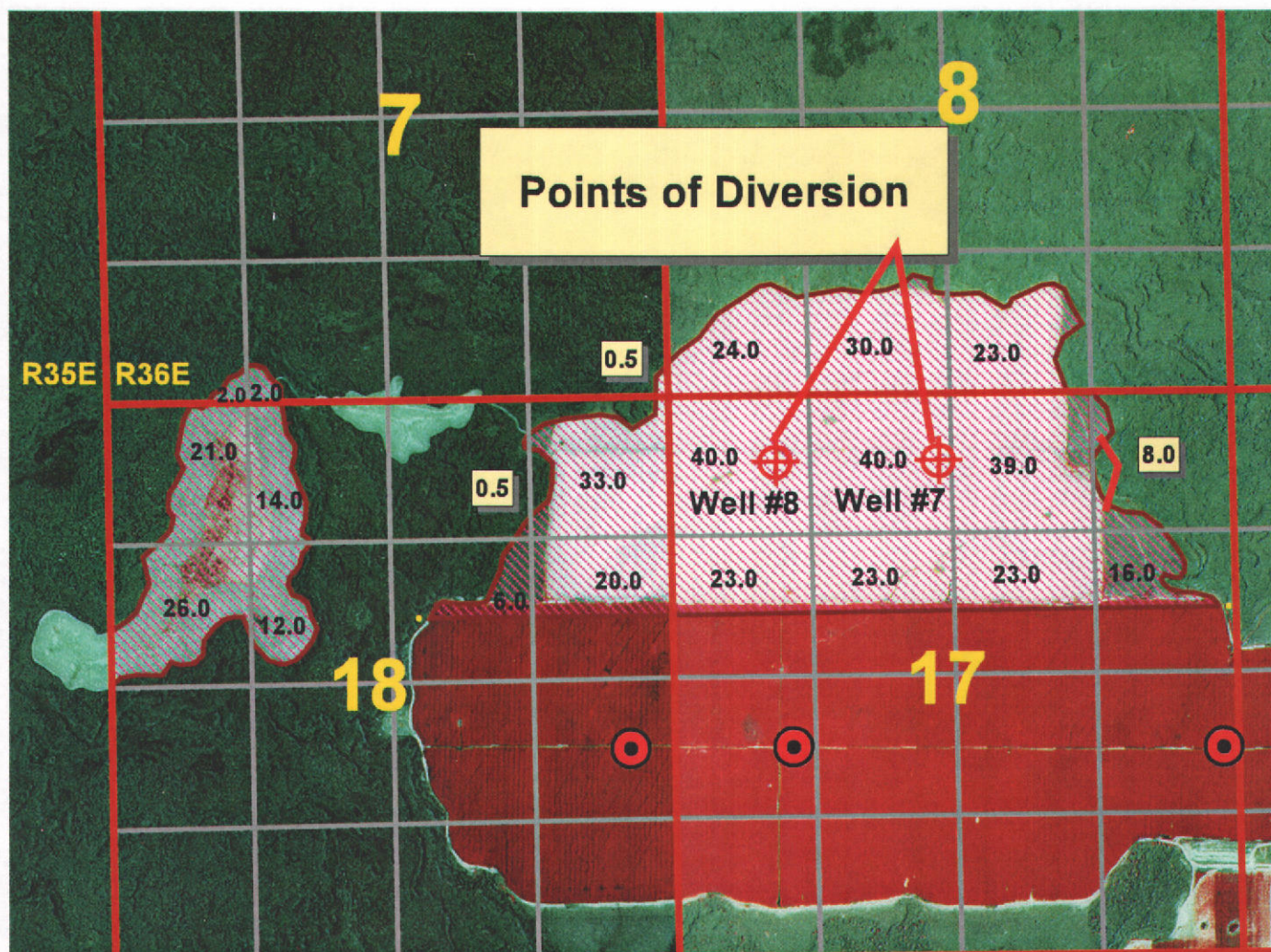
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

*Jay Z Holmuth*  
(Applicant)



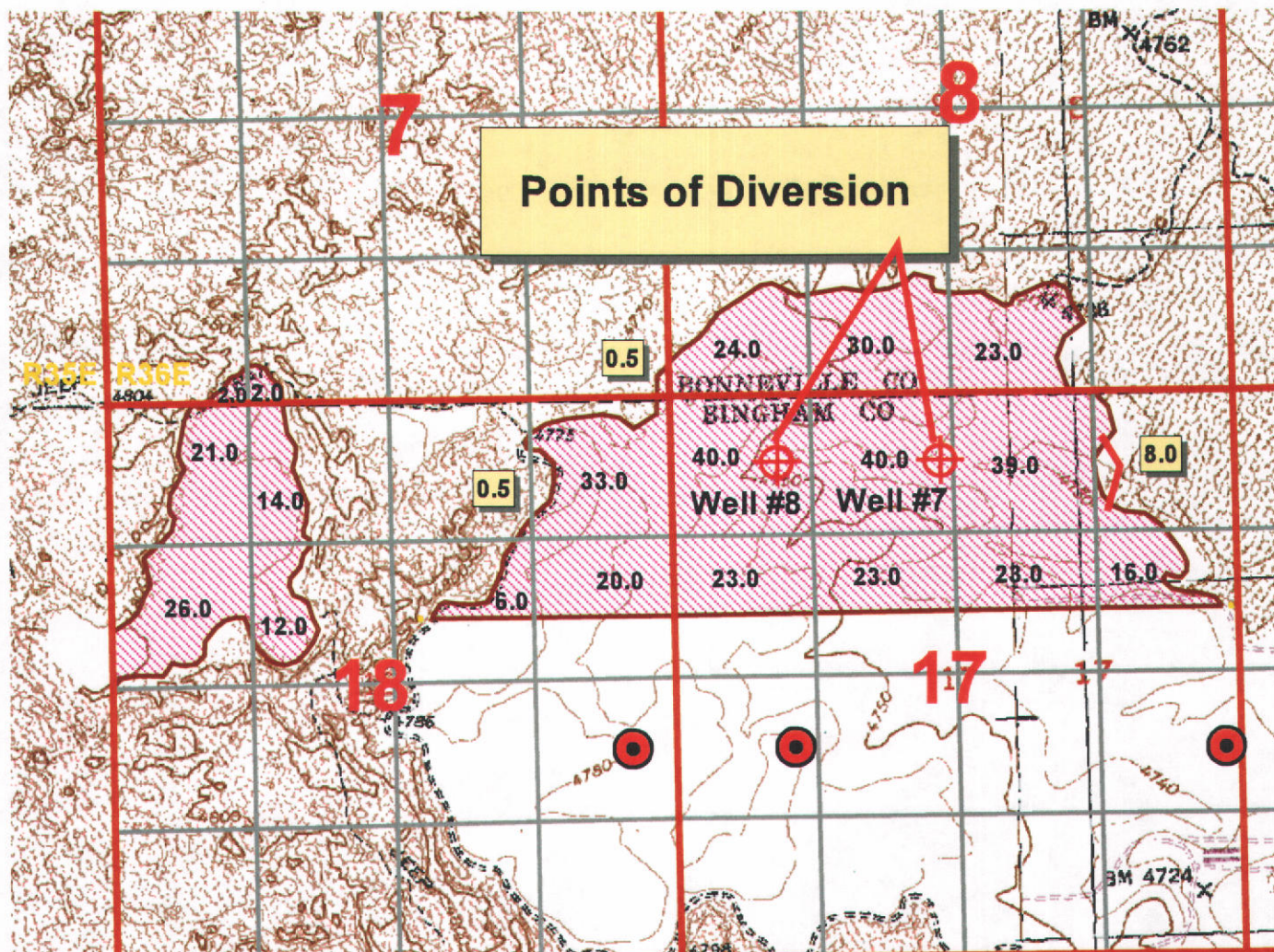
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**Permissible Place of Use**  
**35-8911, 35-8913, 35-8914,**  
**35-8915, Part 35-8924(B)**  
**Plus Lic 35-7000A/7368A**

*Pg 11 of 14*

**35-08915**

**MICROFILMED**  
**JUN 05 2002**



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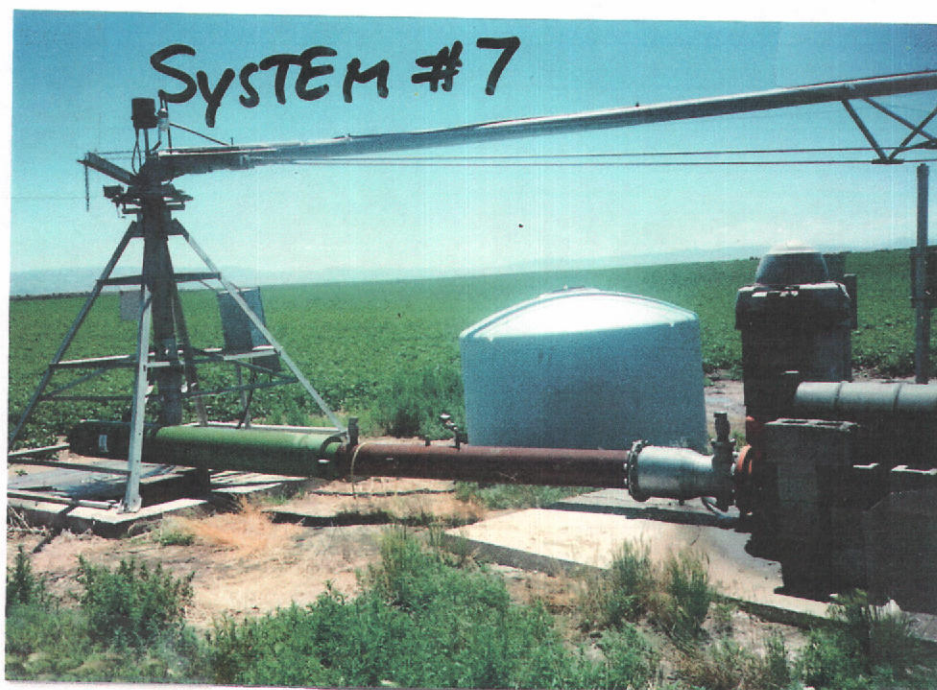
**Permissable Place of Use  
35-8911, 35-8913, 35-8914,  
35-8915, Part 35-8924(B)  
Plus Lic 35-7000A/7368A**

