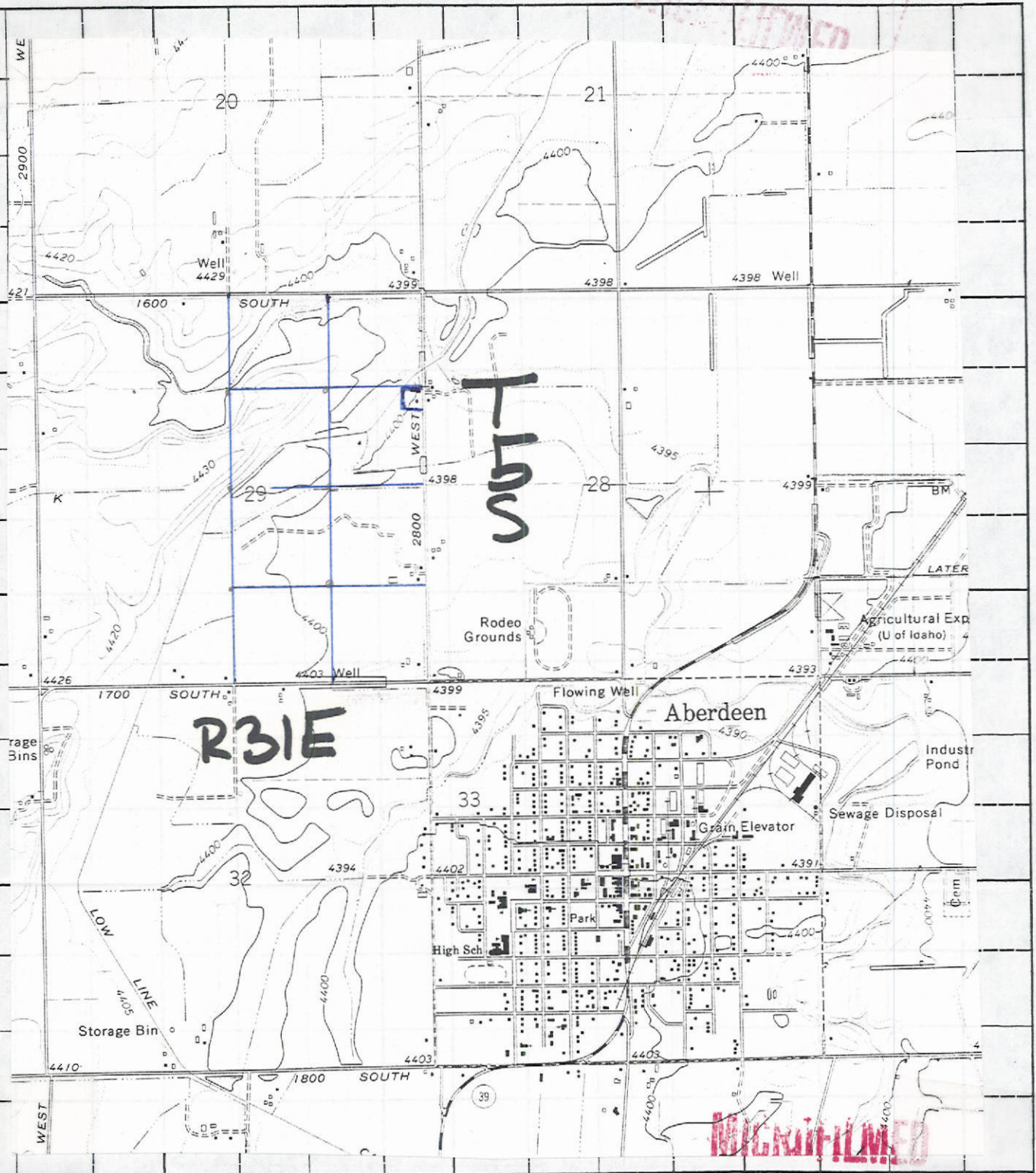


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

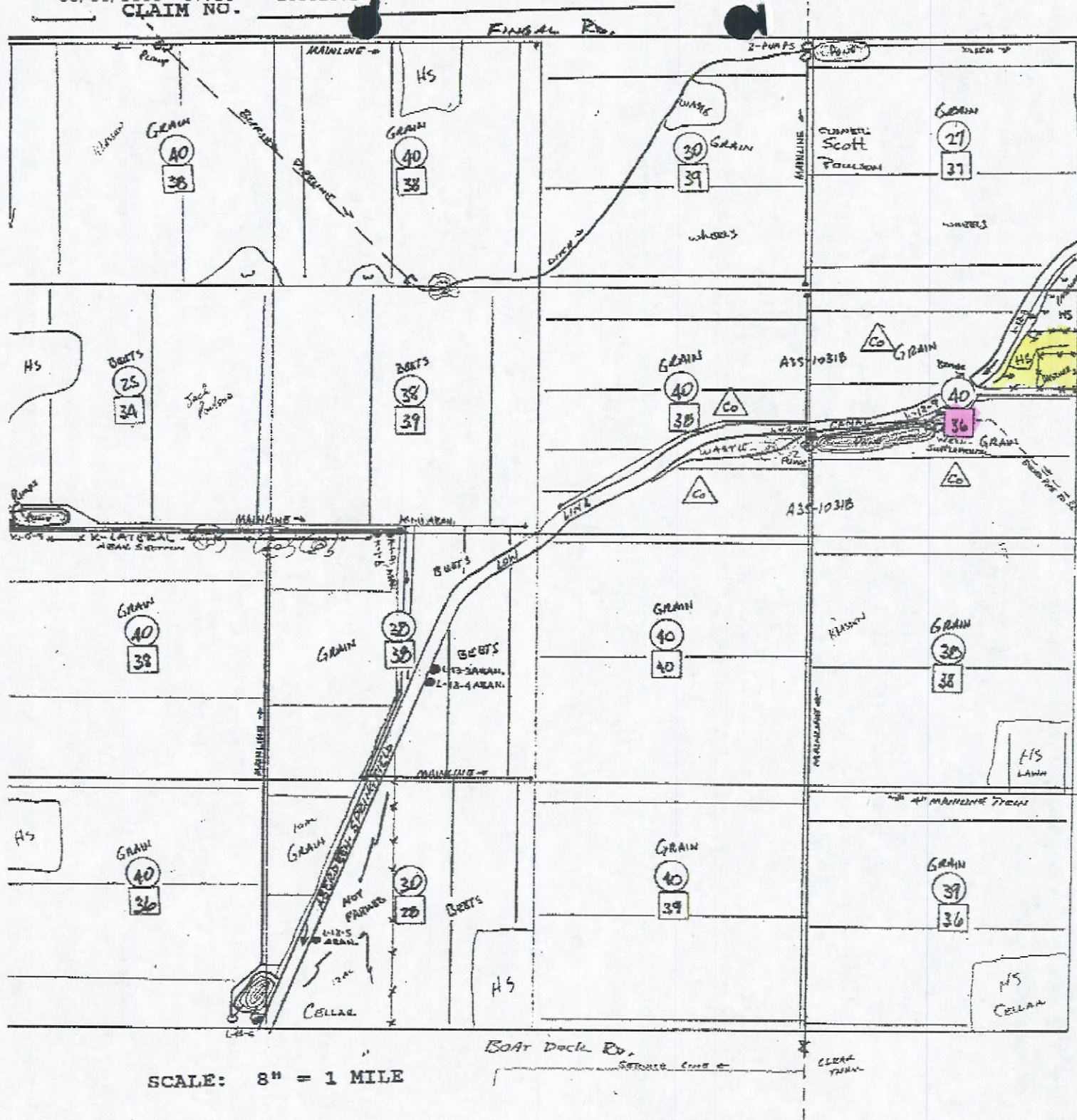


Scale: 2 inches equal 1 mile.

OCT 26 1989

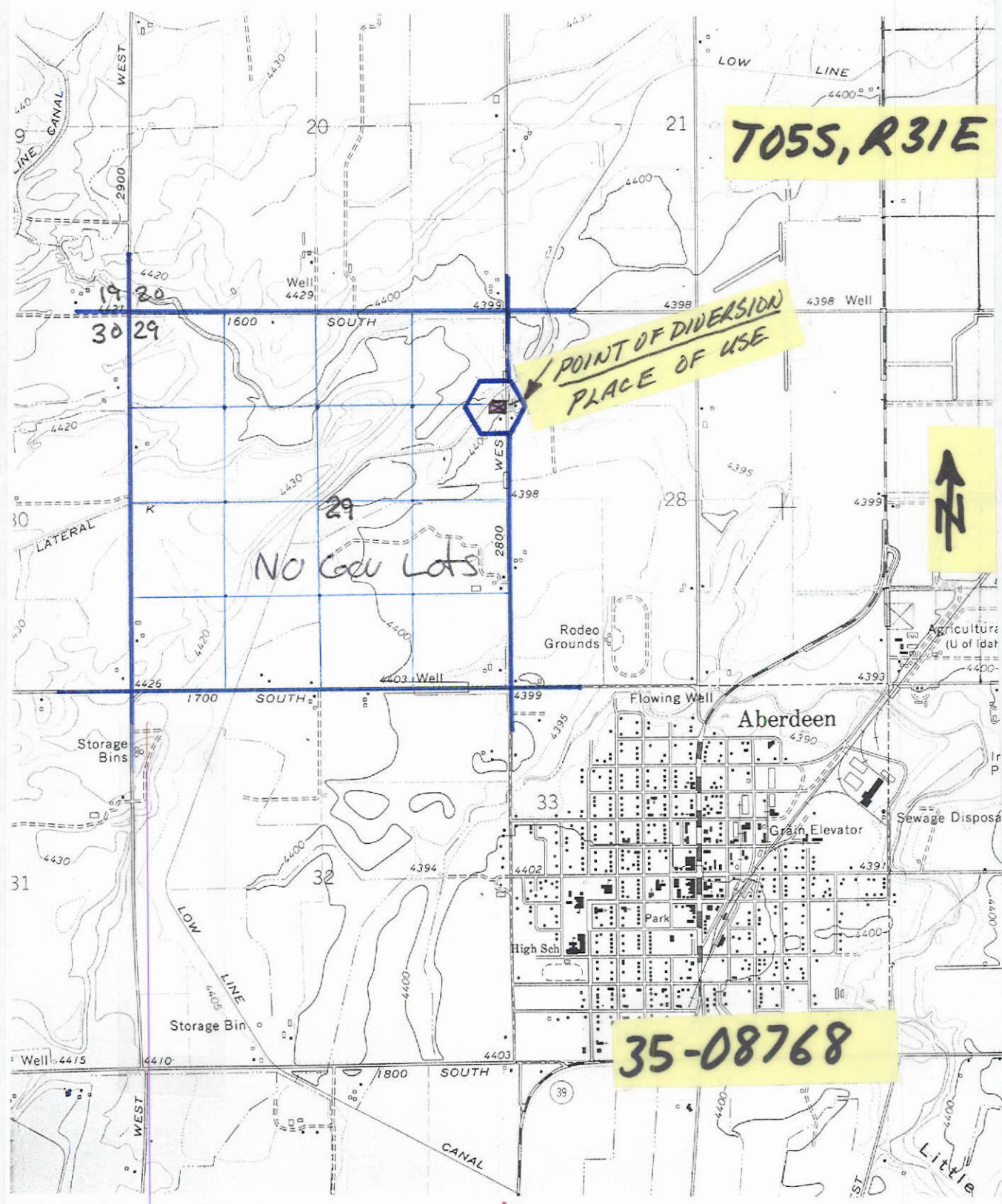
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Kenneth Westfall
(Applicant)

T. 5S R. 31E SEC. 29DATE 8/1/93 AGENT ABROQ MAP REF. AA-36NAPP REF. AA-36 NW

MICROFILMED

MAR 26 1998



T055, R31E

POINT OF DIVERSION
PLACE OF USE



35-08768

MICROFILMED
MAR 26 1998

HEL

2

80.8

+24520
3624

HEL

33.8

Ralph Khauser
Power Co.

