

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-2541 V2

WATER RIGHT NUMBER: 35-2541 V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ARIEL D RICKS MORELAND, ID
Current Owner	WILLIAM PHILLIPS & SONS PARTNERSHIP 904 N 1200 W BLACKFOOT, ID 83221 (208)684-3236
Original Owner	KENNETH W MARSHALL 185 BLAIR DR TWIN FALLS, ID 83301 (208)733-3983

Priority Date: 06/11/1958

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.880 CFS	960.00 AF
	<u>Total Diversion:</u>	2.880 CFS	960.00 AF

Location of Point(s) of DiversionGROUND WATER
BINGHAM County

SE1/4NE1/4SW1/4

Sec. 30, Twp 01S, Rge 34E, B.M.

Place of Use

IRRIGATION

↑
cannot
determine
10 ac tract
in are view.

Recommendation

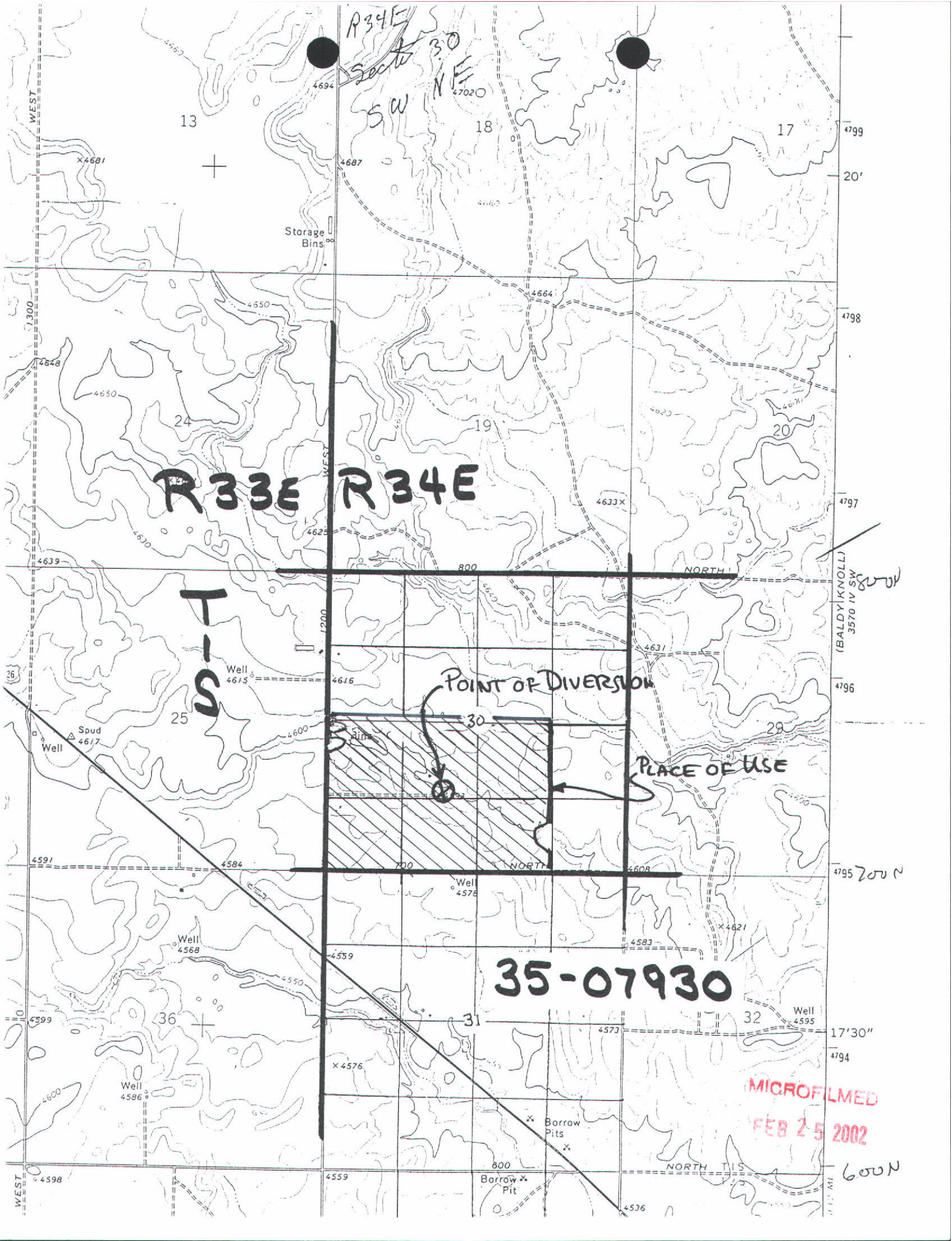
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	30			2.0				2.0	2.0	40.0	36.0	40.0	40.0		40.0	38.0		240.0
									L2			L3	L4						

Total Acres: 240

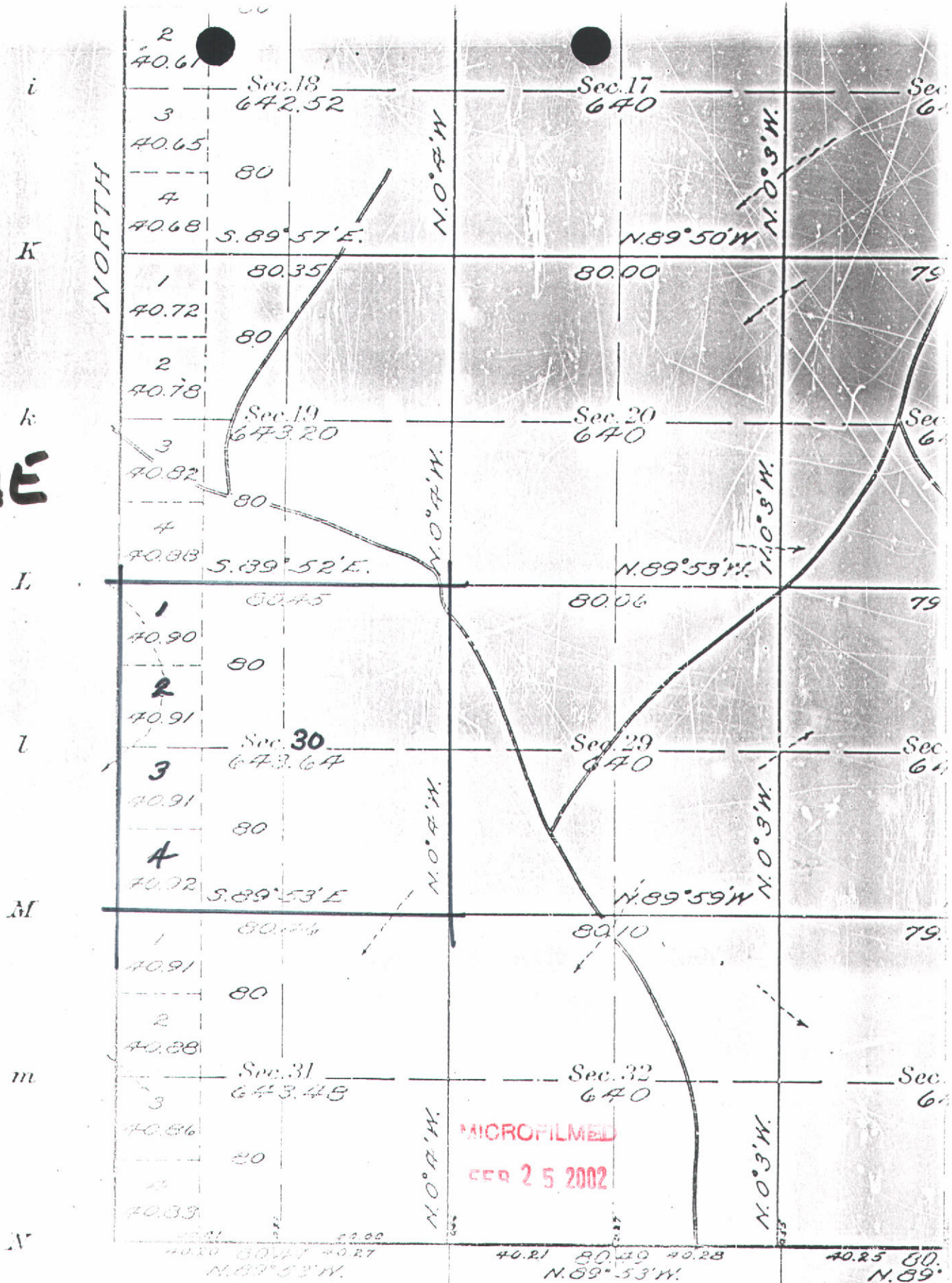
Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

POU ID
=480242



R34E
T-1-S



Surveys Designated	By Whom Surveyed	Group		Amount of	
		No.	Date	Mls.	chs.
Base Line. Res.	Albert Smith Jr. & Paul C. Perkins	25	Aug. 29, 1911	6	0
E & W B. boundaries	"	"	"	11	34

Hilltop

T
S R34E

24 19
25 30

19
30

Lot 1

35-07930

Lot 2

(2)

MAINLINE

(2)

(2)

30

Lot 3

36

40

40

POINT OF DIVERSION



PLACE OF USE

Lot 4

40

40

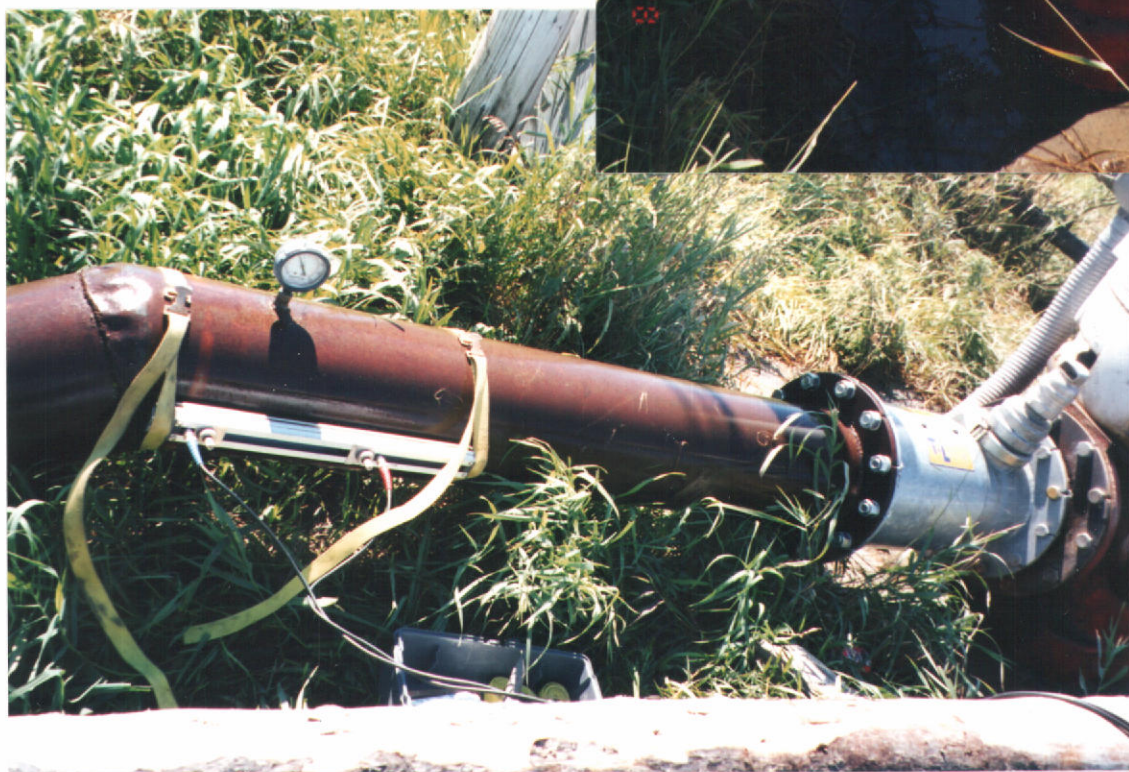
38

25 30
36 31

30
31

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FEB 25 2002

35-07930



35-
07930

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FEB 25 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-07930

Priority: April 10, 1998

Maximum Diversion Rate: 1.71 CFS

It is hereby certified that WILLIAM P PHILLIPS & SONS
904 N 1200 W
BLACKFOOT ID 83221 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated December 09, 1980; and have
submitted Proof of Beneficial Use on April 10, 1998. An examination indicates that the works have a
diversion capacity of 4.59 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

STOCKWATER
IRRIGATION

PERIOD OF USE

01/01 to 12/31
04/01 to 10/31

DIVERSION RATE

0.06 CFS
1.71 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Twp 01S, Rge 34E, B.M., BINGHAM County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 34E 30			X				X	X	X		X	X	X		X	X	
							L2				L3	L4					

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 34E 30			2.0				2.0	2.0	40.0	36.0	40.0	40.0		40.0	38.0		240.0
							L2				L3	L4					

Total Acres: 240

CONDITIONS OF APPROVAL

1. Right 35-02541 is also diverted through the point of diversion described above.
2. Rights 35-02541 and 35-07930 when combined shall not exceed a total annual maximum diversion volume of 960 af at the field headgate for irrigation purposes, and the irrigation of 240 acres.

