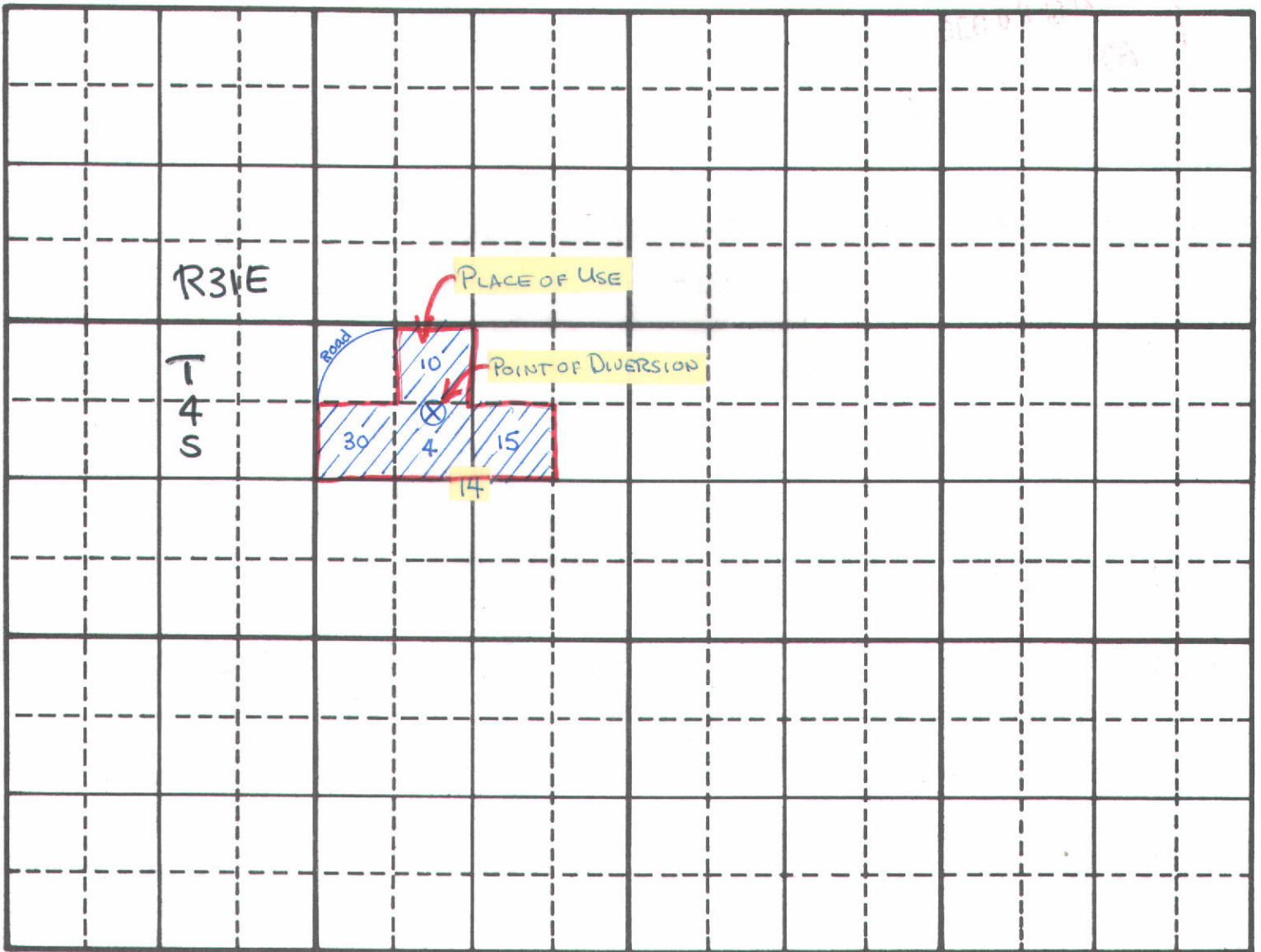


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, this 27 day of October, 1992.

Richard Winberg
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWS Fee = \$20.00 #E08036 Assisted by Kaw Date 10/27/92

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See the attached sheet for the conditions of approval.

Witness my hand this 16 day of November, 1992.