Pg 12 of 14

MICROFILMED

JUN 05 2002

**35-08915**



Pg 13 of 14

35-8915

MICROFILMED

JUN 05 2002



Photo 8-25-1998

35-8915

Pg 14 of 14

MICROFILMED

JUN 05 2002

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State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 35-08915

Priority: September 26, 1990

Maximum Diversion Rate: 0.37 CFS  
Maximum Diversion Volume: 88.0 AF

It is hereby certified that JAY L STOLWORTHY  
1577 E WOLVERINE RD  
FIRTH ID 83236 has complied with the terms and  
conditions of the permit, issued pursuant to Application for Permit dated September 26, 1990; and has  
submitted Proof of Beneficial Use on June 07, 1993. An examination indicates that the works have a  
diversion capacity of 7.21 cfs of water from:

**SOURCE**

GROUND WATER

and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL<br/>DIVERSION VOLUME</u> |
|-----------------------|----------------------|-----------------------|------------------------------------|
| IRRIGATION            | 04/01 to 10/31       | 0.37 CFS              | 88.0 AF                            |

**LOCATION OF POINTS OF DIVERSION:**

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 17, Twp 01N, Rge 36E, B.M., BINGHAM County

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 17, 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 7   |      |      |      |      |      |      |      |      | 2.0  |    | 2.0  |    |    |    |      | .5 | 4.5    |
| 01N 36E 8   |      |      |      |      |      |      |      |      | 24.0 |    | 30.0 |    |    |    | 23.0 |    | 77.0   |
| 01N 36E 17  | 8.0  | 39.0 | 23.0 | 16.0 | 40.0 | 40.0 | 23.0 | 23.0 |      |    |      |    |    |    |      |    | 212.0  |
| 01N 36E 18  | 33.0 | .5   | 6.0  | 20.0 | 14.0 | 21.0 | 26.0 | 12.0 |      |    |      |    |    |    |      |    | 132.5  |

Total Acres: 426

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 22 acres within the place of use described above in a single irrigation season.
2. Rights 35-07000A, 35-07368A, 35-08911, 35-08913, 35-08914 and 35-13378 are also diverted through the point(s) of diversion described above.

MICROFILMED

JUN 05 2002

State of Idaho  
Department of Water Resources  
**Water Right License**

**WATER RIGHT NO. 35-08915**

3. Rights 35-07000A, 35-07368A, 35-08911, 35-08913, 35-08914, 35-13378 and 35-08915 when combined shall not exceed a total diversion rate of 7.21 cfs, and the irrigation of 426 acres.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 120.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

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 22<sup>ND</sup> day of APRIL, 2002.

Acting for

  
KARL J. DREHER  
Director

MICROFILMED

JUN 6 5 2002

RECEIVED

APR 18 2002

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 35-08915**

Date of Priority: September 26, 1990

Maximum Diversion Rate: 0.37 CFS

Maximum Diversion Volume: 88.0 AF

Comes now JAY L STOLWORTHY  
820 S PARK

SHELLEY ID 83274 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. 35-08915, 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       | 0.37 CFS                 | 88.0 AF              |

LOCATION OF POINT(S) OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 17, Twp 01N, Rge 36E, B.M., BINGHAM CountyGROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 17, Twp 01N, Rge 36E, B.M., BINGHAM CountyPLACE 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 7   |      |      |      |      |      |      |      |      | 2.0  | 2.0  |    |    |    |    |      | .5 | 4.5    |
| 01N 36E 8   |      |      |      |      |      |      |      |      | 24.0 | 30.0 |    |    |    |    | 23.0 |    | 77.0   |
| 01N 36E 17  | 8.0  | 39.0 | 23.0 | 16.0 | 40.0 | 40.0 | 23.0 | 23.0 |      |      |    |    |    |    |      |    | 212.0  |
| 01N 36E 18  | 33.0 | .5   | 6.0  | 20.0 | 14.0 | 21.0 | 26.0 | 12.0 |      |      |    |    |    |    |      |    | 132.5  |

Total Acres: 426

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 15 day of April, 2002.

  
(Signature)

RECEIVED

APR 16 2002

MICROFILMED

JUN 05 2002

Department of Water Resources  
Eastern Region

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**

(For Licensing Purposes)  
**WATER RIGHT NO. 35-08915**

\*\*\*\*\*  
FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = 50<sup>00</sup> Received by KW # ED 27644 Date 4/15/2002

**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. 35-08915 with the following:

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 22 acres within the place of use described above in a single irrigation season.
2. Rights 35-07000A, 35-07368A, 35-08911, 35-08913, 35-08914 and 35-13378 are also diverted through the point(s) of diversion described above.
3. Rights 35-07000A, 35-07368A, 35-08911, 35-08913, 35-08914, 35-13378 and 35-08915 when combined shall not exceed a total diversion rate of 7.21 cfs, and the irrigation of 426 acres.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 120.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

Witness my hand this 22<sup>ND</sup> day of April, 2002.

Acting for   
KARL J. DREHER  
Director

MICROFILMED  
JUN 05 2002

RECEIVED

JUN 07 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 100.00  
Date 6-4-93  
Receipt No. 5018674  
Receipt by HWT

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. 35-08915 Telephone No. 357-3808

2. Name(s) of Permit Holder(s): Jay Stolworthy

3. Mailing Address: 820 S. Park Shelby, ID 83274

4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Kellmer Date Drilled: \_\_\_\_\_

OPTIONAL:

Pump horsepower: \_\_\_\_\_ 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 22 (No. of acres) Other \_\_\_\_\_

6. Total rate and/or volume for which proof is submitted 0.44 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: \$ 100.00 (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.

See above  
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.

June 4  
Date

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

RECEIVED

OCT 19 1993

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 35-08915

Proposed Priority: September 26, 1990 Maximum Diversion Rate: 0.44 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 | 0.44 CFS |
|------------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION: NESE Sec. 17, Township 01N, Range 36E  
BINGHAM County

PLACE OF USE: IRRIGATION  
TWN RGE SEC

|            | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|--------------|--------------|--------------|--------------|
| 01N 36E 16 | NWSW 4       | SWSW 3       |              | 7            |
| 17         | NENE 2       | SENE 10      | SESE 3       | 15           |

Total number of acres irrigated: 22

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 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. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

**MICROFILMED**

JUL 10 1991

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 35-08915

CONDITIONS/REMARKS:

9. 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.

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

21 day of June, 1991.

*for* R. Keith Higginson  
R. Keith Higginson, Director

RECORDED

JUL 10 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

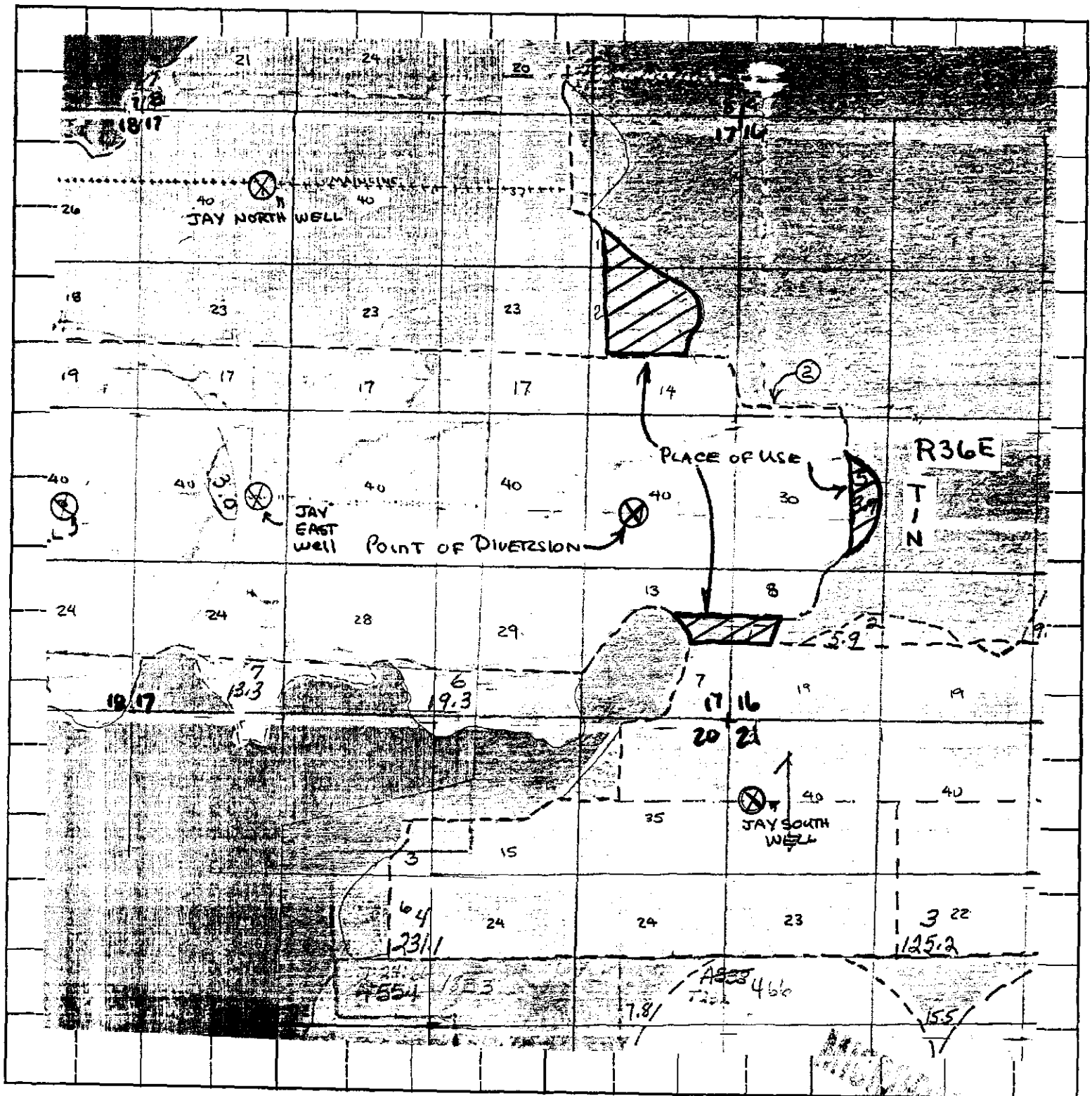
To appropriate the public waters of the State of Idaho

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 \_\_\_\_\_ 1/4 of NE 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_  
Sec. 17 Township 11N Range 36E B.M. BINGHAM County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 0.44 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) 0.44 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 proposed beneficial use is  
2 years (minimum 1 year).