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State of Idaho
Department of Water Resources
Water Right License

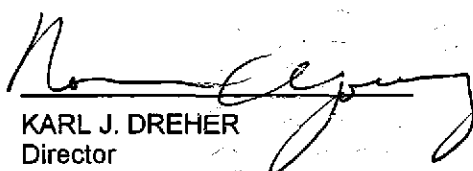
WATER RIGHT NO. 35-07930

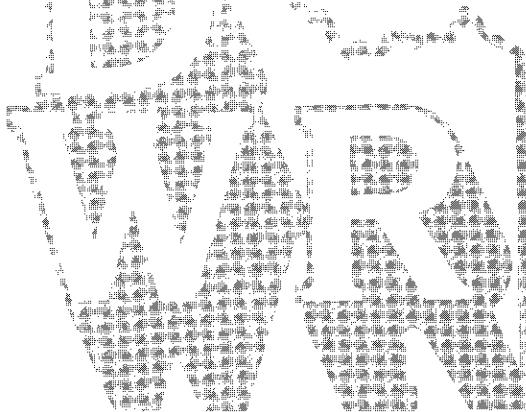
3. This right shall not exceed a total annual maximum diversion volume of 7.2 af for stockwater purposes.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 15th day of FEBRUARY, 2002.

Acting for


KARL J. DREHER
Director



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State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)
WATER RIGHT NO. 35-07930

Date of Priority: April 10, 1998

Maximum Diversion Rate: 1.71 CFS

Comes now WILLIAM P PHILLIPS & SONS
904 N 1200 W

BLACKFOOT ID 83221 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. 35-07930, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.06 CFS
IRRIGATION	04/01 to 10/31	1.71 CFS

LOCATION OF POINT OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Twp 01S, Rge 34E, B.M., BINGHAM CountyPLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 34E 30			X				X	X	X	X	X	X		X	X		
							L2				L3	L4					

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 34E 30			2.0				2.0	2.0	40.0	36.0	40.0	40.0		40.0	36.0		240.0
							L2				L3	L4					

Total Acres: 240

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 17 day of January, 2002

William P Phillips & Sons
by W P Phillips
(Signature & Title)

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FEB 25 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-07930

FOR DEPARTMENT USE ONLY
Preliminary check by Suk Fee \$50.00 Receipted by J. H. # C059357 Date 1-22-02

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. 35-07930 with the following:

CONDITIONS OF APPROVAL

1. Right 35-02541 is also diverted through the point of diversion described above.
2. Rights 35-02541 and 35-07930 when combined shall not exceed a total annual maximum diversion volume of 960 af at the field headgate for irrigation purposes, and the irrigation of 240 acres.
3. This right shall not exceed a total annual maximum diversion volume of 7.2 af for stockwater purposes.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 15th day of FEBRUARY, 2002 (wca)

Acting for 
KARL J. DREHER
Director

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FEB 25 2002

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF PERMIT NO.)
35-07930 IN THE NAME OF) **ORDER OF REINSTATEMENT**
WILLIAM P. PHILLIPS AND SONS)
_____)

This matter having come before the Idaho Department of Water Resources (department), the department finds as follows:

FINDINGS OF FACT

1. On January 15, 1981, the department issued Permit No. 35-07930 (permit) to William P. Phillips and Sons (permit holder) with a condition of approval that proof of construction of works and application of water to beneficial use (proof) be submitted to the department on or before January 1, 1986. The department subsequently extended the proof due date to January 1, 1991.

2. In 1991, the permit holder became involved in a foreclosure action with Farm Credit Services who held a long term real estate mortgage with the applicant for the land authorized for irrigation under the permit.

3. On November 5, 1990, the department sent a proof due notice to the permit holder and on January 10, 1991, sent a lapse notice to the permit holder.

4. Section 42-218a.2., Idaho Code, authorizes the department to reinstate a lapsed permit, with the priority date advanced to the date that proof was received.

CONCLUSIONS OF LAW

1. The permit holder has shown that water has been applied to beneficial use as authorized by the permit and has shown reasonable cause for the filing of a late proof.

2. The department should reinstate the permit with the date

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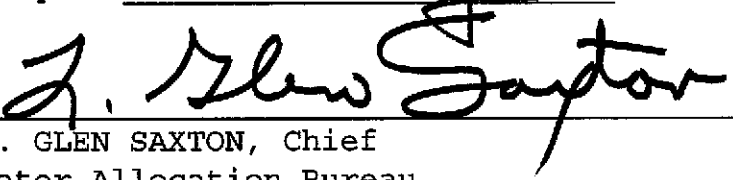
of priority advanced to the date proof was received by the department.

ORDER

IT IS HEREBY ORDERED that Permit No. 35-07930 is **REINSTATED**.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to **April 10, 1998**.

DATED this 21st day of May, 1998.



L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 10 1998

PROOF OF BENEFICIAL USE

Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-7930 Telephone No. 684-3156 - Son
684-3236 - Wm
2. Name(s) of Permit Holder(s): Wm P Phillips + Son
3. Mailing Address: 904 N 1200W Blackfoot Idaho 83221
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. Nov / yr. 94
a. Well Driller: Nathan Hancock Drilling Permit Number: no well drilled
b. OPTIONAL: Larger Borehole Drilled
Pump Horsepower: 200 Pressure (psi): 60 Dynamic pumping level (ft): 305 TDH
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): Sheep 2000 Cattle 200
Irrigation (No. of acres): 240 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 2 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | | | | |
|------------------------|--|-----------|----|-------------|
| Measuring Device: | Is a measuring device required? | Yes _____ | or | No <u>X</u> |
| | Has the measuring device been installed? | Yes _____ | or | No <u>X</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ | or | No <u>X</u> |
| | Has the measurement port been installed? | Yes _____ | or | No <u>X</u> |
8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: William Phillips Telephone Number: 684-3236
Address: 904 N 1200 W Blackfoot, Idaho 83221
10. The information given on this form 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.

Signature of permit holder: William Phillips

(include your title, if on behalf of company or organization)

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Date: 4/2/98

NOTICE

This file has been REPRODUCED
from MICROFICHE

For Possible Reinstatement

Darla J. Block
Person Recreating File

May 26, 1998
Date



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

July 27, 1989

William P. Phillips & Sons
904 N. 1200 W.
Blackfoot, ID 83221

Re: Permit No. 35-7930

Dear Gentlemen:

NOTICE OF PENDING ORDER CANCELLING PERMIT

On January 15, 1981, the Department of Water Resources (department) issued Permit No. 35-7930 which authorized the diversion of 2.00 cfs of water from groundwater for the irrigation of 240 acres.

The department mailed a letter and questionnaire to you on May 24, 1989 in connection with the permit. The letter provided notice that the department was reviewing the permit in connection with development which was not complete prior to July 1, 1985.

This letter also requested that you return the department's questionnaire concerning any prior development under the permit and/or your plans for pursuing completion of the proposed project. The correspondence further requested that you submit with the questionnaire either a readvertisement fee in the amount of twenty (\$20) dollars and/or evidence showing that development under the permit was complete prior to July 1, 1985. Finally, the letter notified you that failure to submit the required fee or information within 30 days of the date of the letter was cause for the department to cancel the permit.

The purpose of this letter is to provide a second and final opportunity for you to submit the requested information. If you fail to respond to this inquiry within fifteen (15) days of the date of this letter, the Department will issue an order cancelling the permit pursuant to Water Appropriation Rule 4,2,3,4.

If no development has been completed as authorized by the permit, and you are no longer interested in pursuing the development, please complete and return the enclosed relinquishment form.

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosure
c: Region

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT
NO. 35-7930 IN THE NAME
OF WILLIAM P. PHILLIPS & SONS

CONTINUATION ORDER

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.
2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.
3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.
4. Permit No. 35-7930 (permit) was issued to William P. Phillips & Sons (permit holder) authorizing the diversion of 1.92 cfs of groundwater for irrigation of 240 acres.
5. IDWR records show that 240 acres authorized to be irrigated under Permit No. 35-7930, are irrigated with other water rights perfected prior to July 1, 1985.

6. Water diverted and used on or after July 1, 1985 for the irrigation of land under the terms of this permit is trust water.

7. The development and use of groundwater authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 35-7930 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 35-7930 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before January 1, 1991.

2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.

3. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

4. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

5. All conditions of approval contained on the permit are
incorporated into and made a part of this order.

Dated this 22nd day of September, 1989.


L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only	
\$15 FEE Received	<u>19</u>
Date	<u>2-11-86</u>
Receipt #	<u>37471</u>

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use on a water right permit

William P. Phillips & Sons of 904 N. 1200 W. Blackfoot
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriation No. 35-7930 of the

State of Idaho No. 35-7930

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FEB 12 1986

That under the terms and conditions of said permit, work thereunder was required to be completed on or before

Jan 1, 19 86

Department of Water Resources

That he has heretofore performed the following work described under said permit: I have dug
(This must be filled out if no work has been completed put none.)

up, hauled away, and buried many rocks on the farm,
especially that part of the farm not presently farmed because of
it being in the government set aside program. Therefore, in the near
future, when this ground is not in the "program", the irrigation system will be,
and already is, underpowered. It is difficult to keep the crops from burning because of inadequate
water power.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

I did not complete the work of increasing base power and water flow
because Idaho Power filed a law suit against me trying to take away my
water rights. Therefore, not wanting to lose my investment, I refrained from completing
the project until further information from the law suit was established assuring my investment
would not be lost.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations

under said permit to Jan 1, 19 91
(1 yr. minimum,
5 yrs. maximum)

(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

FEE: \$15.00

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be

Signed this 10th day of February, 19 86.

William P. Phillips

See letter
of 3-4-86
PJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received <u>rg</u>
Date <u>2-14-86</u>
Receipt # <u>37471</u>

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use on a water right permit

William P. Phillips & Sons of 904 N. 1200 W., Blackfoot, ID 83221
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the
State of Idaho No. 35-7930

RECEIVED
MAR 11 1986

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
January 1, 19 86.