L. Glen Saxton
Chief, Water Allocation Bureau

RECORDED

DEC 08 1992

NOV 20 1993

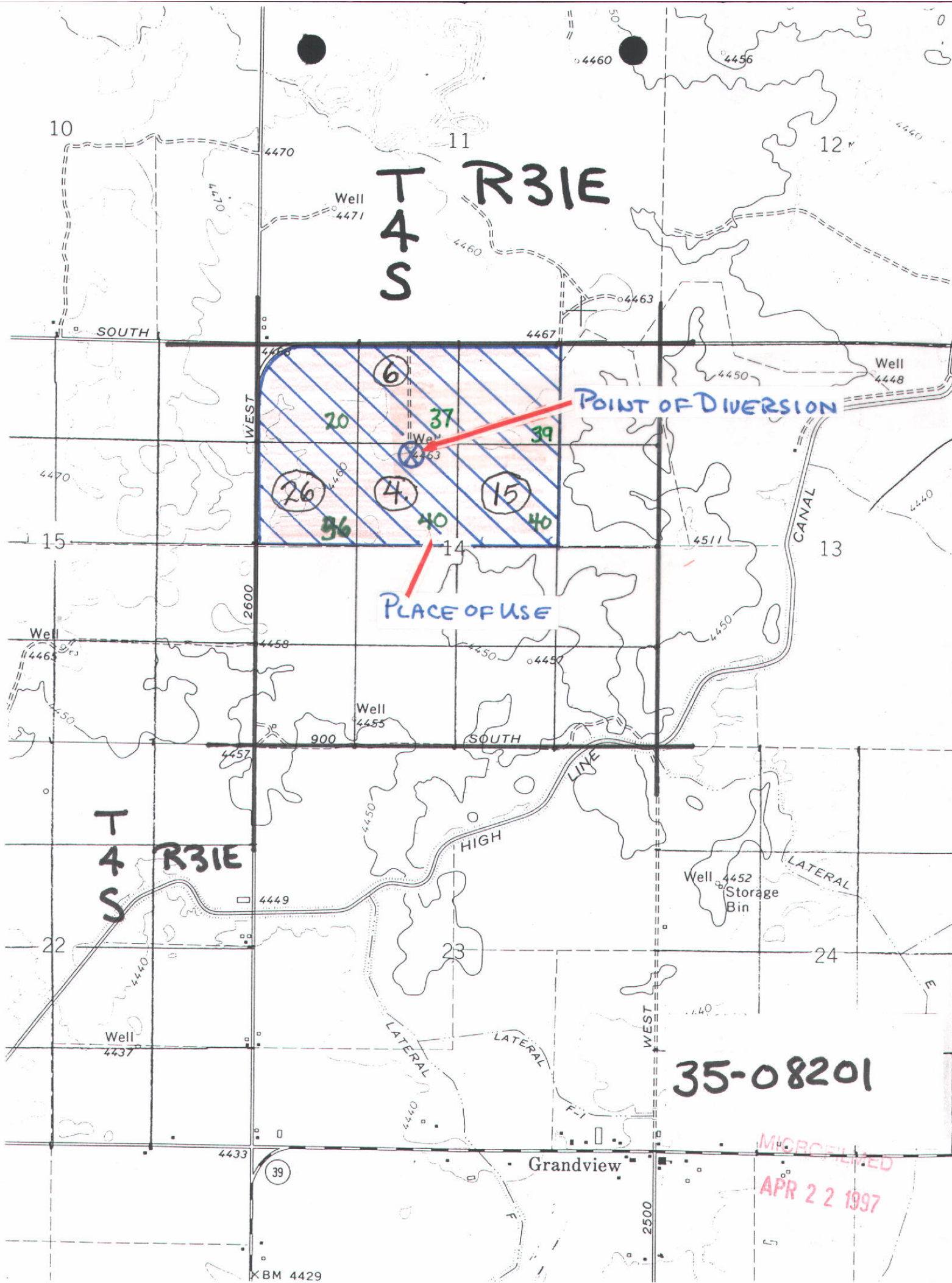


herein set forth.

MICROFILMED

NOV 20 1989

Myrna Winberg
(Applicant)



T 4 S R31E

POINT OF DIVERSION

PLACE OF USE

T 4 S R31E

35-08201

MICROFILMED
APR 22 1997

XBM 4429

NAPP

Springfield Rd

800 S.

Highway 39

14

T 25434
3364

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T 2382
3527

T 4S

R 31E

35-8201

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35-8201

MICROFILMED
APR 22 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08201

Priority: June 29, 1983

Maximum Diversion Rate:

1.18 CFS

This is to certify, that MYRNA WINBERG
RICHARD WINBERG

1027 S 2600 W
ABERDEEN ID 83210

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 29, 1983; and has submitted Proof of Beneficial Use on October 27, 1992. An examination indicates that the works have a diversion capacity of 4.620 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	1.18 CFS	
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LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 14, Township 04S, Range 31E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S 31E 14	NWNE 39	SWNE 40	NENW 37	
	NWNW 20	SWNW 36	SENE 40	212

Total number of acres irrigated: 212

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 must 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.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08201

CONDITIONS OF APPROVAL AND REMARKS

7. Rights 35-02430, 35-02434, and 35-08201 when combined shall not exceed a total annual diversion volume of 848.0 af and the irrigation of 212 acres.
8. This right is limited to the irrigation of 59 acres within the place of use described above in a single irrigation season.
9. Rights 35-02340 and 35-02434 are also diverted through the point(s) of diversion described above.

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 21st
day of April, 1997.


KARL J. DREHER, Director

RECEIVED

APR 15 1997

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 35-08201

Date of Priority: June 29, 1983

Maximum Diversion Rate:

1.18 CFS

Comes now

MYRNA WINBERG

RICHARD WINBERG

1027 S 2600 W

ABERDEEN ID 83210

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-08201, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	04/01 to 10/31	1.18 CFS	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

SENEW, Sec. 14, Township 04S, 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>
04S	31E	14	NWNE 39	SWNE 40	NENW 37	
			NWNW 20	SWNW 36	SENEW 40	212

Total number of acres irrigated: 212

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this 8 day of April, 1997.

Richard Winberg
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08201

FOR DEPARTMENT USE ONLY

Preliminary check by h. t. Fee = \$5000 Received by AD # 930621 Date 4-15-97

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-08201 with the following;

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 must 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.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
7. Rights 35-02430, 35-02434, and 35-08201 when combined shall not exceed a total annual diversion volume of 848.0 af and the irrigation of 212 acres.
8. This right is limited to the irrigation of 59 acres within the place of use described above in a single irrigation season.
9. Rights 35-02340 and 35-02434 are also diverted through the point(s) of diversion described above.

Witness my hand this 21st day of April, 1997.


KARL J. DREHER Director

STATE OF IDAHO

RECEIVED

Ident. No. _____

NOV 02 1992

Department of Water Resources

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Richard or Myrna Winberg Phone 397-4416
of (address) 1027 S 2600W Aberdeen Id 83210, and represents to the
Director of the Idaho Department of Water Resources.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 35-8201, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 NW 1/4, Section 14, Township 4S, Range 31E, B.M.,
County of Bingham. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.18 for Irrigation purposes from 4/1 to 10/31 (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)

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

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	31E	14			15		10		30	4									59

Total number of acres to be irrigated = 59

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

DEC 08 1992

Show 40-acre subdivisions, townships, ranges and ditches.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Scale: 2 inches equal 1 mile.

Diagram illustrating a location on a grid, likely a map or survey. The diagram shows a shaded area labeled "Place of Use" and a shaded area labeled "Point of Diversion". The "Place of Use" is a square with a "Road" label and a value of 10. The "Point of Diversion" is a square with a value of 4 and a circled 'X'. Other values shown are 15, 14, 30, and 4. The text "R31E" and "T4S" is written vertically on the right side of the grid.

FOR DEPARTMENT USE ONLY

Preliminary check by HCS Fee = \$20.00 # E018036
 Received by ASJ/tab, Coo Date 10/27/92

Publication prepared by _____ Date _____
Published in _____

Publication dates

L. GLEN SAXTON, _____, of the Department of Water Resources hereby

ACTION OF THE DEPARTMENT OF WATER RESOURCES

approve the above referenced application for amendment. See the attached sheet for the

conditions of approval.

