

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 25 1994

Department of Water Resources

A. GENERAL INFORMATION

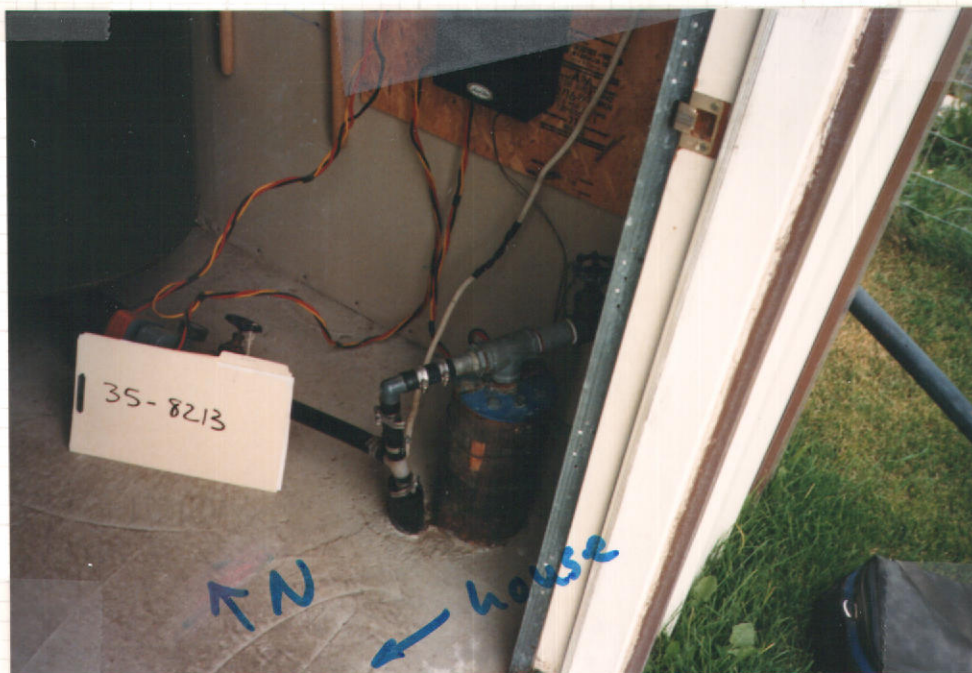
1. Owner: Bernard and Linda Whitworth Permit No. 35-8213
Current Address: 871 W 150N BLACKFOOT ID 83221 Phone No. 684-3475
2. Accompanied by: Bernard Whitworth EXAM. DATE: 08/08/91
Address: same Phone No. same
Relationship to Permit Holder: holder
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N-A ☐ Copies Attached
2. Other water rights with same point of diversion: NA ☐ 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



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

RECEIVED
FEB 13 1995



RECEIVED
FEB 13 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08213

Priority: June 23, 1983

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that BERNARD WHITWORTH
LINDA WHITWORTH

871 W 150 N

BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 23, 1983; and has submitted Proof of Beneficial Use on November 27, 1989. An examination indicates that the works have a diversion capacity of 0.060 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>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 27, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: DOMESTIC

TWN RGE SEC

02S 34E 27

NESW

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. Domestic use is for 1 home.

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 30TH day of JANUARY, 1995.

Acting for R. Keith Higginson, Director

FEB 13 1995

RECEIVED

NOV 27 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Amt of Fee \$

Date

Receipt No

Received by

Reviewed by AS-1/24/90

no fee encl
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/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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08213 Telephone No. 208-684-3475

Name(s) of Permit Holder(s): BERNARD WHITWORTH OR LINDA WHITWORTH

Post Office Address: 871 W. 150 N. BLACKFOOT ID. (RT. 7 BOX 283)

Source of Water: GROUNDWATER

If ground water, well driller's name: EUGENE RICHARDS Date drilled: SEP. 1976

Extent of Use:
Domestic 1 (No. of households) Irrigation 1/2 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.07--0.04 cfs* _____ acre/feet

Show date water was first diverted and beneficially used under this permit: SEPT. 1976

One of the following may be a condition of approval of your permit: *per telephone conversation with Bernard Whitworth 1-22-90

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

OR

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

Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

Name Telephone No

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

11-24-89
Date

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Bernard Whitworth or Linda Whitworth Phone 684-3475

Post office address Rt. #7, Box 283, Blackfoot, ID 83221

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 2S

Range 34E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.03 cfs ~~for~~ irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 cfs ~~for~~ domestic purposes from 1/1 to 12/31 (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:

a. 0.07 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 and
distribution system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 132 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 2S
Range 34E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water One.