That he has heretofore performed the following work described under said permit: I've dug up, hauled
(This must be filled out if no work has been completed put none.)
away and buried rocks on the farm, especially that part of the farm not presently
farmed because of it being in the government set aside program. Therefore, in the
near future when this ground is not in the program, the irrigation system will be
and already is, underpowered. It is difficult to keep the Costing \$ 4,000
crops from burning because of inadequate water power.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
I did not complete the work of increasing horsepower and water flow because Idaho
Power filed a law suit against me trying to take away my water rights. Therefore,
not wanting to lose my investment, I refrained from completing the project until
further information from the law suit was established assuring my investment would not be lost.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to January 1, 19 91
(1 yr. minimum,
5 yrs. maximum)

William P. Phillips
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

FEE: \$15.00

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to January 1, 1991.
IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to
January 21, 1981, pursuant to Sec. 42-218a, Idaho Code.

Signed this 27th day of March, 19 86.

A. Glen Saxton
Chief, Operations Bureau

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 Wm. P. Phillips & Sons Phone 684-3236

Post office address Route #4, Box 269, 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 30 Township 1S

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

4. Water will be used for the following purposes:

Amount 1.92 for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .08 for stockwater purposes from Jan. 1 to Dec. 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. 2.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well and pump to hand lines.

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 240 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: NE SW
(1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30 Township 1S

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 2000 sheep and 200 cattle

(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: _____

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

[illegible]

Total number of acres to be irrigated 240

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

This application is for supplemental water to License No. 35-2541.

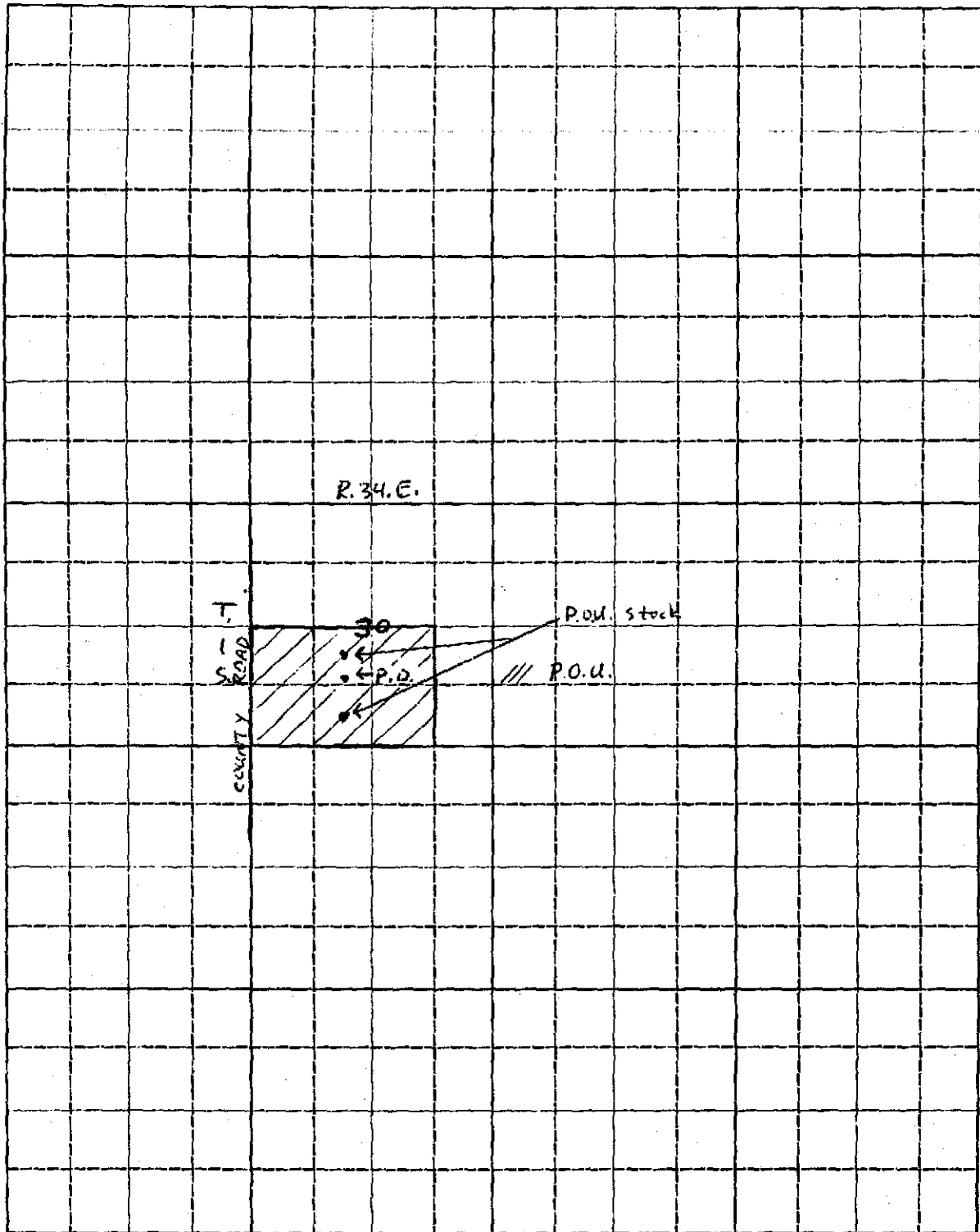
9. a. Who owns the property at the point of diversion Applicant

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

11. Map of proposed [redacted] show clearly the proposed point of diversion [redacted] 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.

William F. Phillips & Sons
(Applicant)
by W. Douglas Phillips
Vale m Phillips

Proposed Priority

Received by JK Date 12/7/80 Time 4:45 PM
Preliminary check by ML Fee \$ 65.00
Receipted by kw Date 12/9/80 # 16112
Publication prepared by kw Date 12/11/1980
Published in The Blackfoot News
Publication dates 12/18 & 12/26/1980
Publication approved kw Date 1/6/81
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by EMC RH

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. 35-7930, 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 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 15th day of January, 1981.

J. Glen Saxton
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 19, 2002

WILLIAM P PHILLIPS & SONS
904 N 1200 W
BLACKFOOT ID 83221

RE: License No. 35-7930 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:kit

Enclosure(s)

MICROFILMED

FEB 25 2002

CERTIFICATE OF MAILING

I hereby certify that on February 19, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-7930

**WILLIAM P PHILLIPS & SONS
904 N 1200 W
BLACKFOOT ID 83221**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

FEB 25 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

FEB 25 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 17, 2002

WILLIAM P PHILLIPS & SONS
904 N 1200 W
BLACKFOOT ID 83221

RE: Water Right Permit 35-07930

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed. I have not yet received the amendment. If I do not receive it within 14 days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Enclosed for your convenience is another amendment form. Please note that the \$50.00 filing fee for this amendment has been paid.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

FEB 25 2002

*1-17-2002
Douglas Phillips
called - will
send in
amendment -
had questions
on why amendment
was needed.
KW*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 27, 2001

WILLIAM P PHILLIPS & SONS
904 N 1200 W
BLACKFOOT ID 83221

RE: Water Right Permit No. 35-07930

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

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

Place of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

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FEB 25 2002

LICENSE REVIEW CHECKLIST

Permit No. 35-7930 Date: 12-26-01 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

change

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

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 35-02541
File reviewed see below Profile reports printed see below

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

Rate of Diversion:

Permitted rate 2.0 cfs
Fee Limit 2.0 cfs
Measured 4.59 cfs
Theoretical cfs

Recommended Total Diversion Rate 1.71 - over for review

Water Uses

OK Change (P46)

Season of Use per new Standards
4-1 10-31

Irrigation 1.71 cfs * af
Stockwater 0.06 cfs 7.2 af
Domestic cfs af
 cfs af
 cfs af
Total 1.71 cfs * af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

1.71 cfs x 1.9835 x 214 days = 725.8 af (vs) 240 acres x 4.0 (FHR) = 960.0 af
3.0 (con)

Remarks: W36, W35

Additional Conditions Watermaster Control
 GW Measurement/Measuring Device
 Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist?
Water Msmt. Dist?
Crit. GWMA?
GWMA?
Government Lots?

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? no - not req'd

Adjust memo

Amend Letters P87, S06

Second Amendment Notice P49 S06

POUID
497439

$$\begin{array}{l} \text{Capacity} = 4.59 \text{ cfs} \\ 35-02541 = \underline{2.88 \text{ cfs}} \\ 1.71 \text{ remaining} \end{array}$$

$$240 \times 0.02 = 4.80 \text{ needed}$$

allow 1.71 as recommended
by examiner.

Walker, Kay

From: Wilson, Keith
Sent: Wednesday, December 26, 2001 1:33 PM
To: Walker, Kay
Subject: RE: Exam of Permit 35-07930

Kay,
We had a great Christmas!

After review of the field exam I do remember doing the exam. At the time of the exam there were no stock. The field is fenced & could hold stock with water provided using portable stocktanks. The license should include stockwater. You're welcome!
Keith

-----Original Message-----

From: Walker, Kay
Sent: Wednesday, December 26, 2001 12:58 PM
To: Wilson, Keith
Cc: Walker, Kay
Subject: Exam of Permit 35-07930

Hi, Keith! Hope you had a great Christmas! I am looking at the exam for Permit 35-07930 and have a question. You did this exam in September of 1998 - you'll probably remember it as clear as day... The permit was for irrigation and stockwater. You have the irrigation information but never mentioned whether stockwater should be included or not. Could you please check it out and let me know. Thanks! Kay

Do Not Film!!

2000 sheep = 2 gal/day/head = 0.01 cfs
200 cattle = 2.7 AF = 0.05 cfs ← field exam handbook
0.06 cfs

200 x 0.0134 =
2000 x 2 x 365 days = 1460000 gal/year = 4.5 AF/yr
325850 gal

(12gpd) (29gpd)
2000 sheep x 0.00022 = 0.44 cfs ÷ 6 = 0.01 cfs

1
2.7 cows
4.5 sheep
7.2 AF

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-2541 V2

WATER RIGHT NUMBER: 35-2541 V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ARIEL D RICKS
	MORELAND, ID
Current Owner	WILLIAM PHILLIPS & SONS PARTNERSHIP
	904 N 1200 W
	BLACKFOOT, ID 83221
	(208)684-3236
Original Owner	KENNETH W MARSHALL
	185 BLAIR DR
	TWIN FALLS, ID 83301
	(208)733-3983

Priority Date: 06/11/1958

Basis: License

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.880 CFS	960.00 AF
	<u>Total Diversion:</u>	2.880 CFS	960.00 AF

Location of Point(s) of Diversion

GROUND WATER

BINGHAM County

SE1/4NE1/4SW1/4

Sec. 30, Twp 01S, Rge 34E, B.M.

↑
cannot
determine
10 ac tract
in arcland.