Witness my hand this

day of

November

76 61

Chief, Water Allocation Bureau

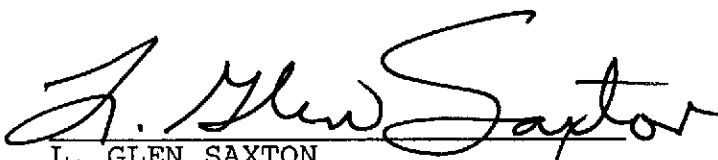
DEC 08 1972

CONDITIONS OF APPROVAL

Amendment of Permit No. 35-08201

1. Provided the conditions as set forth in Permit No. 35-08201 are met.
2. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
4. Construction of the well must comply with Idaho well construction standards.
5. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Dated this 16th day of November, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

DEC 03 1992

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NOV 02 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 35-8201 Telephone No. 397-4416
2. Name(s) of Permit Holder(s): Richard or Myrna Winberg
3. Mailing Address: 1027 S 2600 W Aberdeen Id 83201
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: UNK Date Drilled: 1956

OPTIONAL:

Pump horsepower. 200 Pressure (psi): 85 Dynamic pumping level (ft): _____

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

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

Irrigation 59 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 1.18 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ 125⁰⁰ (See License Fee Schedule on back of Instruction Sheet)

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

Same as above
Name _____ Telephone No. _____

Address _____

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

27 Oct 1992

Date

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

DEC 08 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08201

Proposed Priority: June 29, 1983 Maximum Diversion Rate: 1.60 CFS

This is to certify, that **RICHARD WINBERG**
MYRNA WINBERG
P.O. BOX 28
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 10/31	1.60 CFS

LOCATION OF POINT(S) OF DIVERSION: SENE Sec. 26, Township 04S, 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>
04S	31E	26	SWNE 40	SENE 40		80

Total number of acres irrigated: 80

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1992**.
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. 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.
7. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed **NOV 20 1989** cubic feet per second for each acre of land.

MICROFILMED

State of Idaho
Department of Water Resources

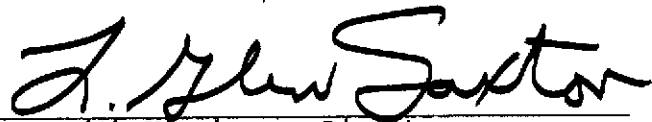
Permit To Appropriate Water

NO. 35-08201

CONDITIONS/REMARKS:

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

30th day of October, 1989.

for 
R. Keith Higginson, Director

NOTED
OCT 10 1989

OCT 10 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Richard &/or Myrna Winberg Phone 397-4416
Post office address Box 28, Aberdeen, ID 83210
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 4S
Range 31E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.60 cfs for irrigation purposes from 4/1 to 10/31 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.60 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, with pipeline to
sprinkler 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 12 inches; proposed depth of well is 150 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____.

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

MICROFILMED

NOV 20 1989

applicant to make this filing

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

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

Applicant

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

Applicant

80 acres

Water right No. 35-7798 license is insufficient to irrigate the above

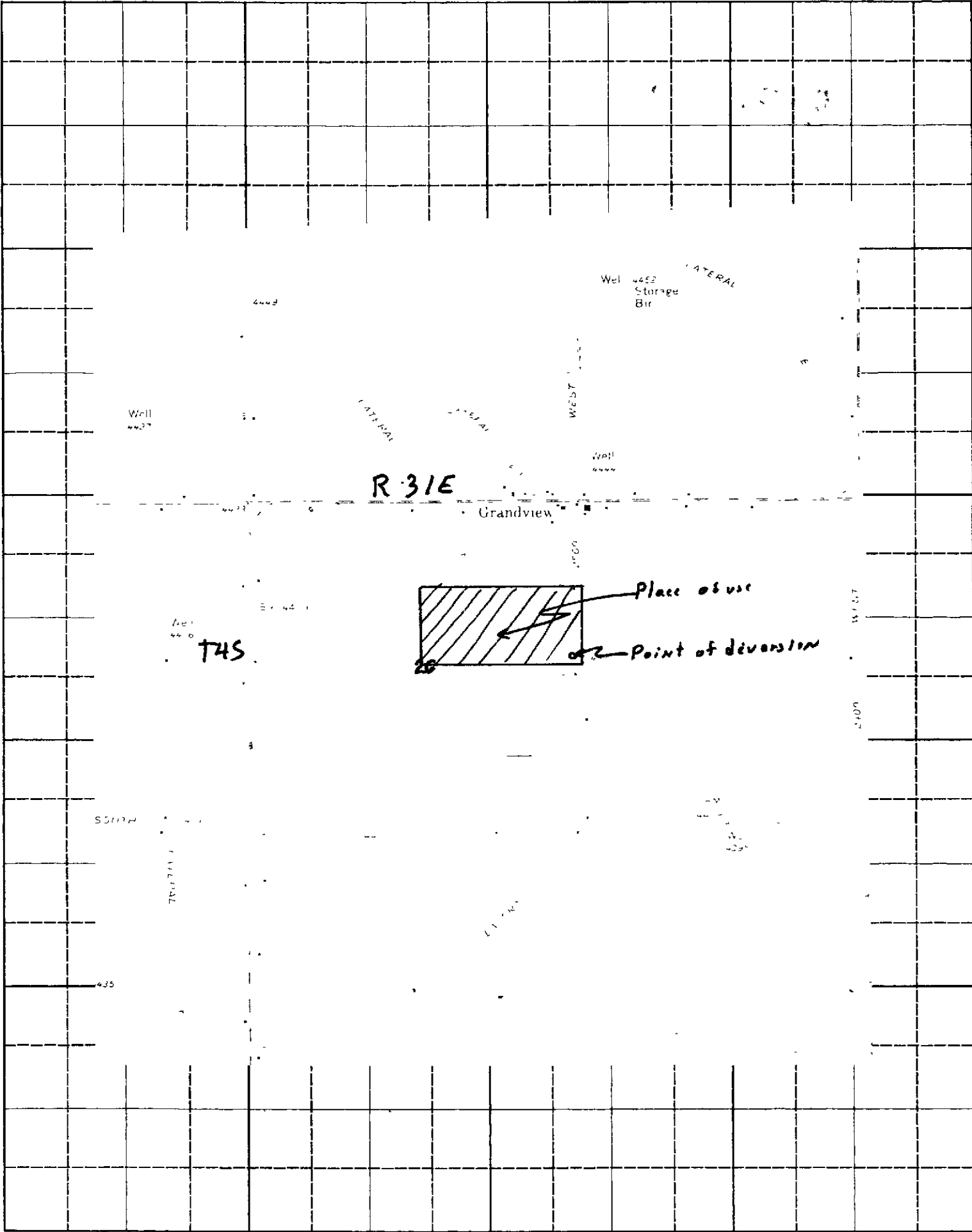
c. Describe any other water rights used for the same purposes as described above.

Total number of acres to be irrigated

[illegible]

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

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.

