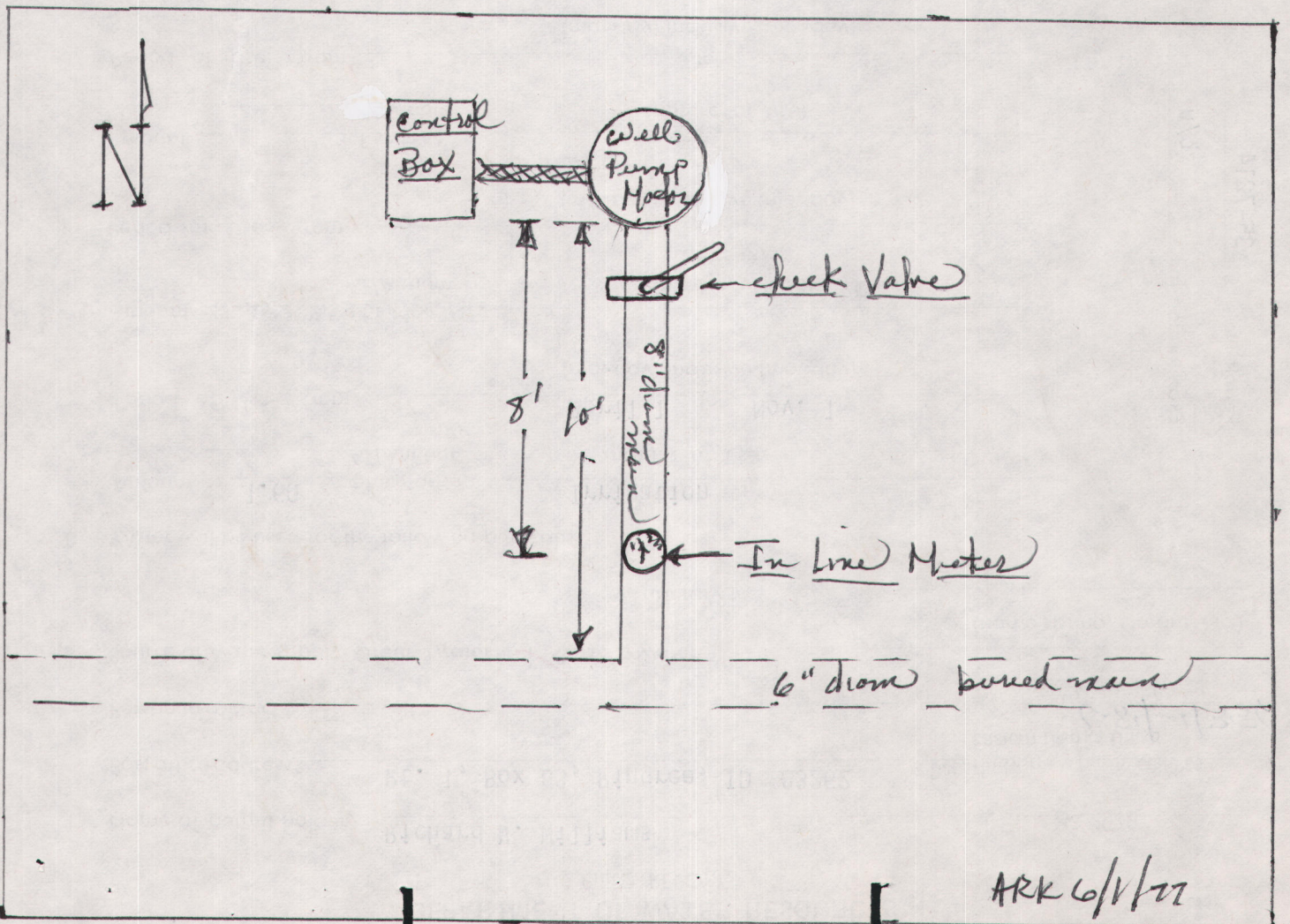


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Diagram of System



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7214 Priority 3/9/72 Amount 1.40 cfs

