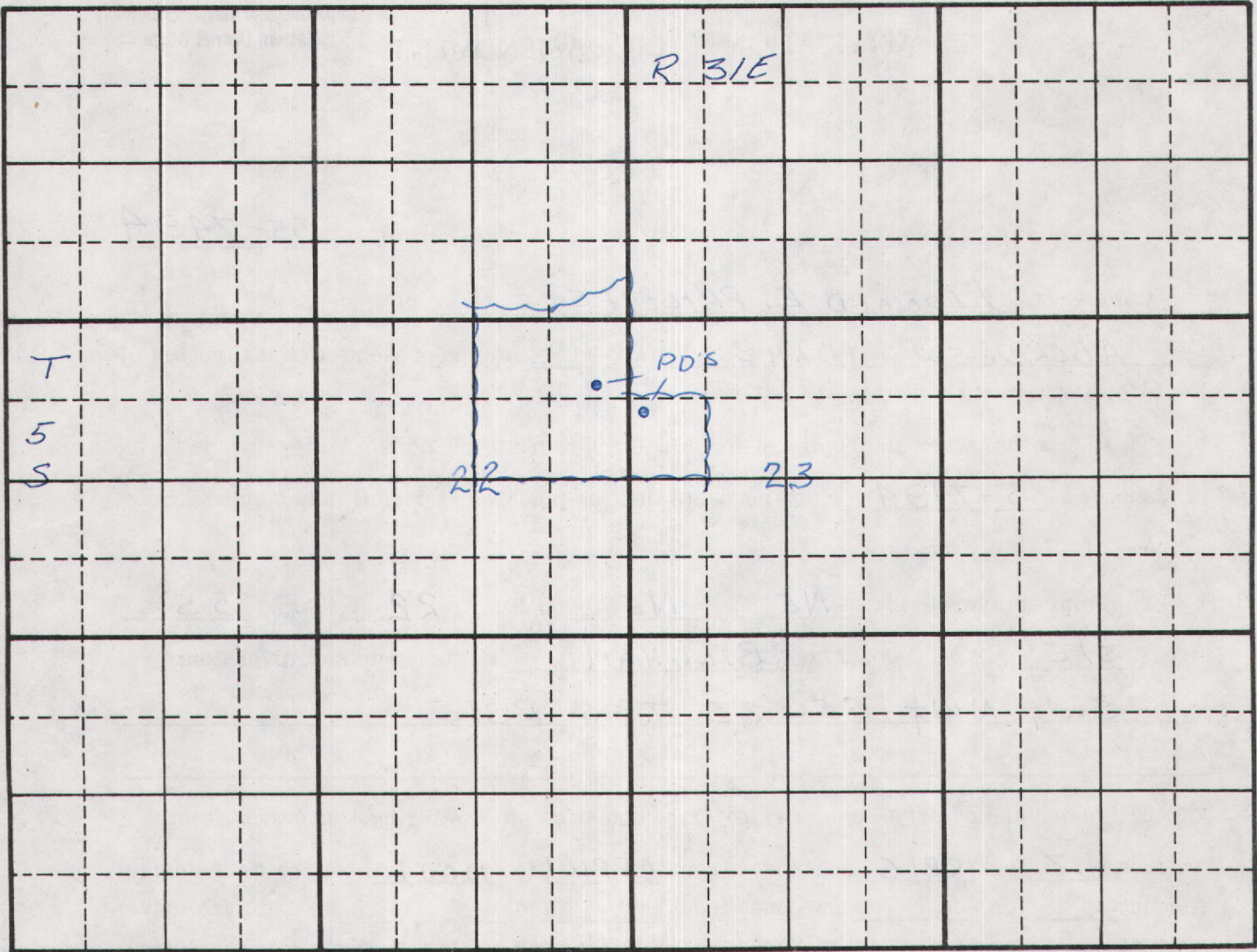


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

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

Signed at Idaho Falls, this 22 day of February, 19 77.

Leonard E Phillips  
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES ok jg

Administrator, Operations Division

I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby APPROVE the above application for amendment on Permit No. 35-7494.

Witness my hand this 25 day of March, 19 77.

Bobby D. Fleener  
Director

RECEIVED

APR 14 1975

Department of Water Resources  
Eastern District Office

**AFFIDAVIT of PUBLICATION**

County of Bingham

State of Idaho

)  
ss.  
)

I, David Mark Brown do solemnly

Publisher

swear that I am the ..... 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 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: Friday of each week; that the  
notice attached hereto and which is a part of this affidavit  
and part of the proof of publication was, published in said

Friday issue of said newspaper .....<sup>2</sup>..... consecutive

weeks, the first publication having been made on  
the ...3rd... day of ...April....., 19...75...

and the last publication having been made on the  
...10th... day of ...April..., 19...75...; 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.

David Mark Brown  
Subscribed and sworn to before me this .....<sup>11th</sup>.....

day of ...April....., 19...75.....

Patricia A. Johnson

Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
Oct. 20, 1975

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that  
Larry Phillips, Aberdeen,  
Idaho, has on 3-24-75, submitted  
Application No. 35-7494, for a  
permit to appropriate 4.3 cubic

feet per second of water from a  
ground-water source by means  
of well and pump within the  
SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, Sec. 23, T. 5S, R.  
31E, B.M., Bingham County; to  
be used from Apr. 1 to Nov. 1 for  
the irrigation of 215 acres  
within the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, Sec. 15,  
NE<sup>1</sup>/<sub>4</sub>, Sec. 22, SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, Sec.  
23, T. 5S, R. 31E, B.M.

If issued, this permit will be  
subject to all prior water rights.  
Protests against the granting of  
the permit must be filed with  
the Idaho Department of Water  
Resources, 1515 Lincoln Road,  
Idaho Falls, Idaho, 83401, on or  
before April 21, 1975.