(5) If water is to be used for other purposes describe: _____

RECORDED

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

[illegible]

Total number of acres to be irrigated

T

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

None

9. a. Who owns the property at the point of diversion

Applicant

b. Who owns the land to be irrigated or place of use

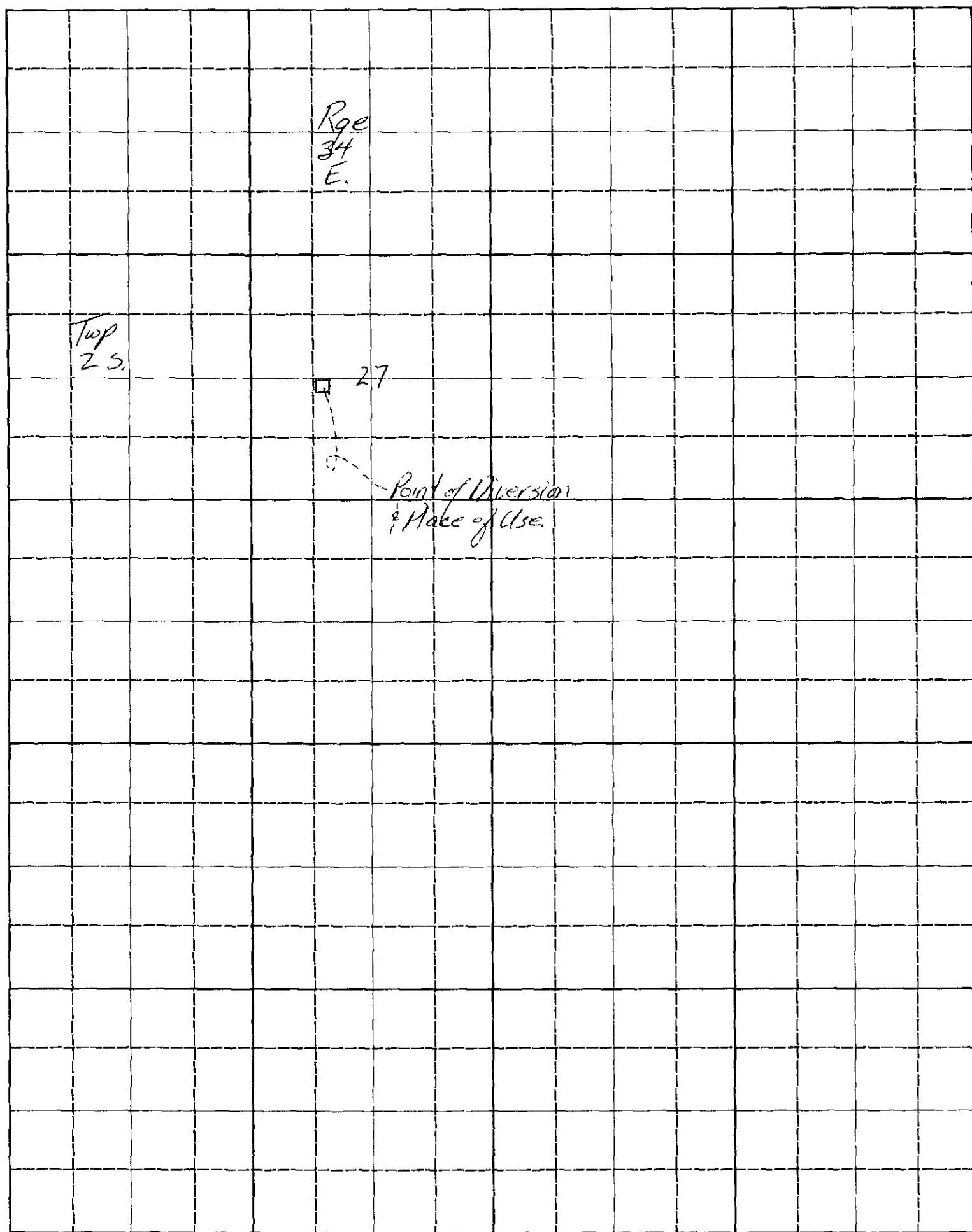
Applicant

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

applicant to make this filing

10. Remarks	Well has been used for the above purposes since 1976.
-------------	---

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



Scale 2 inches equal 1 mile.