THIS IS TO CERTIFY, that Richard V. Williams
of Pingree, Idaho, has complied with the terms and conditions of Permit
No. 35-7214 issued pursuant to Application for Permit dated 3/9/72,
and has submitted proof to the Department of Water Resources on Nov. 26, 1976,
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 1.45 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>Irrig.</u>	from <u>Apr. 1</u> to <u>Nov. 1</u>	at <u>1.40</u> cfs and	<u>245 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.40 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
245 acre feet per year, said waters to be diverted within the SE 1/4, Sec. 17,
Twp. 3S, Rge. 34E, B.M. in the County of Bingham

Description and location of place of use:

Twp.	Range	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	
3S	34E	17					30			40									70

Total number of acres irrigated 70

A measuring device of a type approved by this Department shall be maintained
as part of the diverting works.

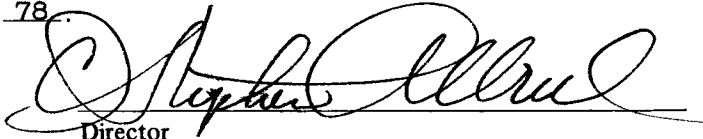
NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the 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 30 day of

June

, 19 78


Director

RECEIVED

NOV 26 1976

ASSIGNMENT OF PERMIT

Department of Water Resources
Eastern District Office

I, Wayne R. Butler, hereby assign to Richard V. Williams
of R.1 Box 63 Pingree, Idaho 83262
Address

☒ All my right, title, and interest, in and to Permit No. 35-7214
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 list-
ing 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^d day of October, 19 76.

Wayne R. Butler
Permit Holder

Alea J. Butler
Spouse of Permit Holder

State of Idaho)
County of Bingham) ss.

On this 22^d day of October, 19 76, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Blair H. Archibald
Notary Public residing at Blackfoot, Idaho

My commission expires: Life

DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
BOZEMAN, MONTANA 59717

IDAHO DEPARTMENT OF WATER ADMINISTRATION
BOULDER DISTRICT OFFICE
220 S. HOLMES
IDAHO FALLS, IDAHO 83401

Identification No. 35 7214
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT **APPROVED**

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

Assigned to Richard J. Williams
Rt. 1, Box 63, Pinedale, ID

1. Name of applicant WAYNE R. BUTLER
post office address Rt. #2, Box 225, Blackfoot, Idaho

2. Source of water supply Ground Water which is a tributary of ----

3. a. Location of point of diversion is SE 1/4 of NW 1/4 of Section 17 Township 3S
Range 34E 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 ---- 1/4
of ---- 1/4 of Section ---- Township ---- Range ---- B.M. ----

4. Water will be used for the following purposes:
Amount 1.6 for irrig. purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
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. 1.6 cubic feet per second ~~and xxx~~
b. acre feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well turbine pump, 40 hp
motor, mainline & sprinklers.

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 150 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 \$.

8. Description of proposed uses:
a. If water is **not** for irrigation: N.A.
(1) Give the place of use of water: 1/4 of 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:

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3S	34E	17					40			40									80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. People's Canal rights (to be retained).

