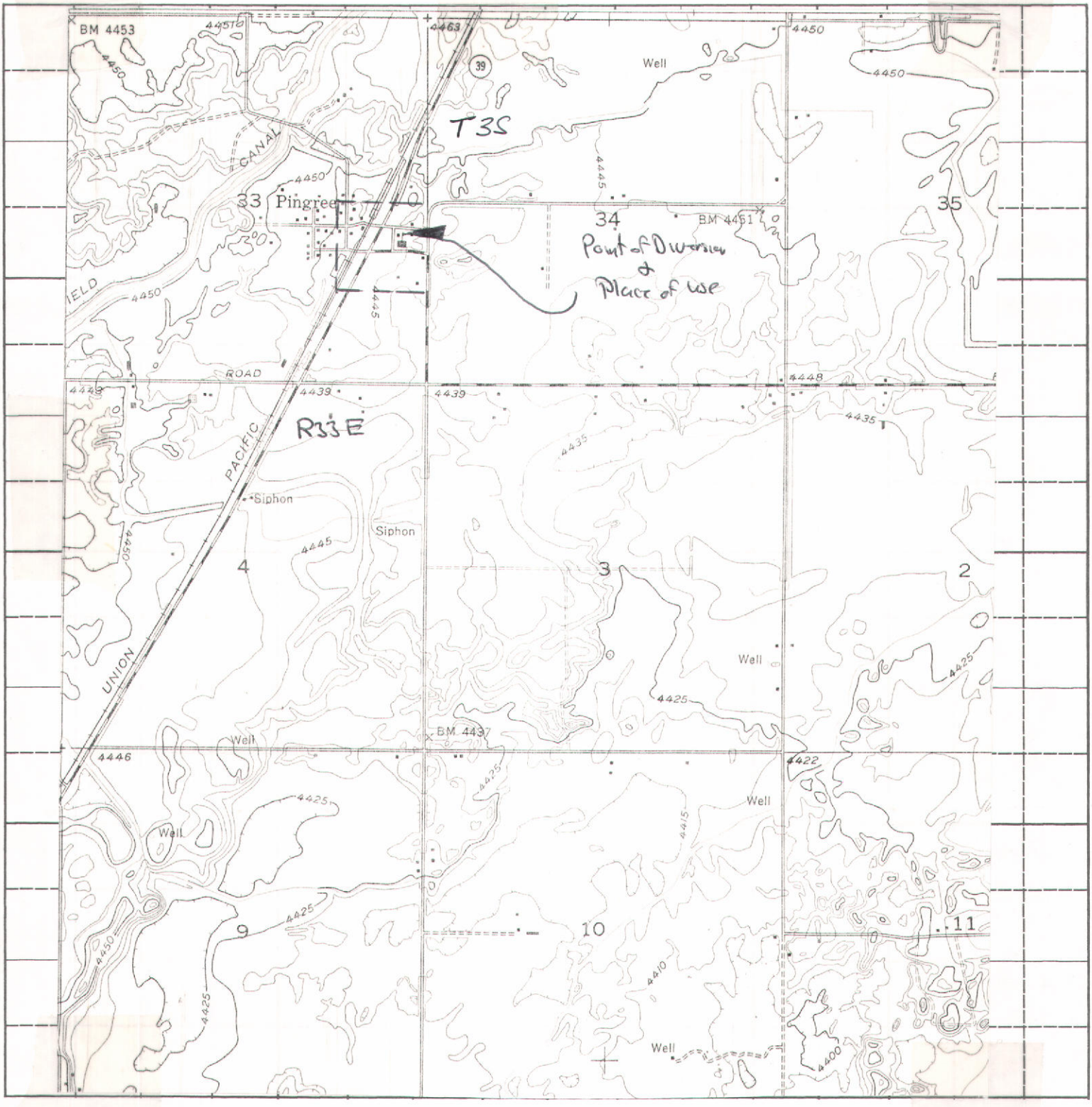
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

X Afton M. Heath
(Applicant)

MICROFILMED

RECEIVED
AUG 22 1985
Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-8617
HEALTH, CLEM J. &/or AFTON M.

BOX 9, PINGREE, ID 83262
Source: GROUNDWATER
Date Filed: 07/22/1985
Diversion Pt.: NESE Sec. 33 T. 03S R 33E
Use: COMMERCIAL (0.04 CFS)

In: NESE Sec. 33 T 03S R 33 E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 26, 1985.

KENNETH DUNN,
Director

(8725)
Pub.: 8-8, 15

24

AFFIDAVIT of PUBLICATION

County of Bingham)
)ss
State of Idaho)

I, Catherine C. Brown do solemnly swear that I am the Office Manager of The Morning News which is a daily newspaper of general circulaton 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: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 8th day of August, 19 85,

and the last publication having been made on the 15th day of August, 19 85; 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.

Catherine C. Brown

Subscribed and sworn to before me this 16th day of August, 19 85.