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

Jinda Whitworth
(Applicant)

Proposed Priority 6/23/83

Received by BMC Date 6/23/83 Time 11:15
Preliminary check by AM Fee \$ 30.00
Received by AM Date 6-23-83 # 3N673
Publication prepared by AM Date 11-28-84
Published in Idaho Falls Tribune
Publication dates 12 6 & 13-13-84
Publication approved AM Date 1-22-85
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by BMC KW

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. 35-8213 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 January 1, 19 90.

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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 22nd day of January, 1985.

D. M. Saylor
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 1, 1995

BERNARD WHITWORTH
LINDA WHITWORTH
871 W 150 N
BLACKFOOT ID 83221

RE: Water Right No. 35-08213

Dear Mr. and Mrs. Whitworth:

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. You will note that the irrigation component has been removed from the right. The provisions of Section 42-111(a), Idaho Code, authorizes irrigation of up to one-half ($\frac{1}{2}$) acre of land under domestic purposes as long as the total use is not in excess of thirteen thousand (13,000) gallons per day.

If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

SHELLEY W. KEEN
Water Rights Supervisor

SWK:rl

Enclosure

RECORDED

FEB 13 1995

January 3, 1995

RECEIVED
JAN 10 1995
Department of Water Resources

State of Idaho Department
of Water Resources.

Attn: Brenda L. Chapman
RE: PERMIT NO. 05-08117
B. L. Whitworth
871 W 150 N
Blackfoot, Id. 83221

We have 1 acre of land that we live on, we were never given any shares from local irrigation districts to water the ground with. We drilled a well and have used it for domestic water and irrigate the land with it also, as of 10-76.

There have been a number of buildings put on this ground, and about one third to one half of this area is not irrigated any more, this might account for the Beneficial use form showing half an acre being irrigated.

At this time we do not plan on irrigating any more than one half an acre.

Sincerely, Bernard Whitworth

RECEIVED
JAN 13 1995



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

December 29, 1994

BERNARD WHITWORTH
LINDA WHITWORTH
871 W 150 N
BLACKFOOT ID 83221

RE: PERMIT NO. 35-08213

Dear Mr. and Mrs. Whitworth:

We are in the process of reviewing the above referenced permit for licensing. The Beneficial Use Field Exam that was conducted on the property in August of 1991 provided information that requires some additional clarification.

According to the examiner's recommendation (and also your original permit), 1 acre of land is being irrigated in conjunction with your domestic use. However, you indicated on the Proof of Beneficial Use form you sent to our office in November of 1989 that $\frac{1}{2}$ acre was being irrigated.

Also, we need to know if you are or have in the past used any surface irrigation water (from irrigation districts, etc.) on the land. How we condition the license depends upon this information.

Thank you for your assistance and if you have any questions, do not hesitate to call our office.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Chapman".

Brenda L. Chapman
Water Resource Agent

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08213 DATE 12-21-44



NAME	Yes ☐	No ☒	Or Address Change? <u>check</u>
PRIORITY DATE	☐	☒	Advance? ☐ Advanced to: ☐ Order to reinstate needed? ☐ Incorrect fee for rate recommended? <u>yes submitted</u> <u>no fees - filed for .04 cfs</u>
SOURCE	☐	☒	Changes or just clarification of originally intended source? ☐ Notice of Intent to Void necessary? ☐
POINT OF DIV	☐	☒	Amendment needed? ☐ Overlaps? ☐
PLACE OF USE	☐	☒	Amendment needed? ☐ Overlaps? ☐
DIV RATE	☒	☐	Permit/fee limits) <u>.04 cfs</u> Meas Q = <u>1.5 x 8.8 x .7</u> Theo Q = <u>.06 cfs</u> Recommend: <u>.04</u> <u>40 + (231 x 40) = .06</u> <u>allow</u> <u>Standard Domestic @ .04 cfs</u> Combined rates exceed capacity ☐
ANNUAL VOLUME	☒	☐	Season of use: <u>1-1 to 12-31</u> Calculations: <u>Standard Domestic @ 1.2 (for 1/2 acre)</u> Flow limit: ☐ cfs x ☐ x 1.9835 = ☐ Combined volumes exceed capacity/allowable ☐
USES	☐	☒	Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐
REMARKS	☐	☒	Multiple p/d(s) in 1/4 1/4? ☐ Other ☐
CONDITIONS	☐	☒	Measuring/Locking Devices ☐ Watermaster control - District ☐ Irrigation Overlap ☐ Water Quality ☐ Other ☐ Heat/Cool/ Fish verified ☐
COMMENTS:	<u>No surface water used and irrigation up to 1/2 acre</u> <u>(per letter received)</u>		