Place of Use

IRRIGATION

Recommended
action

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	34E	30			2.0					2.0	2.0	40.0	36.0	40.0	40.0		40.0	38.0	240.0
										L2			L3	L4					

Total Acres: 240

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

POU ID
=480242

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 35-2541 V2

2. C12 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Remarks:Comments:

1. AJU10-DS 7/16/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 3502541
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned: SARA C DENISTON
Date Filed: 11/20/1998 Objection Status: Active
Date Filed: 11/20/1998 Objection Status: Active

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 18 2000

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-07930

1. Owner: William P. Phillips & Sons

Phone No. 684-3236

Current Address: 904 N 1200W Blackfoot ID 83221

2. Accompanied by: *

EXAM DATE: 9-15-98

Address: -

Phone No. -

Relationship to Permit Holder: -

3. Source: GROUNDWATER

tributary to -

B. OVERLAP REVIEW

1. Other water rights with the same place of use: -

2. Other water rights with the same point of diversion: -

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SW	30	1S	34E	BINGHAM	On Site/FSA Aerial/USGS QUAD
									Adjudication Recommendations

2. Place(s) of Use: Gov Lots

Indicate Method of Determination

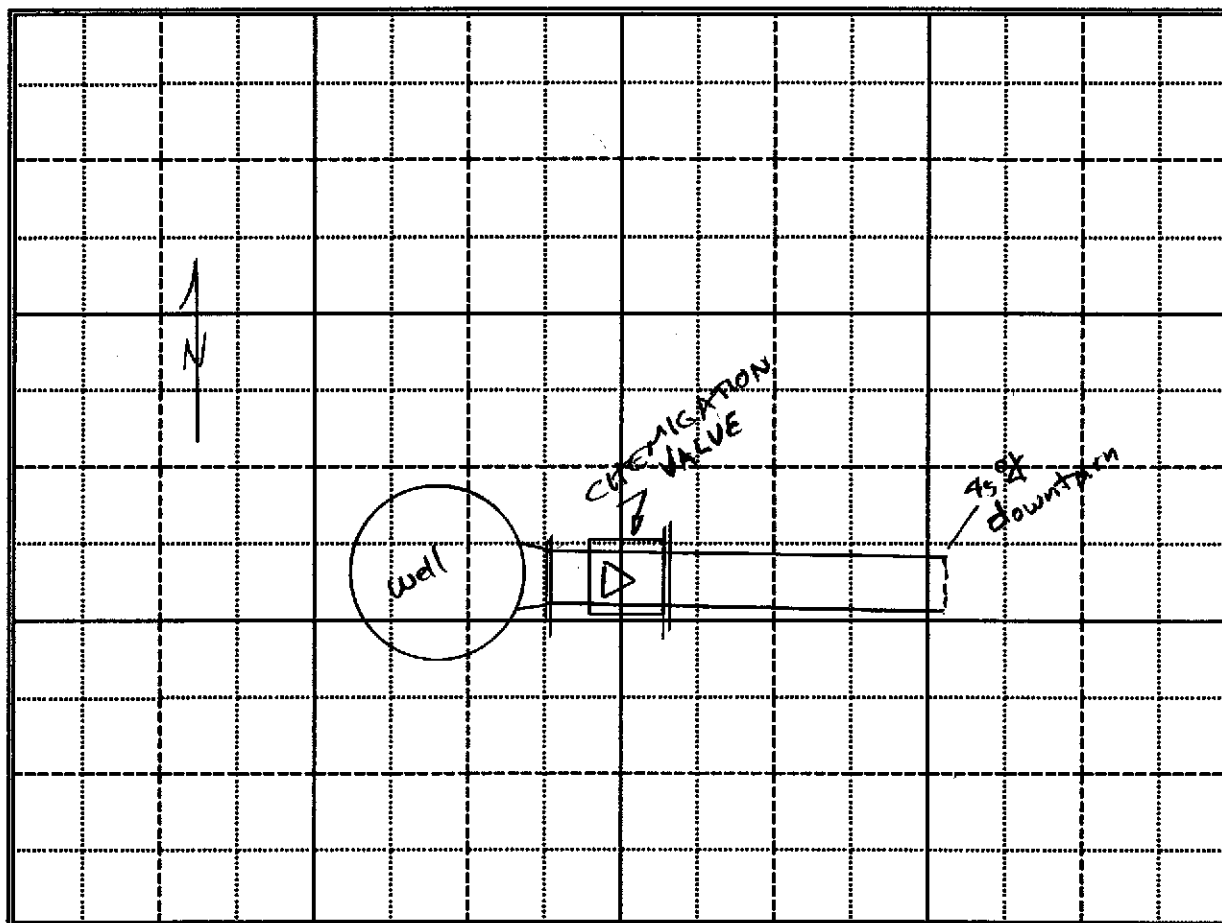
Adj. Recommendation
FSA AERIAL

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1S	34E	30			2				L-2 2	2	40	L-3 36	L-4 40	40		40	38		240

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FEB 25 2002

* Found System on appeared to be operating at Maximum.

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.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
	NO NAME PLATE	UNK	UNKNOWN	NO NAME PLATE	10"

*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
SONIC METER	ultrasonic	Polysonic	TF-P2	NIK 2905		
PRESSURE GAGE					0-100	

2. Measurements: psi = 52 psi @ first sprinkler Pressure gage @ Pump 50 psi
2062 gpm = 4.59 cfs

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FEB 25 2002

E. NARRATIVE/REMARKS/COMMENTS

Eight sprinkler lines w/ 48 sprinklers per line = 384 NOZZLES
 $2062 \div 384 = 5.37 \text{ gpm/nozzle for } 5\frac{1}{32} \text{ nozzles } 54-55 \text{ psi}$

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

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FEB 25 2002

F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

 $Q_{TOTAL} = 4.59 \text{ cfs}$ $Q = 1.71 \text{ cfs}$ **G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 240(4) = 960.0 \text{ cfs}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 = 1.71 \text{ cfs} (214) 1.9835 = 725.8$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 725.8$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	4/1	1.71 cfs	725.8
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

I. AUTHENTICATION

Field Examiner's Name

Keith C. Wilson

Date

9-15-1998

Reviewer

Date

MICROFILMED
FEB 25 2002
SEAL

PRINTER

MODE SELECT
OUTER DIAMETER
10.0500 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1272 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1460 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
7.458 IN U

09-15 13:0200 *R
+003.00 % AI2

09-15 13:0200 *R
+ 2.000E 3GPM

MODE SELECT
T0 CHECK

0371.6 MMSEC
100.41 % T0

09-15 13:0200 *R
+ 2.000E 3GPM

09-15 13:0300 *R
+ 2.044E 3GPM

09-15 13:0300 *R
+ 2.060E 3GPM

ZERO MODE
CLEAR

ZERO MODE
09-15 13:0400 *R
+ 2.023E 3GPM

ZERO MODE
ZERO OPR

09-15 13:0500 *R
+003.00 % AI2

09-15 13:0500 *R

09-15 13:0200 *R
+003.00 % AI2

09-15 13:0200 *R
+ 2.000E 3GPM

MODE SELECT
T0 CHECK

0371.6 MMSEC
100.41 % T0

09-15 13:0200 *R
+ 2.000E 3GPM

09-15 13:0300 *R
+ 2.044E 3GPM

09-15 13:0300 *R
+ 2.060E 3GPM

ZERO MODE
CLEAR

ZERO MODE
09-15 13:0400 *R
+ 2.023E 3GPM

ZERO MODE
ZERO OPR

09-15 13:0500 *R
+003.00 % AI2

09-15 13:0500 *R
+ 2.044E 3GPM

09-15 13:0500 *R
+ 2.051E 3GPM

09-15 13:0600 *R
+ 2.047E 3GPM

09-15 13:0700 *R
+ 2.056E 3GPM

09-15 13:0700 *R
+ 2.049E 3GPM

09-15 13:0700 *R
+ 2.046E 3GPM

09-15 13:0800 *R
+ 2.054E 3GPM

09-15 13:0800 *R
+ 2.044E 3GPM

09-15 13:0800 *R
+ 2.045E 3GPM

09-15 13:0800 *R
+ 2.052E 3GPM

09-15 13:0800 *R
+ 2.062E 3GPM

09-15 13:0900 *R
+ 2.058E 3GPM

35-2430

= 4.59 cfs

35-07930

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FEB 25 2002

MEASUREMENT TAPE

35-07930

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Form 9/96

POINT OF DIVERSION OVERLAP REVIEW

35-07930

Permit Number

1. Analysis of Entire System, Current Application Rate per Acre (Qc):

Limit to 0.02 cfs/ac, Permitted Amount, or System Capacity, **WHICHEVER IS LESS.**

A. Total Number of Acres irrigated = 240 acres

B. Total Diversion Rate = 4.59 cfs

Qc = Total Diversion rate [1.B]/Total irrigated acres [1.A] = Current Diversion Rate

$$Qc = \frac{4.59 \text{ cfs}}{240 \text{ acres}} = Qc = 0.01914364 \text{ cfs/ac}$$

2. Old Application Rate per Acre = (Qo) from Licensed Flow Rates:

License # 35-02541 @ 2.88 cfs / 240 ac

License # _____ @ _____ cfs / _____ ac

License # _____ @ _____ cfs / _____ ac

$$Qo = \text{Total Lic. Rate} = \frac{2.88 \text{ cfs}}{240 \text{ ac}} = Qo = 0.01200 \text{ cfs/ac}$$

[Old Diversion Rate(Qo) = Licensed Flow Rate/# acres]

3. Comparison of Diversion Rates. IF:

A. $Qo > Qc$: $Qo(\#2) = \text{_____ cfs/ac} > Qc(\#1) = \text{_____ cfs/ac}$
[Old Diversion Rate(Qo) > New Diversion Rate(Qc)]

EXCLUDE LICENSED LANDS . . . GO TO ITEM #4A

B. $Qc > Qo$: $Qc(\#1) = 0.01914364 \text{ cfs/ac} > Qo(\#2) = 0.0120 \text{ cfs/ac}$
[New Diversion Rate(Qc) > Old Diversion Rate(Qo)]

INCLUDE LICENSED LANDS . . . CONTINUE TO ITEM #3.B.1 & 2

1. Additional Flow Rate for Licensed Lands. $Qa = (Qc - Qo) \times (\# \text{ Lic. Ac})$

$$Qa = [(0.01914364) - (0.0120)] \times (240) = Qa = 1.71 \text{ cfs}$$

2. Flow Rate New Acreage. Total Ac. (#1.A) - Lic. Ac. (#2) = New Acres

$$Qn = (Qc) \times (\# \text{ New Ac.}) = \text{_____ cfs}$$

$$Qn = (\text{_____ cfs/ac}) \times (\text{_____ ac}) = Qn = \text{_____ cfs}$$

GO TO ITEM #4B.

4. Calculate Total Flow Rate to be Licensed:

A. Rate **EXCLUDING** Licensed land. Total Ac. (#1.A) - Lic. Ac. (#2) = New Ac.
() - () = _____ ac

$$Qt = Qc(\#1) \times (\# \text{ New Acres}) = \text{_____ cfs/ac} \times \text{_____ ac} = \text{_____ cfs}$$

CONDITIONS/REMARKS: _____

MICROFILMED

B. Flow Rate **INCLUDING** Licensed land.

$$Qt = Qa(\#3.B.1) + Qn(\#3.B.2) = 1.71 \text{ cfs} + 0 \text{ cfs} = 1.71 \text{ cfs}$$

CONDITIONS/REMARKS: Note Lic 35-02541 (2.88cfs) + Per 35-07930 (1.71cfs) = 4.59cfs

System capacity

35-07930

SRBA

DIRECTORS REPORT 35-02541

[Return to SRBA Home Page](#)

IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 35-02541

Name and Address: WILLIAM PHILLIPS & SONS PARTNE
904 N 1200 W
BLACKFOOT, ID 83221

Source: GROUNDWATER

Quantity: 2.88 CFS
960.00 AFY

Priority Date: 06-11-1958

Diversion Point: T01S R34E S30 SENESW Within Bingham County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-01 TO 10-31	2.88 CFS 960.00 AFY

Place of Use:	Irrigation	Within Bingham County
	T01S R34E S30	SWNE 2 LOT 2 (SWNW) 2
		SENE 2 NESW 40
	LOT 3 (NWSW) 36	LOT 4 (SWSW) 40
	SESW 40	NWSE 40
	SWSE 38	
	240 Acres Total	

Other Provisions Necessary for Definition / Administration of this Water Right:

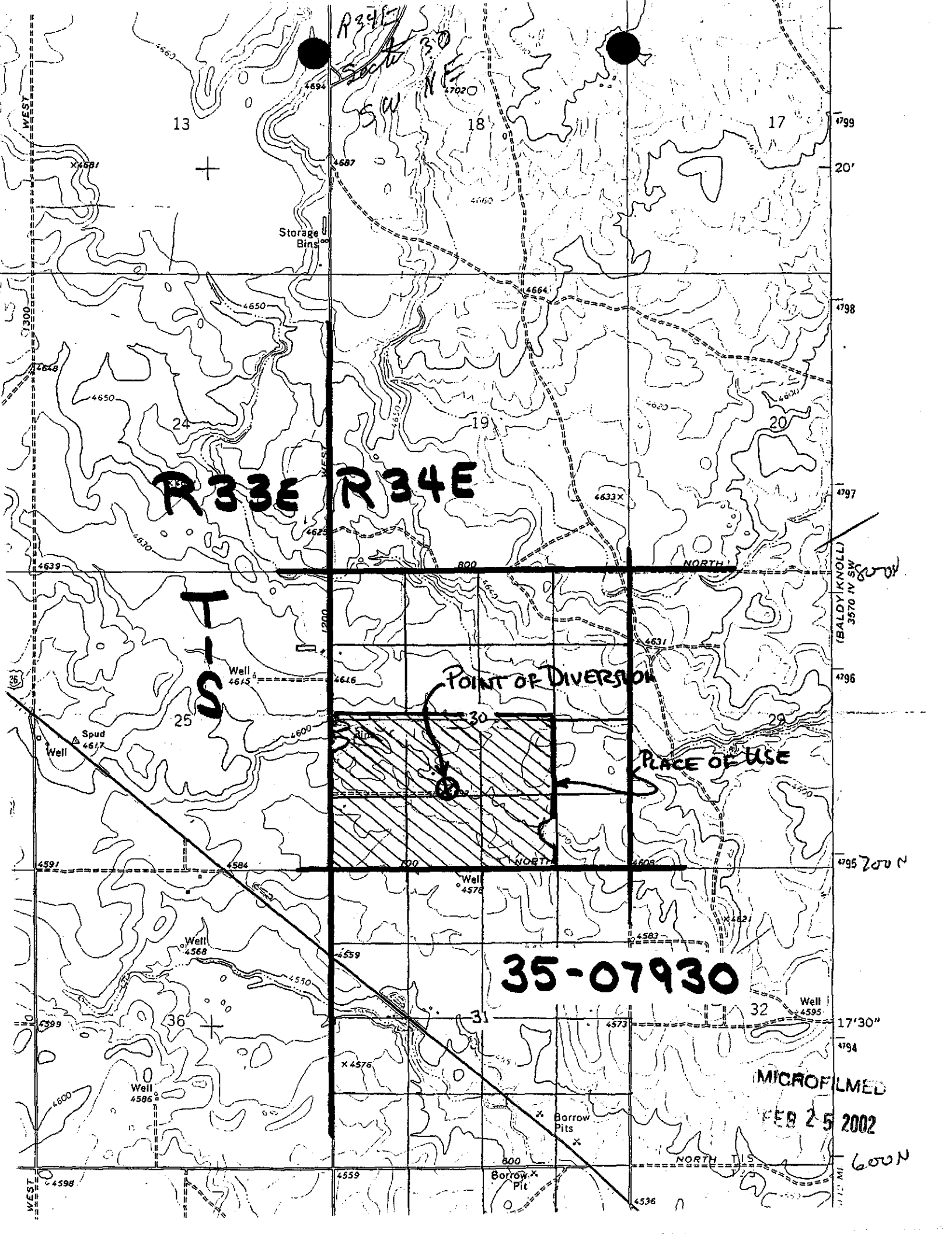
Explanatory Material: Basis of Claim - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

[Return to SRBA Home Page](#)

MICROFILMED
FEB 25 2002

35-07930



R33E R34E

T-S

Point of Diversion

Place of Use

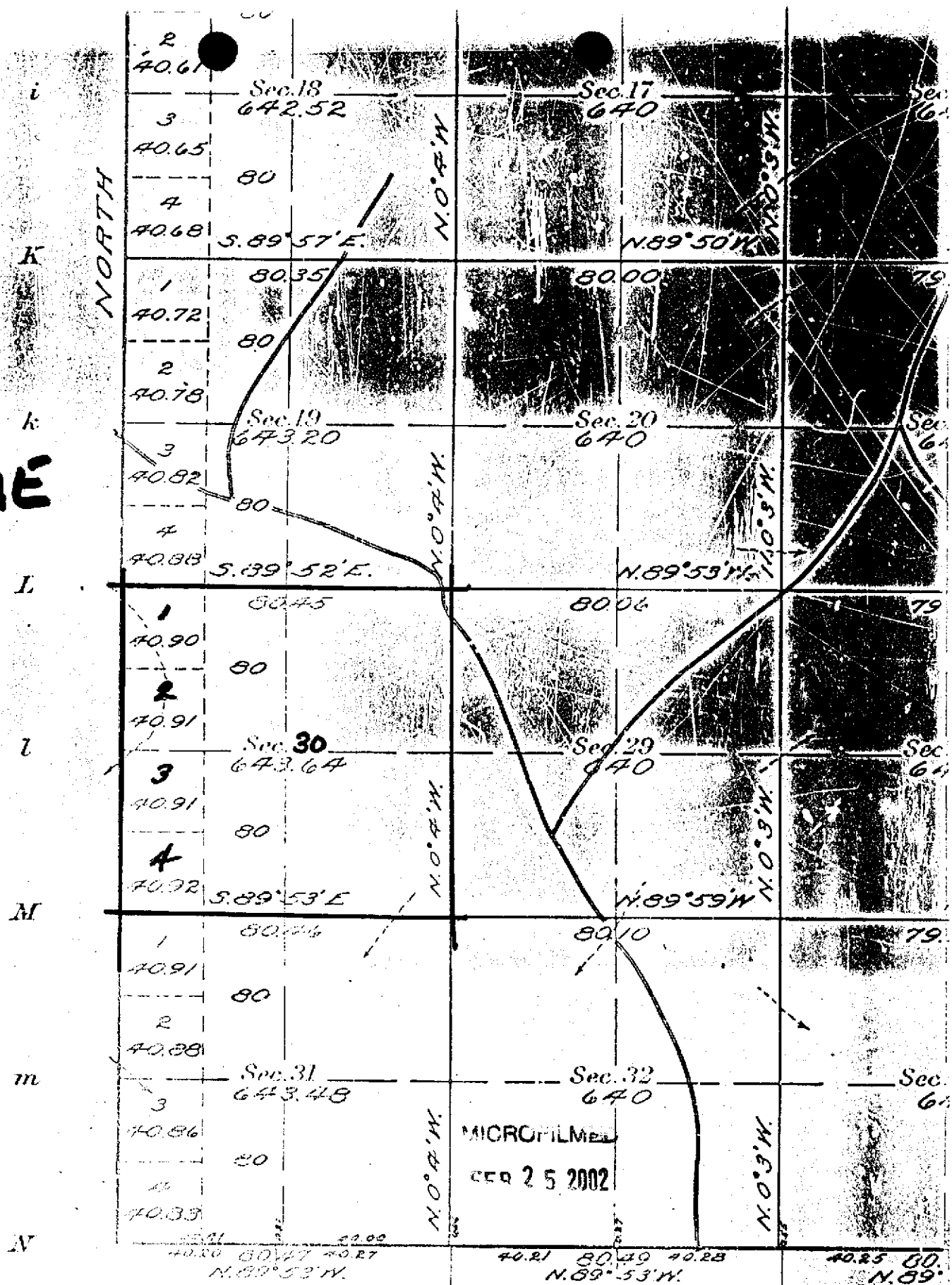
35-07930

MICROFILMED

FEB 25 2002

600N

R34E
T-1-S



Surveys Designated	By Whom Surveyed	Group		Amount of Mls. chs.
		No.	Date	
Base Line. Res.	Albert Smith Jr. & Basil C. Perkins	25	Aug. 29, 1911	6 0
E & W Boundaries	"	"	"	11 30

Hilltop

24 19

36

T
S R34E

19

Lot 1

35-07930

Lot 2

(2)

(2)

(3)

30

Lot 3

36

40

40

POINT OF DIVERSION

PLACE OF USE

40

38

40

MICROFILMED

FEB 25 2002

30

35-07930



35-
07930

MICROFILMED

FEB 25 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 21, 1998

William P Phillips and Sons
904 N 1200 W
Blackfoot ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 35-07930

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and supporting information submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to April 10, 1998, as provided in Section 42-218a.2, Idaho Code.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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 the field examination, you may contact the **EASTERN** Regional Office of the department in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

JUN 08 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 35-67935 Reviewed by Jy Date 5-21-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? irr
Address same as permit? _____
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
125- Amount Submitted
yes Correct?
no Required?
_____ Installed?
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received 4-10-98
Date proof due 1-1-86 - _____
No. of days late over 60 = _____ > 4-10-98
Priority Date _____ + _____
New Priority Date 4-10-98

DEFICIENCIES OR ACTION ITEMS

Reinstate (Glen prepared order) + advance priority to April 10, 1998.

DATA ENTRY

New Address _____ Proof Made 4-10-98

May 13, 1998

RECEIVED
MAY 20 1998
Department of Water Resources

Esteemed L. Glen Saxton, Chief
Water Allocation Bureau

Esteemed Sir:

In the fall of 1994 I began enlarging or increasing the water extraction from the existing well that has permit number 35-07930 to the adequate amount for proper irrigation which increase was 2-C.F.S..

I have now irrigated four years and am beginning the fifth season with this improvement so desperately needed.

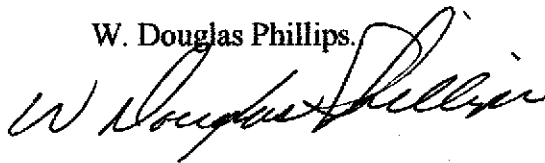
Even though my litigation with Farm Credit Services began in 1991, the actual negotiations for restructure began in 1990 but the real problem began several years prior. To forbade losing the investment of the improvement, I waited for the litigation process to heal. In 1994 the litigation had improved sufficiently to warrant the expansion of the well. Therefore; the bowls and motor were enlarged to produce adequate water to irrigate the farm.

Because of the long ongoing setback the permit number 35-07930 lapsed. I implore you to reinstate permit number 35-07930 and me a licensed water right. I thank you in earnest.