MICROFILMED

NOV 20 1989

Theresa Winberg
(Applicant)

RECEIVED

NOV 20 1989

d. Other:

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.

for _____, 19_____.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or be-

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

of Idaho No. _____, and said application is hereby _____.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by Jm Date 6-22-83 Time 1:00
Preliminary check by S.M. Fee \$ 65.00
Received by AW Date 6-29-83 # 25671
Publication prepared by AB Date 8-2-89
Published in Morning News
Publication dates 8-14 & 24-89
Publication approved AW Date 9-11-89
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by HWS

35-08201

WINBERG, Richard
WINBERG, Myrna
Box 28
Aberdeen, Idaho 83210
Source GROUNDWATER
Diversion Pt. SENE, Sec 26, T 04S, R
31E
Use IRRIGATION (1 600 CFS)
Date Filed 6/29/1983
In T04S, R31E, S26, SWNE, SENE
80 0 ACRES TOTAL

35-08205

McIVER, DUANE
P O Box 163
Moreland, Id 83256
Source GROUNDWATER
Diversion Pt NWNW, Sec 26, T 02S, R
34E
Use IRRIGATION (100 CFS),
STOCKWATER (020 CFS)
Date Filed 6/28/1983
In T02S, R34E, S26, NWNW
5 0 ACRES TOTAL

35-08206

WOOD, Owen M
Rt 5, Box 85
Blackfoot, Id 83221
Source GROUNDWATER
Diversion Pt SESE, Sec 35, T. 02S, R
33E
Use IRRIGATION (120 CFS)
Date Filed 6/27/1983
In T02S, R33E, S35, SESE
6 0 ACRES TOTAL

35-08220

WELLS, Delos
Box 184
Moreland, Id 83256
Source GROUNDWATER
Diversion Pt NWNW, Sec. 26, T 02S, R
34E
Use IRRIGATION (.200 CFS), DOMESTIC
(.040 CFS).
Date Filed 8/04/1983
In T02S, R34E, S26, NWNW.
10.0 ACRES TOTAL.

35-08227

BOHRER, Herbert A
BOHRER, Linda C.
Box 82
Springfield, Id 83277
Source GROUNDWATER
Diversion Pt NWNE, Sec. 23, T 04S, R
32E
Use IRRIGATION (2.340 CFS).
Date Filed 11/16/1983
In T04S, R32E, S23, NENE, NWNE, SENE
117 0 ACRES TOTAL

35-08330

POULSON, Jack
Rt. 1, Box 251
Aberdeen, Id 83210
Source GROUNDWATER
Diversion Pt. NWNE, Sec 11, T. 05S, R.
31E.
Use IRRIGATION (1.600 CFS)
Date Filed 11/21/1983.
In: T05S, R31E, S11, NENE, NWNE
80 0 ACRES TOTAL

35-08334

WATT, Gail
Rt 1, Box 80
Pingree, Id 83262
Source GROUNDWATER
Diversion Pt NWNW, Sec 14, T 03S, R
32E
Use IRRIGATION (1 320 CFS)
Date Filed 6/22/1983
In T03S, R32E, S14, NENW, NWNW,
SWNW, SENW
---60 0 ACRES TOTAL

35-08338

RUFF, Sherman
RUFF, Betty
Box 67
Aberdeen, Id 83210
Source GROUNDWATER
Diversion Pt Lot 1 (NENE), Sec 24, T
06S, R 30E
Use IRRIGATION (1 200 CFS).
Date Filed 1/27/1984
In T06S, R30E, S24, Lot 1 (NENE), NWNE
87 0 ACRES TOTAL

35-08355

JOHNSON, Russell
JOHNSON, Mary Ann
JOHNSON, Stuart
Rt 5, Box 300
Blackfoot, Id 83221
Source GROUNDWATER
Diversion Pt SESW, Sec 5, T 03S, R
34E
Use IRRIGATION (300 CFS); DOMESTIC
(060 CFS)
Date Filed 6/11/1985
In T03S, R34E, S05, SESW.
15 0 ACRES TOTAL

35-08792

VAN ORDEN, Garth
425 S. 1100 W
Pingree, Id 83262
Source GROUNDWATER
Diversion Pt NESENE, Sec 30, T 03S, R
34E
Use IRRIGATION (.100 CFS)
Date Filed 6/07/1989
In T03S, R34E, S30, SENE
3 5 ACRES TOTAL

35-08793

EDWARDS, Samuel
EDWARDS, LaDonna
380 N University
Blackfoot, Id 83221
Source GROUNDWATER
Diversion Pt SESE, Sec 30, T 02S, R.
35E
Use DOMESTIC (150 CFS)
Date Filed 6/13/1989
In T02S, R35E, S30, SESE

35-08795

VALLEY BANK
C/O Ed Woolstenhume
501 Broadway, 2nd Floor
Idaho Falls, Id 83402
Source GROUNDWATER
Diversion Pt: SWSWSW, Sec 1, T 04S, R.
32E
Use IRRIGATION (1 600 CFS)
Date Filed 6/12/1989
In T04S, R32E, S01, SWSW, SESW
80 0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted bas-
ed 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 SEPTEMBER
4, 1989

R KEITH HIGGINSON
Director

(492)
Pub. 8/17, 24

MICROFILM

NOV 20 1989

DEPT OF WATER RESOURCES
150 Shoup Ave, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

27-07454

CURTIS, Claude C
646 N Highway 91
Firth, Idaho 83236
Source SLOUGH
Tributary SNAKE RIVER
Diversion Pt SESWNW, Sec 35, T 01S,
R 36E
Use IRRIGATION (200 CFS)
Date Filed 6/27/1989
In T01S, R36E, S35, SWNW
10 0 ACRES TOTAL

27-07477

SLAUGHTERBECK, Don
1555 N 800 E
Shelley, Idaho 83274
Source GROUNDWATER
Diversion Pt Lot 5 (NESW), Sec 16, T
01N, R 37E
Use IRRIGATION (040 CFS)
DOMESTIC (040 CFS)
Date Filed 6/16/1989
In T01N, R37E, S16, Lot 5 (NESW)
2 0 ACRES TOTAL

35-08177

POULSON, Duane
Rt 1, Box 14
Aberdeen, Idaho 83210
Source GROUNDWATER
Diversion Pt NENE, Sec 23, T 06S, R
30E, SENE, Sec 23, T 06S, R 30E
Use IRRIGATION (820 CFS)
Date Filed 6/23/1983
In T06S, R30E, S23, NENE, NWNE,
SWNE, SENE
160 0 ACRES TOTAL

35-08178

POULSON Duane
Rt 1, Box 14
Aberdeen, Idaho 83210
Source GROUNDWATER
Diversion Pt SWSE Sec 23, T 06S, R
30E, SESE, Sec 23, T 06S, R 30E
Use IRRIGATION (520 CFS)
Date Filed 6/23/1983
In T06S, R30E, S23, NESE, NWSE, SWSE,
SESE
160 0 ACRES TOTAL