RECOMMENDED	CFS	VOL	SRBA Claim Filed	☒
<u>Domestic</u>	<u>.04</u>	<u>1.2</u>	Adjustment Memo Needed	<u>YES</u>
<u> </u>	<u> </u>	<u> </u>	LICENSE	☒
<u> </u>	<u> </u>	<u> </u>	1ST AMENDMENT LETTER	☐
<u> </u>	<u> </u>	<u> </u>	FINAL AMENDMENT LETTER	☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

35-8213
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

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

RECEIVED

NOV 25 1986

Department of Water Resources

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

Check of P/D index of (Initial and date)

Overlap? ☐ yes ☒ 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: _____

Check of P/U index of (Initial and date)

Overlap? ☐ yes ☒ 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: _____

Aerial Photo

Required? ☐ yes ☒ 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:

- ☐ Fully completed and signed Field Report Form
- ☐ 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 A.P. 8-8-91 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent [Signature] 11-18-94 (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Data 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)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 25 1994

Department of Water Resources

A. GENERAL INFORMATION

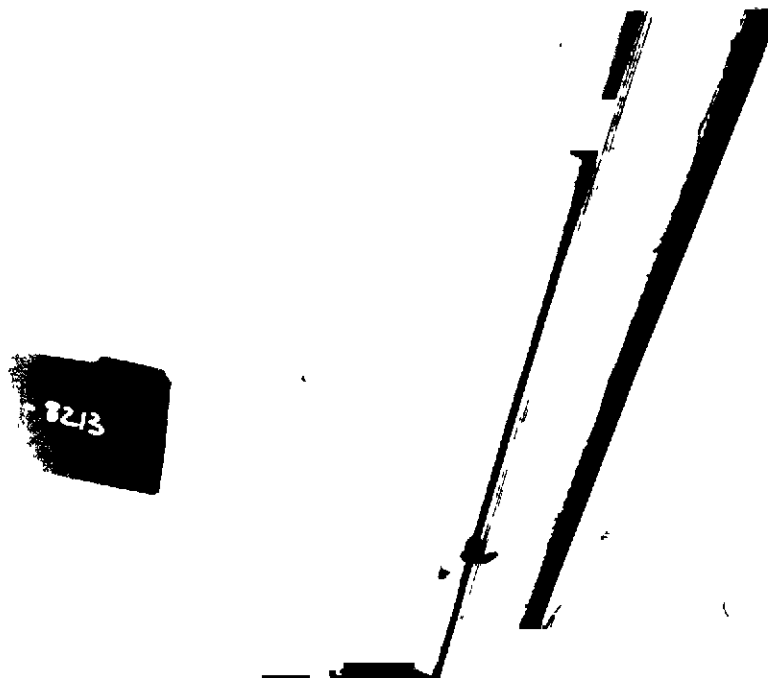
1. Owner: Bernard and Linda Whitworth Permit No 35-8213
Current Address: 871 W 150 N BACK FOOT ID 83221 Phone No 684-3475
2. Accompanied by Bernard Whitworth EXAM DATE: 08/08/91
Address: same Phone No same
Relationship to Permit Holder holder
3 Source groundwater tributary to _____

B. OVERLAP REVIEW

- 1 Other water rights with same place of use N-A ☐ Copies Attached
2 Other water rights with same point of diversion: NA ☐ 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



Scale: 1" = _____

2. ☒ Copy of U S G S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater)

FEB 1 1995

well, pump
investigate

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

well, pump, storage tank, house, investigation

☐ See Remarks on page 4 for continuation

Well or Diversion No.*	Sears	1 1/2	—	Sears	1 1/4" discharge
Motor Make					
Hp					
Motor Serial No.					
Pump Make					
Pump Serial No. or Discharge Size					

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

5 Point(s) of Diversion:

[illegible]

6 Place(s) of Use:

Indicate Method of Determination.