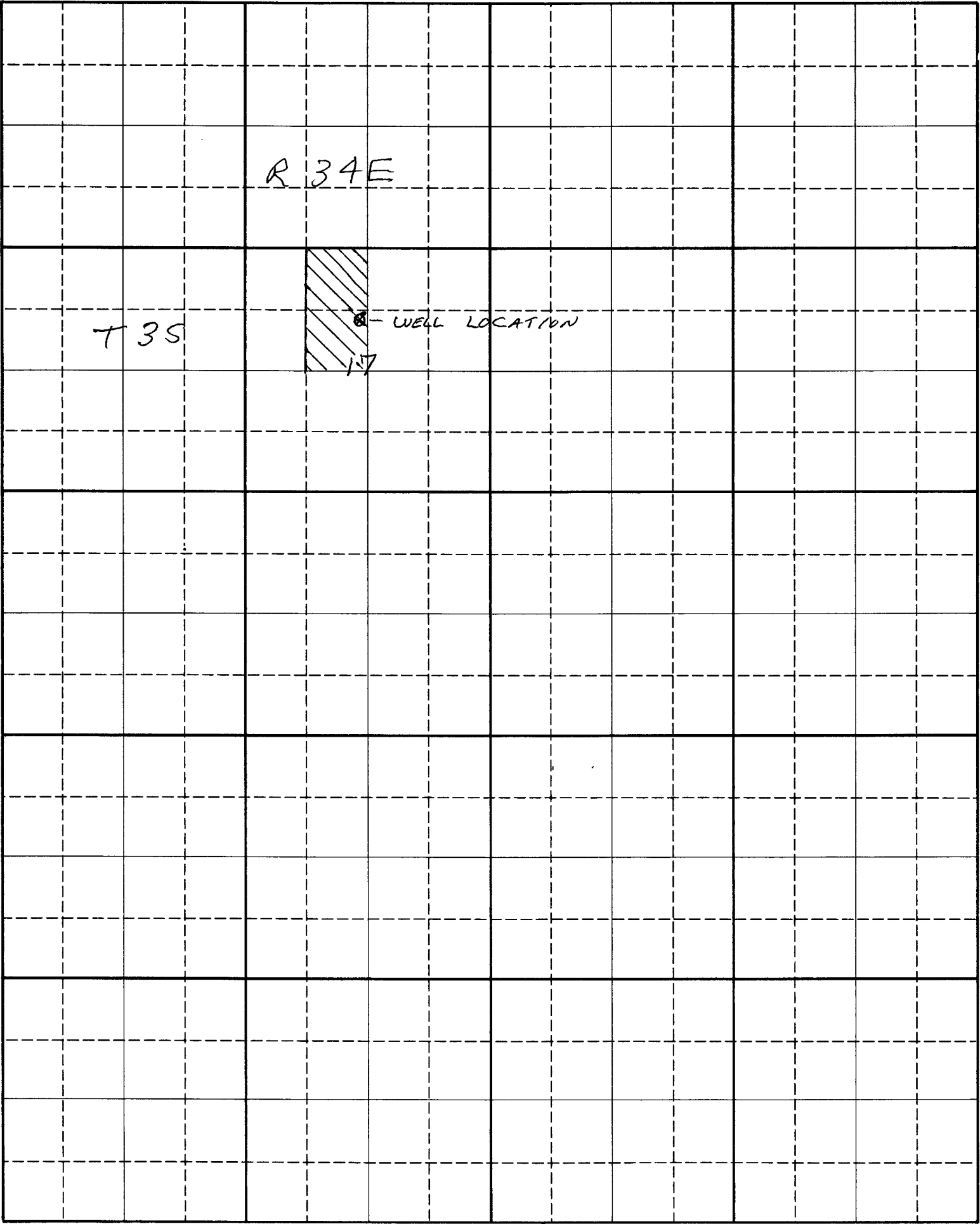
9. a. Who owns the property at the point of diversion Applicant

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 Purchased on contract.

10. Remarks -----

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.

Wayne R. Butler
(Applicant)

35 7214

Received by bj Date 3-9-72 Time 3:30 p.m.
Preliminary check by NCY Fee \$ 35.00 # 7265
Received by bj Date 3-9-72
Publication prepared by bj Date 3-9-72
Published in Blackfoot News, Blackfoot, ID
Publication dates 9-16&23-72
Publication approved CR Date 4-5-72
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by SE D BLEN

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7214, 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, 1977.
- 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 19 day of April, 19 72.


Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. #35-7214 Name Wayne R. Butler

Source Ground Water

Point of Diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17, T. 3S, R. 34E, B.M., Bingham County

Quantity 1.6 cfs Use irrigation Period Apr. 1 to Nov.1

Quantity Use Period

Quantity Use Period

Well Size Diameter 16" Proposed Depth 150' Feet

Use The irrigation of 80 acres.

Date Forwarded Date Returned Received by

COMMENTS: Water level declines have not been noted (W.B. #24). Aquifer is
Snake River Basalt having high yields with little drawdown. Static depth to
water is less than 50 ft. Applicant is aware of possible difficulties in
getting free from canal co. and does not intend to try. Well will be primary source.

RECOMMENDED:

Applied: Qty.	<u>1.6 cfs</u>	Use	<u>irrig.</u>	Period	<u>4/1-11/1</u>	AF/A	<u>3.5</u>	AF	<u>280</u>
Qty.	<u> </u>	Use	<u> </u>	Period	<u> </u>	AF/A	<u> </u>	AF	<u> </u>
Qty.	<u> </u>	Use	<u> </u>	Period	<u> </u>	AF/A	<u> </u>	AF	<u> </u>
Maximum: Qty.	<u>1.6 cfs</u>	Use	<u>irrig.</u>	Period	<u>4/1-11/1</u>	AF/A	<u>3.5</u>	AF	<u>280</u>
Qty.	<u> </u>	Use	<u> </u>	Period	<u> </u>	AF/A	<u> </u>	AF	<u> </u>
Qty.	<u> </u>	Use	<u> </u>	Period	<u> </u>	AF/A	<u> </u>	AF	<u> </u>

ACTION: Approved X Denied

Conditions of approval or reason for denial: -----

By *Norman C. Young* Title District Engineer

NORMAN C. YOUNG Date 3-13-72

35 7214

RECEIVED

MAR 31 1972

Department of Water Administration
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham }
State of Idaho } ss.

I, Drury R. 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 23rd day of March, 1972,

and the last publication having been made on the 30th day of March, 1972; 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 30th day of March, 1972.

Ray Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Nov. 10, 1972

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Wayne R. Butler, Rt. No. 2, Box 225, Blackfoot, Idaho, has on 3-9-72 submitted Application No. 35-7214 for a permit to appropriate 1.6 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17, T. 3S, R. 34E, B.M., Bingham County; to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17, T. 3S, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before April 10, 1972.

R. KEITH HIGGINSON
Director

(3009)
Pub.: 3-23 and 30

35 7214



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

July 6, 1978

Re: Permit No. 35-7214

Richard V. Williams
Route #1, Box 63
Pingree, ID 83262

Dear Mr. Williams:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

May 22, 1978

Re: Permit No. 35-7214

Richard V. Williams
Route #1, Box 63
Pingree, ID 83262

Dear Mr. Williams:

A representative of this Department made an examination of the works covered by your Permit No. 35-7214 on June 1, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.40 cfs Source: groundwater

The maximum quantity diverted shall not exceed 245 acre feet per
year.

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17, Twp. 3S, Rge. 34E, B. M.

Beneficial use: Irrigation of 70 acres within the E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17,
Twp. 3S, Rge. 34E, B. M.