Patricia H. Johnson

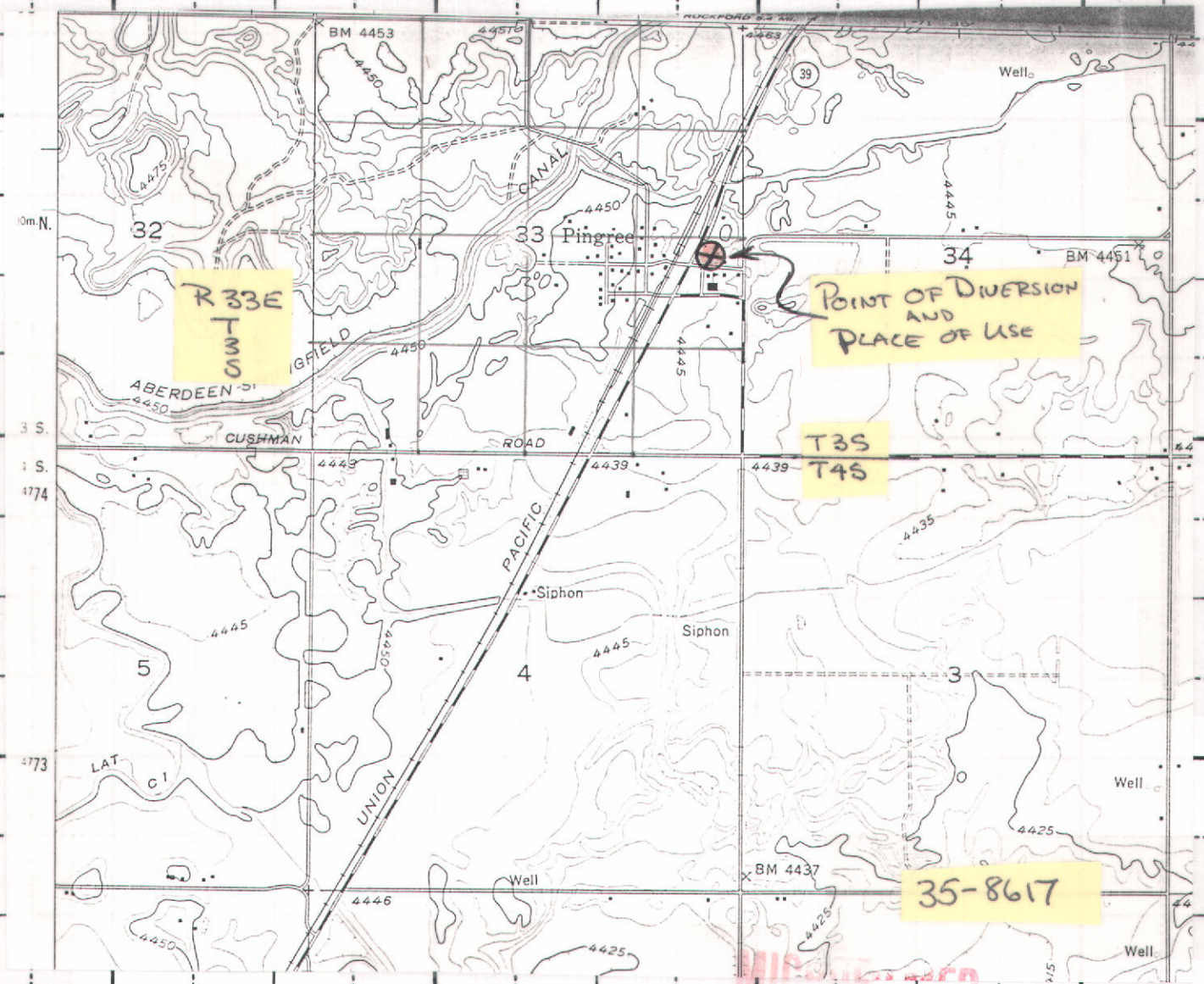
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1988

MICROFILMED

35-8617

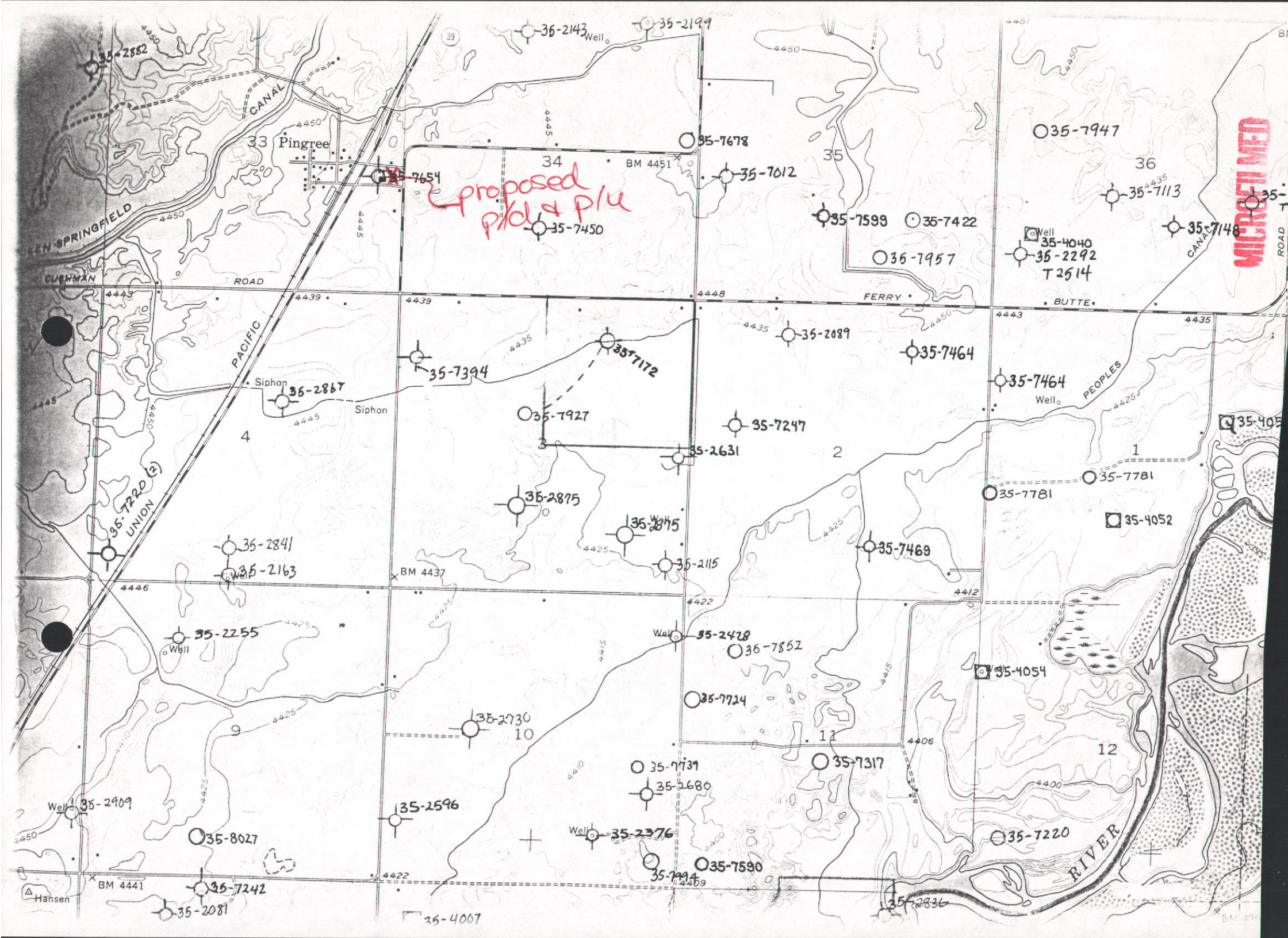
NAME OF APPLICANT Clem J. or Afton Heath