3

33.7

CTR
529

HEL

3
27.6

Fingal Rd

T055, R31E

POINT OF DIVERSION

blue in abrigated

PLACE OF USE



2800W

35-08768

West Boat Dock

MICROFILMED
MAR 26 1998

KENNETH WESTFALL

DOM. / STOCK / IRRIGATION

1 of 2



VIEW OF
PLACE OF
USE

IRRIGATION
STOCK

DOMESTIC

VIEW WEST



VIEW
NORTHWEST

PLACE OF
USE

MICROFILMED
MAR 26 1998

PERMIT
NUMBER

35-08768

KENNETH WESTFALL

DON. / STOCK / IRRIGATION

2 of 2

VIEW OF
PLACE OF
USE
VIEW SOUTH



POINT OF
DIVERSION

MICROFILMED
MAR 26 1998

PERMIT
NKMBE4

35-08768

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08768

Priority: June 1, 1989

Maximum Diversion Rate:

0.09 CFS

This is to certify, that KENNETH WESTFALL

1628 S 2800 W

ABERDEEN ID 83210

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 1, 1989; and has submitted Proof of Beneficial Use on November 1, 1989. An examination indicates that the works have a diversion capacity of 0.170 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.06 CFS	
STOCKWATER	01/01 to 12/31	0.01 CFS	
DOMESTIC	01/01 to 12/31	0.02 CFS	
	Totals	0.09 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 29, Township 05S, Range 31E
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>
05S	31E	29	SENE	2		2

Total number of acres irrigated: 2

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 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.
5. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

MICROFILMED
MAR 26 1998

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 35-08768

CONDITIONS OF APPROVAL AND REMARKS

6. 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.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
9. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual diversion volume of 8.0 af at the field headgate for irrigation of the lands above.
10. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
11. Use of water under this right for stockwater purposes shall not exceed a total annual diversion volume of 0.1 af and for domestic purposes shall not exceed a total annual diversion volume of 0.6 af.
12. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 16TH
day of MARCH, 1992.


Acting for KARL J. DREHER, Director

MICROFILMED

MAR 26 1998

Enclosed \$50.00 Check.

Form 217
03/86

Well drilled
Oct 31, 1973 by Paul Vollmer & Sons
Well Drilling - Aberdeen

For Office Use Only

Fee Received \$50.00

Date 11/1/89

Receipt # 2012627

Receipt by [Signature] 11/24/89

Reviewed by C.W.

Sent to region _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08768

Name(s) of Permit Holder: Kenneth Westfall

Post Office Address: 1628 South 2800 West

Aberdeen, ID 83210 Telephone No. 208 397 4079

Source of Water: Underground T 55 R 31 E Sec 29

Extent of Use:

Domestic 2 (number of households) Stockwater 2 Horses (number and type of stock)

Irrigation 2 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.12 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1975

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ _____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Kenneth Westfall 397 4079
(Name) (Telephone Number)

1628 S 2800 W Aberdeen, ID 83210
(Address)

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.

MICROFILMED

DEC 13 1989

10/25/89
Date

Kenneth Westfall
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08768

Proposed Priority: June 1, 1989

Maximum Diversion Rate:

0.12 CFS

This is to certify, that **KENNETH WESTFALL**
1628 S. 2800 W.
ABERDEEN, ID 83210

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	0.06 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESENE

Sec. 29, Township 05S, Range 31E
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>
05S	31E	29	SENE	2		2

Total number of acres irrigated: 2

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990**.
2. Subject to all prior water rights.
3. 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.
4. 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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
7. Domestic use is for 1 home.

MICROFILMED

OCT 26 1989

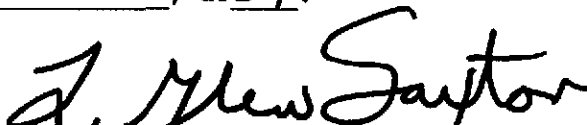
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08768

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

19th day of October, 1989.


R. Keith Higginson, Director

MICROFILMED

OCT 26 1989

\$30-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant KENNETH WESTFALL Phone 327-4079
Post office address 1628 S. 2800 W., ABERDEEN, ID. 83210
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of ~~NE~~ SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 29 Township 5S Range 3E B.M. BUSHAM County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs ~~or acre-feet per annum~~)

Amount 0.02 for STOCK purposes from 1/1 to 12/31 (both dates inclusive)
(cfs ~~or acre-feet per annum~~)

Amount *0.06* 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)

5. Total quantity to be appropriated is (a) 0.12 * and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 162' X 8" WELL W/ SUBMERSIBLE PUMP INTO 2" PIPELINE TO HOME/HYDRANTS.

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~~ EXISTING well diameter is 8 inches; ~~proposed~~ EXISTING depth of well is 162 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
1 years (minimum 1 year).

* As per telephone conversation with Mr Westfall, 12 July 1989, 1:15 pm. AMB

OCT 26 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 2 Horses
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. ONE
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	3E	29				2													2
						DK													