35-08181

SHRADER, Lark G
SHRADER, Maxine R
Rt 2, Box 305
Blackfoot, Idaho 83221
Source GROUNDWATER
Diversion Pt SWNE, Sec 2, T 03S, R
34E
Use IRRIGATION (320 CFS), DOMESTIC
(040 CFS)
Date Filed 6/30/1983
In T03S, R34E, S02, SWNE
16 0 ACRES TOTAL

35-08182

SHRADER, Lark G
SHRADER, Maxine R
Rt 2, Box 305
Blackfoot, Id 83221
Source GROUNDWATER
Diversion Pt SWNE, Sec 2, T 03S R
34E
Use IRRIGATION (400 CFS), DOMESTIC
(040 CFS)
Date Filed 6/30/1983
In T03S, R34E, S02, SENW
20 0 ACRES TOTAL

35-08183

SNAKE RIVER SCHOOL DISTRICT
Rt 2, Box 249
Blackfoot, Id 83221
Source GROUNDWATER

Diversion Pt NENE, Sec 2, T 03S, R 34E
Use IRRIGATION (160 CFS), DOMESTIC
(050 CFS)
Date Filed 7/18/1983
In T03S, R34E, S02, NENE
8.0 ACRES TOTAL

35-08184

SNAKE RIVER SCHOOL DISTRICT
Rt 2, Box 249
Blackfoot, Id 83221
Source GROUNDWATER
Diversion Pt SESE, Sec 33, T 02S, R
34E
Use IRRIGATION (800 CFS), DOMESTIC
(100 CFS)
Date Filed 7/18/1983
In T02S, R34E, S33, NESE, SWSE
16 0 ACRES TOTAL

35-08191

LIM, Gale
Rt 2, Box 313
Blackfoot, Id 83221
Source GROUNDWATER
Diversion Pt NESE Sec 16 T 03S, R,
34E
Use IRRIGATION (800 CFS)
Date Filed 5/25/1983
In T03S, R34E, S16, NESE
40 0 ACRES TOTAL

35-08192

CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS
Northwest Stake Center
50 E North Temple St
Salt Lake City, Utah 84150
Source GROUNDWATER
Diversion Pt SWSW, Sec 27, T 02S, R
34E
Use IRRIGATION (340 CFS), DOMESTIC
(040 CFS)
Date Filed 7/19/1983
In T02S, R34E, S27, SWSW, S34, NWNW
17 0 ACRES TOTAL

35-08197

FUNK, Betty
FUNK, Raymond
2066 S 2950 W
Aberdeen, Idaho 83210
Source GROUNDWATER
Diversion Pt NENWSW, Sec 19, T 06S,
R 31E
Use IRRIGATION (3 060 CFS)
Date Filed 7/07/1983
In T06S, R31E, S19, NENW, NWNW,
SWNW, SENW, NESW, NWSW, SWSW,
SESW
291 0 ACRES TOTAL

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho) ss

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

17th day of August, 1989;

and the last publication having been made on the
24th day of August, 1989,
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 29th 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.

Raye A. H. H. H. **NOT FILMED**
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994
NOV 20 1989

Affidavit Processing Fee \$5.00



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

April 21, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MYRNA WINBERG
RICHARD WINBERG
1027 S 2600 W
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-08201

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.

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.

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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:ph

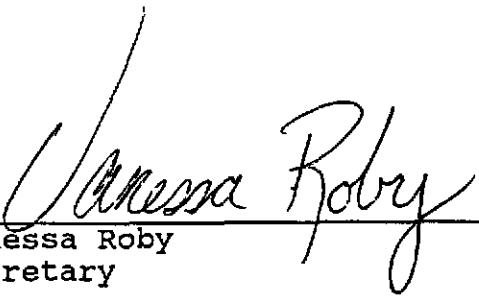
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of April, 1997, 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. 35-08201

MYRNA WINBERG
RICHARD WINBERG
1027 S 2600 W
ABERDEEN ID 83210



Vanessa Roby
Secretary



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 13, 1997

MYRNA WINBERG
RICHARD WINBERG
1027 S 2600 W
ABERDEEN ID 83210

RE: WATER RIGHT NO. 35-08201

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MEMORANDUM

TO: File 35-08201

FROM: Sharla

DATE: March 12, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 35-08201 are based on the following

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T4S, R31E, S141 - NWNE (39 acres), SWNE (40 acres)
NENW (37 acres), NWNW (20 acres),
SWNW (36 acres), SENW (40 acres)

TOTAL 212 acres with limitation of 52 acres irrigated under this right in a single irrigation season.

H. RECOMMENDATIONS

Irrigation 4/1 - 10/31 1.49 cfs

The entire land base is being listed as a permissible place of use because the irrigation system has been upgraded since the exams for the previous licenses. The system now produces more water, increasing the rate per acre even though the number of acres has also increased. The rate to be licensed reflects an inch per acre for the 52 acres allowed under this right and 0.45 cfs bringing the rate/acre up to an inch under the other rights.

Examiner. Keith Wilson
Exam Date: August 31, 1994

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08204

DATE 3/6/77

REVIEWER: SHARLA

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

Does map agree with written description? ✓ yes — no

OVERLAPS ✓ P/D — P/U 35-02430, 24341, looked at files

RATE OF DIV

Permitted Rate 1.18 cfs

Fee limit 2.0 cfs \$125⁰⁰

Measured 4.62 cfs

Theoretical 2.12 cfs 285 psi and 100' h

3.16 cfs used when examined 1960/1961 100 hp pump.

Recommended Total Div Rate 1.49 cfs ^{+.45} = 1.49

150 hp pump - system upgraded

ANNUAL VOLUME/

NATURE OF USES —

Use Dom.