Priority date established: March 9, 1972

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

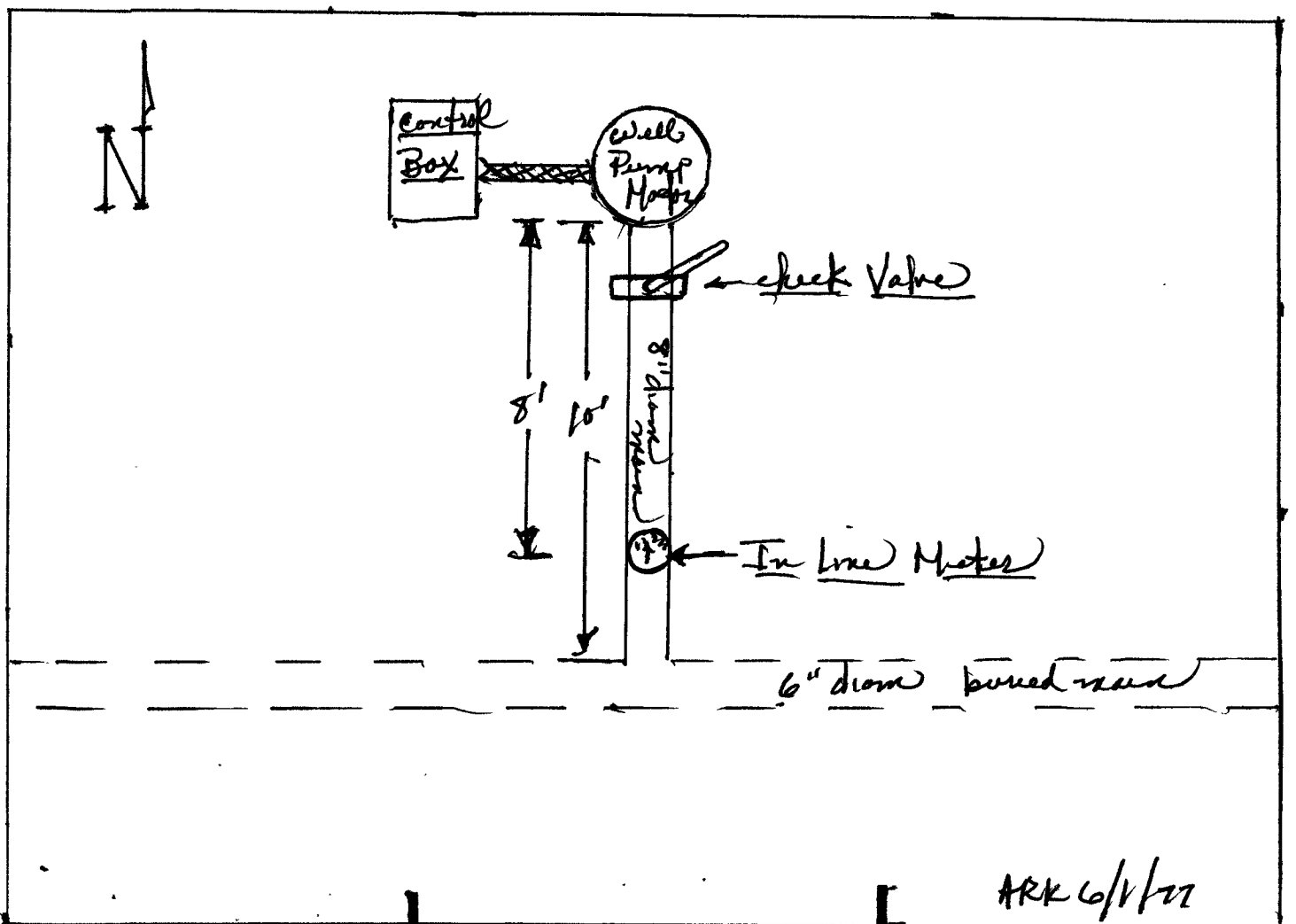
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Diagram of System



DATE OF EXAM 6/1/77

ACREAGE
Found 70 ac
Recommended 70 ac

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q= 1.40 c.f.s. V= 245 AF/Ann. from April 1 to Nov 1
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.45 cfs Method of measurement In Line Meter
Total Q recommended 1.40 cfs Meter No. 12145 Type Rockwell Condition good
Total V recommended 245 AF/Ann

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
☒ None

MEASUREMENT CALCULATION:
Measured 1.000 gal in 92 sec, $\frac{1000}{92} = \text{X gal}$
1 cfs = 448.8 gpm, $652.17 \div 448.8 = 1.45 \text{ cfs}$, 652.17 gpm
1.45 cfs
 $V = 3.5 \times 70 = 245 \text{ AF/Ann}$ $V = 215 \times 1.9835 \times 1.40 = 597.03 \text{ AF/yr.}$
ARK 6/1/77

SYSTEM DESCRIPTION:
Water is diverted from a 93' deep well with 16" diam casing by a 40 H.P. 215 Electrical Motors pump motor, 3 phase, ID# R-8885-00 -D-837-B2049671 Frame # 324 TPA and by a Peerless Vertical pump r/n 2628669 s/n F18459. Average is irrigated by 3 1/4 mi wheeler sprinklers.