[illegible]

12

☐ Additional Data Sheets Attached

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
well probe	Olympic	Actaf	500		500	

Measurements:

operating pressure	-50-65 psig (installed gage)
static water level	-29'

☒ Additional Computation Sheets Attached

2 Alternate Method for Checking Purposes.

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 Amps x 0.01732 = _____ (6)

Panel Input HP (6) x 1.34 = _____ (7) Efficiency (5)/(7) x 100 = _____ %

Volume Calculations for Irrigation

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{1 \text{ ac} \times 4 \text{ cfs} = 4 \text{ acfs}}{}$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{0.02 \text{ cfs} \times 214 \text{ d} \times 1.9835 = 8.56}{}$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \frac{4 \text{ acfs}}{}$

Domestic ; O. Gafa
(Hans only)

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1 Recommended Amounts

Beneficial Use

Domestic

Livestock

Period of Use

From To

7-1 12-31

4-1 10-31

Rate of Diversion

Q (cfs)

0.04 cfs

0.02 cfs

Annual Volume

V (afa)

0.6 4.0

4.6 afa

0.06 cfs

Totals.

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 Alvin W. Parris

Signature Alvin W. Parris

Certification Date _____

Field Report Preparation Date _____

CONSULTANT SEAL

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

* See attached adjust your application form. BE

MEMORANDUM

TO: File 35-08213 / Bernard Whitworth
FROM: Brenda Chapman
DATE: January 12, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Domestic	1-01 to 12-31	.04	1.2

A letter received 1/8/95 from Mr. Whitworth states that he irrigates no more than $\frac{1}{2}$ acre; therefore, the irrigation use has been deleted. The standard domestic use will cover the $\frac{1}{2}$ acre of irrigation.

RECEIVED
FEB 13 1995

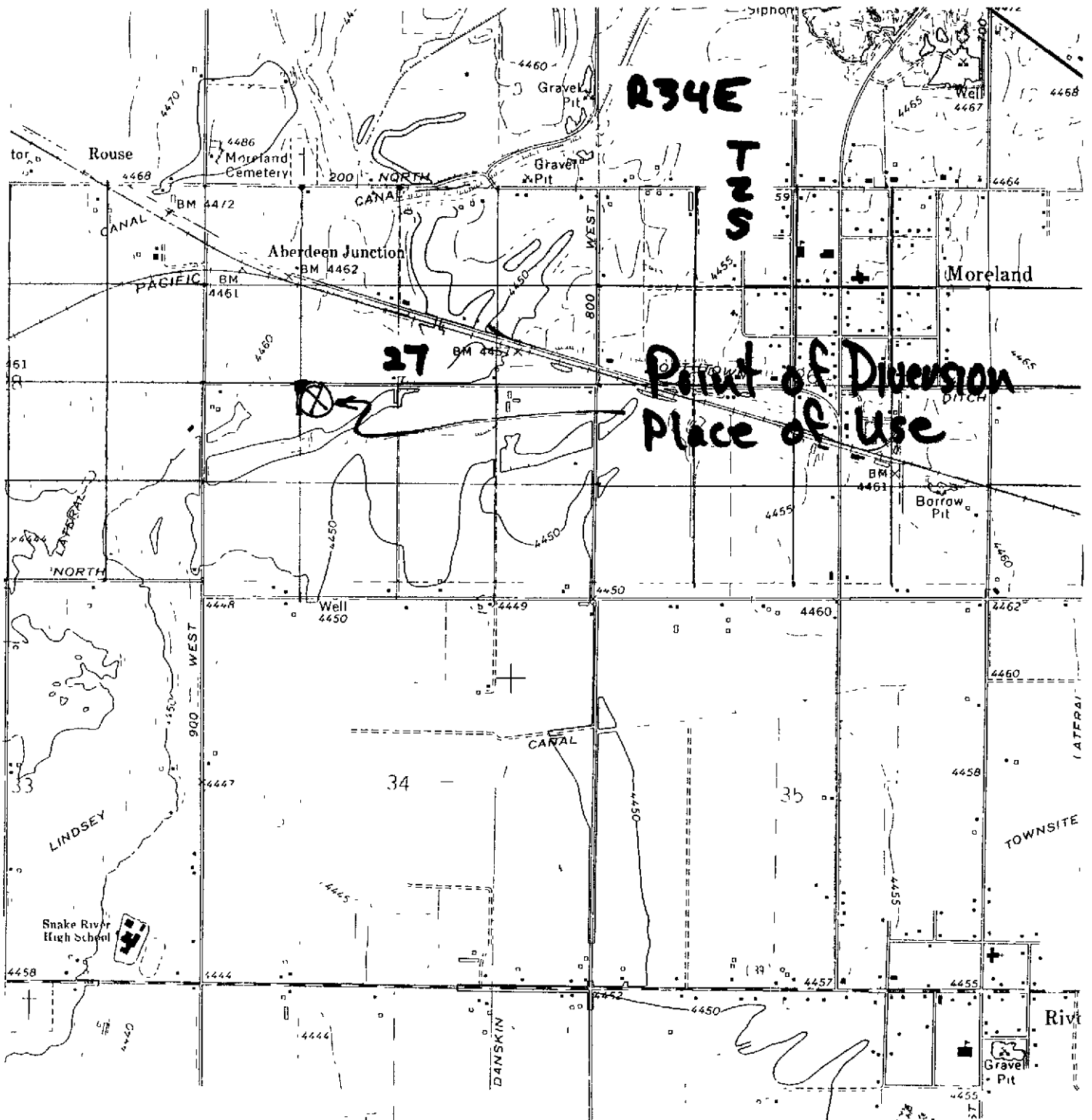
$$Q = \frac{(1.5 \text{ HP})(8.814)(.7)}{[(29 \text{ ft}) + (50 \text{ psi})(2.308)]}$$

