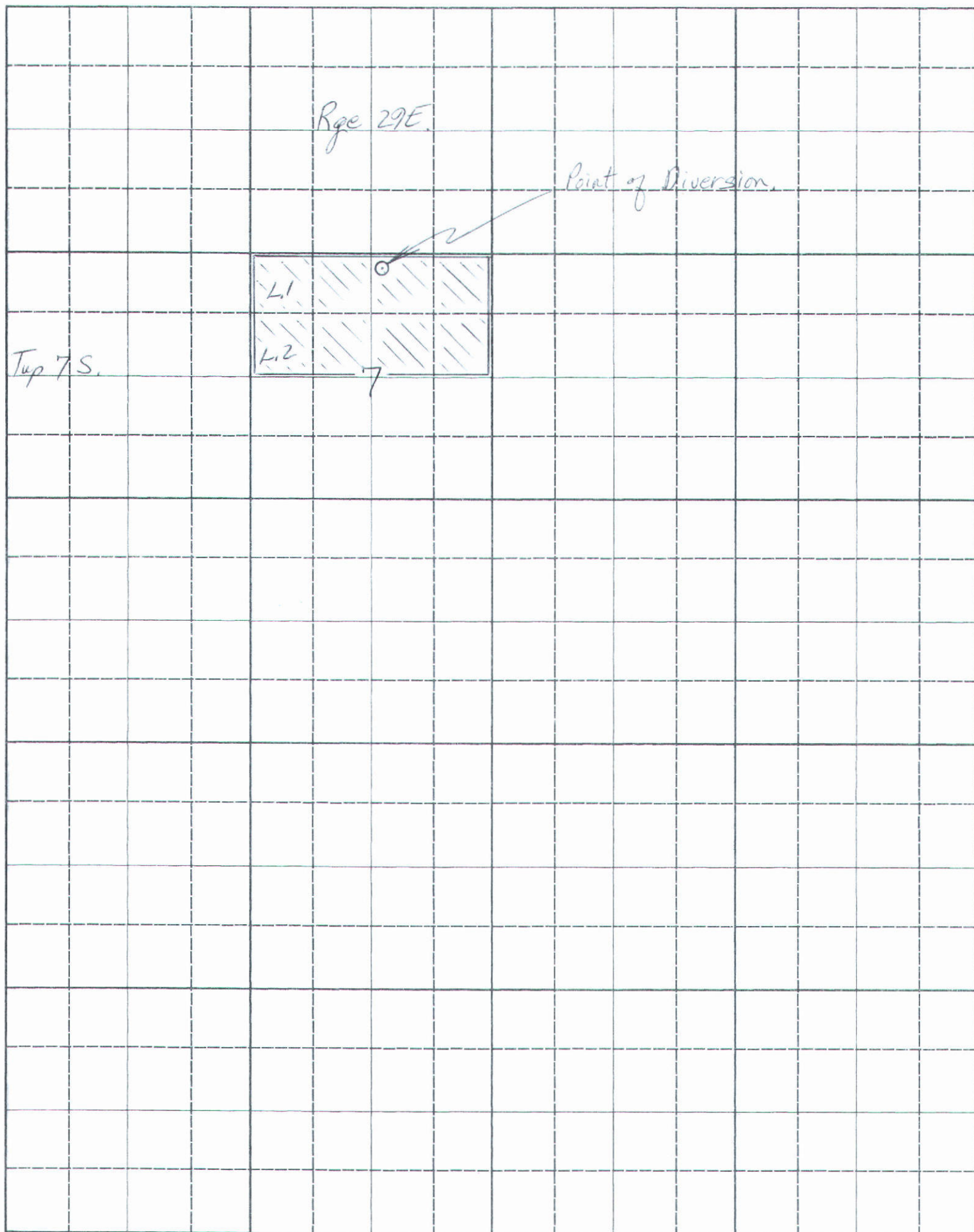


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Vernon C. Phillips
(Applicant)

RECEIVED

SEP 20 1980

Affidavit of Publication

Department of Water Resources
Eastern District Office

kw
ok
9/29/80

STATE OF IDAHO }
COUNTY OF POWER } S.S.