MICROFILMED  
JUL 10 1991

~~1661 01707~~

13. 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.

*Jay Z. Hahner*  
(Applicant)

RECORDED  
JUL 10 1991

Assisted by KCM Date 9/26/90 Time Preliminary check by [Signature]  
Fee \$ 45<sup>00</sup> Received by KCM Date 9-26-90  
Publication prepared by [Signature] Date 5/15/90 5/22/91 Published in [Signature] 297 E. Reg  
Publication approved [Signature] Date 5/24/91  
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:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

## LEGAL NOTICE

NOTICE OF APPLICATION  
FOR TRUST WATER RIGHT

35-08698

SOMETIMES A GREAT NOTION LAND  
& CATTLE

C/O BRUCE STANGER

302 8TH ST.

IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: SWNE Sec 28 T 03N R 36E

NENE Sec 29 T 03N R 36E

Use: IRRIGATION (8.130 CFS)

Total Diversion: (8.130 CFS)

Date Filed: 2/9/1989

In: T03N R36E S28 NENE NWNE SWNE

SENE NENW NWNW SWNW SENW

NESW NWSW SWSW SESW NESE

NWSE SWSE SESE

S29 NENE NWNE SWNE SENE

790.0 ACRES TOTAL

35-08911

STOLWORTHY, JAY

820 S. PARK

SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: NWNW Sec 17 T 01N R 36E

Use: IRRIGATION (1.550 CFS)

Total Diversion: (1.550 CFS)

Date Filed: 8/21/1990

In: T01N R35E S13 SENE

R36E S07 SWSW SESW

S18 NENW NWNW SWNW SENW

77.0 ACRES TOTAL

35-08912

STOLWORTHY, JAY L.

820 S. PARK

SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: NWSW Sec 17 T 01N R 36E

Use: IRRIGATION (.660 CFS)

Total Diversion: (.660 CFS)

Date Filed: 9/26/1990

In: T01N R36E S17 SWSW SESW SWSE

S20 NWNE NENW NWNW

33.0 ACRES TOTAL

35-08913

STOLWORTHY, JAY L.

820 S. PARK

SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: NWNW Sec 17 T 01N R 36E

Use: IRRIGATION (.200 CFS)

Total Diversion: (.200 CFS)

Date Filed: 9/26/1990

In: T01N R36E S18 NENE SWNE SENE

10.0 ACRES TOTAL

35-08914

STOLWORTHY, JAY L.

820 S. PARK

SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: NENW Sec 17 T 01N R 36E

Use: IRRIGATION (.240 CFS)

Total Diversion: (.240 CFS)

Date Filed: 9/26/1990

In: T01N R36E S08 SWNE

S17 NENE NWNE

12.0 ACRES TOTAL

35-08915

STOLWORTHY, JAY L.

820 S. PARK

## LEGAL NOTICE

SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: NESE Sec 17 T 01N R 36E

Use: IRRIGATION (.440 CFS)

Total Diversion: (.440 CFS)

Date Filed: 9/26/1990

In: T01N R36E S16 NWSW SWSW

S17 NENE SENE SESE

22.0 ACRES TOTAL

35-08924

STOLWORTHY, JAY L.

820 S. PARK

SHELLEY, ID 83274

Source: GROUNDWATER

Diversion Pt: NESE Sec 18 T 01N R 36E

Use: IRRIGATION (.380 CFS)

Total Diversion: (.380 CFS)

Date Filed: 9/26/1990

In: T01N R36E S18 SESE

S19 NENE

19.0 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, Statehouse Mail, Boise, Idaho 83720 on or before JUNE 3, 1991.

R. Keith Higginson, Director

Published: May 15, 22, 1991

OK Tjt  
5-24-91

RECEIVED  
JUL 10 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
322 East Front Street, P.O. Box 83720  
Boise, Idaho 83720-0098

Return Service Requested



02 1A \$00.278  
0004389390 APR 22 2005  
MAILED FROM ZIP CODE 83702

SCANNED  
MAY 03 2005

RECEIVED  
APR 20 2005

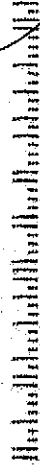
Department of Water Resources

Resent w/  
addr chg form  
5/2/05 *SD*

STOL577 022362003 1105 05 04/27/05  
RETURN TO SENDER  
STOLWORTHY  
3040 THAYER BRIDGE CIR  
IDAHO FALLS ID 83402-4459

RETURN TO SENDER

CAGCTMS 057267803A



35-8915  
35-8920  
35-13377  
35-13378  
35-8911  
35-8912  
35-8913  
35-8914



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 23, 2002

JAY L STOLWORTHY  
1577 E WOLVERINE RD  
FIRTH ID 83236

RE: License No. 35-8915 - 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.

Enclosed is a copy of the approved Application for Amendment.

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)

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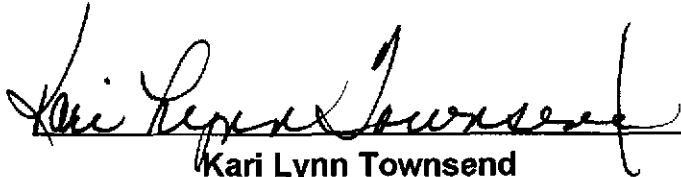
JUN 05 2002

## **CERTIFICATE OF SERVICE**

I hereby certify that on April 23, 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. 35-8915**

**JAY L STOLWORTHY  
1577 E WOLVERINE RD  
FIRTH ID 83236**

  
Kari Lynn Townsend  
Secretary

**MICROFILMED**

**JUN 05 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).

### 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

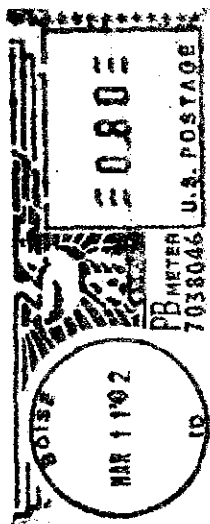
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district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

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JUN 05 2002



RECEIVED

MAR 15 2002

Department of Water Resources

Permits 35-8911, 35-8913, 35-8914, 35-8915, 35-13378

Mail resent to:

addressee at  
1551 E. Wolverine Rd

Fruit Id 83236

Kari Myers

3-26-02

IDAHO DEPARTMENT OF WATER RESOURCES  
1301 North Orchard St.  
P.O. Box 83720  
Boise, ID 83720-0098  
(208) 327-7900

☒ Not Deliverable As Addressed  
☐ Unable To Forward  
☐ Insufficient Address  
☐ Moved, Left No Address  
☐ Undelivered ☐ Refused  
☐ Attempted-Not Known  
☐ No Such Street ☐ Number  
☐ Vacant ☐ Illegible  
☐ No Mail Receipts  
☐ Box Closed-No Order  
☐ Returned For Better Address  
☐ Postage Due

To  
JAY STOLWORTHY  
820 S PARK  
SHELLEY ID 83274

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JUN 05 2002



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](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 11, 2002

JAY STOLWORTHY  
820 S PARK  
SHELLEY ID 83274

RE: Water Right Permit Nos. 35-08911, 35-08913, 35-08914, 35-08915, and  
35-13378 (portion of Permit No. 35-08924)

Dear Permit Holder:

The Department of Water Resources is reviewing the above referenced permits prior to issuing water right licenses. 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 permits have been developed differently than described. 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 licenses can be issued, your permits must be amended to depict your water use as actually developed.