R. KEITH HIGGINSON  
Director

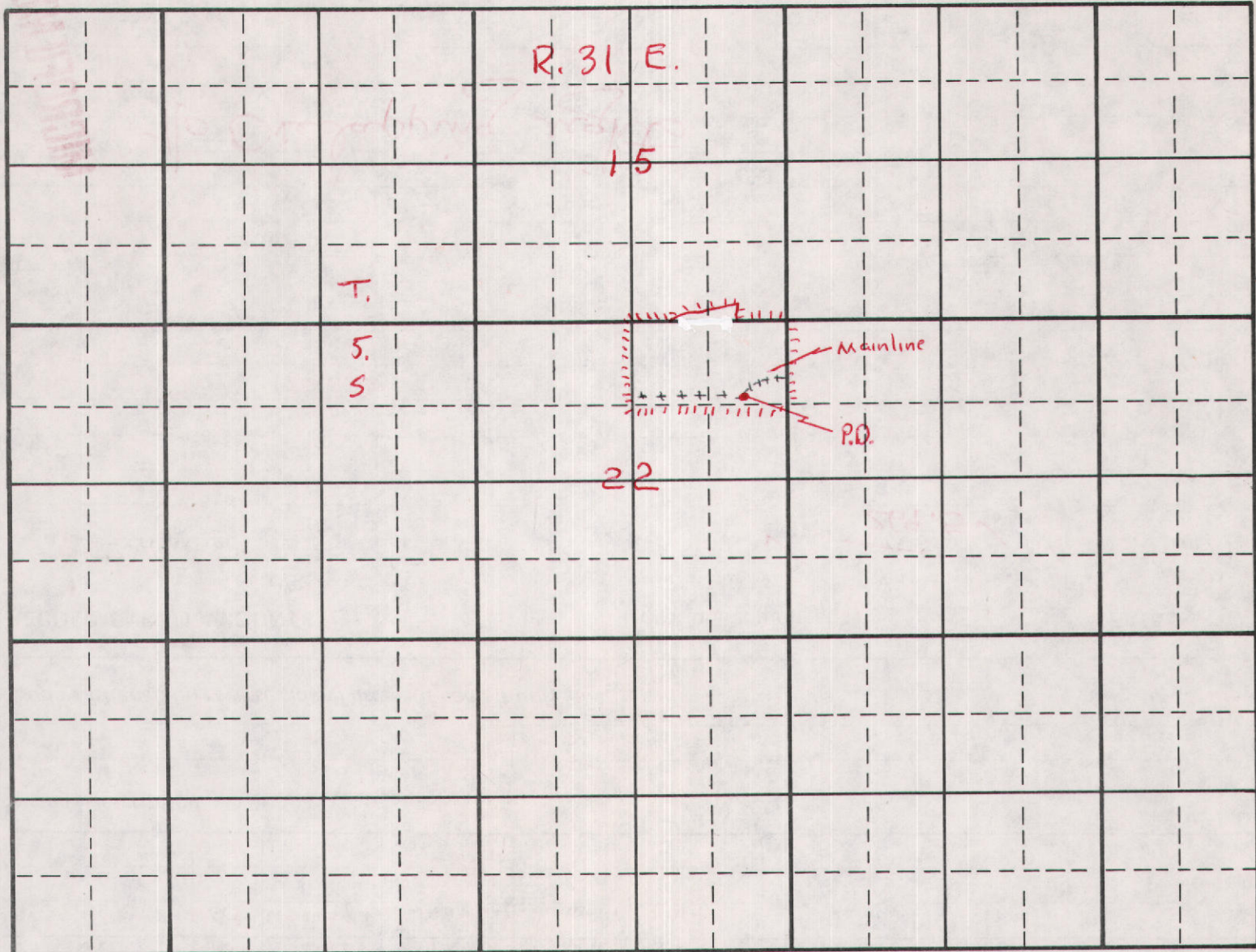
(4205)  
Pub.: 4-3, 19  
Pub.: 4-3, 10

29

aw

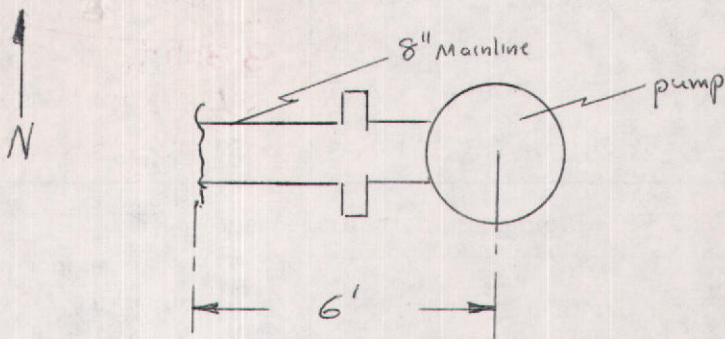
**MICROFILMED**

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NE of NE SECT 22 TSS R 31 E

Place(s) of Use

| TWP. | RGE. | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 5S   | 31E  | 22   | 32  | 40  |     |     |     |     |     |     |     |     |     |     |     |     | 2   | 3   | 72     |
|      |      | 15   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 5      |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

TOTAL 77

Recommended Amendments:

- ☐ Change P.D. as reflected above  
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above  
☒ Add P.U. as reflected above

- ☒ None  
☐ Other

Examiner's Signature [Signature]

Checked by [Signature]

Approved by [Signature]

Date 10-7-80

Date 2-5-81

Date 12/7/81

Leonard Phillips

35-7494



State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7494 Priority March 24, 1975 Amount 1.53 cfs

THIS IS TO CERTIFY, that Leonard E. Phillips  
of Aberdeen, Idaho, has complied with the terms and conditions of Permit  
No. 35-7494 issued pursuant to Application for Permit dated March 24, 1975,  
and has submitted proof to the Department of Water Resources on March 24, 1980,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 1.53 cfs of water from a groundwater source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows.

| Beneficial Use    | Period of Use                            | Rate of Diversion      | Annual Volume          |
|-------------------|------------------------------------------|------------------------|------------------------|
| <u>Irrigation</u> | from <u>April 1</u> to <u>November 1</u> | at <u>1.53</u> cfs and | <u>269.5</u> acre feet |
|                   | from _____ to _____                      | at _____ cfs and       |                        |
|                   | from _____ to _____                      | at _____ cfs and       |                        |

(both dates inclusive)

Subject, however, to the condition that no more than 1.53 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
269.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 22, Twp.  
5S, Rge. 31E in the County of Bingham

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 5S   | 31E   | 22   | 32               | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 72     |
|      |       | 15   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 2                | 3                | 5      |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 77

This right when combined with all other rights shall provide no more than 0.02  
cfs per acre nor more than 3.5 afa per acre for the lands above.