.....Brett Chompton..... being first duly sworn
on oath, states:

That he.... is the Editor.....Manager.....
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2.....
successive weekly issues thereof, the date of the first publica-

tion being the 17th.... day of Sept....., 19.....80

the date of last publication being the

.....21..... day of Sept....., 19.....80

(Signed) Brett Chompton

Subscribed and sworn to before me this

.....24th..... day of Sept....., 19.....80

.....Lois Foster
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) 1st..... day of April....., 19.....81

Legal notice

Published in the Power County
Press Sept. 17, 1980 and Sept. 24,
1980.

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.

35-7914

PHILLIPS, VERNON C.

RT. 2 BOX 191A, PAUL, ID 83347

Source: GROUNDWATER

Date Filed: 09/08/1980

Amount: 6.00 CFS

Diversion Point: NWNE Sec 07 T
07S R 29E, POWER Co.

Use: IRRIGATION (6.00 CFS)
from 04/01 to 11/01

Place of Use: NENE NWNE SWNE

SENE NENW LOT 01 (NWNW)

LOT 02 (SWNW) SENW Sec 07 T

07S R 29E FOR 300 ACRES

Diversion Means: WELL, PUMP,
& SPRINKLER SYSTEM.

If issued, the permit(s) will be
subject to all prior water rights. Pro-
tests against the granting of any per-
mit must be filed with the Director
of the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho 83401 on or
before OCTOBER 6, 1980.

C. STEPHEN ALLRED
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 35-7914

1. Owner: Vernon C. Phillips Phone No. 438-5906

Current Address: Rt #2 Box 1222 A Paul Idaho

2. Accompanied by: OWNER EXAM. DATE: 8/7/87

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N.A.

☐ Copies Attached

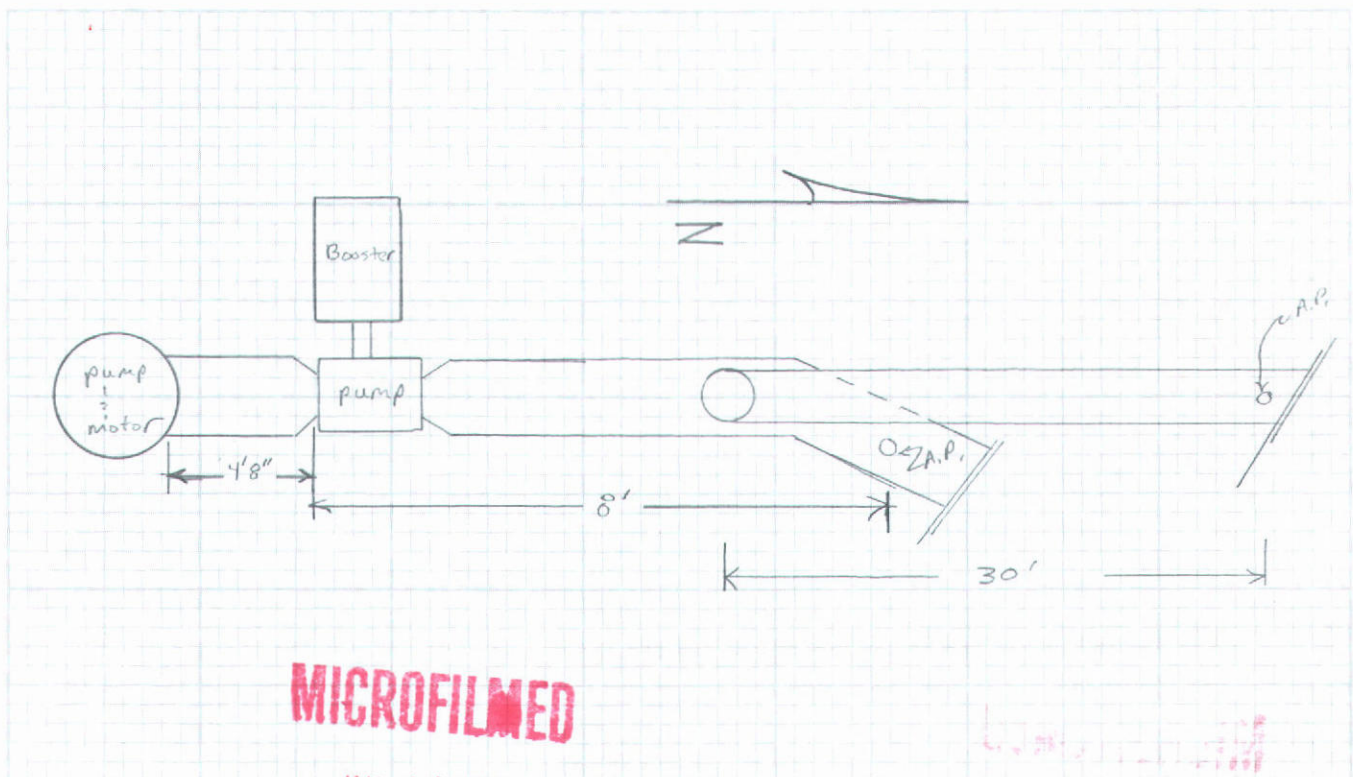
2. Other water rights with same point of diversion: N.A.