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

☒ **Points of Diversion**

☒ **Places of Use – Add Permissible Place of Use to all these Permits**

The enclosed Applications for Amendment forms depicts the elements of the water rights as they will appear on the licenses when issued. Please review the amendment forms carefully. If you concur with the information presented, **please sign the forms and return them with a \$250.00 filing fee** (\$50.00 per amendment form) within 14 days. If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent

Enclosures

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JUN 05 2002

LICENSE REVIEW CHECKLIST

Permit No. 35-8915 Date: 3-4-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: change

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use add PPU

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): see file 35-8911

File reviewed \_\_\_\_\_ Profile reports printed \_\_\_\_\_

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.44 cfs

Fee Limit 1.0 cfs

Measured 4.2 cfs

Theoretical \_\_\_\_\_ cfs

Recommended Total Diversion Rate 0.37

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.37 cfs 88. af

Stockwater \_\_\_\_\_ cfs \_\_\_\_\_ af

Domestic \_\_\_\_\_ cfs \_\_\_\_\_ af

\_\_\_\_\_ cfs \_\_\_\_\_ af

\_\_\_\_\_ cfs \_\_\_\_\_ af

Total 0.37 cfs 88. af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.37 cfs x 1.9835 x 214 days = 157.1 af (vs) 22 acres x 4.0 (FHR) = 88.0 af

3.0 (con)

Remarks: W27(22) R55

Additional Conditions 120 Watermaster Control

\_\_\_\_\_ GW Measurement/Measuring Device

Other \_\_\_\_\_

Trust R55 - remove 051

Non-trust (048)

GW Dist? \_\_\_\_\_

Water Msmt. Dist? \_\_\_\_\_

Crit. GWMA? \_\_\_\_\_

GWMA? \_\_\_\_\_

Government Lots? \_\_\_\_\_

Advance Priority? yes If yes, explain why below.

no

SRBA Claim?

no - not req'd

Adjust memo \_\_\_\_\_

Amend Letters \_\_\_\_\_ P87, S06

Second Amendment Notice P49 S06

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
BENEFICIAL USE FIELD REPORTRECEIVED  
FEB 1 2002  
DEPARTMENT OF WATER RESOURCES

## A. GENERAL INFORMATION

Permit No. 35-89151. Owner: JAY STOLWORTHYPhone No. 357-3808Current Address: 820 S Park, Shelly, Id 832742. Accompanied by: —EXAM DATE: 6-24-1994(Exam 35-7000A) 9-21-1989Address: —Phone No. 7-2-1998 Water  
Measurement DistRelationship to Permit Holder: —3. Source: GROUNDWATER tributary to —

## B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-7000A/7368A/8911/8913/8914/(Part) 35-8924B
2. Other water rights with the same point of diversion: 35-7000A/7368A/8911/8913/8914/(Part) 35-8924B

## C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: NO GOV LOTS

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County  | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|---------|---------------------------------|
| #7        |           | NE  | NE  | NW  | 17   | 1N   | 36E  | Bingham | On site, FSA Aerial             |
| #8        |           | NE  | NW  | NW  | 17   | 1N   | 36E  | BINGHAM | " " "                           |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |

2. Place(s) of Use: NO GOV LOTSIndicate Method of Determination ARCVIEW  
FSA AERIALS

| 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 | 7   |    |     |    |    |    |    |    |    |    |    | 2  | 2  |    |    |    | 0.5 | 4.5    |
|     |     | 8   |    |     |    |    |    |    |    |    |    |    | 24 | 30 |    |    | 23 |     | 77.0   |
|     |     | 17  | 8  | 39  | 23 | 16 | 40 | 40 | 23 | 23 |    |    |    |    |    |    |    |     | 212.0  |
|     |     | 18  | 33 | 0.5 | 6  | 20 | 14 | 21 | 26 | 12 |    |    |    |    |    |    |    |     | 132.5  |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |     | 426.0  |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |     |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |     |        |
|     |     |     |    |     |    |    |    |    |    |    |    |    |    |    |    |    |    |     |        |

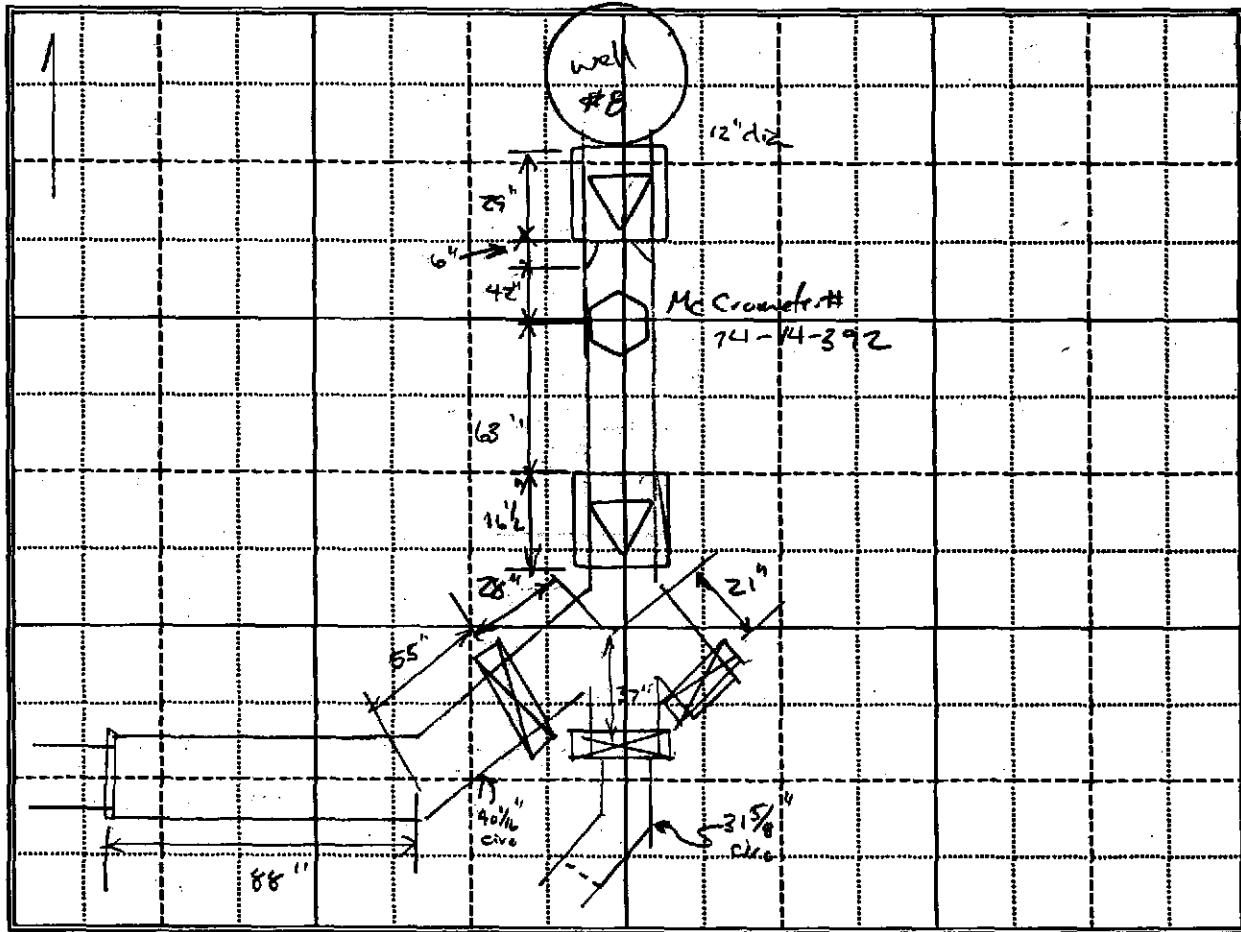
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Pg 1 of 14  
35-8915

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

SYSTEM (Well) # 8



Scale: 1" =

SYSTEM (Well) # 8

✓ Copy of USGS Quadrange 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.

Pg. of

| Well or Diversion Identification No.* | Motor Make   | Hp  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|--------------|-----|------------------|-----------|-----------------------------------|
| #8                                    | Westinghouse | 460 | 3-508167         | Johnston  | 12" necked down to 10"            |
|                                       |              |     |                  |           |                                   |
|                                       |              |     |                  |           |                                   |

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

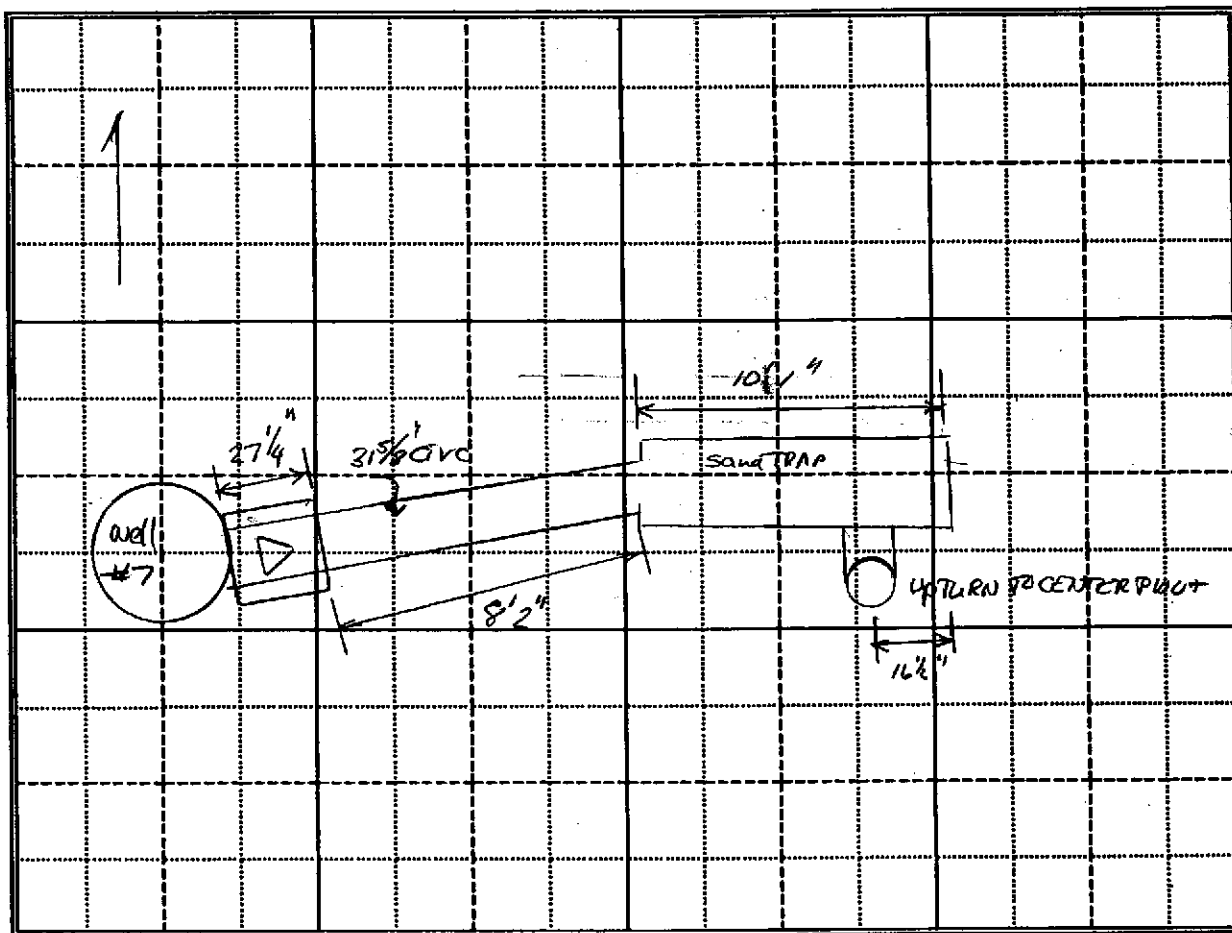
\*Attachment A, B, & C

Pg 2 of 14  
35-8915

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



Scale: 1" =

SYSTEM #7

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

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4.