**NOTE:** Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho  
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of water hereby confirmed is restricted and appurtenant to the lands or place of use  
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26th day of  
February, 19 82.

For the Director

*Norman C. Young*

STATE OF IDAHO

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FEB 3 1982

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

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

Comes now Leonard E. Phillips Phone 397-4321  
of (address) Aberdeen, ID 83210, and represents to the  
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho  
No. 35-7494, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE 1/4 NE 1/4, Section 22, Township 5S, Range 31E, B.M.,  
County of Bingham. Other points of diversion: \_\_\_\_\_

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)  
NO CHANGE

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

3. Place of use or land to be irrigated:

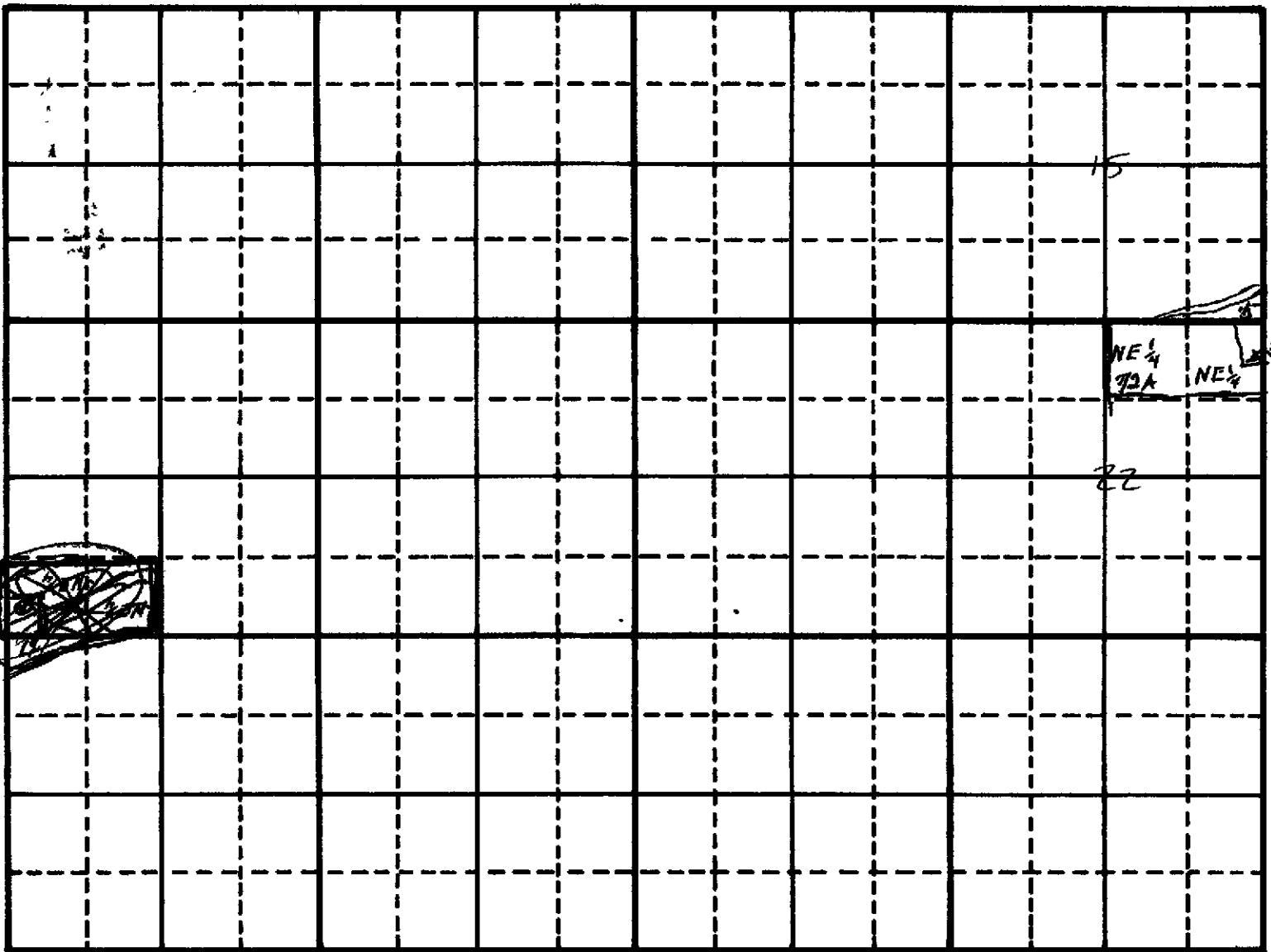
| TWP | RGE | SEC | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|-----|-----|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |     |     | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 5S  | 31E | 22  | 32     | 40     |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 72     |
|     |     | 15  |        |        |        |        |        |        |        |        |        |        |        |        |        | 2      | 3      |        | 5      |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |     |     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated = 77

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

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

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



Scale: 2 inches equal 1 mile.

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

Signed at Aberdeen, this 30 day of January, 1982.

Leonard E. Phillips  
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jm Fee = \$20.00  
Publication prepared by WPA Date \_\_\_\_\_  
Publication dates \_\_\_\_\_

Receipted by W Date 2-11-82 #21762  
Published in \_\_\_\_\_

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby  
APPROVE the above Application for Amendment of Permit No. 35-7494.

Witness my hand this 26th day of February, 19 82.

For the Director Norman C. Young  
DRT

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING  
DEVICE REQUIREMENT FOR PERMIT NO. **35-7494**

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "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"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18<sup>th</sup> day of August, 1978.