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

35-7914

CORNER PIVOT
IRIGATE P.O.D

by 4-11-77

B 139.5

A 109.3

5
8

Lot 1

29 ac.

Gray

39

39

39

Lot 2

30

40

40

40

P.O.D

158.0

135.20

19.5

151.4

UNRECORDED

JUL 19 1988

4747

T 6 S

T 7 S

4745

50'

4744

12

4743

3369 / SW
(RATTLESNAKE BUTTE)

13

4555

31

x4778

32

4841

33

4750

4750

4780

4800

4753

4761

4791

35-7914

T-7S, R-29E

x4829

4792

4

4650

x4762

4700

4680



Lot 1

Lot 2

6

C.P.O.

x4801

5

4

4712

Well 4633

9

x4671

Well 4585

Well 4557

17

MICROFILMED

JUL 19 1989

Well 4541

4525

4524

4520

Well 4527

16

x4569

4512

N.O.1

0.5 MARCH

N. 89° 58' W.

80.13

Sec. 8
600.52

N.O.1 E.

N. 89° 59' W.

80.09

MICROFILMED

JUL 19 1989

Sec. 17
600.52

NORTH

NORTH

SEARCH

N. 89° 56' E.

75.06

Sec. 7
600.52

N. 89° 53' E.

75.07

Sec. 18
600.52

7
30.10

1
30.12

2
30.13

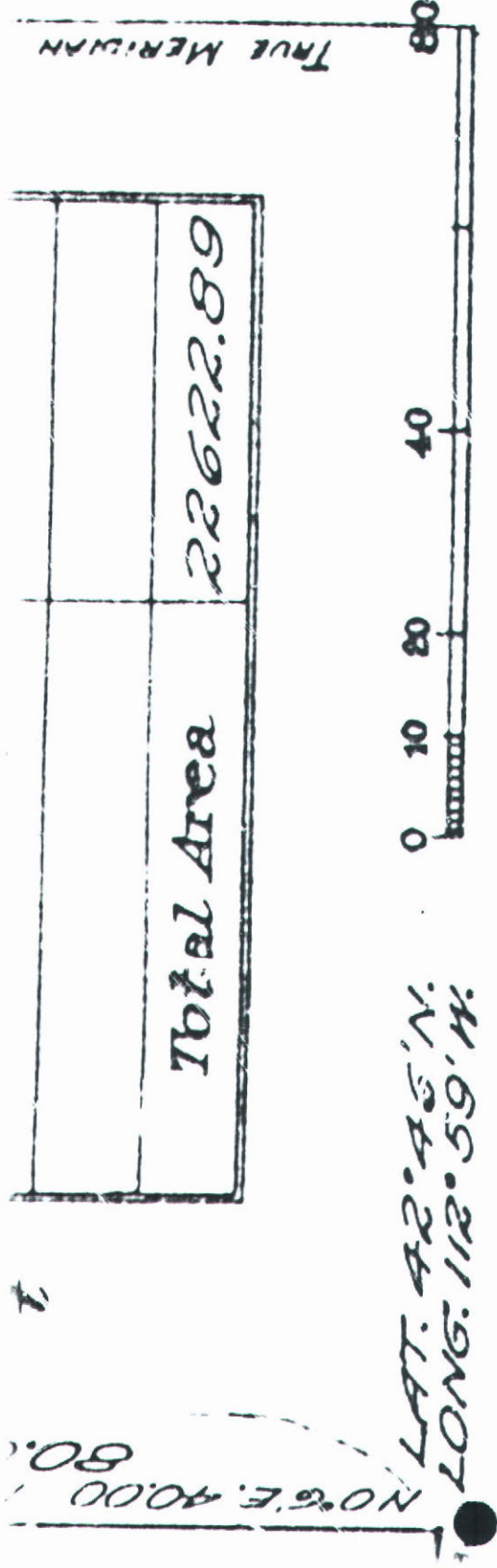
3
30.13

4
30.14

1
30.14

2
30.13

35-7914



Scale 40 Chains to an inch

Mean Magnetic Declination 18° 40' E.

T

Range No 29 East of the Boise

to the field notes of the survey thereof on file approved.

Samuel A. Zitter

Surveyor General.

JUL 19 1989

REPRODUCTION

● 35-7914 ●



A.P.



A.P.



OK - 2 A.P.

MICROFILMED

JUL 15 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07914

Priority: September 8, 1980 Maximum Diversion Rate: 3.65 CFS
Maximum Diversion Volume:¹ 1036.0 AF

This is to certify, that VERNON C. PHILLIPS
RT. 2 BOX 1222A
PAUL, ID 83347

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 8, 1980; and has submitted Proof of Beneficial Use on March 3, 1986. An examination indicates that the works have a diversion capacity of 3.650 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	3.65 CFS	1036.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 7, Township 07S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	29E	7	NENE 39	NWNE 39	SWNE 40	
			SENE 40	NENW 39	LOT 1(NWNW) 29	