Form No. 0



RECEIVED
MAR 21 1990

~~SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.~~


35-2882
CANAL
33 Pingree
35-2143 Well
35-2199
35-7678
34
BM 4451
35-7654
proposed p/d & p/u
35-7450
35-7012
35
35-7599
35-7422
35-7957
35-7947
36
35-7113
35-7148
Well
35-4040
35-2292
T 2514
MICRONET MED
CANAL
ROAD
EEN SPRINGFIELD
CUSHMAN
ROAD
FERRY
BUTTE
PACIFIC
Siphon
35-2867
Siphon
35-7394
35-7172
35-7927
35-2631
35-7247
35-2089
35-7464
35-7464
Well
PEOPLES
35-7781
35-7781
35-4052
35-7469
4
3
2
1
35-7220 (2)
UNION
35-2841
Well
35-2163
BM 4437
35-2875
35-2115
4446
4422
4412
35-2255
Well
Well
35-2428
35-7852
35-4054
35-7724
35-2730
9
10
11
12
35-7139
35-2680
35-7317
35-2909
Well
35-2596
35-8027
Well
35-2376
35-7590
35-7220
RIVER
BM 4441
Hansen
35-7242
35-2081
35-4007
35-2836

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08617

Priority: August 18, 1985

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume:[1] 0.6 AF

This is to certify, that CLEM J. HEATH
AFTON M. HEATH
P.O. BOX 9
PINGREE, ID 83262 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 22, 1985; and has submitted Proof of Beneficial Use on November 28, 1986. An examination indicates that the works have a diversion capacity of .040 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 33, Township 03S, Range 33E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN	RGE	SEC	
03S	33E	33	NESE

CONDITIONS/REMARKS:

1. 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 which 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.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 01
6. Commercial use is for a grocery store.

MICROFILMED
MAR 21 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08617

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 9TH day of MARCH, 1990.

R. Keith Higginson, Director

MAR 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-8617 IN THE NAME OF CLEM J. OR AFTON M. HEATH	ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before November 1, 1986; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on November 28, 1986;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-8617 be REINSTATED and the priority advanced to August 18, 1985.

Dated this 9th day of February, 1987.

MICROFILMED
MAR 06 1987

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

Form 202
6/85

Ident No 35 8617

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1 Name of applicant CLEM J. or AFTON M. HEATH Phone 684-4208

Post office address Box 9, Pingree, ID 83262

2 Source of water supply groundwater which is a tributary of _____

3 Location of point of diversion is NE ¼ of NE ¼ of SE ¼, Govt. Lot _____

Sec. 33 Township 3S Range 33E B.M. Bingham County, additional points of diversion if any: _____

4 Water will be used for the following purposes.

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

Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5 Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per annum

6 Proposed diverting works

a. Description of ditches, flumes, pumps, headgates, etc. Well/pump to convenience store.

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 6 inches; proposed depth of well is 75 feet

d Is ground water with a temperature of greater than 90°F being sought? _____

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*).