  
C. STEPHEN ALLRED  
Director

MICROFILMED

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# APPLICATION FOR AMENDMENT

**Department of Water Resources  
Eastern District Office**

Permit No. 35-7494

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-7494, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Sec. 22 Twp. 55  
Rge. 31E, B.M., County of BINGHAM. Other points of diversion:  
SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  SEC 23 T55 R31E

Amount 4.3 for IRRI G purposes from APRIL to NOV (both dates inclusive)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre feet per annum)

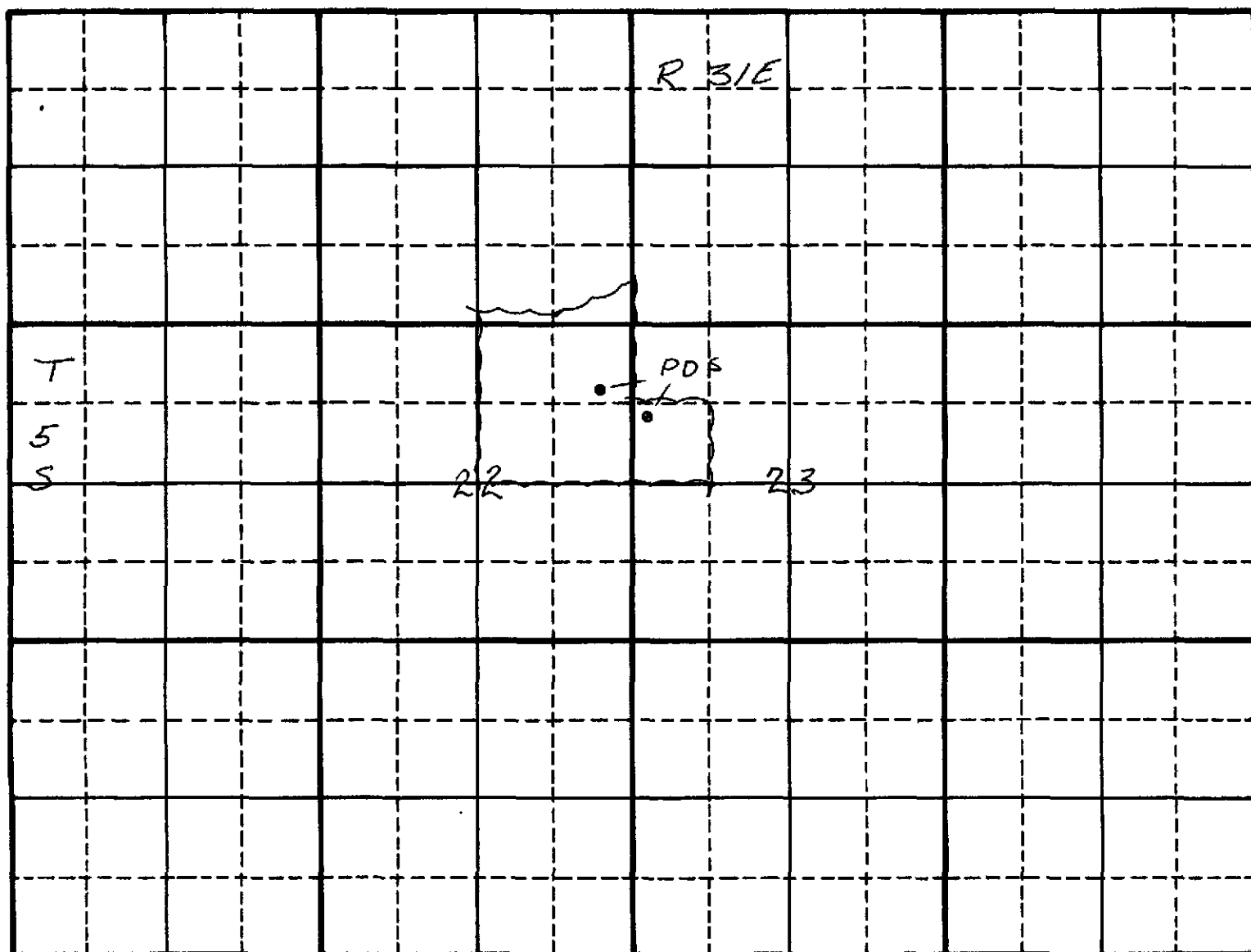
NO CHANGE

[illegible]

Total number of acres to be irrigated

**MICROFILMED**

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

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

Signed at Idaho Falls, this 22 day of February, 19 77.

Leonard E Phillips  
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES ok jg

Administrator, Operations Division

I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby APPROVE the above application for amendment on Permit No. 35-7494.

Witness my hand this 25 day of March, 19 77.

Betty D. Flannery  
Director

RECEIVED

FEB 22 1977

Department of Water Resources  
Eastern District Office

State of Idaho  
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Larry Phillips, hereby assign to Leonard E. Phillips  
of Aberdeen, Idaho  
Address \_\_\_\_\_

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 35-7494  
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit  
No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within  
each 40 acre subdivision, the point of diversion and the amount of water in cubic  
feet per second for direct diversion, or acre feet for storage)

Made this 22<sup>nd</sup> day of FEBRUARY, 1977.

Larry J. Phillips  
Permit Holder

\_\_\_\_\_  
Spouse of Permit Holder

State of Idaho )  
County of BONNEVILLE ) ss.

On this 22<sup>nd</sup> day of FEBRUARY, 1977, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged to me  
that he (she) (they) executed the same.

seal

Ronald P. [Signature]  
Notary Public residing at  
IDAHO FALLS, IDAHO

My commission expires:  
2/19/78

MICROFILMED

Identification No. 35 7494

Application No. \_\_\_\_\_

ASSIGNED TO: ~~LEONARD PHILLIPS~~  
3-22-1977 Aberdeen, ID 83210

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR PERMIT**

**To Appropriate the Public Waters of the State of Idaho**  
(TYPE OR PRINT IN INK)

**APPROVED**

- 1 Name of applicant Larry Phillips Phone: 397-4342  
post office address Aberdeen, Idaho
- 2 Source of water supply ground water which is a tributary of - - -
- 3 a Location of point of diversion is SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 23 Township 5S  
Range 31E B.M. Bingham County; additional points of diversion if any. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes.  
Amount 4.3 for Irrig. purpose from Apr. 1 to Nov. 1 (both dates inclusive)  
(cfs or acre-feet per annum) ~~XXXXXXXXXX~~  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a 4.3 cubic feet per second and/or  
b \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works  
a Description of ditches, flumes, pumps, headgates, etc. Well, pump (150 Hp), sprinkler system  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo Day) (Mo Day)
- c Proposed well diameter is 16 inches; proposed depth of well is 100 feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 years  
b Estimated construction cost is \$ 70,000.00.
- 8 Description of proposed uses.  
a If water is **not** for irrigation  
(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M. \_\_\_\_\_  
(2) Amount of power to be generated \_\_\_\_\_ hp under \_\_\_\_\_ feet of head  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other purposes describe \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MICROFILMED**