Volume Calculation

52.8 ~~4.0~~ = af

208.0 af

— af

— af

SUBTOTAL 208.0 af

Flow rate 1.49 cfs X 24 days X 1.9835 = 731.3 af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

W36 (35-02430/02434)
W35 " " " 248.0 af, 212 ac)
W27 (52 ac)

CONDITIONS

— Watermaster Control WD# —

— GW Measurement/Measuring Device

3 Overlap

— Use-specific conditions 048, 049

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo 2/1/77
paid

1st Amend Letter —

2nd Amend Letter —

P41, P38
P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 06 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-8201

1. Owner: Richard or Myrna Winberg Phone No. 397-4416
Current Address: 10275 2600w Aberdeen Id 83201

2. Accompanied by: — EXAM DATE: 8-31-94

Address: — Phone No. 8-21-96

Relationship to Permit Holder: polysonic reading

3. Source: GROUND WATER tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-2430, 35-2434 (somewhat) A35-11696 (ENLARGE)
2. Other water rights with the same point of diversion: 35-2430, 35-2434, A35-11696, ENLARGEMENT

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
			SE	NW	14	4S	31E		on site / LLSGS

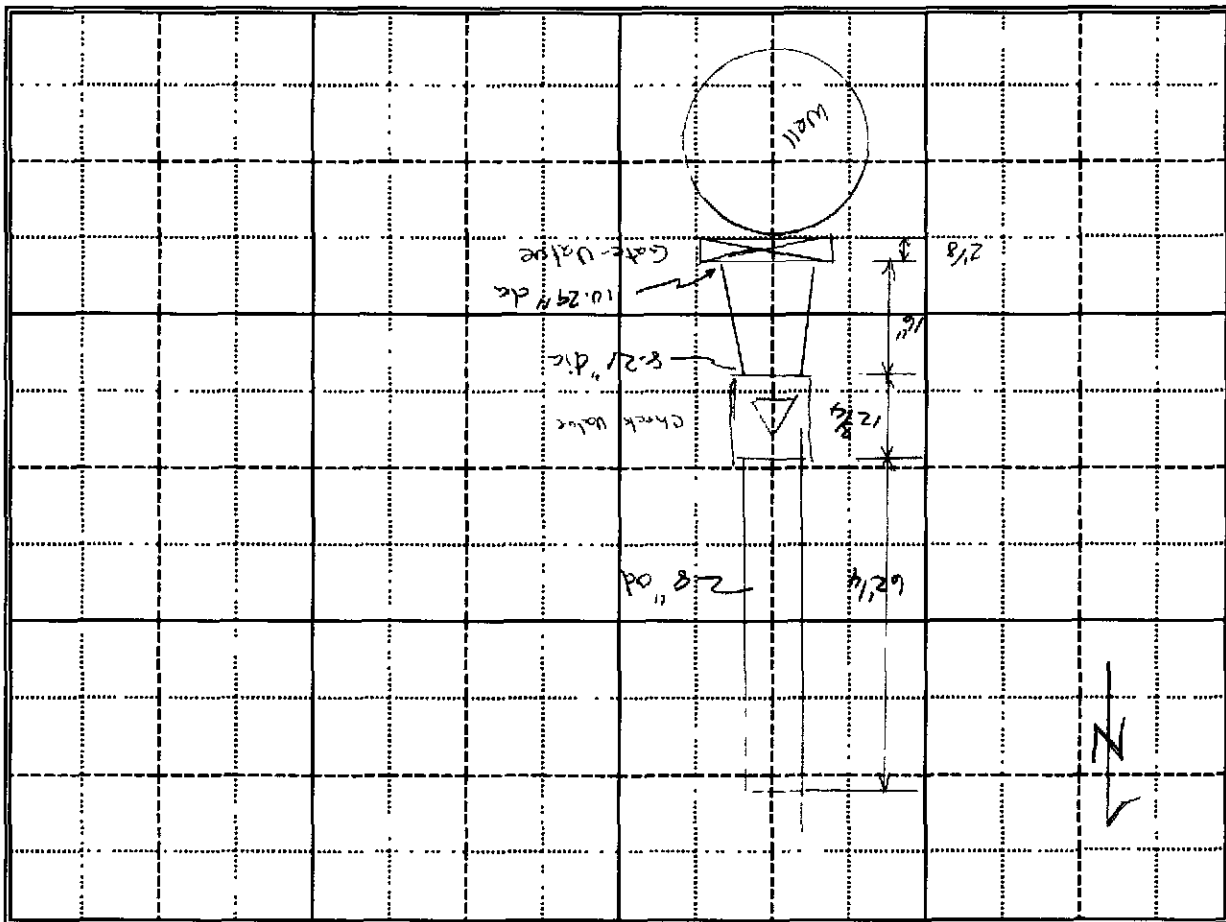
2. Place(s) of Use:

Indicate Method of Determination ASCS

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	31E	14			15		6		26	4									51
TOTALS	→			39	40		37	20	36	40									212
35-2430, 2434																			

RECEIVED
FEB 11 1997

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



Scale: 1" =

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

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

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	150	LKJ1106155	Quora	V74-03486

*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
well probe						

2. Measurements:

Static H₂O level 59' ± 30'

E. NARRATIVE/REMARKS/COMMENTS

Hand line w/	7- $\frac{1}{64}$ "	1 hand line w 28 sprinkles
	3- $\frac{3}{16}$ "	(most are $\frac{5}{32}$ ")
	21- $\frac{5}{32}$ "	1 hand line w 26 sprinkles
	1- $\frac{7}{32}$ "	(most are $\frac{5}{32}$ ")
	1- $\frac{1}{8}$ "	
	<u>33 Nozzles</u>	

6 wheel lines 33 sprinkles / line w $\frac{5}{32}$ " nozzles
 1 wheel line 30 sprinkles / line w $\frac{5}{32}$ " nozzles

OVER lap (Additional CFS) + (ACRES)

35- 2430	131 AC	2.62 CFS
35- 2434	30 AC	.44 CFS
	<u>161</u>	<u>3.06 CFS</u>

35- 8201 →	51 ACRES	1.02 CFS
	<u>212 AC</u>	<u>4.08 CFS</u>

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

F. FLOW CALCULATIONS

Measured Method:

$$polysonic = \frac{2072 \text{ gpm}}{448.8} = (4.62 \text{ cfs})$$

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 51 \times 4 = 204$$

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

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 204$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

IRR

From

4/01

Period of Use

To

10/31

Rate of Diversion

Q (cfs)

1.02

Annual Volume

V (ata)