MICROFILMED

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

a Hydropower, show total feet of head and proposed capacity in KW _____

b Stockwatering, list number and kind of livestock _____

c Municipal, show name of municipality. _____

d. Domestic, show number of households _____

e Other, describe fully. For use in a small Grocery store

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	
3S	33E	33													X				

Total number of acres to be irrigated _____

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

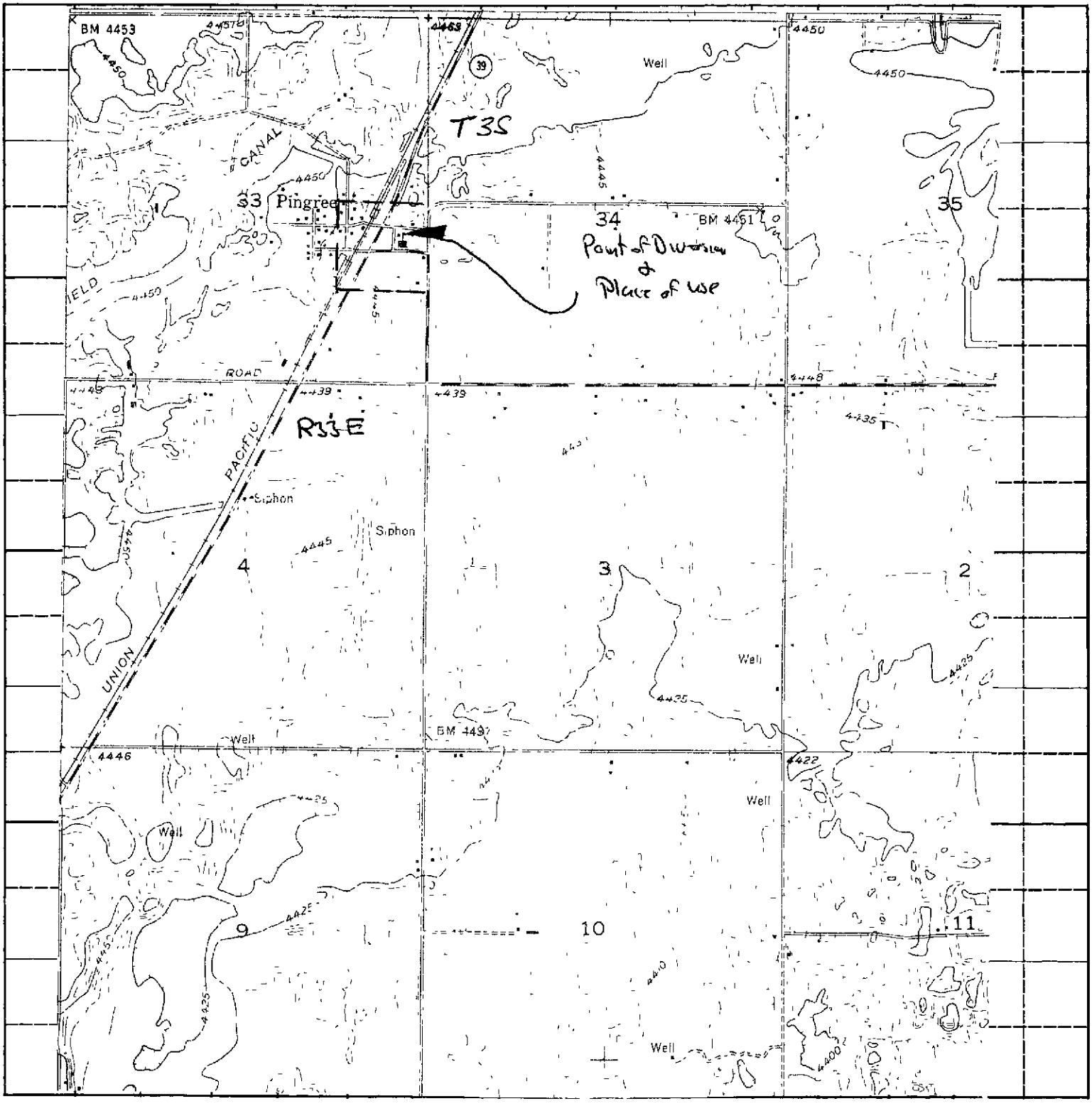
11 a Who owns the property at the point of diversion? Applicant

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 _____

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

x Afton M Heath
(Applicant)

MICROFILMED

Proposed Priority 7/22/85

Received by [illegible] Date 7-22-85 Time 3:30p Preliminary check by [illegible]

Fee $ 30.00 # Receipted by [illegible] # 35457 Date 7-30-85

Publication prepared by [illegible] Date 7-31-85 Published in Morning News

Publication approved [illegible] Date 9-20-85

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 35-8617, and said application is hereby APPROVED

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

   a SUBJECT TO ALL PRIOR WATER RIGHTS

   b Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 86

   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. Use of water under this permit is subject to control by thewatermaster of State Water District No. 01, Snake River.

Witness my hand this 8th day of October, 1985.

[illegible]

Chief, Operations Bureau

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho and are being readvertised to allow evaluation of the public interest criteria under Section 42-203C, Idaho Code.

27-7384
CITY OF BLACKFOOT
157 N Broadway
Blackfoot, Idaho 83221
Source. GROUNDWATER
Date Filed 06/30/1983
Diversion Pt.: SWNE, Sec. 27, T. 02S, R 35E.
Use: MUNICIPAL (0 1440 CFS)
In SWNE, Sec 27, T. 02S, R. 35E.

27-7386
CITY OF BLACKFOOT
157 N Broadway
Blackfoot, Idaho 83221
Source GROUNDWATER
Date Filed. 06/30/1983
Diversion Pt. NWNE, Sec. 35, T 02S, R. 35E.
Use MUNICIPAL (2 00 CFS)
In. The City Limits of Blackfoot

27-7410
RAMEY, Blaine
Route 3, Box 298
Blackfoot, Idaho 83221
Source. GROUNDWATER
Date Filed 06/04/1985
Diversion Pt. SWSE, Sec 33, T. 02S, R 36E.
Use. STOCKWATER (0 02 CFS)
DOMESTIC (0 02 CFS)
In SWSE, Sec. 33, T 02S, R 36E.