Total number of acres to be irrigated 2

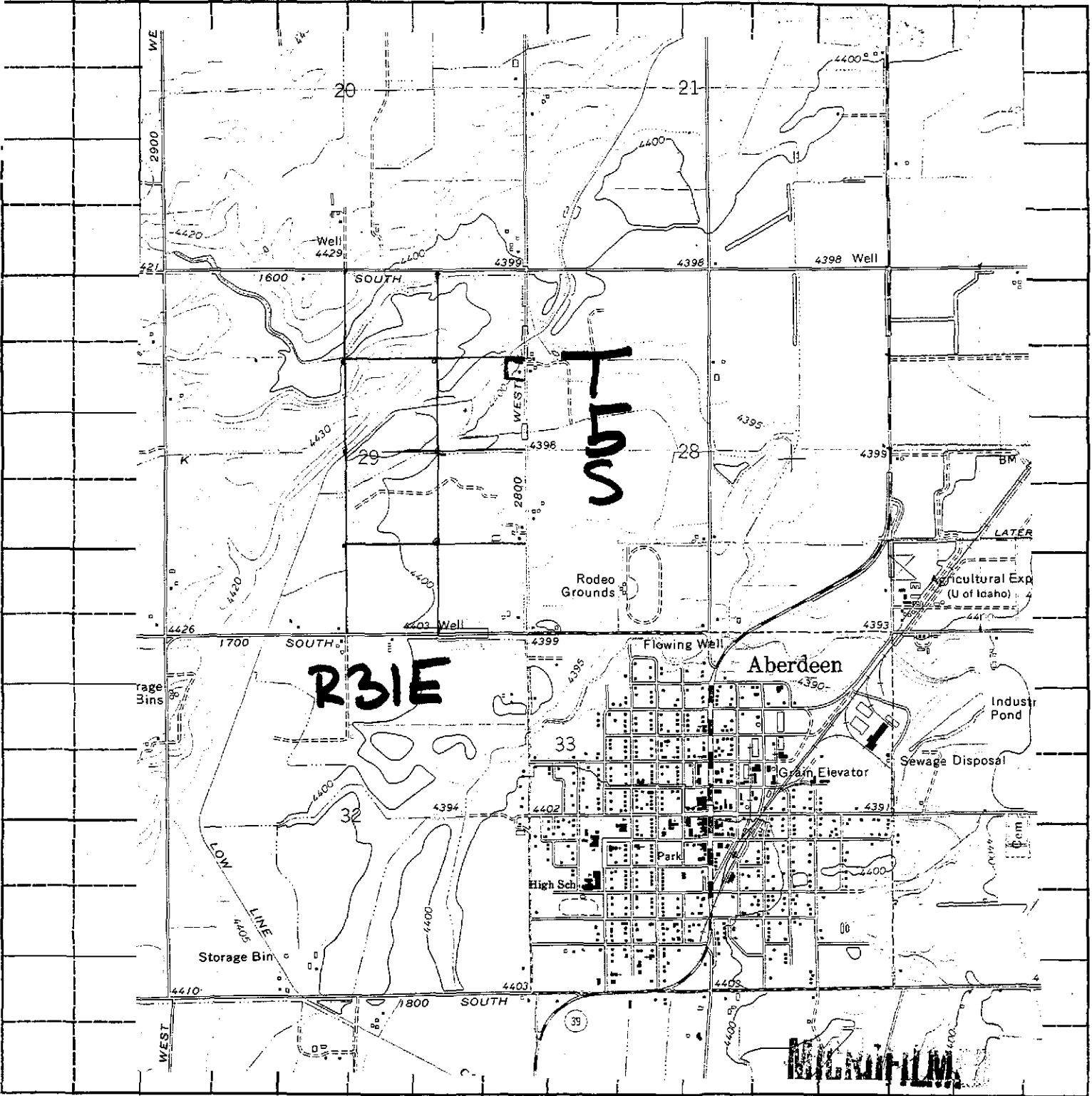
10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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OCT 26 1989

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.

OCT 26 1989

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.

Kenneth Westfall
(Applicant)

Received by OW Date 6-01-89 Time 12:30 Preliminary check by [initials]
Fee \$ 30.00 Received by HWS # E008579 Date 6-1-89
Publication prepared by RB Date _____ Published in Morning News 7-20th 89
Publication approved OW Date 8-24-89 8-31-89

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:

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OCT 26 1989

RECEIVED

AUG 22 1989

Department of Water Resources
Eastern District Office

35-08766
POULSON, DUANE L.
2750 W. 1810 S.
Aberdeen, ID 83210
Source: GROUNDWATER
Diversion Pt: SENE
Sec 23 T 06S R 30E
Use: COMMERCIAL, (.020 CFS);
DOMESTIC, (.020 CFS);
Date Filed: 6/01/1989
In: T06S R30E S23 SENE

35-08767
POULSON, DUANE L.
2750 W. 1810 S.
Aberdeen, ID 83210
Source: GROUNDWATER
Diversion Pt: SWSE
Sec 23 T 06S R 30E
Use: COMMERCIAL, (.020 CFS);
Date Filed: 6/01/1989
In: T06S R30E S23 SWSE

35-08768
WESTFALL, KENNETH
1628 S. 2800 W.
Aberdeen, ID 83210
Source: GROUNDWATER
Diversion Pt: NESENE
Sec 29 T 05S R 31E
Use: IRRIGATION, (.060 CFS);
STOCKWATER, (.020 CFS);
DOMESTIC, (.040 CFS);
Date Filed: 6/01/1989
In: T05S R31E S29 SENE
2.0 ACRES TOTAL

35-08769
BOLLINGER, DEAN H.
BOLLINGER, SUZANNE
6555 S. Old Hwy. 91

McCammon, ID 83250
Source: GROUNDWATER
Diversion Pt: SWSWSE
Sec 21 T 02S R 34E
Use: COMMERCIAL, (.040 CFS);
DOMESTIC, (.080 CFS);
Date Filed: 5/31/1989
In: T02S R34E S21 SWSE

35-08770
GORDER, EDWARD
GORDER, ELLA
57 S. 1190 W.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: SESW
Sec 33 T 02S R 34E
Use: COMMERCIAL, (.020 CFS);
DOMESTIC, (.040 CFS);
Date Filed: 5/31/1989
In: T02S R34E S33 SESW

35-08771
POULSON, KIP D.
Aberdeen, ID 83210
Source: GROUNDWATER
Diversion Pt: NENENE
Sec 5 T 06S R 31E
Use: DOMESTIC, (.040 CFS);
Date Filed: 6/01/1989
In: T06S R31E S05 NENE

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)
I, Michael Bell) do

solemnly

swear that I am the Publisher 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 af-
fidavit 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

3rd day of August, 19 89;

and the last publication having been made on the
10th day of August, 19 89;
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 21st day of August, in
the year 1989 before me a Notary Public of said State,
personally appeared

Michael Bell
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 ex-
ecuted the same.

David E. Peterson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee..... \$5.00

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OCT 26 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH WESTFALL
1628 S 2800 W
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-08768

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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MAR 26 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

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MAR 26 1998

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

3 MAR 26 1998

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 35-08768

KENNETH WESTFALL
1628 S 2800 W
ABERDEEN ID 83210

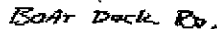

Kari Lynn Townsend
Secretary

MICROFILMED

MAR 26 1998

CLAIM NO.

Final Exam



SCALE: 8" = 1 MILE

DATE 8/10/93 AGENT SPR

NAPP REF. AA-36 NW

MAR 26 1998

MEMORANDUM

TO: File 35-08768

FROM: Sharla

DATE: March 4, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 35-08768 are as follows:

H. RECOMMENDATIONS

Irrigation	4/1 - 10/31	0.06 cfs	8.0 afa
Stockwater	1/1 - 12/31	0.01 cfs	0.1 afa
Domestic	1/1 - 12/31	0.02 cfs	0.6 afa
TOTALS		0.09 cfs	8.7 afa

The domestic use is in-house only; the rate has been adjusted accordingly along with the total diversion rate.