$$= 0.064091 \text{ cfs}$$

$$= 0.06 \text{ cfs}$$

RECORDED
FEB 13 1995

35-8213



FEB 13 1995

35-8213

Department of Water Resources
WELL INSPECTION FORM

If well is associated with water right, provide WR# 35-8213

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 2S, Rge 34E, Sec. 27, NE^{1/4} SW^{1/4} or Lot _____.

2. Owner: Bernard and Linda Whitworth

Address 871 W 150 N, City BLACKFOOT, ID

3. Casing $\geq$ 12 inches above ground: Yes ☒ No ☐

4. Access Port:	Yes ☒ No ☐	Static Water Level:	<u>29'</u>
Pressure Gauge:	Yes ☒ No ☐	Casing Diameter:	<u>6"</u>
Flowing:	Yes ☐ No ☒	Temperature:	<u>NA</u>

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ☐ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

APR

FEB 13 1995

35-1213

RECEIVED
FEB 13 1995

January 24, 1990

BERNARD WHITWORTH
LINDA WHITWORTH
RT. 7, BOX 283
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08213

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

RECEIVED

FEB 14 1990

THIS WELL IS USED FOR DOMESTIC
WATER & IRRIGATES 2 ACRE OF YARD, I
THINK THAT THE ESTIMATE OF .07 BY
IDAHO FALLS WAS A LITTLE HIGH.

RECEIVED

FEB 14 1990

138791
October 31, 1989

BERNARD WHITWORTH
LINDA WHITWORTH
RT. 7, BOX 283
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-08213

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 January 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED
FEB 14 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NOT COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

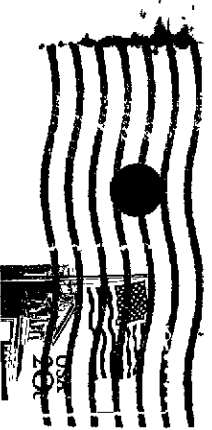
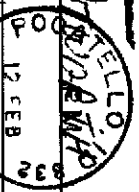
SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

RECEIVED

SEP 14 1985

BERNARD WHITE
871 W 150 N
BLAINE ID 83721



MICROFILMED

FEB 14 1990

RECEIVED



FEB 14 1990
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

Department of Water Resources
BOISE IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 35-8213
Name(s) of Permit Holder(s): BERNARD CR LINDA WHITWORTH
Post Office Address: 871 W 150 N
BLACKFOOT IDAHO 83221 Tel. No. 684-3475

☐ I hereby certify that construction of diversion works for the above referenced permit began on SEPT. 1976 (date) and that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diversion works 1980 above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is
not an acceptable reason.

2-12-85 Date

Bernard Whitworth Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

WHITWORTH, BERNARD & LINDA
RT. 7, BOX 283
BLACKFOOT, ID 83221

JANUARY 31, 1985

RE: PERMIT NO. 35-8213

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.