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

| TWP | RANGE | SEC | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | TOTALS |
|-----|-------|-----|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|     |       |     | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 5S  | 31E   | 15  |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       | 15    | 15     |
|     |       | 22  | 40    | 40    | 40    | 40    |       |       |       |       |       |       |       |       |       |       |       |       | 160    |
|     |       | 23  |       |       |       |       |       |       | 40    |       |       |       |       |       |       |       |       |       | 40     |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

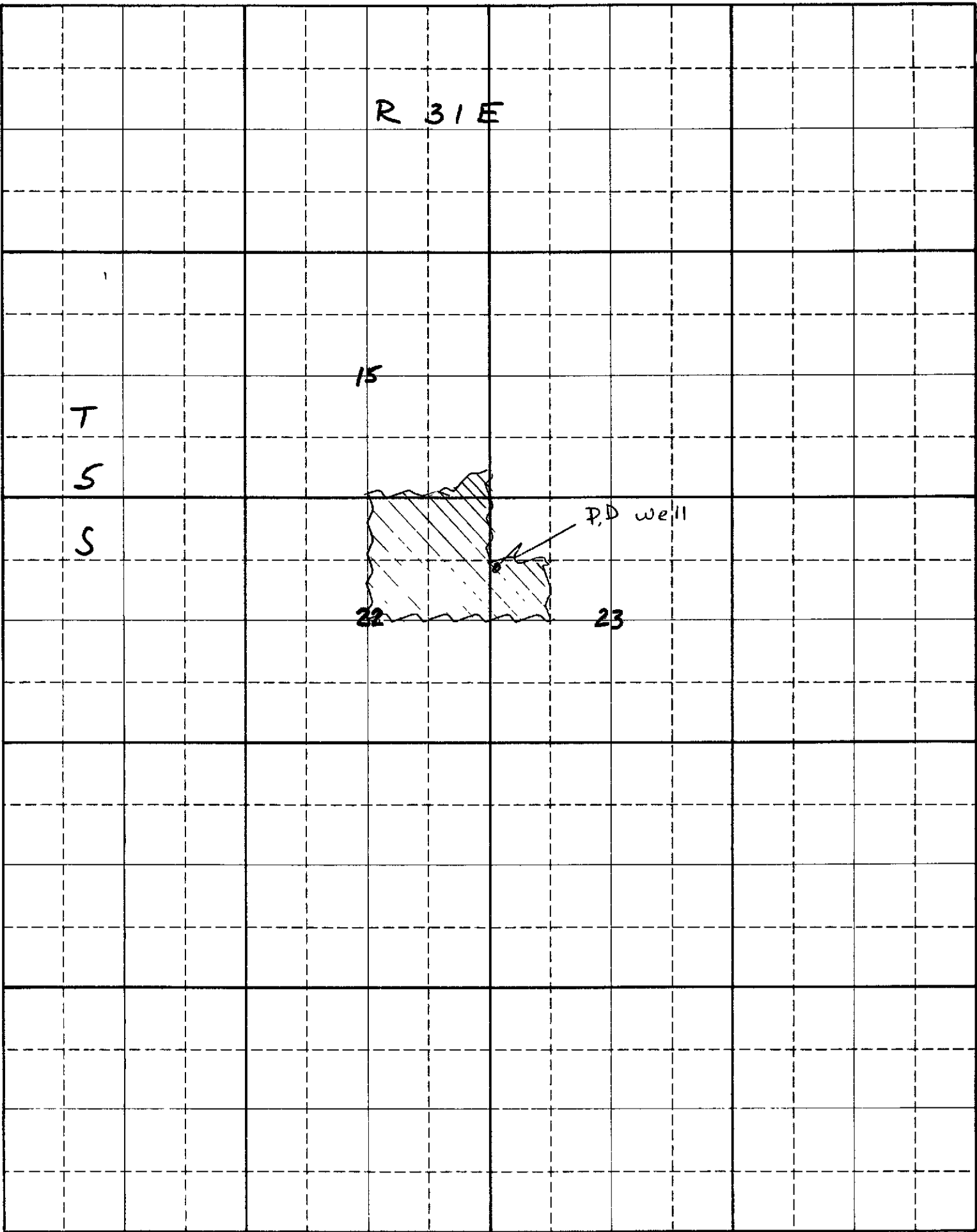
Total number of acres to be irrigated 215

c. Describe any other water rights used for the same purposes as described above. 240 Shares  
Aberdeen-Springfield Canal.

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 The Aberdeen-Springfield water will be used on other land within the district. The purpose of the well and sprinkler system is to lower the water table and make the land more farmable.

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



Scale 2 inches equal 1 mile

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

Larry Phillips  
(Applicant)

Proposed Priority 3-24-1975

Received by MB Date 3-24-75 Time 3:25 PM  
Preliminary check by Jay Fee \$ 65.<sup>00</sup>  
Receipted by MB Date 3-24-75 # 4155  
Publication prepared by MB Date 3-28-75  
Published in The Blackfoot News  
Publication dates April 3 & 10, 1975  
Publication approved W Date 4-14-75  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Protests filed by \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by RC 1/18

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

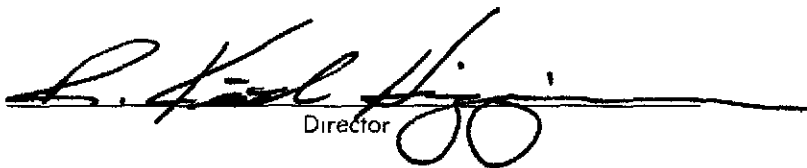
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 35-7494, and said application is hereby APPROVED.

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 April 1, 19 80.
- c. Other, A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2 Denial of said application is for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this 25 day of April 19 75.