| Well or Diversion Identification No.* | Motor Make    | Hp  | Motor Serial No.         | Pump Make    | Pump Serial No. or Discharge Size |
|---------------------------------------|---------------|-----|--------------------------|--------------|-----------------------------------|
| #7                                    | U.S. Electric | 150 | 6502/<br>T028271R025R-15 | Layne/Bowler | 0-0027                            |
|                                       |               |     |                          |              |                                   |
|                                       |               |     |                          |              |                                   |

\*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   | SONIC | Plymouth | TF-PC     | UNKNOWN    | -    | -           |
|                       |       |          |           |            |      |             |

2. Measurements:

64 psi G.W. Meas dist  
Q7 = 98.5

9-21-1998  
Eqm 35-7000A - Q = 7.21

\* ATTACHMENTS A, B, & C  
Q8 = 2247

3232 gpm = 7.20 cfs  
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Pg 3 of 14  
35-8915

JUN 05 2002

E. NARRATIVE/REMARKS/COMMENTS

Two wells, pump with mainline to two pivots and laterals w sprinklers

GROUND WATER MEASUREMENT DISTRICT measured Total  $Q = Q_{\#7} + Q_{\#8}$

$$Q_{\text{TOTAL}} = 985 \text{ gpm} + 2247 \text{ cfs} = 3232 \text{ gpm} = 7.20 \text{ cfs}$$

At the time of this measurement System #7 (well #7) & System #8 (well #8) were being operated as separate systems.

From my on site inspections wells #7 & #8 have been operated as a common system. It is the opinion of this examiner that combined well #7 & well #8 could easily deliver the total capacity measured on 9-21-1989 ( $Q = 7.21 \text{ cfs}$  from well #8 only)

Well #8 (Jay North) and Pump have not changed from Exam for 35-7000A/7368A (9-21-1989)

RECOMMEND PERMISSIBLE PLACE OF USE

$$\text{Recommend rate per acre} = 7.21 \text{ cfs} / 426 \text{ ac} = 0.0169 \text{ cfs/ac}$$

35-8911 @ 1.30 cfs ( $77 \text{ ac} \times 0.0169 \text{ cfs/ac}$ ) for 77 acres w/in 426 ac

35-8913 @ 0.17 cfs ( $10 \text{ ac} \times 0.0169 \text{ cfs/ac}$ ) for 10 acres w/in 426 ac

35-8914 @ 0.20 cfs ( $12 \text{ ac} \times 0.0169 \text{ cfs/ac}$ ) for 12 acres w/in 426 ac

35-8915 @ 0.37 cfs ( $22 \text{ ac} \times 0.0169 \text{ cfs/ac}$ ) for 22 acres w/in 426 ac

(Part B) 35-8924 @ 0.12 cfs ( $7 \text{ ac} \times 0.0169 \text{ cfs/ac}$ ) for 7 acres w/in 426 ac

35-8915 IN COMBINATION WITH 35-8911, 35-8913, 35-8914, and (Part) 35-8924 SHALL NOT EXCEED 7.21 cfs

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

Pg 4 of 14  
35-8915

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✓ Additional Computation Sheets Attached

Measured Method:  $Q_{\text{TOTAL}} = 7.21 \text{ cfs}$  (Exam 9/21/1989 Jay North)

$$Q_{\text{Groundwater Measurement district}} = Q_{\#7} + Q_{\#8} = 985 \text{ gpm} + 2247 \text{ gpm} = 3232 \text{ gpm} = 7.20 \text{ cfs}$$

$$\text{Recommended Rate/acre} = 7.21 \text{ cfs} / 426 \text{ ac} = 0.0169 \text{ cfs/acre}$$

$$Q = (22 \text{ ac} \times 0.0169 \text{ cft/ac}) = 0.37 \text{ cfs}$$

### 1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 22 (4) = 88.0$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.37 (214) 1.9835 = 157.1$$

$$V = \text{Smaller of } V_{I.B.} \text{ and } V_{O.B.} = 88.0 \text{ cfs}$$

## 2. Volume Calculations for Other Uses:

## H. RECOMMENDATIONS

## 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| IRRIGATION     | 4/1           | 10/31 | 0.37 cfs                     | 88.0 afa                 |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| <b>Totals:</b> |               |       | 0.37 cfs                     | 88.0 afa                 |

## 2. 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

PERMISSIBLE PLACE  
OF USE

## I. AUTHENTICATION

Field Examiner's Name

Date 6-24-1994

35-8915

Reviewer

Date \_\_\_\_\_

Pg 5 of <sup>SEAL</sup>14

**MICROFILMED**

1094 05 2002

163 AC  
PIVOT  
SPR.  
WHT.

owner = Jay Stalworthy  
OP = Sean & Kent Seale

PIVOT 7

Well Pump and Motor Information

6-29-98

| PUMP DATA         |        | MOTOR DATA       |           |
|-------------------|--------|------------------|-----------|
| Manufacturer      | Y-LINE | Manufacturer     | U.S. MOT. |
| Serial Number     | 0027   | Serial Number    |           |
| Model Number      |        | Rated Horsepower | 150       |
| Type              |        | Rated Amps       | 179       |
| 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 #7

Well #7

Power and Water Metering Information

| KILOWATT-HOUR METER            |              | WATER MEASUREMENT EQUIPMENT<br>and PIPE INFORMATION |                                               |
|--------------------------------|--------------|-----------------------------------------------------|-----------------------------------------------|
| Utility                        | PACIFIC COFF | Std Meter Manufacturer                              | POLYSONICS                                    |
| Pole No.                       |              | Std Meter Model No.                                 | TF-P2                                         |
| Meter Manufacturer             | LANDIS & G.  | Std Meter Type                                      | Sonic Pvg Collins Hall<br>Anub Dye/chem Other |
| Meter Serial No.               | 32418906     | Std. Meter Confidence                               | Exl Good Fair Poor<br>2% 5% 10% >10%          |
| Disc Constant(Kh)              | 3.6          | PSI gauge ID<br>location = disch head?              | Distict / Owner<br>Yes / No                   |
| Rated Voltage                  | 480          | Pipe material                                       | STEEL                                         |
| Demand                         | 3.39         | Pipe Outside Diameter                               | 10"                                           |
| Multiplier (Mult)              | 40           | Pipe Inside Diameter                                | t=0.105                                       |
| CTR (Current)<br>PTR (Voltage) | ///          | Distance of straight pipe<br>upstream and down      | Upstream /Down<br>6/3                         |

35-8915

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# Determination of Power Consumption Coefficient

## Kilowatts of Energy Consumed

$KW = 3.6 \times Kh \times \text{Multiplier} \times \text{No. of revolutions}(N) \div \text{Time}(T) \text{ in seconds per } N$

Cond.#1  $N = 6$  (No. of Disc Rev) Time (sec) =  $(24.3) + (24.4) + (24.6) / 3$

$3.6 \times 3.6(Kh) \times 40(\text{Mult}) \times 6(N) \div 24.4(T) =$

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

$3.6 \times (Kh) \times (Mult) \times (N) \div (T) =$

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

$3.6 \times (Kh) \times (Mult) \times (N) \div (T) =$

OUTER DIAMETER  
10.0000 IN

PIPE MATERIAL  
? CS,SS

WALL THICKNESS  
0.1059 IN

SPACING  
7.516 IN U

17:44+995.400E 00PM 00F  
+00000 \*10 G 00F  
-00000 \*10 G 00F

17:49+986.946E 00PM 00F  
+00493 \*10 G 00F  
-00000 \*10 G 00F

17:54+985.626E 00PM 00R  
+00985 \*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. #1 985 #2    #3   

PSI Cond. #1 80 #2    #3   

Power Consumption Coefficient (PCC) =  $KW \times 5431 \div GPM$

PCC Cond. #1 =    (KW)  $\times 5431 \div$     (gpm) =    (kWh/ac.ft)

Percent of seasonal use 100 Description   

PCC Cond. #2 =    (KW)  $\times 5431 \div$     (gpm) =    (kWh/ac.ft)

Percent of seasonal use    Description   

PCC Cond. #3 =    (KW)  $\times 5431 \div$     (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 in / Hand in / 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 6-29-98

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JUN 05 2002

Pg 7 of 14

35-8915

OWNER = JAY STOLWORTHY  
OP = STAN & KENT SEARLE

Well Pump and Motor Information

"PIVOT #8"