YOU SHOULD BE AWARE THAT THE GROUND WATER 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 GROUND WATER 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 FOR INTERFERENCE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

RECEIVED

RE: PERMIT 35-8213

PAGE 01
JANUARY 31, 1985

SINCERELY,

DAVID R. TUTHILL, JR., P.F.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

RECEIVED
JAN 31 1985



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

December 27, 1984

Morning News
P.O. Box 70
Blackfoot, ID 83221

RE: Applications for Permit Nos. 27-7353, 27-7355, 27-7375
27-7378, 35-8146, 35-8148, 35-8151, 35-8152, 35-8174, 35-8179,
35-8190, 35-8193, 35-8199, 35-8208, 35-8209, 35-8213, 35-8214
35-8215, 35-8217 & 35-8222.

Gentlemen:

Would you please submit an affidavit of publication and
certified bill in connection with the above referenced
applications. The legal notice was to have been published in
your paper on December 6 and 13, 1984.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

CHERYL ZEMP
Secretary

NOTICE OF APPLICATION FOR WATER RIGHT

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

In: SESE, Sec. 35, T. 02S, R. 33E, for 3 ACRES.

35-8193

PARK, WAYNE L.
Rt. 7, Box 367
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/29/1983
Diversión Pt.: NWNW, Sec. 34, T. 02S, R. 34E.
Use: IRRIGATION (0 12 CFS)
DOMESTIC (0 02 CFS)
In: NWNW, Sec. 34, T. 02S, R. 34E, for 4 ACRES

35-8199

RODEBACK, WILBUR R.
&/or ELIZABETH B
P.O. Box 125
Moreland, Id. 83256
Source: GROUNDWATER
Date Filed: 06/29/1983
Diversión Pt.: SWSE, Sec. 23, T. 02S, R. 34E.
Use: IRRIGATION (0 05 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0 04 CFS)
In: SWSE, Sec. 23, T. 02S, R. 34E, for 2 ACRES.

35-8208

CURRY, ROSCOE &/or SHARLENE
Rt. 1, Box 233
Aberdeen, Idaho 83210
Source: GROUNDWATER
Date Filed: 06/27/1983
Diversión Pt.: NENE, Sec. 21, T. 05S, R. 31E.
Use: IRRIGATION (0.06 CFS)
DOMESTIC (0.04 CFS)
In: NENE, Sec. 21, T. 05S, R. 31E, for 2 ACRES

35-8209

TURNER, PAUL W. &/or
DELANA J.
Rt. 2, Box 49
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/28/1983
Diversión Pt.: NESW, Sec. 26, T. 02S, R. 34E.
Use: IRRIGATION (0 15 CFS)
DOMESTIC (0 24 CFS)
In: NESW, Sec. 26, T. 02S, R. 34E, for 5 ACRES.

35-8213

WHITWORTH, BERNARD &/or LINDA
Rt. 7, Box 283
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/23/1983
Diversión Pt.: NESW, Sec. 27, T. 02S, R. 34E.
Use: IRRIGATION (0.03 CFS)
DOMESTIC (0 04 CFS)
In: NESW, Sec. 27, T. 02S, R. 34E, for 1 ACRE.

35-8214

MARTIN, HAROLD
Rt. 1, Box 332
Shelley, Idaho 83274
Source: GROUNDWATER
Date Filed: 06/23/1983
Diversión Pt.: SWSW, Sec. 26, T. 01N, R. 36E.
Use: IRRIGATION (0 03 CFS)
DOMESTIC (0.06 CFS)
In: SWSW, Sec. 26, T. 01N, R. 36E, for 1 ACRE

35-8215

MARTIN, HAROLD
Rt. 1, Box 332
Shelley, Id. 83274
Source: GROUNDWATER
Date Filed: 06/23/1983
Diversión Pt.: NENE, Sec. 22, T. 01N, R. 36E.
Use: IRRIGATION (0 12 CFS)
DOMESTIC (0 13 CFS)
In: NENE, Sec. 22, T. 01N, R. 36E, for 6 ACRES

35-8217

BELNAP, DARRELL O
&/or ELAINE
Rt. 5, Box 312
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/20/1983
Diversión Pt.: NWNW, Sec. 08, T. 03S, R. 34E.