27-7411
R T FRENCH CO
434 S. Emerson Street
Shelley, Idaho 83274
Source GROUNDWATER
Date Filed 06/12/1985
Diversion Pt . SWSW, Sec. 02, T. 01S, R 37E
Use COMMERCIAL (0 39 CFS)
In NESW, SWSW, SESW, Sec. 02, T 01S, R 37E

35-8617
HEATH, Clem J &/or AFTON M
Box 9
Pingree, Idaho 83262
Source GROUNDWATER
Date Filed 07/22/1985
Diversion Pt . NESE, Sec. 33, T. 03S, R 33E
Use COMMERCIAL (0 04 CFS)
In NESE, Sec 33, T 03S, R. 33E

The permit(s) will be subject to all prior water rights Protests are limited to the public interest criteria under Section 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 September 23, 1985

KEN DUNN, Director

(8774)
Pub.: 9-5, 12

RECEIVED
SEP 19 1985
Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
) ss
State of Idaho)

I, Kaye Dayton do solemnly swear that I am the Advertising Manager 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: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 5th day of September, 19 85,

and the last publication having been made on the 12th day of September, 19 85; 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.

Kaye Dayton

Subscribed and sworn to before me this 17th day of September, 19 85.

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1988

ANSWERED

RECEIVED
AUG 22 1985
Department of Water Resources
Eastern Division Office

[redacted]

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

[redacted]

Date Filed: 07/22/1985
Diversion Pt.: NESE Sec. 33 T 03S R 33E
Use: COMMERCIAL (0.04 CFS)

In: NESE Sec. 33 T 03S R 33 E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 26, 1985

KENNETH DUNN
Director

24

[redacted]

AFFIDAVIT of PUBLICATION

County of Bingham)
) ss
State of Idaho)

I, Catherine C. Brown do solemnly swear that I am the Office Manager of The Morning News which is a daily newspaper of general circulaten 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: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 8th day of August, 19 85,

and the last publication having been made on the 15th day of August, 19 85; 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.

Catherine C. Brown

Subscribed and sworn to before me this 16th day of August, 19 85.

Patricia H. Johnson
Notary Public for the State of Idaho.
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1988

MICROFILMED

March 13, 1990

CLEM J. HEATH
AFTON M. HEATH
P.O. BOX 9
PINGREE, ID 83262

RE: PERMIT NO. 35-08617

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
MAR 21 1990

Form 219-S.A.
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

35-8617
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

Heath
3/25/87

A. Prior to Conducting the Exam, the File Contains:

- [x] Blank Field Report Form
- [x] Copy of Permit
- [x] Copies of any Amendments/Orders with conditions of approval
- [ ] Computer Data Proof Report
- [x] Copy of U.S.G.S. Quad
- [ ] Check for Government Lots. If so, make a copy of Government Plat

DEC 1 ... Department of Water Resources

Check of P/D index EBV 4/1/87 (Initial and date)

Overlap? [ ] yes [x] no If yes: [ ] copy of exam(s) attached?
Type of Overlap? [ ] Add acres or uses to existing system
[ ] Increase rate of flow or volume
[ ] Other: Irrigation well 35-7654

Check of P/U index EBV 4/1/87 (Initial and date)

Overlap? [ ] yes [x] no If yes: [ ] copy of water right(s) attached?
Type of Overlap? [ ] Increase rate of flow or volume
[ ] Add P/D's
[ ] Increase number of acres within tracts
[ ] Other: Irrigation well 35-7654

Aerial Photo

Required? [ ] yes [x] no If yes: [ ] copy attached?

Scheduling Letter sent? _____ (Initial and date)

[ ] Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- [x] Fully completed and signed Field Report Form
- [x] Photographs of Point of Diversion and Place of Use
- [ ] Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed KC Wilson 7 Aug 87 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent SM 12-7-87 (Initial and date)
Exam Reviewed by Manager of Regional Office SM 12-8-87 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original Refiled in White File _____ (Initial and date)

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No 35-8617

1. Owner. Clem J. or Afton M. Heath — Phone No 684-4730/4208
   Current Address. Box 9 Pingree Id 83262
2. Accompanied by: Clem J. Heath — EXAM. DATE 7 Aug 87
   Address: — Phone No —
   Relationship to Permit Holder: —
3. Source: Groundwater — tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use NONE
   ☐ Copies Attached
2. Other water rights with same point of diversion: NONE
   ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1 **Diversion System Diagram:** Indicate all major components and distances between components Indicate weir size/ditch size/pipe i d as applicable ☐ Alternative diagram attached

SUBMERSIBLE PUMP & MOTOR

RECEIVED
MAR 21 1990

Scale: 1" = No Scale.

2 ☑ Copy of U S.G.S Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required).

N/A ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more)

N/A ☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

System Description (continued)

3 **Narrative:** Description (As operating at time of measurement Indicate pressure, number of sprinklers, etc)

Well pump mainline to grocery store (Community Market)

☐ See Remarks on page 4 for continuation

4

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
SUBMERSABLE PUMP AND MOTOR			NO INFORMATION AVAILABLE		

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

5 **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	SE	33	3S	33E	Bingham	On site inspection / USGS MAP

6 **Place(s) of Use:** Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3S	33E	33													C				

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2 **Measurements:**

N/A

Approximately 3/4 hp pump & motor

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1 Measured Method Theoretical

Assume 0.04 cfs

2 Alternate Method for Checking Purposes

F PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1), Dynamic pumping level _____ ft (2)

Total Head (1) + (2) = _____ (3) ; Flow rate _____ cfs (4)

Water HP (3) x (4) ÷ 8 8 = _____ (5)

Meter Input KW 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP. (6) x 1.34 = _____ (7)

Panel Input KW _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP (6) x 1 34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation

V_{IR} = (Acres Irrigated) x (Irrigation Requirement) = _____

V_{DR} = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of V_{IR} and V_{DR} = _____