  
Director

Department of Water Resources  
Eastern District Office

## AFFIDAVIT of PUBLICATION

County of Bingham )  
State of Idaho ) ss.

I, David Mark Brown do solemnly

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 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 Friday of each week, that the  
notice attached hereto and which is a part of this affidavit  
and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on  
the 3rd day of April, 19 75..

and the last publication having been made on the  
10th.. day of April.. 19 75.. 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.

David Mark Brown  
Subscribed and sworn to before me this 11th

day of April.. 19 75..

Patricia A. Johnson

Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
Oct 20, 1975

### NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that  
Larry Phillips, Aberdeen,  
Idaho, has on 3-24-75, submitted

~~Application for a permit to use water~~  
~~from the Snake River~~  
~~for the purpose of irrigating~~  
~~215 acres of land~~

of well and pump within the  
SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 23, T. 5S, R.  
31E, B M., Bingham County, to  
be used from Apr. 1 to Nov. 1 for  
the irrigation of 215 acres  
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 15,  
NE $\frac{1}{4}$ , Sec. 22, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec.  
23, T. 5S, R. 31E, B M.

If issued, this permit will be  
subject to all prior water rights.  
Protests against the granting of  
the permit must be filed with  
the Idaho Department of Water  
Resources, 1515 Lincoln Road,  
Idaho Falls, Idaho, 83401, on or  
before April 21, 1975.

R. KEITH HIGGINSON  
Director

(4205)

Pub.: 4-3-75

Pub.: 4-3, 10

29 *ew*

March 4, 1982

RE: Permit No. 35-7594

Leonard E. Phillips  
Route #1, Box 252  
Aberdeen, ID 83210

Dear Mr. Phillips:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 21762 in the amount of \$20.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

JJ:kw  
Enclosures

APPROVED



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

January 14, 1982

RE: Permit No. 35-7494

Leonard E. Phillips  
Route #1, Box 252  
Aberdeen, ID 83200

Dear Mr. Phillips:

A representative of this Department made an examination of the works covered by your Permit No. 35-7494 and has found the following:

Amount of water that can be recognized as beneficially used under  
Idaho law: 1.53 cfs Source: groundwater

The maximum quantity diverted shall not exceed 269.5 acre feet  
per year.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22, Twp. 5S, Rge. 31E, Bingham County

Beneficial use: Irrigation of 77 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 22; S $\frac{1}{2}$ SE $\frac{1}{4}$ ,  
Sec. 15, Twp. 5S, Rge. 31E

Priority date established: March 24, 1975

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

M. JOHNSON

Water Distribution Supervisor

JJ:kw

Enclosure

MICROFILMED

Hope this is done  
Correct. & Note Please  
Notify. Thanks

RECEIVED

FEB 3 1982

Department of Water Resources

035-7494  
Permit No.

| DATE | INITIALS | REMARKS |
|------|----------|---------|
|------|----------|---------|

- |                                                     |       |       |       |
|-----------------------------------------------------|-------|-------|-------|
| <input type="checkbox"/> Appointment letter mailed: | _____ | _____ | _____ |
|                                                     | _____ | _____ | _____ |
| <input type="checkbox"/> Telephone call made:       | _____ | _____ | _____ |
| (List Telephone No. used)                           | _____ | _____ | _____ |
|                                                     | _____ | _____ | _____ |
| <input type="checkbox"/> Appointment scheduled for: | _____ | _____ | _____ |
| (Date, time, location)                              | _____ | _____ | _____ |

Date 7-1-80 Accompanied by Mr. Phillips Total Q measured 1.53 cfs  
If source is surface water, estimate total flow of source \_\_\_\_\_  
Methods of measurement Annubar Meets Permit requirements? yes

|                                                                                                                                                                                                         |                                                                                                                                                                                                                       |                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <p>Measurement calculations:</p> <p><math>V = 77 \text{ acres} \times 3.5 \text{ cfs/acre}</math></p> <p><math>V = \underline{270 \text{ cfs}}</math> ✓</p> <p><math>77 \times 3.5 = 269.5</math> ✓</p> | <p><math>(7.5)^2 \times 3.85 \times \sqrt{10}</math></p> <p><math>56.25 \times 3.85 \times 3.17</math></p> <p><math>687 \text{ gpm} \div 448.8</math></p> <p><u><math>1.53 \text{ cfs}</math></u></p> <p>capacity</p> | <p><math>V = 1.53 \text{ cfs} \times 1.9835 \times 214</math></p> <p><math>V = 649 \text{ cfs}</math></p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|

[illegible]

## System Description

*\*Code with map on reverse side. Disregard code if only one.*

## RECOMMENDED AMOUNTS

**USE**

Irrigation requirement = 3.5 AFA/Acre

Q (cfs)

V (afa)