27-7353

USS AGRI-CHEMICALS
USS FARM SERVICE CENTER
P.O. Box 492
Shelley, Idaho 83274
Source: GROUNDWATER
Date Filed: 05/02/1983
Diversión Pt.: SWSE, Sec. 21, T. 01N, R. 37E.
Use: COMMERCIAL (1 00 CFS)
In: SWSE, Sec. 21, T. 01N, R. 37E.

27-7355

MARTIN, ENNIS B. &/or DOROTHY L.
P.O. Box 788
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 05/17/1983
Diversión Pt.: NWNE, Sec. 12, T. 03S, R. 34E.
Use: IRRIGATION (0 06 CFS)
DOMESTIC (0 04 CFS)
In: NWNE, Sec. 12, T. 03S, R. 34E, for 2 acres

27-7375

GENTILLON, EMILE
MILLER, ALDEN
P.O. Box 24
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/27/1983
Diversión Pt.: LOT 08 (NWNW) Sec. 25, T. 01S, R. 36E.
Use: IRRIGATION (0 03 CFS)
DOMESTIC (0 06 CFS)
In: LOT 08 (NWNW) Sec. 25, T. 01S, R. 36E, for 1 ACRE

27-7378

HANNY, GRANT
Rt. 2, Box 226
Shelley, Id. 83274
Source: GROUNDWATER
Date Filed: 06/20/1983
Diversión Pt.: SWSW, Sec. 13, T. 01S, R. 37E.
Use: IRRIGATION (0 02 CFS)
DOMESTIC (0 06 CFS)
In: SWSW, Sec. 13, T. 01S, R. 37E, for 1 ACRE

35-8146

JACOBSEN SUBDIVISION WATER CO INC.
DRAWER G
MORELAND, ID 83256
Source: GROUNDWATER
Date Filed: 05/17/1983
Diversión Pt.: NWNW, Sec. 25, T. 02S, R. 34E.
Use: IRRIGATION (0 66 CFS)
DOMESTIC (0 41 CFS)
In: NWNW, Sec. 25, T. 02S, R. 34E, for 33 ACRES

35-8148

DETMER, Jack E.
P.O. Box 654
Blackfoot, Id. 83221
Source: GROUNDWATER
Date Filed: 05/24/1983
Diversión Pt.: NWNW, Sec. 28, T. 02S, R. 35E.
Use: IRRIGATION (0 06 CFS)
DOMESTIC (0 06 CFS)
In: NWNW, Sec. 28, T. 02S, R. 35E, for 2 ACRES.

35-8151

SAUNDERS, RONALD &/or PHYLLIS
Rt. 7, Box 306
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 05/31/1983
Diversión Pt.: NENE, Sec. 29, T. 02S, R. 34E.
Use: COMMERCIAL (0.10 CFS)
DOMESTIC (0 04 CFS)
In: NENE, Sec. 29, T. 02S, R. 34E.

35-8152

LDS CHURCH
LAKEVIEW WARD
AMERICAN FALLS STAKE
50 E N Temple
Salt Lake City, Ut 84150
Source: GROUNDWATER
Date Filed: -5/31/1983
Diversión Pt.: SESE, Sec. 09, T. 04S, R. 32E.
Use: IRRIGATION (0 02 CFS)
DOMESTIC (0 02 CFS)

RECEIVED

JAN 2 1985

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, DAVID MARK BROWN 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: THURS 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 6th day of DECEMBER, 19 84.

and the last publication having been made on the 13th day of DECEMBER, 19 84; 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.

Subscribed and sworn to before me this 28th

day of DECEMBER, 19 84.

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

35-8213

WHITWORTH, BERNARD &/or LINDA

RT. 7, BOX 283, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 06/23/1983

Diversion Pt: NESW Sec 27 T 02S R 34E

Use: IRRIGATION
DOMESTIC

(0.03 CFS)
(0.04 CFS)

In: NESW Sec 27 T 02S R 34E FOR 1 ACRES

35-8213

WHITWORTH, BERNARD &/or LINDA

Rt 7, Box 283

Blackfoot, Idaho 83221

Source GROUNDWATER

Date Filed 06/23/1983

Diversion Pt NESW, Sec. 27, T 02S, R
34E

Use IRRIGATION (0.03 CFS)

DOMESTIC (0.04 CFS)

In NESW, Sec 27, T 02S, R 34E, for 1
ACRE