2. Volume Calculations for Other Uses:

V = 0.6 afa

RECEIVED

MAR 21 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. **Recommended Amounts**

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Commercial	1/1	12/31	0.04cfs	0.6afa
		Totals:	0.04cfs	0.6afa

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

J. AUTHENTICATION

Field Examiner's Name: KEITH C. WILSON

Signature: Keith C. Wilson

Certification Date: 8 Dec 1987

Field Report Preparation Date: 4 Dec 1987

Steve McCormick

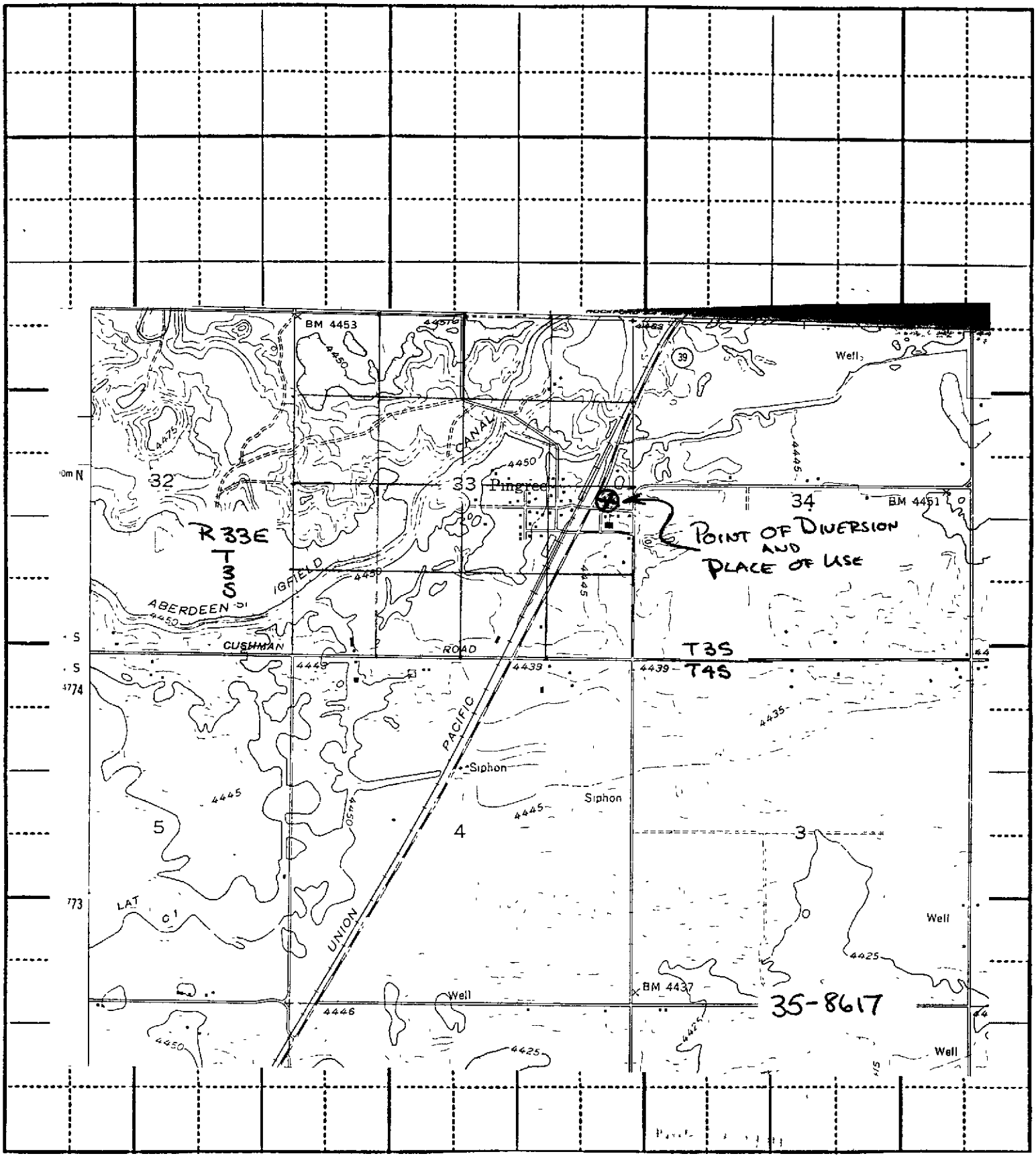
CONSULTANT SEAL

K. **Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.**

35-8617

NAME OF APPLICANT Clem J. or Afton Heath

Form No. 0



~~SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.~~

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

---

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MARCH 24, 1987

CLEM HEATH
BOX 9
PINGREE ID 83262

RE: Permit No. 35-8617

Dear Permit Holder

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

Enclosure

MICROFILMED
MAR 21 1990

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 35-8617

DATE: 2-9-1987

Date proof received	332	Nov. 28
Proof due	-305	Nov 1
Number of day proof late	27	
Priority date	+203	July 22, 1985
New priority date	230	Aug 18, 1985

Remarks:

MICROFILMED
MAR 06 1987

Form 217
03/86

RECEIVED
DEC 3 1986
Department of Water Resources

For Office Use Only
Fee Received ⊖
Date 11-29-86
Receipt # N 179
Receipt by
Reviewed by
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. 35-8617

Name(s) of Permit Holder: Glen and Afton Keeler

Post Office Address: Box 9

Pingree ID 83262 Telephone No. 684-4208

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark .04 cfs Commercial

Total rate and/or volume for which proof is submitted .04 cfs Nov 1985 acre-feet

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

Measuring Device: Required? ___ Yes ✓ No Fee enclosed $_____
Installed? ___ Yes ✓ No (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:

Glen Keeler 684-4208
(Name) (Telephone Number)

Same as Above.
(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
MAR 06 1987

11-28-86 Glen Keeler
Date Signature of Permit Holder (and title, if appropriate)

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
NOVEMBER 13, 1986

HEATH, CLEM J. & AFTON M.
BOX 9
PINGREE, ID 83262

LAPSE NOTICE

RE: PERMIT NO. 35-8617

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED AUGUST 31, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE $15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING
I hereby certify that on 11-21-1986 a copy of the original of this document was deposited in the United States mail, postage prepaid and addressed to the individual(s) named above.
Rita Fleck

MICROFILMED
MAR 06 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
AUGUST 31, 1986

138235

HEATH, CLEM J. & AFTON M.
BOX 9
PINGREE, ID 83262

PROOF DUE NOTICE

RE: PERMIT NO. 35-8617

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 NOVEMBER 1, 1986. (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 COMPLETED 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED
MAR 06 1987

October 9, 1985

RE: Permit No. 35-8617

Clem J. or Afton M. Heath
Box 9
Pingree, ID 83262

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please note that one of the conditions of approval is that the diversion of water under this permit is subject to the control of a State Watermaster. The reason for this is that some hydrologic studies of rivers in the state indicate that wells constructed in the sand and gravel aquifers of the river areas may intercept water that otherwise would have entered the river. However, the extent of the alluvial material thickness is not known nor is the precise degree of interference of wells with surface water flows. Studies do indicate that as much as 50% of the water diverted from a well located one mile from the river would have reached the river if impermeable layers of clay on hard rock do not separate the river from the aquifer from which the well is producing.

The information available to us at this time does not warrant refusing to issue you a permit but does merit cautioning you that any permit issued by the Department cannot deprive water users, with earlier rights, of their water supply.

The reason for conditioning the permit and explaining the potential interference problem is to make you aware that future tests may definitely show that diversion of water from your well should be administered together with the older surface water priorities of the river and it's tributaries. If this were to occur, it would essentially mean that there would not be water available for a diversion from your well since the surface water system is fully appropriated. By locating your well as far from the river as possible and by casing out upper water producing zones as the well is constructed, you may be able to reduce the amount of interference with the river.

MICROFILMED

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 the statement of beneficial use that must be submitted when your project is completed.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker KW

DATE 10-7-85

TO Application for Permit No. 35-8617

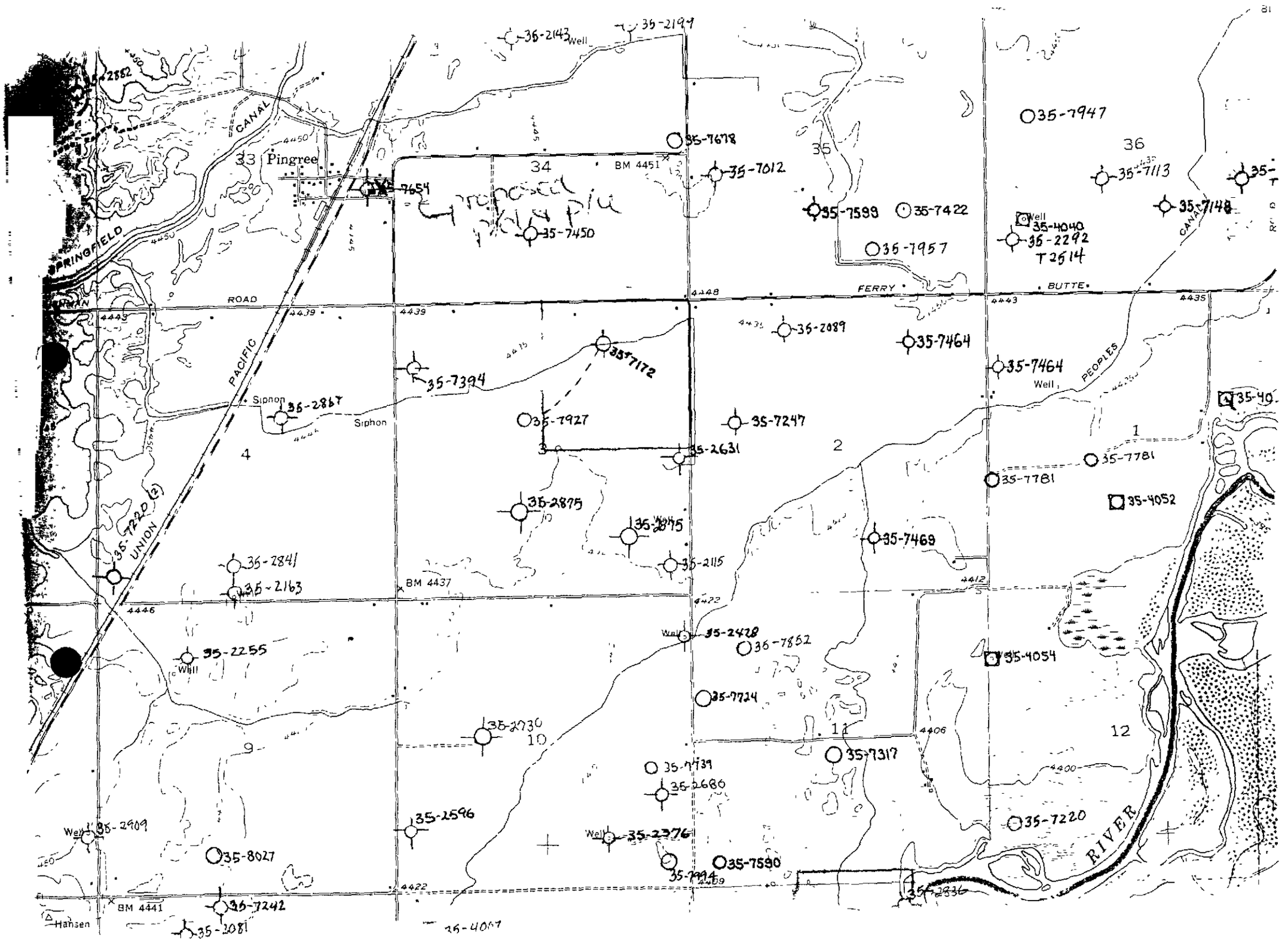
SUBJECT Watermaster Control Recommendation