Sincerely,

Please find enclosed
power bill increases
of 1995 over 1994

W. Douglas Phillips.



MICROFILMED
JUN 08 1998



PLEASE BRING ENTIRE BILL WHEN PAYING BY PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT OUR LOCAL OFFICE AT
785-3600 420 BRIDGE, BLACKFOOT

CUSTOMER IDENTIFICATION									
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1				
ACCOUNT NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION SECONDARY				
ACCOUNT INFORMATION AS OF JULY 06, 1995									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T	SERVICE FROM TO		METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
50595073624	24	602	703	000302	00563	40	152	10440	84495
ACCOUNT BALANCE									84495
**** ACCOUNT ACTIVITY SINCE LAST BILLING ****									
884.85CR TOTAL PAYMENTS THANK-YOU									

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
844.95

PLEASE ADD \$1.45 OR \$10 TO AID THE PROJECT SHARE PROGRAM

O- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

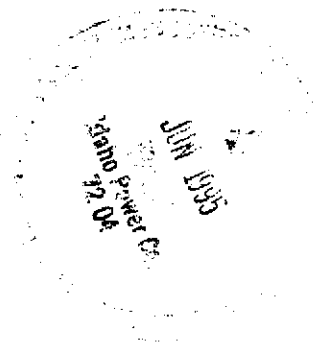
MICROFILMED

JUN 08 1998



PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
785-3600 420 W BRIDGE, BLACKFOOT

CUSTOMER IDENTIFICATION										
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1					
ACCOUNT NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION SECONDARY					
ACCOUNT INFORMATION AS OF JUNE 06, 1995										
BALANCE FORWARD ▶										
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
50595073624		503	602		000000	00302	40	149	12080	88485
**** ACCOUNT ACTIVITY SINCE LAST BILLING ****										
2.50CR TOTAL PAYMENTS THANK-YOU										
2.50 OTHER ACCOUNT ADJUSTMENTS										
ACCOUNT BALANCE										88485



COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
884.85

PLEASE ADD \$1, \$5 OR \$10 TO AID PROJECT SHARE'S ASSISTANCE PLAN

*O- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

MICROFILMED

JUN 08 1998



PLEASE BRING ENTIRE BILL WHEN PAYING PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
785-3600 420 W BRIDGE, BLACKFOOT

CUSTOMER IDENTIFICATION										
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1					
ACCOUNT NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION SECONDARY					
ACCOUNT INFORMATION AS OF SEPTEMBER 06, 1995										
BALANCE FORWARD ▶										
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
50595073624	24	803	901		002246	03207	40	147	38440	164045
ACCOUNT BALANCE 164045										
**** ACCOUNT ACTIVITY SINCE LAST BILLING ****										
2478.94CR TOTAL PAYMENTS THANK+YOU										

DUE TO A BILLING PRORATION, THE DETAILED ITEMIZATION WILL NOT BE PRINTED ON THE BOTTOM OF YOUR BILL THIS MONTH. IF YOU NEED THIS INFORMATION, PLEASE CALL YOUR LOCAL IDAHO POWER OFFICE

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
1640.45

PLEASE ADD \$1,\$5 OR \$10 TO AID THE PROJECT SHARE PROGRAM



0- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

MICROFILMED

JUN 08 1998



PLEASE BRING ENTIRE BILL WHEN YOU COME IN PERSON
FOR ACCOUNT INQUIRIES CALL OR COME TO YOUR LOCAL OFFICE AT
785-3600 420 W BRIDGE, BLACKFOOT

CUSTOMER IDENTIFICATION									
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1				
ACCOUNT NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION SECONDARY				
ACCOUNT INFORMATION AS OF AUGUST 07, 1995									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
50595073624		703	803		000563	02246	40	15000	67320
ACCOUNT BALANCE									2478.94
**** ACCOUNT ACTIVITY SINCE LAST BILLING ****									
844.95CR TOTAL PAYMENTS THANK-YOU									

\$10.00 CUSTOMER CHARGE, PLUS
0.0287270 PER KWH
3.5200 PER KW OF BILLING DEMAND

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
2478.94

PLEASE ADD \$1.45 OR \$10 TO AID THE PROJECT SHARE PROGRAM



RO- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

MICROFILMED
JUN 08 1998



PLEASE BRING ENTIRE BILL WHEN PAYING PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT OUR LOCAL OFFICE AT
785-3600 420 W BRIDGE, BLACKFOOT

CUSTOMER IDENTIFICATION										
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1					
CUSTOMER NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION					
ACCOUNT INFORMATION AS OF JUNE 07, 1994										
BALANCE FORWARD ▶										
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
76376218G24	24	504	603		024304	25540	40	115	49440	169076
**** ACCOUNT ACTIVITY SINCE LAST BILLING **** 669.15CR TOTAL PAYMENTS THANK-YOU										
ACCOUNT BALANCE 169076										

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
1690.76

PLEASE ADD \$1, \$5 OR \$10 TO AID PROJECT SHARE'S ASSISTANCE PLAN



0- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

MICROFILMED

JUN 08 1998



FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
785-3600 420 W BRIDGE, BLACKFOOT

CUSTOMER IDENTIFICATION										
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1					
CUSTOMER NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION					
ACCOUNT INFORMATION AS OF MAY 05, 1994										
BALANCE FOR WARD > 600CR										
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
76376218624	4	419	504150	150	23817	24304	40	115	19480	67515
**** ACCOUNT ACTIVITY SINCE LAST BILLING ****										
.00 TOTAL PAYMENTS RECEIVED										
ACCOUNT BALANCE										66915

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
669.15

PLEASE ADD \$1, \$5 OR \$10 TO AID PROJECT SHARE'S ASSISTANCE PLAN

0- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

MICROFILMED
JUN 08 1998



PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON

FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
785-3600 420 W BRIDGE, BLACKFOOT

CUSTOMER IDENTIFICATION										
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1					
CUSTOMER NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION					
ACCOUNT INFORMATION AS OF AUGUST 05, 1994										
BALANCE FORWARD ▶								215935		
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
76376218624	00	705 803			02717728373		40	114	47840	166024
LATE PAYMENT CHARGE										2159
**** ACCOUNT ACTIVITY SINCE LAST BILLING ****										
.00 TOTAL PAYMENTS RECEIVED										
ACCOUNT BALANCE										384118

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
1681.83
3841.18

PLEASE ADD \$1, \$5 OR \$10 TO AID PROJECT SHARE'S ASSISTANCE PLAN



TO- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE FOR ADDITIONAL INFORMATION

MICROFILMED

JUN 08 1998



FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
785-3600 420 W BRIDGE, BLACKFOOT

CUSTOMER IDENTIFICATION									
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1				
CUSTOMER NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION				
ACCOUNT INFORMATION AS OF JULY 07, 1994									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
76376218624	54	603	705		025540	27177	40	114	65480
215935									
**** ACCOUNT ACTIVITY SINCE LAST BILLING ****									
1690.76CR TOTAL PAYMENTS THANK-YOU									
ACCOUNT BALANCE									215935



COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
2159.35

PLEASE ADD \$1, \$5 OR \$10 TO AID PROJECT SHARE'S ASSISTANCE PLAN

*0- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

MICROFILMED
JUN 08 1998



PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
785-3600 420 W BRIDGE, BLACKFOOT

CUSTOMER IDENTIFICATION										
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1					
CUSTOMER NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION					
ACCOUNT INFORMATION AS OF OCTOBER 05, 1994										
BALANCE FORWARD ▶										
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
76376218624	24	9011003			02940630012		40	114	24240	86595
**** ACCOUNT ACTIVITY SINCE LAST BILLING **** 1475.77CR TOTAL PAYMENTS THANK-YOU										
ACCOUNT BALANCE 86595										

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
865.95

PLEASE ADD \$1, \$5 OR \$10 TO AID PROJECT SHARE'S ASSISTANCE PLAN



0- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE THE BACK OF THE BILL FOR ADDITIONAL INFORMATION

MICROFILMED

JUN 08 1998



PLEASE BRING ENTIRE BILL WHEN PAYING IN PERSON
FOR ACCOUNT INQUIRIES CALL 785-3600 OR CONTACT YOUR LOCAL OFFICE AT 420 W BRIDGE, BLACKFOOT



CUSTOMER IDENTIFICATION									
CUSTOMER NAME W DOUGLAS PHILLIPS					SERVICE LOCATION C 30 1				
CUSTOMER NUMBER 0672-008866-3					TYPE OF SERVICE IRRIGATION				
ACCOUNT INFORMATION AS OF SEPTEMBER 06, 1994									
BALANCE FORWARD ▶									
METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE FROM TO		D A Y S	METER READING PREVIOUS PRESENT		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS
76376218G24	803	901		02837329406	40	114	41320	147577	
**** ACCOUNT ACTIVITY SINCE LAST BILLING **** 3841.18CR TOTAL PAYMENTS THANK-YOU									
ACCOUNT BALANCE								147577	

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT

PLEASE PAY THIS AMOUNT
1475.77

PLEASE ADD \$1, \$5 OR \$10 TO AID PROJECT SHARE'S ASSISTANCE PLAN



0- REGULAR READING
CR- CREDIT

1- CUSTOMER READING
AV- AVERAGE

2 OR 3- ESTIMATED READING
MN- MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

MICROFILMED
JUN 08 1998



Farm Credit Services

RECEIVED

MAY 18 1998

Department of Water Resources

531 Lomax
P.O. Box 51598
Idaho Falls, Idaho 83405-1598
208/523-1066

May 14, 1998

Mr. Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

Re: Permit No. 35-07930
William P. Phillips and Sons

Dear Mr. Saxton:

I am writing this letter at the request of Mr. Douglas Phillips and to confirm our telephone conversation concerning the above referenced permit and the status of Mr. Phillips' account prior to January 1, 1991.

Farm Credit Services has a long term real estate mortgage with Mr. Phillips. Prior to 1993 the annual installments were due on June 1. The 1988 installment was past due approximately 140 days; the 1989 and 1990 installments were paid on time; the 1991 installment went into default which resulted in a foreclosure being initiated and later resolved with a restructure and debt write down. Through the restructure the due date was changed to January and the account has performed as agreed.

The restructure that took place was the result of financial losses which occurred through the 1980's and finally culminated in late 1991. As the holder of the real estate mortgage, FCS was the last to be effected by the financial losses of the Phillips operation. Simultaneously with the FCS restructure, Mr. Phillips was working with his operating lender to renegotiate the loan terms on his operating and short term loans.

Hopefully this information is helpful to you in making your decision. Please feel free to call me if you have any questions.

Very truly yours,

Brad Butters
Branch Manager, AVP

cc: Douglas Phillips

MICROFILMED

JUN 08 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 7, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

William P. Phillips
904 N. 1200 W
Blackfoot, ID 83221

RE: LAPSED PERMIT NO. 35-07930

Dear Mr. Phillips:

The department has reviewed the proof of beneficial use (proof) document which you submitted to the department on April 10, 1998 seeking reinstatement of the above referenced permit.

The department's microfilmed file in this matter shows that proof of beneficial use was originally due on January 1, 1986 but was extended by the department to January 1, 1991. On November 5, 1990, the department notified you by certified mail that proof was due on or before January 1, 1991. Since the department did not receive a response, on January 1, 1991, the department sent you a lapse notice for the permit. Sixty (60) days later, the permit became of no force nor effect.

Section 42-218a.2., Idaho Code, authorizes the department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use is received, upon submittal of evidence to clearly establish the extent of beneficial use made during the time authorized by the permit and a showing of reasonable cause for filing a late proof of beneficial use.

From your letter it appears that litigation with Farm Credit Services may be the reason that the proof was filed late, but it does not appear that you diverted water under terms of the permit during the authorized development time. This development period extended from the date of permit approval on January 15, 1981 to the proof due date of January 1, 1991. Your April 3, 1998 letter states that in November 1994 you enlarged the pumping capacity of your existing well to meet the needs proposed under the lapsed permit.

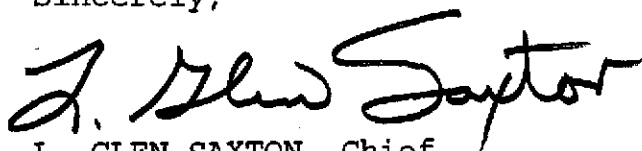
MICROFILMED

JUN 08 1998

If in fact you diverted water within the authorized development period, please provide appropriate evidence to the department within twenty-one (21) days of the date of this letter in order that the department can further reconsider reinstatement of the permit. If you do not timely respond or do not provide sufficient information, the department is not authorized to reinstate the permit.

Enclosed for your records is receipt no. C042026. If you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." and last name "Saxton" clearly distinguishable.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - E. Region

MICROFILMED

JUN 08 1998

Apr. 3, 1998

State of Idaho

RECEIVED

Department of water resources

APR 10 1998

Department of Water Resources

Dear Sirs:

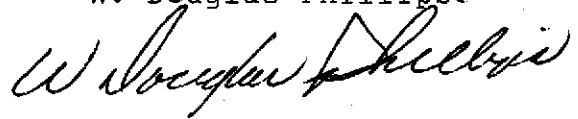
In the early fall of 1990 to Jan. 1997, William Phillips and Sons started litigating with Farm Credit Services over foreclosure of the property where the Application 35-7930 applied. As we didn't want to lose our investment we decided to wait until we felt that our investment would be secured.