7-2-98

| PUMP DATA         |          | MOTOR DATA       |       |
|-------------------|----------|------------------|-------|
| Manufacturer      | JOHNSTON | Manufacturer     | WEST. |
| Serial Number     |          | Serial Number    |       |
| Model Number      |          | Rated Horsepower | 400   |
| Type              |          | Rated Amps       | 455   |
| Impeller Diameter |          | Rated Volts      | 440   |
| Rated Speed       |          | Rated Speed      | 1780  |
| Rated Discharge   |          | Phase            | 3     |
| Rated Head        |          | Service Factor   |       |

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   |  |

Power and Water Metering Information

| KILOWATT-HOUR METER            |            | WATER MEASUREMENT EQUIPMENT<br>and PIPE INFORMATION |                                               |
|--------------------------------|------------|-----------------------------------------------------|-----------------------------------------------|
| Utility                        | PACIFICORP | Std Meter Manufacturer                              | POLYSONICS                                    |
| Pole No.                       |            | Std Meter Model No.                                 | TF-PZ                                         |
| Meter Manufacturer             | L & G      | Std Meter Type                                      | Sonic Pkg Collins Hall<br>Anub Dye/chem Other |
| Meter Serial No.               | 32418879   | Std. Meter Confidence                               | Excl Good Fair Poor<br>2% 5% 10% >10%         |
| Disc Constant(Kh)              | 3.6        | PSI gauge ID<br>location = disch head?              | District / Owner<br>Yes / No                  |
| Rated Voltage                  | 480        | Pipe material                                       | STEEL                                         |
| Demand                         | 4.26       | Pipe Outside Diameter                               | 14                                            |
| Multiplier (Mult)              | 80         | Pipe Inside Diameter                                | t = .22                                       |
| CTR (Current)<br>PTR (Voltage) | 1111       | Distance of straight pipe<br>upstream and down      | Upstream / Down<br>3 / 1                      |

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JUN 05 2002

Pg 8 of 14

35-8915

103 AC  
WIPER  
PIVOT  
+  
27 AC  
+ HE  
100 AC  
HE  
230 AC  
TOT  
SPR  
WHT

Well #8

Well #8

well #8

# Determination of Power Consumption Coefficient

## Kilowatts of Energy Consumed

KW =  $3.6 \times Kh \times \text{Multiplier} \times \text{No. of revolutions}(N) \div \text{Time}(T) \text{ in seconds per N}$

Cond.#1 N = 10 (No. of Disc Rev) Time (sec) = 30.8 + 30.6 + ( ) / 3 =

$3.6 \times \underline{3.6} (Kh) \times \underline{80} (\text{Mult}) \times \underline{10} (N) \div \underline{30.7} (T) =$

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

$3.6 \times \underline{\quad\quad\quad} (Kh) \times \underline{\quad\quad\quad} (\text{Mult}) \times \underline{\quad\quad\quad} (N) \div \underline{\quad\quad\quad} (T) =$

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

$3.6 \times \underline{\quad\quad\quad} (Kh) \times \underline{\quad\quad\quad} (\text{Mult}) \times \underline{\quad\quad\quad} (N) \div \underline{\quad\quad\quad} (T) =$

OUTER DIAMETER  
14.0000 IN

PIPE MATERIAL  
? CS, SS

WALL THICKNESS  
0.2200 IN

SPACING  
11.142 IN U

11:56+ 2.276E 3GPM 00R  
+01649 \*10 G 00R  
-00000 \*10 G 00R

12:01+ 2.266E 3GPM 00R  
+01123 \*10 G 00R  
-00000 \*10 G 00R

12:06+ 2.269E 3GPM 00R  
+02247 \*10 G 00R  
-00000 \*10 G 00R

**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 2247 #2      #3     

PSI Cond. #1 105 #2      #3     

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

PCC Cond. #1 =      (KW) x 5431 +      (gpm) =      (kWh/ac.ft)

Percent of seasonal use      Description     

PCC Cond. #2 =      (KW) x 5431 +      (gpm) =      (kWh/ac.ft)

Percent of seasonal use      Description     

PCC Cond. #3 =      (KW) x 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 In / Hand In / 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

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Pg 9 of 14

35-8915

Pivot  
+  
4 1/2  
H2O

well #8

well #8

gets stuck

35-7000A  
35-7368A

JAY NORTH 9-21-1989

BALLS METER FLOW CALCULATIONS

$$Q \text{ cfs} = \frac{11 (id)^2 (Vh)}{448.8}$$

$$= 0.78539 (id)^2 Vh / 448.8$$

Manometer Reading = 28.8 - 7.8 = 21

Vh = 22.4 id = 13.5625

$$Q \text{ cfs} = 0.78539 (13.5625)^2 (22.4) / 448.8$$

$$Q = \underline{7.21} \text{ cfs}$$

MANOMETER READING INCHES OF WATER TO COR/BALLS METER - 7

|    | .0    | .1    | .2    | .3    | .4    | .5    | .6    | .7    | .8    | .9    |
|----|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 0  | 0.000 | 0.001 | 0.002 | 0.003 | 0.004 | 0.005 | 0.006 | 0.007 | 0.008 | 0.009 |
| 10 | 0.010 | 0.011 | 0.012 | 0.013 | 0.014 | 0.015 | 0.016 | 0.017 | 0.018 | 0.019 |
| 20 | 0.020 | 0.021 | 0.022 | 0.023 | 0.024 | 0.025 | 0.026 | 0.027 | 0.028 | 0.029 |
| 30 | 0.030 | 0.031 | 0.032 | 0.033 | 0.034 | 0.035 | 0.036 | 0.037 | 0.038 | 0.039 |
| 40 | 0.040 | 0.041 | 0.042 | 0.043 | 0.044 | 0.045 | 0.046 | 0.047 | 0.048 | 0.049 |
| 50 | 0.050 | 0.051 | 0.052 | 0.053 | 0.054 | 0.055 | 0.056 | 0.057 | 0.058 | 0.059 |
| 60 | 0.060 | 0.061 | 0.062 | 0.063 | 0.064 | 0.065 | 0.066 | 0.067 | 0.068 | 0.069 |
| 70 | 0.070 | 0.071 | 0.072 | 0.073 | 0.074 | 0.075 | 0.076 | 0.077 | 0.078 | 0.079 |
| 80 | 0.080 | 0.081 | 0.082 | 0.083 | 0.084 | 0.085 | 0.086 | 0.087 | 0.088 | 0.089 |
| 90 | 0.090 | 0.091 | 0.092 | 0.093 | 0.094 | 0.095 | 0.096 | 0.097 | 0.098 | 0.099 |

35-7368A @ 4.65 cfs / 1160 ac  
= 0.004 cfs/ac

35-7000A @ 18.55 cfs / 1160 ac  
= 0.016 cfs/ac

Acres under this portion of permit  
= 298 ac

298 ac @ 0.02 cfs/ac = 5.96 cfs

0.004 cfs/ac (298 ac) = 1.19 cfs

0.016 cfs/ac (298 ac) = 4.77 cfs

5.96 cfs < 7.21 cfs  
ac @ 0.02 cfs/ac capacity

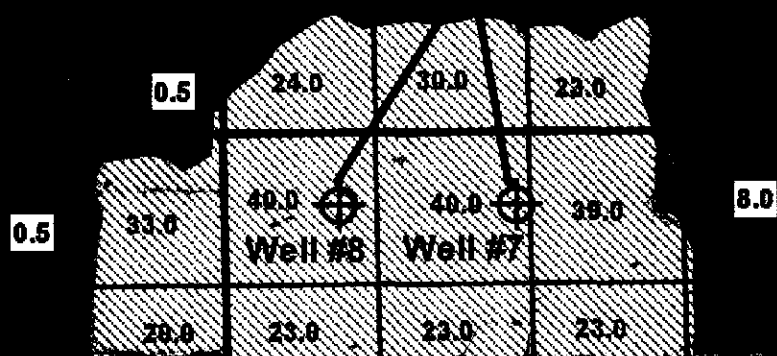
∴ Recommend @ 0.02 cfs/ac  
= 5.96 cfs (1.19 cfs + 4.77 cfs)

MEASUREMENT: 9-21-1989  
JAY NORTH (well/SYSTEM # 8)  
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JUN 8 5 2002