Pursuant to review of this application, I recommend that it be subject to watermaster control because of the close proximity of the well to the river and the shallowness of the well itself.

(75')

MICROFILMED

SIGNATURE


35-2143 Well
35-2199
35-2582
CANAL
33 Pingree
34
BM 4451
35-7678
35-7012
35-7654
35-7450
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35-7947
36
35-7113
35-7148
35-7599
35-7422
Well
35-4040
35-2292
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35-7957
SPRINGFIELD
ROAD
FERRY
BUTTE
4448
4443
4435
4439
35-2089
35-7464
35-7464
Well
PEOPLES
35-7172
35-7394
PACIFIC
Siphon
35-2867
Siphon
35-7927
35-7247
35-2631
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35-7781
35-4052
35-7469
35-2875
35-2875
35-2115
35-7240 (2)
UNION
35-2841
35-2163
BM 4437
4446
4422
4412
Well
35-2428
35-7852
35-4054
35-2255
Well
35-7724
35-2730
10
9
11
12
4406
35-7317
4400
35-7739
35-2680
35-2596
35-7220
RIVER
Well
35-2909
Well
35-2376
35-8027
35-7590
35-7994
35-2336
BM 4441
35-7242
Hansen
35-2081
35-4067

Form No 202a
3/79

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY APPLICATION NUMBER: 35-8617

JUL 29 1985

CHECK:

- ☑ Source.
- ☑ Point of diversion.
- ☑ County.
- ☑ Quantity of water and period of use.
- ☑ Description of diverting works
- ☑ Time required for beneficial use of water.
- ☑ Place of use or acres irrigated.
- ☑ Map.
- ☑ Signature.
- ☑ Fee.

Field check by:
Date:
Comments:

- ☐ Yes ☑ No Field check required
- ☐ Yes ☑ No Critical groundwater area.
- ☐ Yes ☑ No Request dam safety information. Sent by: _____ Date. _____
- ☑ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
- ☐ Idaho Fish and Game Department.
- ☐ Idaho Department of Lands
- ☐ U.S. Bureau of Land Management.
- ☐ U.S. Forest Service.
- ☐ Other _____

PROCESSING:

- ☐ Yes ☑ No Platted by: _____ Map No. _____
- ☐ Yes ☑ No Other rights on same place of use _____
- ☑ Yes ☐ No* In form for advertising
  Final date for protests: ~~8-26-85~~ 9-20-85
- ☐ Yes ☑ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received. Date: 9-19-85
- ☑ Application published correctly If not, record action taken:
- ☑ Fee amount, receipt date & number, recorded on application.
- ☑ Publication dates and paper, recorded on application.
- ☑ Protests, dates, withdrawal, etc., recorded on application.
- ☑ Recommendation & initial, recorded on application.
- ☐ Yes ☑ No Measuring device required.
- ☐ Yes ☑ No Access port required.
- ☐ Yes ☑ No Will water be delivered by watermaster? If yes, what district? 01
- 7-22-85 Date of priority recommended

Special conditions of approval or cover letter.

app. not identified in S.T. suit - DCMT

By: Ernest Carlson Date: Sept. 23, 1985

STATE OFFICE REVIEW.

☐ See attached sheet for more information.
By: _____ Date: 10/7/85

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

___.___.___.___.___.___.___.___.___.___

35-8617

HEATH, CLEM J. &/or AFTON M.

BOX 9. PINGREE. ID 83262

Source. GROUNDWATER

Date Filed. 07/22/1985

Diversion Pt: NESE Sec 33 T 03S R 33E

Use: COMMERCIAL (0.04 CFS)

In: NESE Sec 33 T 03S R 33E

NOTICE OF APPLICATION FOR WATER RIGHT

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

35-8617

HEALTH, CLEM J &/or AFTON M
BOX 9 PINGREE ID 83262
Source GROUNDWATER
Date Filed 07/22/1985
Diversion Pt NESE Sec 33 T 03S R 33E
Use COMMERCIAL (0 04 CFS)
In NESE Sec 33 T 03S R 33 E

The permit(s) will be subject to all prior water rights Protests must be filed with the Director, Dept of Water Resources, 150 Shoup Ave , Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 26, 1985

KENNETH DUNN
Director

(8725)
Pub 8-8, 15

35-8617

HEATH Clem J &/or AFTON M
Box 9
Pingree Idaho 83262
Source GROUNDWATER
Date Filed 07/22/1985
Diversion Pt NESE, Sec 33 T 03S, R 33E
Use COMMERCIAL (0 04 CFS)
In NESE Sec 33 T 03S R 33E

The permit(s) will be subject to all prior water rights Protests are limited to the public interest criteria under Section 42-2103C, **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 September 23, 1985

KEN DUNN, Director

(8774)
Pub 9-5, 12