November 1994 we incurred the services of Eastern Idaho Equipment to enlarge the bowls, pump, and motor to adequately cover our irrigation needs. This is specified in the application 35-7930.

Under these mitigating circumstances we request that the State of Idaho Department of Water reinstates our application 35-7930 and further approve with water right license application 35-7930.

Sincerely

W. Douglas Phillips



MICROFILMED

JUN 08 1998

1147 3 18

FD-507A (Rev. 2-82)

FD-507 Form No.

P-197695-

FEDERAL LAND BANK MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That on March 26, 1984

William P. Phillips and Sibyl O. Phillips, husband and wife;

hereinafter called the Mortgagors, hereby grant, bargain, sell, convey and mortgage to THE FEDERAL LAND BANK OF SPOKANE, a corporation in Spokane, Washington, hereinafter called the Mortgagee, the following described real estate in the County(ies) of Bingham State of: Idaho

PARCEL I: Township 1 South, Range 33 East of the Boise Meridian
Section 13: All.

PARCEL II: Township 1 South, Range 34 East of the Boise Meridian
Section 30: Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; EXCEPTING therefrom the following described parcel:

A portion of the SW $\frac{1}{4}$ of Section 30, Township 1 South, Range 34 East of the Boise Meridian; Beginning at the West quarter corner of Section 30, Township 1 South, Range 34 East of the Boise Meridian; thence South 200 feet to the point of beginning; thence South 450 feet; thence East at a right angle 300 feet; thence North at a right angle 450 feet; thence West at a right angle 300 feet to the true point of beginning.

Together with a 200 HP US electric motor with a Byron Jackson turbine pump and a 40 HP US electric motor with a Peerless turbine pump and a 125 HP GE electric motor with a Layne turbine pump and 2100 feet of sizes 8 inch thru 10 inch Steel mainline, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

Post-It [®] brand fax transmittal memo 7671		# of pages > 1
To	GLENN SARTON	
Co.	BRAS BUTARS	
Dept.	FARM CREDIT	
Fax #	523-1066	
	523-1175	

MICROFILMED

JUN 03 1998

47 600 85

JUN 02 1998

JUN 02 1998

630 1/2
ORDERED AT THE REQUEST OF
American Land Title Co.

MICROFILMED

JUN 08 1998



FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
785-3600 420 W BRIDGE, BLACKFOOT



CUSTOMER IDENTIFICATION

CUSTOMER NAME W DOUGLAS PHILLIPS	SERVICE LOCATION C 30 1
CUSTOMER NUMBER 0672-008866-3	TYPE OF SERVICE IRRIGATION

ACCOUNT INFORMATION AS OF **JULY 07, 1994**

BALANCE FORWARD ►

METER NUMBER OR NUMBER OF LAMPS	R A T E	SERVICE		D A Y S	METER READING		METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
		FROM	TO		PREVIOUS	PRESENT				
76376218624	4	603	705	0	25540	27177	40	114	65480	215935

****** ACCOUNT ACTIVITY SINCE LAST BILLING ******
1690.76CR TOTAL PAYMENTS THANK-YOU

ACCOUNT BALANCE 215935



COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR

DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

**LEVEL PAY
AMOUNT**

**PLEASE PAY
THIS AMOUNT**

2159.35

PLEASE ADD \$1, \$5 OR \$10 TO AID PROJECT SHARE'S ASSISTANCE PLAN

MICROFILMED



RECYCLABLE

○— REGULAR READING
 CR— CREDIT

1— CUSTOMER READING
 AV— AVERAGE

2 OR 3— ESTIMATED READING
 MN— MINIMUM

AUG 8 1994

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

CUSTOMER BILLING INFORMATION

Idaho Power reads your electric meter within 2 or 3 days of the same date every month. A bill is prepared and mailed to you within 7 days of the scheduled meter reading date. Your billing is considered past due 15 days after the bill is mailed to you. If you have any questions about your reading schedule or your bill, contact your local district office for assistance. Our business hours are from 8:00 a.m. to 5:00 p.m. Monday through Friday except holidays.

LATE PAYMENT CHARGE:

A charge of 1 percent per month will be assessed against any unpaid balance at the time of the next month's billing (Idaho only).

RETURNED CHECK CHARGES:

In Idaho — \$10.00

In Oregon — \$ 7.00

LEVEL PAYMENT PLAN

Your annual electric consumption can be averaged into 12 equal monthly payments.

As an example, if a customer wants to spread his or her energy charges evenly over a 12-month period, a past due balance can be added to an estimate of electric bills for the next year and the total divided into 12 equal monthly payments. This payment plan does not reduce overall energy expenses, but it may help with budget problems.

THIRD PARTY NOTIFICATION

Residential customers may choose a "third party" to be notified in case of service turnoff. You may choose a relative, a friend, a member of the clergy or an agency (such as the Department of Social Services) to be a third party for you. A third party will receive copies of any final termination notices we may send to you because of overdue utility bills. The third party is not responsible for paying your bills, but may do so.

INFORMACION SOBRE COBROS

La Compañía Idaho Power revisa su medidor eléctrico dentro de dos o tres días de la misma fecha cada mes. Se prepara la cuenta y se le envía a Usted por correo dentro de siete días de la fecha fijada para revisar su medidor. Su cuenta se considera vencida 15 días después de enviarle por correo a Usted. Si Usted tiene alguna pregunta sobre la fecha del reviso de su medidor o de su cuenta, comuníquese con su oficina local para que le asistan. Nuestras horas de oficina son de las 8 a.m. a las 5 p.m. de lunes a viernes (excepto días festivos).

COBROS PARA PAGOS RETRASADOS:

Un cobro de 1 por ciento por más se cobrará contra cualquier balance sin pagar al tiempo de que se prepare la cuenta del próximo mes (sólo en Idaho).

COBRO PARA CHEQUES QUE SE DEVUELVAN:

En Idaho — \$10.00

En Oregon — \$ 7.00

EL PLAN DE PAGOS IGUALES

Su gasto eléctrico anual puede ser promediado en 12 pagos mensuales de cantidades iguales.

Por ejemplo, si un cliente desea dividir su gasto eléctrico sobre un periodo de 12 meses, la cuenta vencida del cliente puede ser agregada a un cálculo de sus cuentas de electricidad para el próximo año y el total será dividido en 12 pagos mensuales iguales. Este plan de pago no reducirá sus gastos totales de energía, pero le ayudará a administrar su presupuesto.

NOTIFICACION A UNA TERCERA PERSONA

Todos los clientes residenciales pueden elegir a una "tercera persona" que será notificada en caso de una desconexión de servicio. Usted puede elegir a un pariente, un amigo, un miembro clero, o una agencia (como el Departamento de Servicios Sociales) para ser su tercera persona. Esta tercera persona recibirá copias de cualquier aviso final de desconexión que le mandemos por pagos vencidos de utilidad. La tercera persona no es responsable de pagar sus cuentas, pero puede hacerlo.

MICROFILMED

JUN 08 1998

NOTICE

This file has been REPRODUCED
from MICROFICHE

For Possible Reinstatement

Darlene J. Black
Person Recreating File

May 26, 1998
Date

I certify that file No. 35-7930

has been reviewed and is ready to be MICROFILMED
and DESTROYED.

Sam Skaggs
Signature

6-24-91
Date

The attached proof report is the water right as it appeared in the database
prior to the final status and deletion from the database.

WR5800NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/22/91 01:07:09
Page 1

Water Right Number - 35-07930

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
WILLIAM P. PHILLIPS & SONS

1 - RT. 4 BOX 269
2 -
3 -
City: BLACKFOOT
Phone - 208-000-0000

State ID Zip 83221

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/21/1981 15 EASTERN P - PERMIT

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rfig County Stream Index (Blank if no Index Code)

01S 34E 30 NE SW (11) BINGHAM

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.920
04 - STOCKWATER 01/01 12/31 0.080

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
2.000

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 34E 30 NE SW 40.0 01 IRRIGATION (11) BINGHAM
01S 34E 30 NW SW 40.0 01 IRRIGATION (11) BINGHAM
01S 34E 30 SW SW 40.0 01 IRRIGATION (11) BINGHAM
01S 34E 30 SE SW 40.0 01 IRRIGATION (11) BINGHAM
01S 34E 30 NW SE 40.0 01 IRRIGATION (11) BINGHAM
01S 34E 30 SW SE 40.0 01 IRRIGATION (11) BINGHAM

Total Acres: 240.0

+ - - Diversion Means - WELL, PUMP & HANDLINES.

+ - - Non-Irrigation Use - S/2000 SHEEP & 200 RANGE.

+ - - Other Rights for Same Use - LICENSE 35-2541.

+ - - - - Remarks - - - - - +
REINSTATED 3-27-1986.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

WR5806NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/22/91 01:07:09
Page 2

Water right number - 35-07930

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +
01C - A flow measurement port or other device as specified by the
- Department shall be installed by the permit holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 09/22/87 05/21/88 CONVERT 07/20/89 CURTIS 08/08/89 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 05/01/1991	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 01/15/1981	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Microfilm Roll No	-	Presumption Flag	-

WILLIAM P PHILLIPS & SONS
904 N 1200 W
BLACKFOOT ID 83221

January 7, 1991

LAPSE NOTICE

RE: PERMIT NO. 35-07930

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated October 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 1-10-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

IN 1-DEPARTMENT MEMO — 1

FROM

John

DATE 11-26-90

TO

File # 35-7930

SUBJECT

Returned Mail

Brigham County Assessor's Office
list to correct address on
904 N. 1200 W.

Blackfoot Idaho
83221

*Resent to
new address
on 11-27-90*

[Signature]
SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1 North Orchard Street
Boise, Idaho 83706-2237

FOR
RECEIVED
NOV 13 1990
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

NAME _____
1st Notice _____
2nd Notice _____
Return _____

NOV 13 1990
DEPARTMENT OF WATER RESOURCES

CERTIFIED MAIL
NO. 130753

|||||

904 N. 1200 W.

Blackfoot

83221



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 5, 1990

CERTIFIED MAIL

William P. Phillips & Sons
Rt. 4, Box 269
Blackfoot, ID 83221

138753

PROOF DUE NOTICE

RE: PERMIT NO. 35-7930

Dear Permit Holder(s):

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, 1991. 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 provided the delay is for reasonable cause as described 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 I. FLECK
Secretary/Records Manager

Enclosures



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

September 26, 1989

RE: Permit No. 35-7930

William P. Phillips & Sons
Rt. 4, Box 269
Blackfoot, ID 83221

Gentlemen:

Enclosed is an order that authorizes you to continue development under Permit to Appropriate Water No. 35-7930. Please note in condition #1., page two of the order that you must develop your system and beneficially use the water prior to January 1, 1991. Failure to beneficially use the water before January 1, 1991 could result in a loss of your water right permit.

Please note the conditions of approval contained in your permit and the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

August 9, 1989

The Morning News
Box 70
Blackfoot, ID 83221

Dear Legal Department:

Enclosed you will find a legal notice which we wish to have published on August 17 and August 24 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notice must appear in the issue that is distributed during the weeks of August 14 and August 21. 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 billing to the office below before September 4, 1989.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Sincerely,

SHARLA R. CURTIS
Secretary

NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT NO. 35-7930✓

Presently Recorded as Follows:

Name: WILLIAM P. PHILLIPS & SONS✓

Address: RT. 4 BOX 269✓

Source: GROUNDWATER✓

Diversion Pt.: NESW SEC. 30 T01S R34E BINGHAM CO.✓

Use: IRRIGATION (1.92 CFS)✓
STOCKWATER (0.08 FS)✓

Priority: 1/21/1981✓

Place of Use: SW1/4, W1/2SE1/4 SEC. 30
T01S R34E✓

Total Acres: 240✓

This permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before September 4, 1989.