FROM

TO

## Irrigation

153

270

April 6

Nov. 1

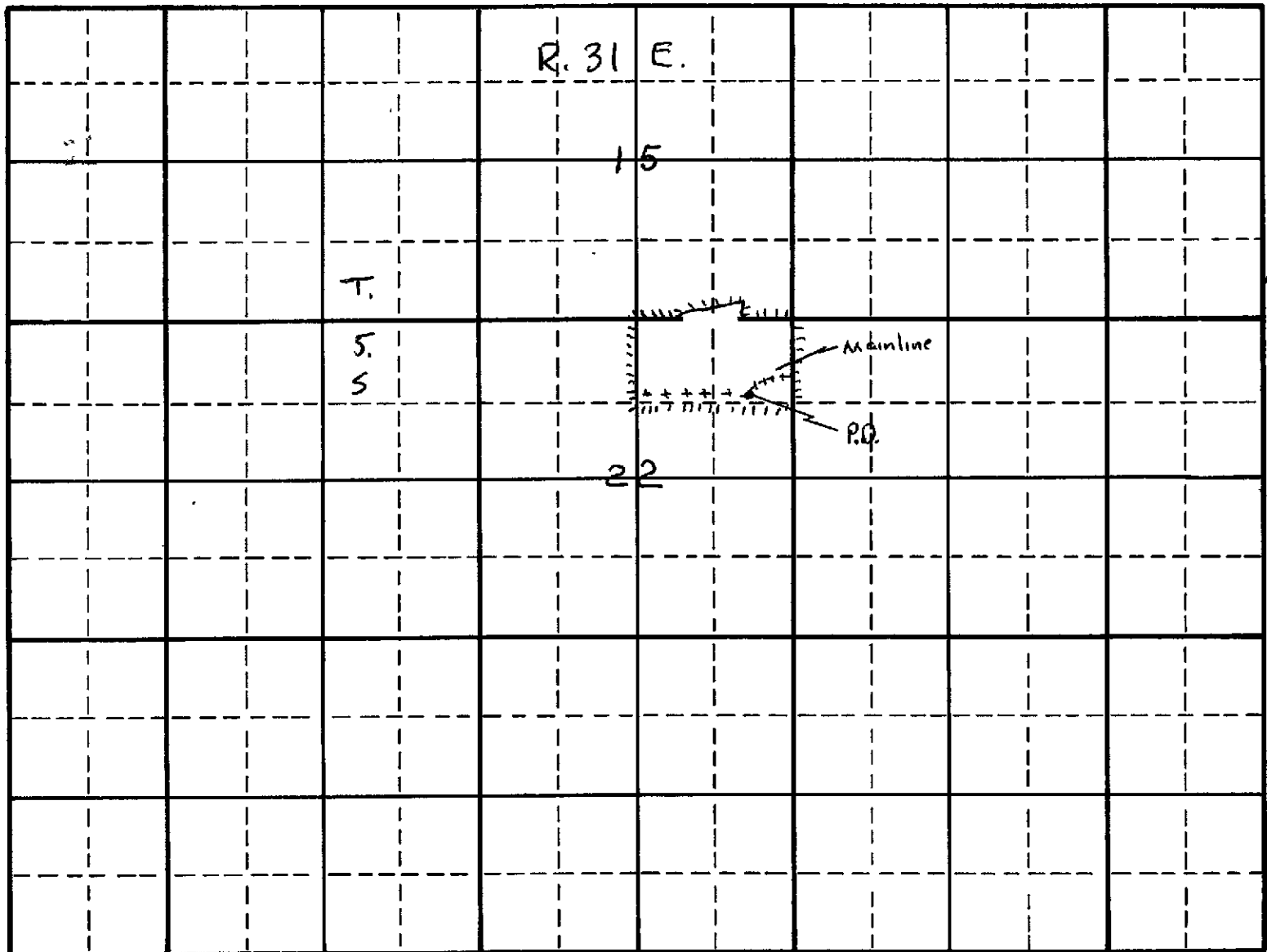
Total

Remarks

**MICROFILMED**

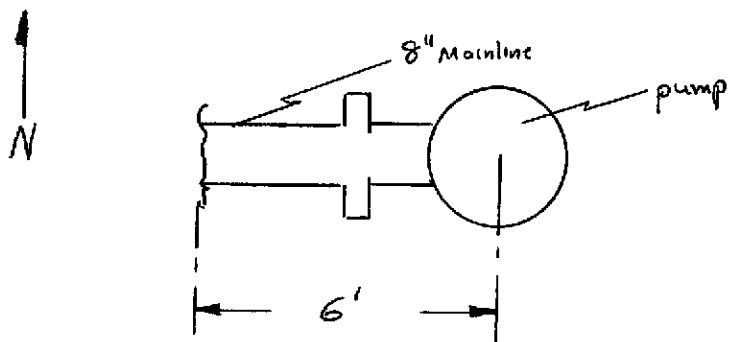
No Overlapping rights

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NE of NE SECT 22 T5S R31E

Place(s) of Use

| TWP. | RGE. | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 5S   | 31E  | 22   | 32  | 40  |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 72     |
|      |      | 15   |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 2   | 3   | 5      |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

TOTAL 77

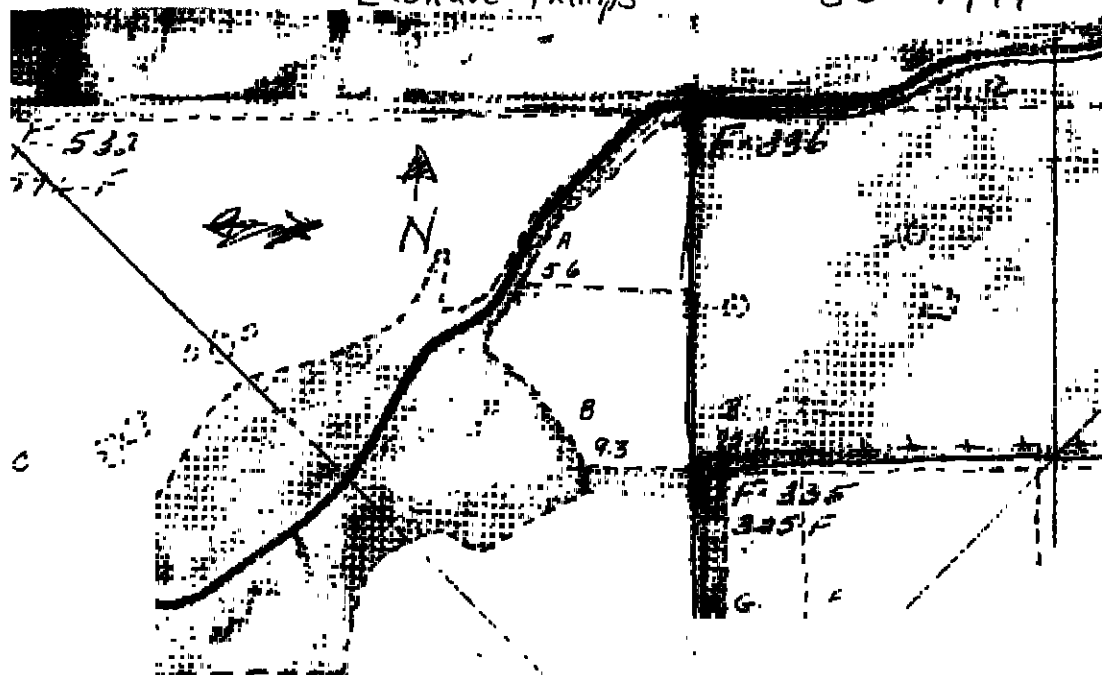
Recommended Amendments:

- ☐ Change P.D. as reflected above  
☐ Change P.U. as reflected above  
☒ Add P.D. as reflected above  
☒ Add P.U. as reflected above  
☒ None  
☐ Other

Examiner's Signature: [Signature] Date: 10-7-80  
 Checked by: [Signature] Date: 2-5-81  
 Approved by: [Signature] Date: 12-7-81

Leonard Phillips

35-7494



D.  
527



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

May 14, 1980

RE: Permit No. 35-7494

Leonard E. Phillips  
Rt. #1, Box 242  
Aberdeen, ID 83210

Dear Mr. Phillips:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

JACKIE S. DENNING  
Senior Clerk

cc: IDWR - State Office

MICROFILMED



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

April 10, 1980

RE: Permit No. 35-7494

Leonard E. Phillips  
Rt. #1, Box 242  
Aberdeen, ID 83210

Dear Mr. Phillips:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

JACKIE S. DENNING  
Senior Clerk

cc: IDWR - State Office

MICROFILMED

# DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of PERMIT 10574.

Name(s) of Permit Holder: Leonard E. Phillips

Post Office Address: Rt. 1 Box 242 Aberdeen, Ida. 83210

Tel. No. 397-4321

Source of Water: well (underground water)

Extent of Use:

|                                                |                             |                            |
|------------------------------------------------|-----------------------------|----------------------------|
| <input type="checkbox"/> Domestic              | <u>                    </u> | (number of households)     |
| <input type="checkbox"/> Stockwater            | <u>                    </u> | (number and type of stock) |
| <input checked="" type="checkbox"/> Irrigation | <u>80</u>                   | (acres)                    |
| <input type="checkbox"/> Other                 | <u>                    </u> |                            |

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

Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

5-20-1980  
Date

Leonard E. Phillips  
Signature of Permit Holder

Leonard Phillips  
Rt. 1 Box 242



Aberdeen, Ida. 83210



RECEIVED

MAR 24 1980

Department



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

PHILLIPS, LEONARD E.  
ABERDEEN, ID 83210

101716

JANUARY 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 35-7494 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK  
SR. SECRETARY

ENC: 1

MICROFILMED



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address.  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

August 17, 1979

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

DAVID R. TUTHILL, JR.  
Supervisor, Water Allocations Section

DRT:lr

Enclosures

Northern Region Office  
Rt. #5, Box 203 Government Way  
Coeur d'Alene, Idaho 83814

Eastern Region Office  
1515 Lincoln Street  
Idaho Falls, Idaho 83401

Southern Region Office  
1041 Blue Lake Blvd. North  
Twin Falls, Idaho 83301

Western Region Office  
92 S. Cole Road  
Boise, Idaho 83705

MICROFILMED

Re: Permit No. 35-7494

Dear Mr. Phillips:

Enclosed is a copy of the approved application for amendment issued on this permit.

BOBBY D. FLEENOR  
Chief, Water Rights

Encl.

April 25, 1975

Re: Permit No. 35-7494

Larry Phillips  
Aberdeen,  
Idaho 83210

Dear Mr. Phillips:

Enclosed is a copy of your approved Application for Permit No 35-7494 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:jfr

Enclosures

RECEIVED

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. Phillips

☒ Source  
☒ Point of Diversion  
☒ County  
☒ Quantity of Water and Period of Use  
☒ Description of Diverting Works  
☒ Time required for B/U of water  
☒ Place of Use or Acres Irrigated  
☒ Map  
☒ Signature  
☒ Fee

LH 3-24-75

(1) " "

In form to receipt yes

(2) " "

Send Copies to:

NA Idaho State Health Department  
Idaho Fish and Game Department  
Bureau of Land Management

(3) " "

NA

Request Special Use Permit from U.S.F.S.  
Request Easement from B.L.M.  
Request Information from Applicant

(4) " "

In form for advertising yes

(5) " "

Platted on Map No. "

(6) " "

NA Located within Water District No. "

(7) " "

Critical groundwater area: yes " no ✓

(8) " "

Groundwater levels:

" Declining, ✓ Stable, " Increasing

(comment) 27aba 5531E 1971-1973

(9) " "

Other rights on the same place of use NO

(10) " "

Comments: NO other G.W. rights platted.

(11) MB 4-14-75

Affidavit of Publication received(date) 4-14

(12) MB 4-21-75

Final date for protests April 21, 1975  
Protests received: yes " no x

(13) RDC 4/21/75

All requested information received from agencies or applicant: yes " no "

(14) " "

Action recommended:

✓ Approve " Deny

3/25/74 Proposed Priority

" Reason for Reduction "

✓ Measuring device required

" See attached sheet for other conditions of approval

" No special conditions for approval

(15) District E By RDC Date 4/21/75

MICROFILMED

March 28, 1975

RE: Application for Permit No. 35-7493 Stolworthy  
" " " No. 35-7494 Phillips

The Blackfoot News  
Box 70  
Blackfoot, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON  
District Engineer

Bill submitted 4-14-75 by MB

RDC:MB

Enc: Legal Notices (2)

**MICROFILMED**

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that Larry Phillips, Aberdeen, Idaho, has on 3-24-75, submitted Application No. 35-7494, for a permit to appropriate 4.3 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 23, T. 5S, R. 31E, B.M., Bingham County, to be used from Apr. 1 to Nov. 1 for the irrigation of 215 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 15, NE $\frac{1}{4}$ , Sec. 22, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 23, T. 5S, R. 31E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before April 21, 1975.

R. KEITH HIGGINSON

Director

(4205)

~~Pub. 4-3, 10~~

Pub. 4-3, 10

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Larry Phillips,

Aberdeen, Idaho

has on 3-24-75 submitted Application No. 35-7494

for a permit to appropriate 4.3 cubic feet per second ~~acre feet per annum~~

of water from a ground-water source

by means of well and pump

within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 23, T. 5S, R. 31E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 215 acres

within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 15, NE $\frac{1}{4}$ , Sec. 22, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 23, T. 5S, R. 31E,  
B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before April 21, 1975.

R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho

on April 3 and April 10, 1975

MICROFILMED

cash  
now  
now