Examiner: Don Simpkins
Exam Date: June 20, 1996

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MAR 26 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08768

DATE 3/3/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u> Amendment required <u>NO</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate	<u>.12</u> cfs
Fee limit	<u>.20</u> cfs <u>\$50.00</u>
Measured	<u>.17</u> cfs <u>rainbird calc's max.</u>
Theoretical	<u>.15</u> cfs

Recommended Total Div Rate .09 cfs

ANNUAL VOLUME/
NATURE OF USES —

<u>✓</u>	Use	cfs	Volume Calc	
	<u>Irr.</u>	<u>.06</u>	<u>2 x 4.0 = 8.0</u>	af
	<u>Stock.</u>	<u>.01</u>	<u>.1</u>	af
	<u>Dom.</u>	<u>.02</u>	<u>.6</u>	af
				af
	SUBTOTAL	<u>.09</u>	<u>8.7</u>	af

Flow rate .04 cfs X — days X 1.98 = — af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WBS(1)

CONDITIONS — Watermaster Control WD# —

GW Measurement/Measuring Device

RTS Overlap

— Use-specific conditions

048,049

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo dom rate

1st Amend Letter N/A

2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 30 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08768

1. Owner: KENNETH WESTFALL Phone No. (208) 397-4079

Current Address: 1628 S 2800 W, ABERDEEN, ID 83210

2. Accompanied by: OWNER EXAM DATE: 6/20/96

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: YES - ABERDEEN SPRINGFIELD CANAL

2. Other water rights with the same point of diversion: NONE

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
		NE	SE	NE	29	05S	31E	BIDHAM	U.S.G.S. TOPO MAP/NAPP PHOTOS

2. Place(s) of Use:

Indicate Method of Determination ON SITE INSPECTION

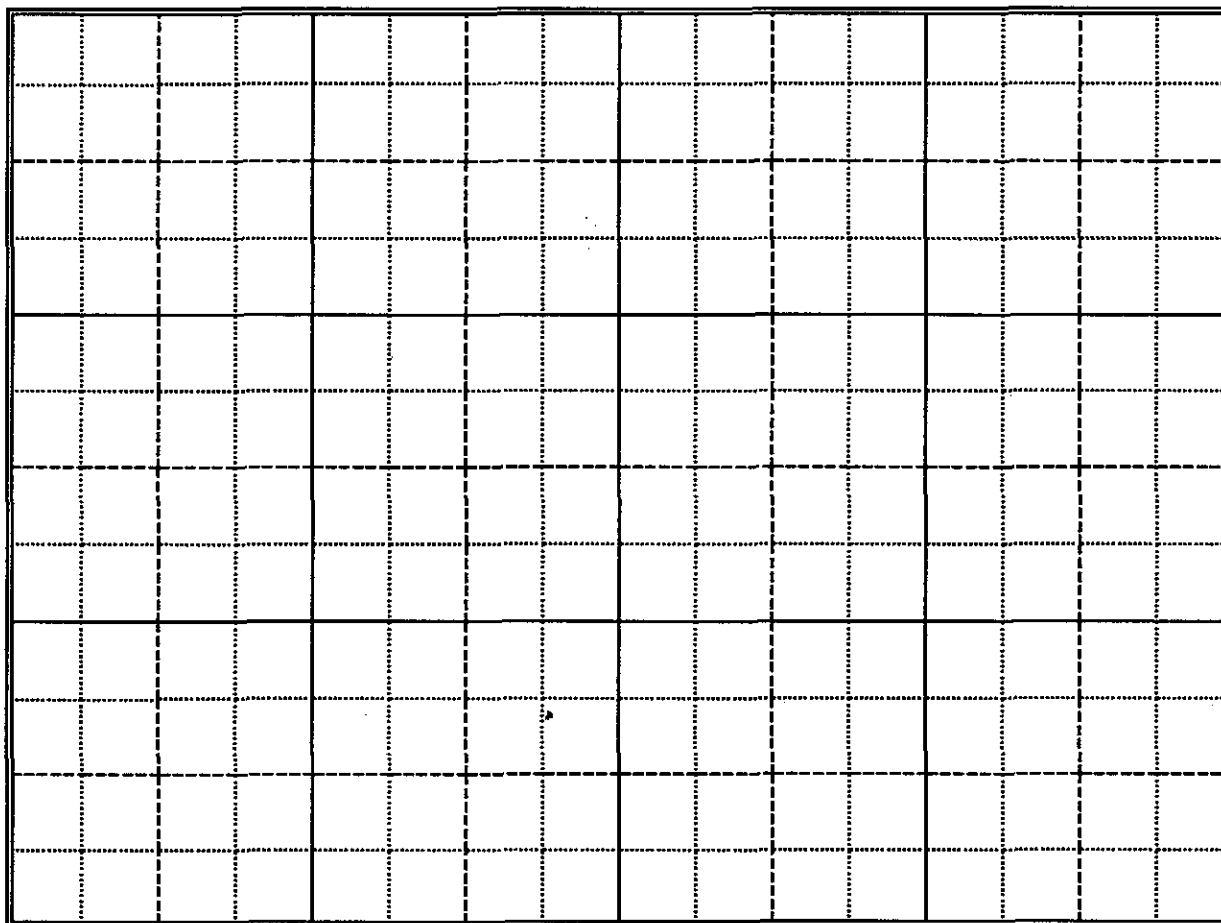
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	31E	29				2													2
"	"	"				5/8													5/8

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TOTAL 2 ACRES

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *BURIED SYSTEM - SEE ATTACHMENTS*



Scale: 1" = _____

____ 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.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
<i>SUBMERSIBLE</i>	<i>FRANKLIN</i>	<i>3</i>			<i>2"</i>

*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
<i>PRESSURE GAUGE</i>	<i>ASHCROFT</i>				<i>D-160</i>	<i>40 PSI</i>

2. Measurements: *SEE ATTACHMENTS*

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E. NARRATIVE/REMARKS/COMMENTS

THIS SYSTEM UTILIZES A 3 HP SUBMERSIBLE PUMP TO LIFT WATER TO A MANIFOLD WHICH DISTRIBUTES WATER TO A BURIED IRRIGATION SYSTEM, HAND SPIGOTS AND TO DOMESTIC PRESSURE TANKS.