REMARKS:
System described by Richard Williams.
10 to 12 ft to county highway, house, potato cellars, Bains, & corrals.

Examiner's Signature Anthony R. Kozlowski Date 6/1/77
Checked by Ernest Carlson Date 01-03-78
Approved by _____ Date _____

December 7, 1976

Re: Permit No. 35-7214

Richard V. Williams
Route 1, Box 63
Pingree, Idaho 83262

Dear Mr. Williams:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records have been changed. Enclosed is a copy of the permit. We also acknowledge receipt of the affidavit submitted as proof of beneficial use.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this exam will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field exam, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights

jr

Enc.

RECEIVED

NOV 26 1976 OK
Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 35-7214

RECEIVED

NOV 30 1976

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE Department of Water Resources

1. a) Name of Permit Holder Richard V. Williams
b) Post Office Address R.1 Box 63 Ringree, Idaho 83262
2. Permit Number 35-7214
3. Date of Priority that you are prepared to establish 3-9-72
4. a) Source from which water was appropriated Ground water
b) Location of the point of diversion: SE 1/4 NW 1/4, Section 17
Township 3S, Range 34 E Boise Meridian, Other points of diversion: —
5. a) The amount of water and use to which the water has been applied:
Amount 1.6 CFS for irrigation purposes from April 1 to Nov. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.6 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Cushman Well Drillers, a qualified company and Snake River Equipment Co.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N.A.
b) Describe the agreement or understanding by which you take water from the works: N.A.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Well, 40 H.P. electric motor, D.W.T. Pumps, 16 inch hole, 93 feet deep, Cased 62 ft.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Rockwell 8 inch water meter
c) Give well driller's name and address and the date the well was completed: Doug Cushman, Blackfoot, Idaho
June 1972
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N.A.

MICROFILMED

Exam typed 12/6/76 j.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
35	34E	17					40			40									80

Total number of acres irrigated 80

10. Remarks: Peoples Canal rights have been retained

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

Nov. 24, 1976
(Date)

Richard M. Thomson
(Signature)

State of Idaho)

County of Bingham) ss.

On this 24 day of November, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Blair W. Archibald
Notary Public residing at Blackfoot, Idaho

My commission expires Life

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

April 20, 1972

Re: Permit No. 35-7214 - Wayne R. Butler

Wayne R. Butler
Route #2, Box 225
Blackfoot, Idaho

Dear Mr. Butler:

Enclosed is a copy of your approved Application for Permit No. 35-7214. 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.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosures

35 7214

March 10, 1972

Re: Application for Permit No. 35-7214 - Wayne R. Butler

Blackfoot News
P.O. 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 ample time for you to submit us a galley proof for our 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 date. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

NCY:BJ
Encl. Legal notice

Bill submitted 4-5-72. cl

35 7214

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Wayne R. Butler, Rt. #2, Box 225, Blackfoot,
Idaho
has on 3-9-72 submitted Application No. 35-7214
for a permit to appropriate 1.6 cubic feet per second ~~surface water~~
of water from a ground-water source
by means of well and pump
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17, T. 3S, R. 34E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 80 acres

within the E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17, T. 3S, R. 34E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before April 3, 1972.

R. KEITH HIGGINSON
Director

Published in the Blackfoot News, Blackfoot, Idaho
on March 16 and 23, 1972.

NCY
35 7214