35-8915

# Points of Diversion



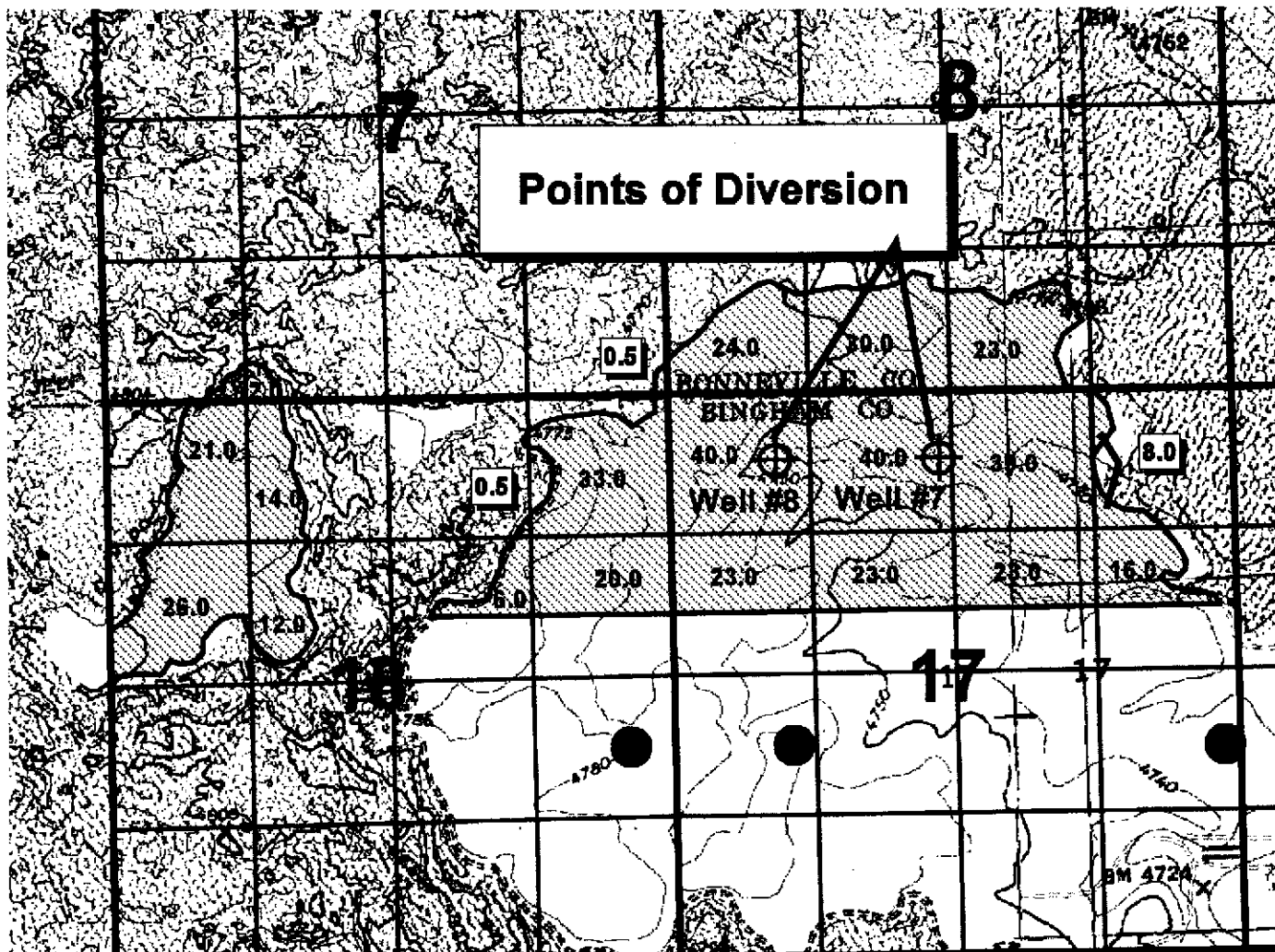
**T R36E**  
**1**  
**N**

**Permissable Place of Use**  
**35-8911, 35-8913, 35-8914,**  
**35-8915, Part 35-8924(B)**  
**Plus Lic 35-7000A/7368A**

Pg 11 of 14

**35-08915**

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JUN 05 2002



**T**  
**1**  
**N**

**R36E**

**Permissible Place of Use**  
**35-8911, 35-8913, 35-8914,**  
**35-8915, Part 35-8924(B)**  
**Plus Lic 35-7000A/7368A**

**Pg** 12 **of** 14

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APR 05 2002

**35-08915**



Pg 13 of 14

35-8915

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JUN 05 2002

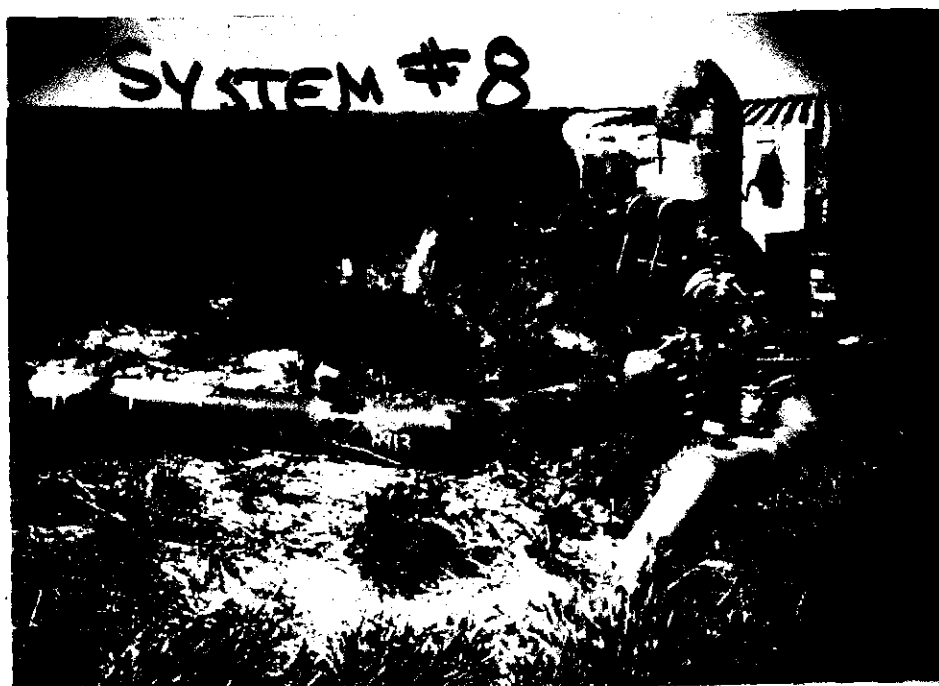


Photo 8-25-1998

35-8915

Pg 14 of 14

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JUN 05 2002

IVINE

T25720  
465

11.9

ALL N/4 EL

18.7

T25720  
465

3.0

#8

18

7

4  
36.0

5  
95.2

146.4

1401  
49

T-N

R36E

18

5

4

17

3

136.4

11.9

9.8

17

140  
10.9

17

13 18  
24 19

20

ATTACHMENT "A"  
FSA Aerial Info ONLY

35-8915

R36E

50

T-25720

465

#8

8

5  
95.2

7

17

3

6  
-W01  
A9

R36E

T-N

16

90  
11.9  
176  
140  
10.9  
17  
16  
20  
21  
16  
15  
21  
22  
27.2

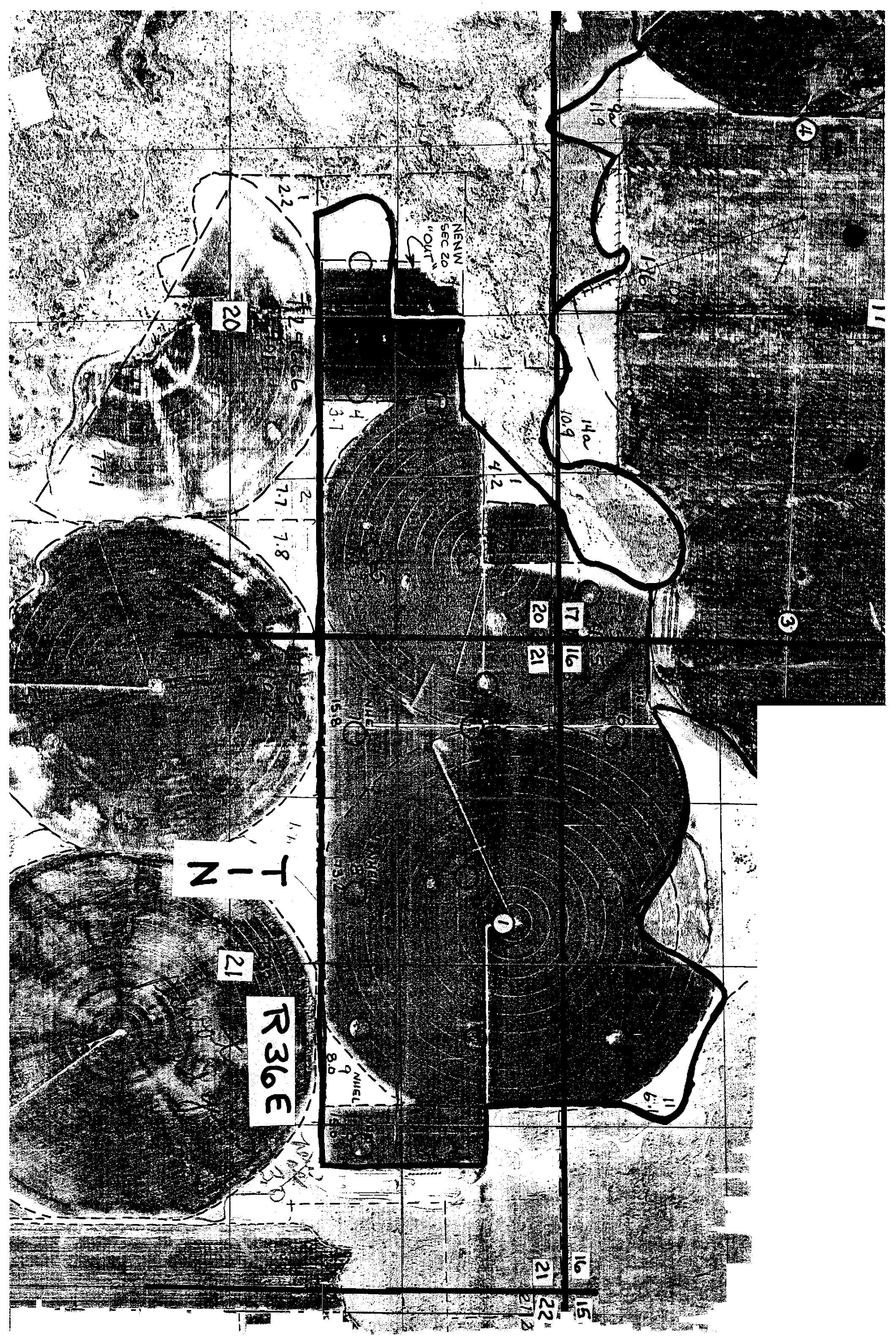
11  
6.1

ATTACHMENT "B"  
FSA Aerial INFO ONLY

35-8915

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JUN 5 2002



ATTACHMENT "C"  
PSA Aerial InFu Only

35-8915

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SEP 5 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

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JUN 05 2002

Attachment "D"

35-8915

September 3, 1993

JAY L. STOLWORTHY  
820 S. PARK  
SHELLEY ID 83274

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08915

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.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

RECEIVED

OCT 19 1993

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 35-08915 Reviewed by Klg Date 6/7/93

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

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

**SOURCE OF WATER**

       Surface water source  
✓ Ground water source  
yes Drilling permit required?  
datac Copy in the file? Drilling Permit No. 35-92-E-002-000  
200 Amount paid for permit yes Correct?  
datac Well log in the file?