TOTAL ACREAGE IS $3\frac{1}{2}$ ACRES OF WHICH 2 ACRES ARE COVERED BY SPRINKLER SYSTEM.

THERE ARE 22 MAIN BIRDS PER LINE UTILIZING $\frac{9}{64}$ NOZZLES. (34 PSI AT 22 BIRDS WITH $\frac{7}{64}$ NOZ. = 3.45 GPM = $75.96 \text{ GPM} / 448.8 = 0.169 \text{ CFS}$)

STOCK INCLUDES COWS + HORSES, 5 OR LESS PER OWNER.

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

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F. FLOW CALCULATIONS

✓ Additional Computation Sheets Attached

Measured Method:

$$34 \text{ PSI AT 22 BIRDS WITH } 9/64 \text{ DDZ.} = 3.45 \text{ GPM} = \frac{75.96 \text{ PM}}{448.8} = 0.169 \text{ CFS.}$$

PERMIT LIMITS IRRIGATION TO = 0.06 CFS.

" " DOMESTIC = 0.04 CFS.

STOCK USAGE (LESS OR EQUAL TO 5) = 0.01 CFS

0.11 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \text{ AC} \times 4 = 8 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.06 \text{ CFS} \times 214 \times 1.9835 = 25.468 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 8 \text{ AFA}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	0.06	8 AFA
STOCK WATER	1/1	12/31	0.01	0.1 AFA
DOMESTIC	1/1	12/31	0.04	~~1.2 AFA~~ 0.6
Totals:			0.11 CFS	~~9.3 AFA~~ 9.3 AFA 8.7 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

I. AUTHENTICATION

Field Examiner's Name SIMPKINS Date 1/16/98

Reviewer _____ Date _____

SEAL

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THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp) (8.814) (Eff)] \div [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{3} \\ Eff &= \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ &\text{Static Water Level} = \underline{30} \text{ ft.} \\ &\text{Assumed Draw down} = + \underline{10} \text{ ft.} \\ &\text{Lift} = \underline{40} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{35} \text{ psi}$$

$$Q_{cfs} = \left[\frac{3}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{40}{Lift} + \left(\frac{35}{psi} \times 2.308 \right) \right]$$

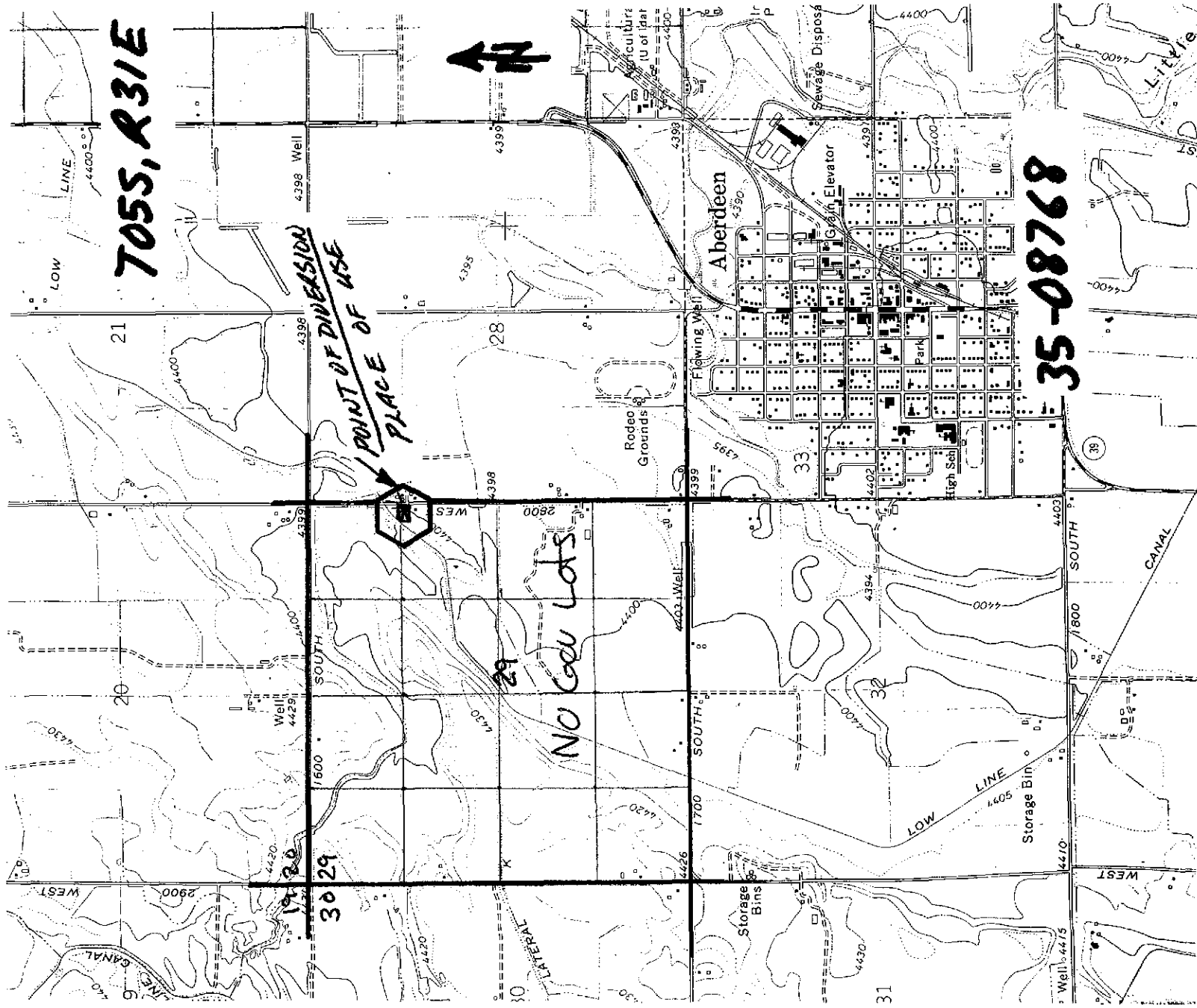
$$Q_{cfs} = \left[\underline{18.5094} \right] \div \left[\underline{120.78} \right]$$

$$Q_{cfs} = \underline{0.153} \text{ cfs}$$

PERMIT REQUEST 0.12 cfs.