R. Keith Higginson, Director

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING
PERMIT NO. 35-7930

DATE: 8-3-89

This permit completely overlaps water right license 35-2541.
Permit 35-7930 therefore is a complete supplemental filing. None
of the acreage descibed under this permit should be counted as
trust acres.

RECEIVED
JUL 27 1989

Date _____

page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE**

5. REMARKS/COMMENTS:

[illegible]



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KRITH HIGGINSON

DIRECTOR

May 24, 1989

RE: PERMIT NO. 35-7930

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4.2.3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

Page 2

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

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

DEPT. OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

**NOTICE OF EXISTING
WATER RIGHT PERMIT
PERMIT No. 85-7930**

Presently recorded as follows:
Name: WILLIAM P. PHILLIPS & SONS.
Address: Rt. 4, Box 269
Source: GROUNDWATER
Diversi on Pt.: NESW, Sec. 30, T01S, R34E,
Bingham Co.
Use: IRRIGATION (1.92 CFS);
STOCKWATER (0.08 CFS).
Priority: 1/21/1981.
Place Of Use: SW¼, W¼SE¼, Sec. 30,
T01S, R34E.
Total Acres: 240.

This permit was not developed by July 1,
1985, and is being reprocessed in compliance
with Section 42-203-D, Idaho Code. Protests
against the continuance of the permit must be
filed with the Director, Dept. of Water
Resources, Statehouse Mail, Boise, Idaho,
83720, on or before September 4, 1989.

R. KEITH HIGGINSON
Director

(493)
Pub.: 8/17, 24

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho Michael Bell)

I, 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, 19 89;

and the last publication having been made on the

24th day of August, 19 89;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 29th day of August,
in the year 19 89 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.

Roger Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho,
My commission expires
November 10, 1994

Affidavit Processing Fee..... \$5.00

STATEMENT OF ACCOUNT

THE MORNING NEWS
P.O. Box 70
BLACKFOOT, IDAHO 83221-0070

(208) 785-1100

DEPT OF WATER RESOURCES (DWRRO)
1301 NORTH ORCHARD STREET
STATEHOUSE
BOISE ID 83720-0001

AUGUST 31, 1989

DATE

NUMBER

PAGE 1 OF 1

AGING ANALYSIS:

CURRENT	\$37.18
OVER 30 DAYS	\$0.00
OVER 60 DAYS	\$0.00
OVER 90 DAYS	\$10.65

DATE	RATE	QTY	TYPE	DESCRIPTION	ZONES	AMOUNT	BALANCE
				PREVIOUS BALANCE			\$10.65
08/30	7	33.00		LEGAL PUB - 493	A	37.18	\$47.83

TERMS:

LOOK FOR OUR HARVEST EDITION COMING OUT
ON THE 25TH DAY OF OCTOBER. PLAN EARLY TO
GET YOUR MESSAGE OUT TO YOUR CONSUMERS!!



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

March 27, 1986

William P. Phillips & Sons
904 N. 1200 W.
Blackfoot, ID 83221

Gentlemen:

Re: Permit Nos. 35-7930, 35-7931 and 35-7932

Enclosed is a copy of each of the approved requests for extension of time. The time within which to submit proof of beneficial use is extended to January 1, 1991. Note that the permits have been reinstated and the priority advanced.

The Department would like to advise you that even though an extension of time has been granted, the permit is subject to the review requirements described in Sec. 42-203D, Idaho Code.

Sincerely,

A handwritten signature in cursive script, reading "Rita I. Fleck", is written over the typed name.

RITA I. FLECK
Secretary/Records Manager

Enclosures

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 55-7930Reviewed by NYDate 3-25-1986

BASIC INFORMATION

- y Date stamp received
y Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
y Fee received and receipted
y Name and signature same as permit
y Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- Has adequate work been completed to demonstrate due diligence?
 Has the cost incurred been adequate to demonstrate an intent to complete the project?
y Has the permit been involved in litigation?
 a. Swan Falls yes Dismissed from Swan Falls No
 Other Identify
 b. Is supporting documentation needed to complete the file?
 Requested
 c. Calculate the period of delay

Date litigation completed Date litigation began Total period of delay Present proof due date NEW PROOF DUE DATE

- Is delay by a government agency?
 Is supporting documentation needed to complete the file?
 Requested?

ACTION TAKEN

Recommend approval based on litigation for 5 years

Special conditions or remarks:

y Reinstate Date extension received * Feb. 12 = 43
 Proof due date Jan 1 = - 1
 No. of days late = 42
 Priority date Dec 9, 1980 = +343
 ADJUSTED PRIORITY DATE Jan 20, 1981 = 385
 - 343
 20
 Prepare coding sheet - address
 Change rolodex card
* date first ext. received

March 4, 1986

William P. Phillips
904 N. 1200 W.
Blackfoot, ID 83221

Dear Mr. Phillips:

Re: Permit Nos. 35-7930, 35-7931 and 35-7932

Enclosed are three typed request for extension of time forms. These are to replace the three you submitted for the above referenced permits on February 14, 1986. Since your signature was in the portion reserved for the action of the director, I took the liberty of typing these and returning them to you for a properly located signature. Please sign by the red "X" and return the requests as soon as possible.

Sincerely,

RITA L. FLECK
Secretary/Records Manager

Enclosures



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

EXTENSION OF TIME

February 14, 1986

William P. Phillips & Sons
904 N. 1200 W.
Blackfoot, ID 83221

PERMIT NO. 35-7930, 35-7931, 35-7932

We are in receipt of the \$45 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 374171.

Roberta Garrett
Records Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

PHILLIPS & SONG, WM. P.
RT. 4 BOX 269
BLACKFOOT, ID 83221

LAPSE NOTICE

RE: PERMIT NO. 35-7930

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SHOWING THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED OCTOBER 31, 1985.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE FORM OR THE EXTENSION REQUEST FORM MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING
I hereby certify that on 1-27-1986
a copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.
Rita Flank

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138441

PHILLIPS & SONS, WM. P.
PT. 4 BOX 269
BLAKEFOT, ID 83221

PROOF DUE NOTICE

OCTOBER 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 35-7930 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A 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



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 NO 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

PHILLIPS & SONS, WM. P.
RT. 4 BOX 269
BLACKFOOT, ID 83221

JANUARY 22, 1981

RE: PERMIT NO. 35-7930

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.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS 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 ACCESS PORT.

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

SINCERELY,

DAVID R. TOTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

35 7930

INITIAL REVIEW BY: _____

APPLICATION NUMBER: _____

CHECK:

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

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

PROCESSING:

- ☒ Yes ☐ No Plotted by: Local District ✓ Map No. Burn #25
☒ Yes ☐ No Other rights on same place of use. 35-2541 for 2.88 c/s in same lands. No Overlap 1.92
☒ Yes ☐ No* In form for advertising. 12-9-1980
☐ Yes ☒ No Final date for protests: _____
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 1-6-1981 ✓
☒ 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? _____
☒ 12-9-1980 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

By: Scott CarsonDate: 1-7-1981

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.

By: ReaganDate: 1/12/81

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before JANUARY 5, 1981.

C. STEPHEN ALLRED

Director

Published 12/18 & 12/26/80.

35-2930.

PHILLIPS & SONS, WM. P.

RT. 4 BOX 269, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 12/09/1980.

Amount: 2.00 CFS

Diversion Point: NESW Sec 30 T 01S R 34E, BINGHAM Co.

Use: IRRIGATION (1.92 CFS) from 04/01 to 11/01
STOCKWATER (0.08 CFS) from 01/01 to 12/31

Place of Use: NESW NWSW SWSW SESW NWSE SWSE Sec 30 T 01S R 34E
FOR 240 ACRES

Diversion Means: WELL, PUMP & HANDLINES.

35-7930
PHILLIPS & SONS, WM. P.
Rt. 4 Box 269
Blackfoot, Id. 83221
Source: GROUNDWATER
Date Filed: 12-9-1980
Amount: 2.00 CFS
Diversion Point: NESW Sec 30 T 01S
R 34 E, BINGHAM Co.
Use: IRRIGATION (1.92 CFS) from 4-
1 to 11-1
STOCKWATER (0.08 CFS) from 1-1
to 12-31
Place of Use: NESW NWSW SWSW
SESW NWSE SWSE Sec 30 T 01S R
34E for 240 ACRES
Diversion Means: WELL, PUMP &
HANDLINES.

ok

RECEIVED

JAN 6 1984

Department of Water Resources
Eastern District Office

NOTICE OF
APPLICATION FOR
WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

35-7929

HANSEN, ZANE
Rt. 5 Box 197
Blackfoot, Id. 83221
Source: GROUNDWATER
Date Filed: 12-3-1980
Amount: 3750 CFS
Diversion Point: NENE Sec 15 T 02S R 32E, BINGHAM Co.
Use: IRRIGATION ((3 50 CFS) from 4-1 to 11-1
Place of Use: NESW NWSW SWSW SESW Sec 14 T 02S R 32E NENE NWNE SENE NWSE Sec 15 T 02S R 32E NWNW Sec 23 T 02S R 32E for 175 ACRES.
Diversion Means: WELL, PUMP & PIPELINE.

35-7930

PHILLIPS & SONS, WM. P.
Rt. 4 Box 269
Blackfoot, Id. 83221
Source: GROUNDWATER
Date Filed: 12-9-1980
Amount: 2.00 CFS
Diversion Point: NESW Sec 30 T 01S R 34 E, BINGHAM Co.
Use: IRRIGATION (1.92 CFS) from 4-1 to 11-1
STOCKWATER (0.08 CFS) from 1-1 to 12-31
Place of Use: NESW NWSW SWSW SESW NWSE SWSE Sec 30 T 01S R 34E for 240 ACRES
Diversion Means: WELL, PUMP & HANDLINES.

35-7931

PHILLIP & SONS, WM. P.
Rt. 4 Box 269
Blackfoot, Id. 83221
Source: GROUNDWATER
Date Filed: 12-9-1980
Amount: 5.00 CFS
Diversion Point: NESE NWSE SWSE SESE Sec 19 T 01S R 34E, BINGHAM Co.
Use: IRRIGATION (4.87 CFS) from 4-1 to 11-1
STOCKWATER (0.13 CFS) from 1-1 to 12-31
Place of Use: NENE NWNE SWNE SENE NESE NWSE SWSE SESE Sec 19 T 01S R 34E for 320 ACRES
Diversion Means: WELL, PUMP & PIPELINE

35-7932

PHILLIP & SONS, WM. P.
Rt. 4 Box 269
Blackfoot, Id. 83221
Source: GROUNDWATER
Date Filed: 12-9-1980
Amount: 4.93 CFS
Diversion Point: SWSW Sec 18 T 01S R 34E, BINGHAM Co.
Use: IRRIGATION (4.60 CFS) from 4-1 to 11-1
STOCKWATER (0.13 CFS) from 1-1 to 12-31
Place of Use: NESW NWSW SWSW SESW SWSE Sec 18 T 01S R 34E NWNW Sec 19 T 01S R 34E for 240 ACRES
Diversion Means: WELL, PUMP & PIPELINE.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before JANUARY 5, 1981.

C. STEPHEN ALLRED
Director

(6758)
Pub: 12-18 to 12-26

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

David Mark Brown

I, _____ do

Publisher

swear that I am the Publisher of The Blackfoot 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 has, at all times, 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. & Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of

of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 18th day of December, 19 80

and the last publication having been made on the

26th day of December, 19 80; 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 2nd

day of January, 19 81.

Patricia H. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984