**LICENSE EXAMINATION FEE**

**MEASURING DEVICE**

yes Required?  
100 Amount Submitted  
yes Correct?  
yes Required?  
yes Installed?  
NO 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*

*needs a flow*

**DATA ENTRY**

New Address        Proof Made 6/7/93 9/3/93  
Klg

PERMIT  
NUMBER

OWNER  
CODE

NAME & ADDRESS

TWP RGE SEC TRACT LOT

COUNTY

35-92-E-0122-000

O

JAY STOLWORTHY

01N 36E 21

NW SW

BINGHAM

820 S PARK  
SHELLEY, ID 83274  
(208) 357-3808

Subdivision Location and Description:

Subdivision Name:

Well Site Address:

City, State:

Lot(s):  
Block(s):

Geographic Location:  
Accuracy Code:  
Lat: : N  
Long: : W

Proposed Use of Well: Irrigation

Proposed Casing Diameter: 20 In.

Proposed Depth: 350 Ft.

Well Use Comments:

Driller License No: 0383

Firm Name: VOLLMER WELL DRILLING  
Official: KENNETH L VOLLMER

Permit Status: Permit

Verbal Issue Date:

Date Received: 12/09/1992

Date Approved: 12/09/1992

Proposed Start Date: 10/00/1992

Extension Date:

Extension Expiration:

Receipt No. Receipt Date  
E018153 12/09/1992

Fee  
\$ 250.00

Specific Conditions:

Permit Remarks:

WELL DRILLER'S LOG REPORT

Drilling Permit No: 35-92-E-0122-000

Water Right No: 35-07000C

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: ROTARY & AIR

Number of Monitor Wells:

Casing Diameter: 16 In.

Depth of Casing: 275 Ft.

Total Depth: 350 Ft.

Screen Installed? No

Static Water Level: 227 Ft.

Temperature: F.

Production Rate: GPM

Actual Start Date: 10/12/1992

Well Finish Date: 10/17/1992

Log Received Date: 10/22/1992

Certification Date: 10/20/1992

Inspector:

Well Log Remarks: PERMIT STATES: SECTION 16

LOG STATES: SECTION 21

WATER RIGHT # 35-07368 ALSO SHOWN



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

July 8, 1993

Jay Stolworthy  
820 S Park  
Shelley, ID 83274

Re: Permit No. 35-08914 and 35-08915

Dear Permit Holder:

On June 7, 1993, the Department informed you of the need to supply drilling permit and/or well log information associated with the above referenced water rights. The Department also asked that you supply the information within 30 days. As of this date, the Department has not received the previously requested information.

The Department will allow an additional 15 days in which to submit the information. If the Department has not received the information at the end of that time, the Department will return the proofs of beneficial because the lack of this information will make them unacceptable. The Department will then prepare your water permit files for film and destroy.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

**MICROFILMED**

OCT 19 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

June 7, 1993

Jay L. Stolworthy  
820 S Park  
Shelley, ID 83274

Re: Permit No. 35-08914 and 35-08915

Dear Permit Holder:

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a drilling permit which should have been applied for before the opening of your well began. We have also been unable to locate a well log which should have been submitted by your well driller 30 days after completion of the construction of your well. On permit no. 35-08914 you indicate the well was drilled in 1990, but did not indicate who drilled the well. On permit no. 35-08915, you do not indicate when or who drilled the well.

If you have a drilling permit or a copy of the well log, please provide this office with a copy of each. If you do not have a copy of the well log, please contact your driller and ask that he submit a copy. In your return letter, please be sure to show the above referenced permit number on any documents. Also, please address any correspondence directly to me. Your response, with both forms attached, should be received within 30 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of your system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

  
Karen L. Gustafson  
Secretary/Records Manager

  
OCT 19 1993

April 30, 1993

JAY L. STOLWORTHY  
820 S. PARK  
SHELLEY ID 83274

PROOF DUE NOTICE

RE: PERMIT NO. 35-08915

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 July 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.

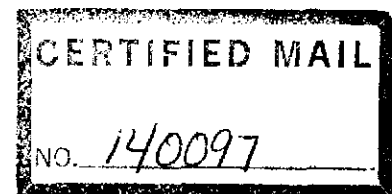
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



**MAILED**  
OCT 19 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

July 2, 1991

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08915

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.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

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

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JUL 10 1991

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

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED  
JUL 10 1991

# APPLICATION FOR PERMIT REVIEW

Application #: 35-8915  
Date: 6-21-91

Reviewer: Pam Skaggs *CS*

- ✓ Existing:
  - ✓ No - 26A-P17
  - Complete in 1 year - P16
  - Yes
    - Proof not submitted - P16
    - Proof submitted - N/A
- ✓ Groundwater:
  - ✓ GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)
  - LT. 0.2 cfs - N/A
- ✓ Drilling Permit:
  - Approved w/permit - P99
  - ✓ Not included - 046-P23(All GW, even existing wells)
- ✓ Location:
  - ✓ Water Districts
    - Surface water - WD No. 01  
005, 005-01H-P01(LT.2 w/pump)  
005-01J-P08(GT.2)
    - ✓ Groundwater - P05
  - Irrigation Districts - 023
  - Canal Co. Areas - 023
  - Drainage Districts - 024
  - Boise Front (63) - 058 (Groundwater)
  - ✓ Swan Falls Flag - 1, Blank or Other
  - ✓ Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr  
Non Trust - 048-049 or Irr & Dom)
- River Basins:
  - (Surface Water) Water District Control Condition &....
  - Boise (63) - 05A & 11E
  - Payette (65) - 047-P04, 059-P71
  - Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
- Use:
  - Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),  
042(req.), 002-P06(MD), 07A(Spec.),  
044(Policy 5G)
  - Power - Use Power Review
  - Mining - 06A or 010, 09E-P10 & 054(req.)
  - Storage - 18A-for multiple measuring devices(In WD),  
18B-P09(Size)
  - Rec. & Aesthetic - 027(Non-Consumptive)
  - Domestic - 021(restricted areas)
- Ownership:
  - Non land owner - 004
- Protested:
  - Agreement - 020
- ✓ Beneficial Use Due Date: - 07-01-1993
- Other Conditions Recommended \_\_\_\_\_

**RECEIVED**

**JUL 10 1991**

S T A T E   O F   I D A H O  
D E P A R T M E N T   O F   W A T E R   R E S O U R C E S  
State Office  
1301 North Orchard St.

---

Statehouse Mail  
Boise, Idaho 83720  
(208) 327-7900

MAY 3, 1991

Post Register  
P.O. Box 1800  
Idaho Falls, ID 83401

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 3, 1991.

Yours truly,

BRENDA L. MILLER  
Clerical Specialist

Encl.

**MICROFILMED**

**JUL 10 1991**

\_\_\_\_\_

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

Source: GROUNDWATER

Diversion Pt:                    NESE            Sec 17 T 01N R 36E

Use: IRRIGATION ( .440 CFS)  
Total Diversion: ( .440 CFS)

Date Filed: 9/26/ 1990

|     |               |      |      |      |
|-----|---------------|------|------|------|
| In: | T01N R36E S16 | NWSW | SWSW |      |
|     | S17           | NENE | SENE | SESE |

22.0 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, Statehouse Mail, Boise, Idaho 83720 on or before JUNE 3, 1991.

Published 5/15/1991 & 5/22/1991 R. Keith Higginson, Director

RECEIVED  
JUL 10 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO.s 35-8911 thru 35-8915, & 35-8924  
Trust Water Processing

DATE: 4-24-91

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The above applications have come up for sequential trust water processing. The applicant returned trust water questionnaires and states that the irrigation represented by these filings was completed after October of 1984.

All of these filings represent irrigation expansion of some existing irrigation development. Since the expansion occurred after 1984, all acreage will count as trust acreage.

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**JUL 10 1991**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 35-8915

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes X No       

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes        No X

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. 22

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete.       

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Jay Z Stehly

Date April 17, 1991

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JUL 10 1991



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

April 10, 1991

RE: APPLICATION FOR PERMIT NO. \_\_\_\_\_

Dear APPLICANT:

Due to the Swan Falls litigation and subsequent backlog of pending applications, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the

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JUL 10 1991

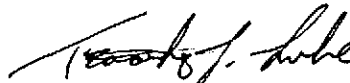
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources  
Statehouse Mail  
Boise, Idaho 83720-9000  
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE  
Sr. Water Resource Spec.

Enclosures

**MICROFILMED**

**JUL 10 1991**

Trustwater  
Hold

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

INITIAL REVIEW BY James Dean DATE 6 Nov 1990 APPLICATION NO. 35-08915  
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\*  
☐ 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 MAR 13 1991

Department of Water Resources

\* Proposed transfer is adding this Fee

RECEIVED

|                              |                                       |                           |
|------------------------------|---------------------------------------|---------------------------|
| <b><u>SEND COPIES TO</u></b> | _____ 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 _____         |

☐ 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 _____                                     |
| 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.            |

See below for additional information

Date of priority recommended \_\_\_\_\_  
By \_\_\_\_\_ Date \_\_\_\_\_

See below for additional information

By \_\_\_\_\_ Date \_\_\_\_\_

### ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

|                    |                               |                           |
|--------------------|-------------------------------|---------------------------|
| _____ City         | _____ Idaho Fish & Game       | _____ Irrigation District |
| _____ County       | _____ Idaho Health & Welfare  | _____ Canal Company       |
| _____ Reservations | _____ Division of Environment | _____ Other _____         |

Project impacts/implications report

COMMENTS

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