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PERMIT NO. 35-08768



Final R

7055, R31E

3 km in straight line

PLACE OF USE



POINT OF DIVERSION

80.8

T24520
3628

33.8

Power Co

33.7

KCTR
529

HEL

3
27.6

35-0070

35-0070 + Doc

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MAR 26 1998

FIELD EXAM NOTES

EXAM # 35-08768

DATE OF EXAM 6/20/96

PERMITEE NAME KENNETH WESTFALL

OTHER WATER RIGHTS SAME POD NONE

OTHER WATER RIGHTS SAME POU Aberdeen Springfield Canal

PUMP #1 HP 3 MAKE Franklin SERIAL # Submersible
 COLOR AND DESCRIPTION _____
 OUTPUT DIAMETER 2" SYSTEM PRESSURE 40 PSI WELL DEPTH 150
 STATIC H2O 30 WELL DEPTH _____ DYNAMIC PUMP _____
 PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

PUMP #2 HP _____ MAKE _____ SERIAL # _____
 COLOR AND DESCRIPTION _____
 OUTPUT DIAMETER _____ SYSTEM PRESSURE _____ PSI WELL DEPTH _____
 STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
 PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP _____ MAKE _____ SERIAL # _____
 COLOR AND DESCRIPTION _____

BOOSTER PUMP #2 HP _____ MAKE _____ SERIAL # _____
 COLOR AND DESCRIPTION _____

CIRCLE PIVOT [Y] [N] NUMBER OF TOWERS _____ PIVOT LENGTH _____
 PRESSURE [H] [L]

HAND LINES (Y) [N] NUMBER OF LINES _____ LENGTH OF LINES _____
some birds
 RAIN BIRDS PER LINE 22 NOZZEL DIAMETER 3/32 9/64
32 PSI 1st 35 PSI last. Average . 33.5 PSI Portable Pop Up
Coupl met.
 SURFACE WATER TYPE OF MEASUREING DEVICE _____

AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH 1

$$34 \text{ PSI} \times 22 \text{ BIRDS at } 9/64 \text{ Nozzel} = 3.45 \text{ GPM} = \frac{75.9 \text{ GPM}}{448.8} = 0.169 \text{ CFS}$$