204

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

KEITH C. WILSON

Date

8-31-1994

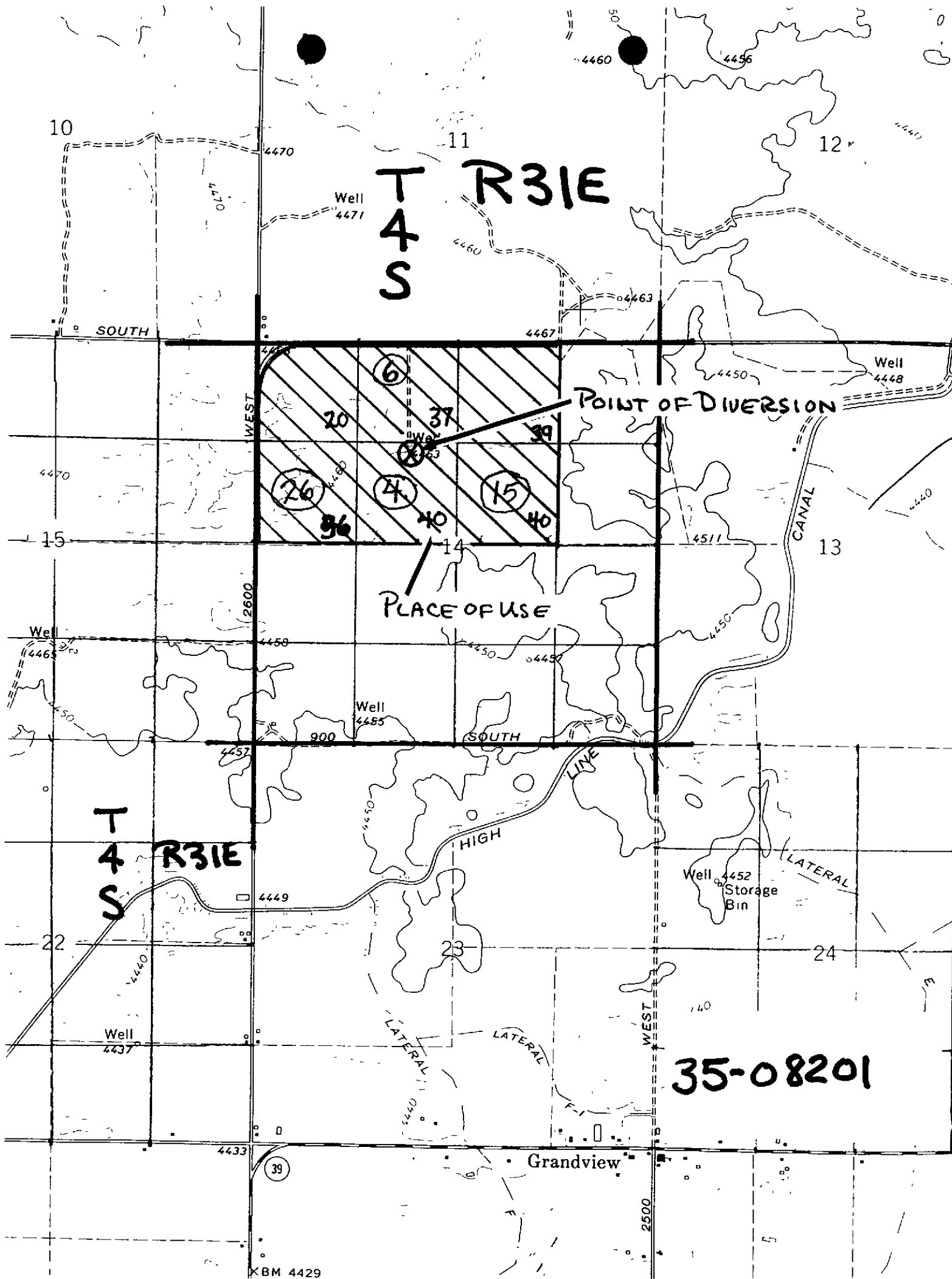
Reviewer

DAVE CARLSON

Date

1/29/97

SEAL



MAP 20

Springfield Rd

G16

27

2543 4
3364

Highway 39

39

39

39

39

336

39

39

39

3382

3382

3382

3382

35-8201

HEL 3

70.8

HEL 4

76.6

35-8201

35-8201

35-8201

35-8201

35-8201

35-8201

MODE SELECT
INPUT

OUTER DIAMETER
8.0000 IN

PIPE MATERIAL
CS-SS

WALL THICKNESS
0.1420 IN

INNER LINING
NO LING.

KIND OF FLUID
WATER

SENSOR MOUNTING
"

TYPE OF SENSOR
SMALL

DATA CHANGE
NO

SPACING
5.853 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

MM-DD HH:MM
09-09 06:10

09-09 06:1000
+002.90 % A12

MODE SELECT
TO CHECK

0288.3 MMSEC
100.01 % T0

09-09 06:1400 *R
+ 2.072E 3GPM

09-09 06:1500 *R
+ 2.064E 3GPM

35-08201

35-8201

MICROFILMED

APR 22 1997

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

$$Hp = \text{Horsepower} = \underline{150}$$

$$Eff = \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%)$$

$$\text{Lift: (Static Level + Assumed Draw down)}$$

$$\text{Static Water Level} = \underline{30} \text{ ft.}$$

$$\text{Assumed Draw down} = + \underline{10} \text{ ft.}$$

$$\text{Lift} = \underline{40}$$

OR

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

$$psi = \text{Operating Pressure} = \underline{65} \text{ psi}$$

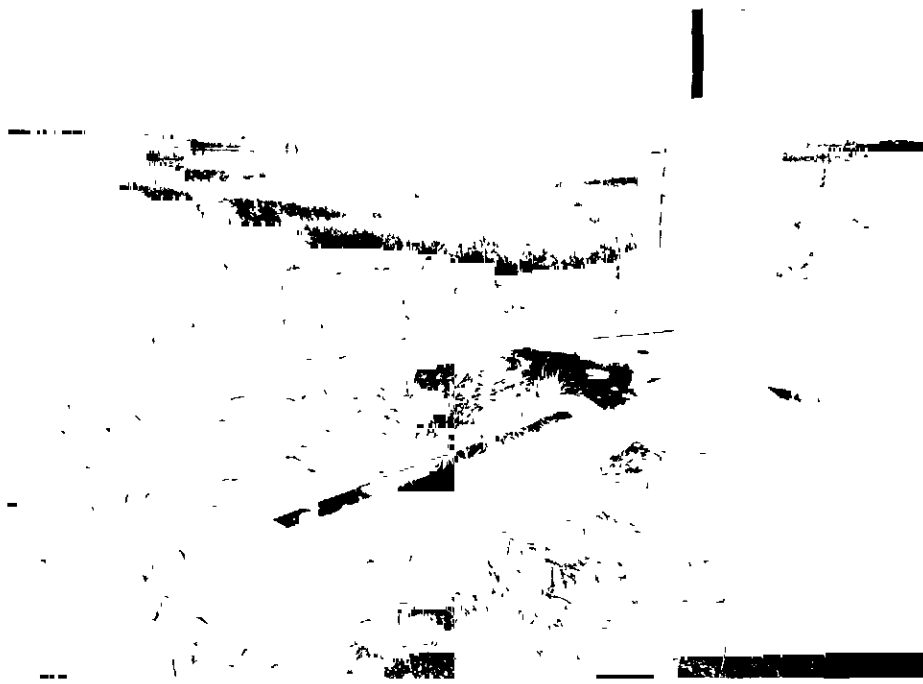
Assume - High Pressure water 65

$$Q_{cfs} = \left[\frac{150}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{40}{Lift} + \left(\frac{65}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{925.47} \right] \div \left[\underline{190.02} \right]$$

$$Q_{cfs} = \underline{4.870} \text{ cfs}$$

PERMIT NO. 35-08201



35-8201

November 20, 1992

RICHARD WINBERG
MYRNA WINBERG
1027 S 2600 W
ABERDEEN ID 83210

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08201

Dear Permit Holder:

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

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

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08201 Reviewed by Klg Date 11/19/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? irrigate - 59
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
NA Drilling permit required?
1956 / Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
1.25 Amount Submitted
yes Correct?
yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

proof due 11/1 (Sunday) received (Monday) 11/2.
Since proof given on a weekend it is not considered late
when received on the following Monday
proof acceptable

DATA ENTRY
New Address

needs a flow
Proof Made 11/2/92
11/20/92 Klg

FROM: RICHARD & MYRNA WINBERG
1027 S 2600 W
ABERDEEN ID 83210

27 OCT 1992

(208) 397-4416

TO: IDAHO DEPARTMENT OF WATER RESOURCES

RE: AMENDMENT TO PERMIT 35-08201

THE ATTACHED PERMIT IS BEING AMENDED TO COVER GROUND THAT HAS BEEN IRRIGATED FOR A NUMBER OF YEARS UNDER THE SAME POINT OF DIVERSION UNDER 35-02430 & 35-02434. LICENSES 35-02430 & 35-02434 HAVE INSUFFICIENT ACREAGE TO COVER THE ADDITIONAL GROUND CURRENTLY IRRIGATED UNDER THE SYSTEM. THE SYSTEM IS ADEQUATE TO IRRIGATE THIS AMENDED PLACE OF USE.

LICENSE 35-07798; HOWEVER, HAS SUFFICIENT GROUND AND WATER TO COVER THE ORIGINAL PLACE OF USE UNDER THIS PERMIT (I.E. S1/2NE1/4 SEC 26, T04S, R31E).

PLEASE PROCESS THIS AMENDMENT AS QUICKLY AS POSSIBLE.

SINCERELY,


RICHARD OR MYRNA WINBERG

MAILED

DEC 08 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 17, 1992

RICHARD WINBERG
MYRNA WINBERG
1027 S 2600 W
ABERDEEN ID 83210

RE: Permit No. 35-08201

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

NOV 18 1992

MEMORANDUM

TO: File 35-08201

FROM: Brenda

DATE: November 4, 1992

RE: Amendment Conditions

=====

The Application for Amendment of the above referenced permit is to be approved with the following recommended conditions:

Approved provided the conditions as set forth in Permit No. 35-08201 are met.

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.

Construction of the well must comply with Idaho well construction standards.

Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

10-29-92

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 35-08201

Applicant Richard or Myrna Winberg

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) 35-02430 + -02434
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions OTG

By [Signature] Date 10-30-92

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By BLM Date 11-04-92
- ☒ Approved copy sent to applicant and to Region. By CJ Date 11/10/92

August 31, 1992

RICHARD WINBERG
MYRNA WINBERG
P.O. BOX 28
ABERDEEN ID 83210

PROOF DUE NOTICE

RE: PERMIT NO. 35-08201

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, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

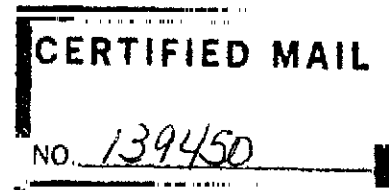
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED

DEC 08 1992

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 30, 1989

RICHARD WINBERG
MYRNA WINBERG
P.O. BOX 28
ABERDEEN, ID 83210

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P35-08201

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.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

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.

MICROFILMED

NOV 20 1989

Please note the 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 a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

NOV 20 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Steve McCormick

APPLICATION NUMBER 35 8201

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.

Field check by _____

Date _____

Comments _____

☒ Fee.

☐ 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
☐ Idaho Fish and Game Department
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management
☐ U.S. Forest Service
☐ Other _____

Copies sent by _____

Date. _____

PROCESSING:

☐ Yes ☒ No

Platted by _____

Map No _____

☒ Yes ☒ No

Other rights on same place of use.

Lisc # 35-7798 - Same P.U.

☒ Yes ☐ No*

In form for advertising

☐ Yes ☒ No

Final date for protests: 9-4-89

Protests received If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW

- ☒ Affidavit of publication received Date _____
☐ 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-P05
6-29-83 Date of priority recommended
Special conditions of approval or cover letter. 01G

App. in NON-TRUST area -
allow 3 yrs. for B/U development

By AWJ

Date. 9-12-89

STATE OFFICE REVIEW

P03, P05, P23, P17

48 49 46 26 01G

☐ See attached sheet for more information.

By kw

Date. 10-11-89

SEP 13 1989

August 9, 1989

Richard &/or Myrna Winberg
Box 28
Aberdeen, ID 83210

RE: Application for Permit No. 35-8201

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

MICROFILMED

NOV 20 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 8, 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 SEPTEMBER 4, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
NOV 20 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following appl[redacted]ion(s) have been filed to [redacted] appropriate the public waters of the State of Idaho:

78-3-11
1000-1000

1000-1000

1000-1000

35-08201

WINBERG, RICHARD
WINBERG, MYRNA
BOX 28
ABERDEEN, ID 83210

Source: GROUNDWATER

Diversion Pt: SENE Sec 26 T 04S R 31E

Use: IRRIGATION (1.600 CFS)

Date Filed: 6/29/1983

In: T04S R31E S26 SWNE SENE

80.0 ACRES TOTAL

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NOV 20 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 SEPTEMBER 4, 1989.

R. Keith Higginson, Director

Published 8/17/1989 & 8/24/1989

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NOV 10 1989

35-8201-

WINBERG, RICHARD &/or MYRNA

BOX 28, ABERDEEN, ID 83210

Source: GROUNDWATER

Date Filed: 06/29/1983

Diversion Pt: SENE Sec 26 T 04S R 31E

Use: IRRIGATION (1.60 CFS)

In: SWNE SENE Sec 26 T 04S R 31E FOR 80 ACRES

MIDGLEY

NEW YORK