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MAR 26 1998

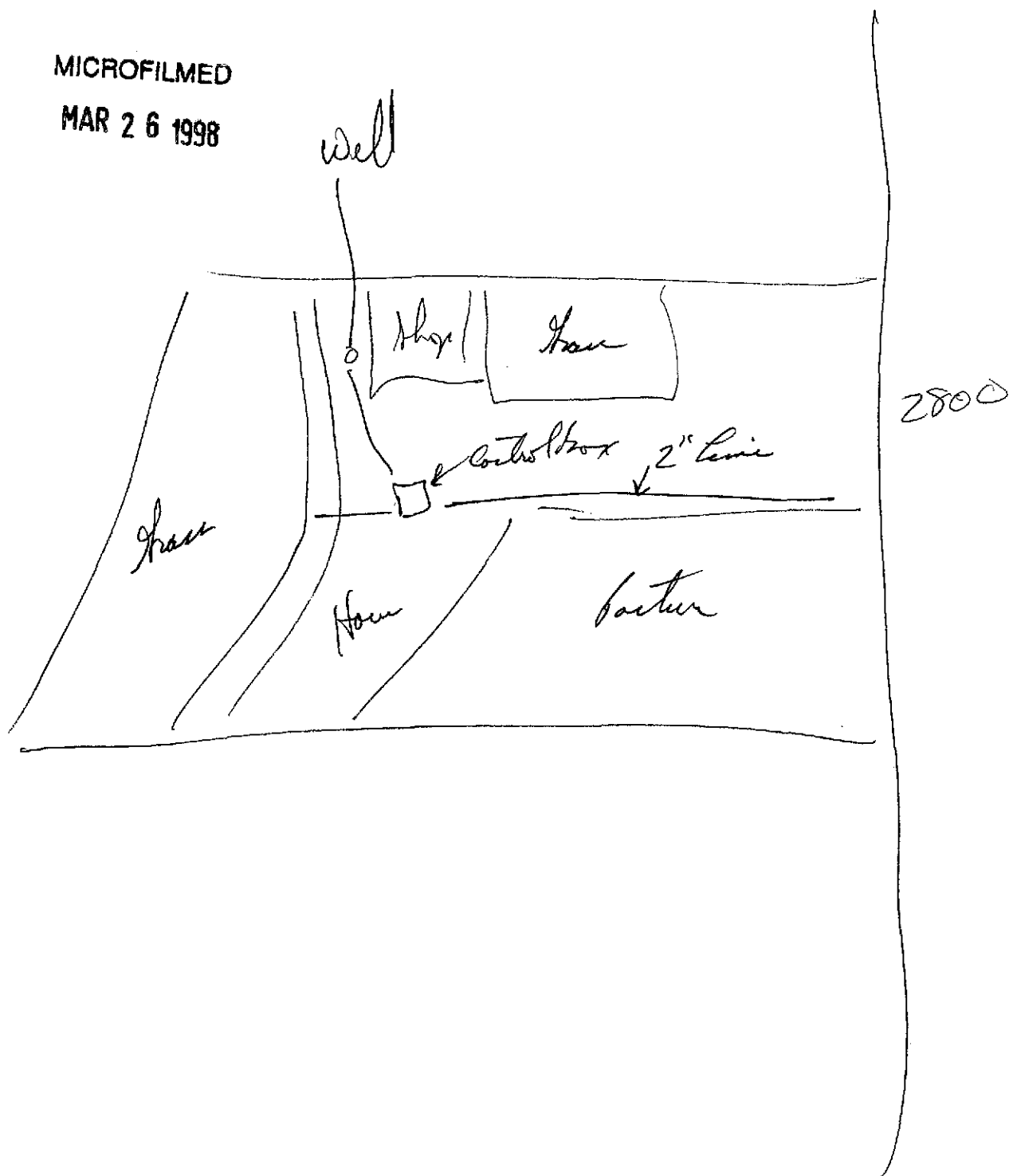
CATTLE - 5 CALVES OK COWS

35-08768

USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM

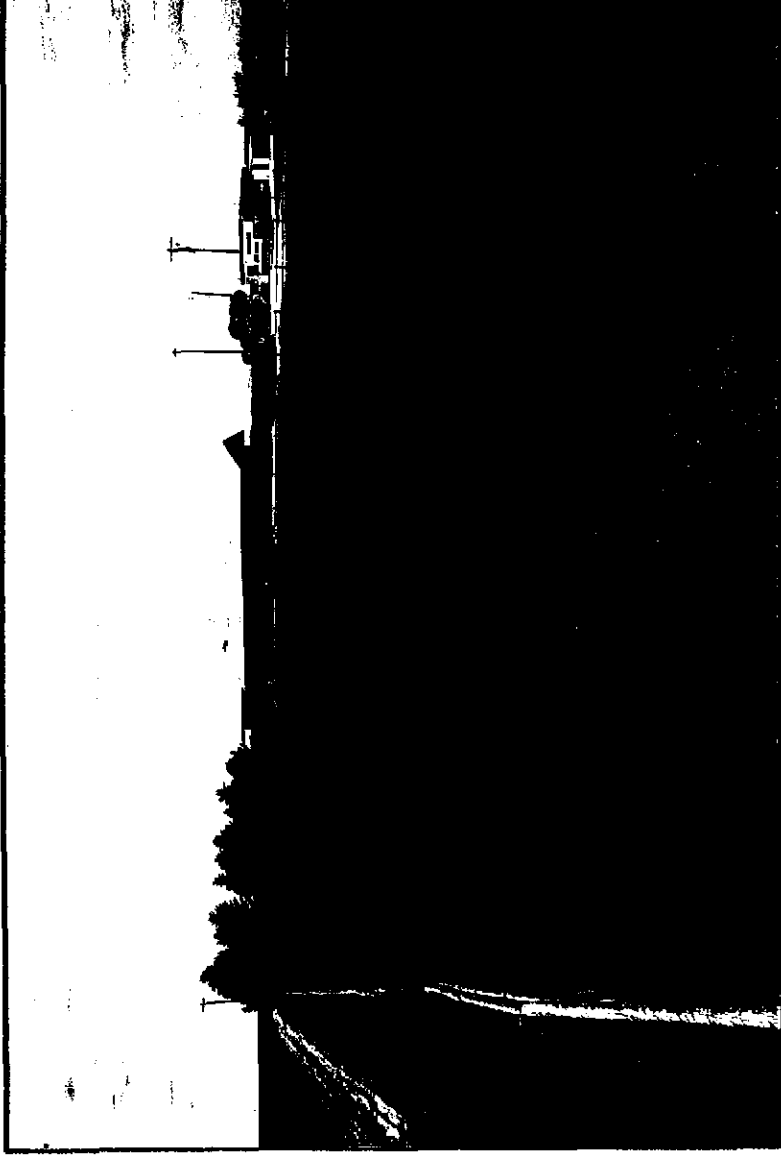
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MAR 26 1998



KENNETH WEST FALL

DOM / STOCK / IRRIGATION

1 of 2	VIEW OF PLACE OF USE <u>IRRIGATION</u> <u>STOCK</u> <u>DOMESTIC</u> <u>VIEW WEST</u>	
VIEW <u>NORTH WEST</u> PLACE OF USE		
35-08768	PERMIT NUMBER	

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MAR 26 1998

KENNETH WESTFALL

DON. / STOCK / ERECTION

2 of 2

VIEW OF
PLACE OF
USE
VIEW SOUTH



POINT OF
DIVERSION



PERMIT
NUMBER

MICROFILMED

MAR 26 1998

35-08768

December 1, 1989

KENNETH WESTFALL
1628 S. 2800 W.
ABERDEEN, ID 83210

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08768

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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DEC 1 1989

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 35-8768

Date: 11/24/89

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☒ Surface water
☒ Groundwater
1. well log in file 1973
NA 2. drilling permit
44 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ NO Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

good acceptable

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>	

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 20, 1989

KENNETH WESTFALL
1628 S. 2800 W.
ABERDEEN, ID 83210

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08768

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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OCT 26 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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OCT 26 1989

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Dist. for staffing 6-589 RB
Submitted for advertising 7-12-89 HWS

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY James M. Dunn DATE 12 July 89 APPLICATION NUMBER 35 8768

REQUIRED INFORMATION

Kenneth Westfall

- ☒ 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
- ☐ Yes ☒ No 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 _____

RECEIVED
SEP 18 1989
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 8-7-89 8-21-89
☐ 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. 01-705
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 6-01-89
By HWS Date 8-31-89

STATE OFFICE REVIEW P05, P23 P116 48 49 46 57

See below for additional information
By KW Date 10-12-89

ADDITIONAL INFORMATION

App. in NON-TRUST area-

STATE OF
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 26, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice 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 AUGUST 21, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

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OCT 26 1989

NOTICE OF APPLICATION FOR

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

OCT 26 1989

35-08768

WESTFALL, KENNETH
1628 S. 2800 W.
ABERDEEN, ID 83210

Source: GROUNDWATER

Diversion Pt: NESENE Sec 29 T 05S R 31E

Use: IRRIGATION	(.060 CFS)
STOCKWATER	(.020 CFS)
DOMESTIC	(.040 CFS)

Date Filed: 6/01/1989

In: T05S R31E S29 SENE

2.0 ACRES TOTAL

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OCT 26 1989

The permit(s) will be subject to all prior
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 AUGUST 21, 1989.

R. Keith Higginson, Director

Published 8/03/1989 & 8/10/1989

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OCT 26 1989

17-Jul-1989

Kenneth Westfall
1628 S. 2800 W.
Aberdeen, ID 83210

RE: Application for Permit No. 35-8768

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 the Morning News. 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

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OCT 26 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 17, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice 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 AUGUST 7, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

Did not run

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OCT 26 1989

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

OCT 26 1989

35-08768

WESTFALL, KENNETH
1628 S. 2800 W.
ABERDEEN, ID 83210

Source: GROUNDWATER

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Use: IRRIGATION	(.060 CFS)
STOCKWATER	(.020 CFS)
DOMESTIC	(.040 CFS)

Date Filed: 6/01/1989

In: T05S R31E S29 SENE

2.0 ACRES TOTAL

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OCT 26 1989

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 AUGUST 7, 1989.

R. Keith Higginson, Director

Published 7/20/1989 & 7/27/1989

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OCT 26 1989