			LOT 2(SWNW) 30	SENE 40		296
Total number of acres irrigated:						296

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

RECORDED
JUL 19 1989

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 14TH day of JULY, 1989.

Acting for  R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
)
NO. 35-7914 IN THE NAME) ORDER
)
OF VERNON C. PHILLIPS)
_____)

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

FINDINGS OF FACT

1. On October 9, 1980, the Director of the Department of Water Resources issued Permit No. 35-7914 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before October 1, 1985.
2. On July 31, 1985, the Department sent a proof due notice to the permit holder.
3. On October 3, 1985, the Department sent a lapse notice to the permit holder since neither proof of beneficial use nor a request for extension of time had been received from the permit holder.
4. On March 3, 1986, Proof of Beneficial Use - Form A, was received by the Department from Idaho Power Company.

MICROFILMED

5. The permit holder submitted Form A to Idaho Power Company with the understanding that the proof of beneficial use requirement of the Department of Water Resources would also be satisfied with this submittal; and,

6. An exact date of receipt of Form A cannot be determined by Idaho Power Company; however, the form was dated July 2, 1985 by the permit holder, and was presumably forwarded to Idaho Power Company for their receipt before the proof due date of October 1, 1985.

CONCLUSIONS OF LAW

1. The permit holder mailed proof of beneficial use prior to October 1, 1985, although the proof of beneficial use was not mailed to the Department of Water Resources.

2. Section 42-218a, Idaho Code, requires that proof of beneficial use be submitted prior to the date set for proof.

3. The mailing of the proof of beneficial use, although to an erroneous address, is deemed to be a submittal under Section 42-218a, Idaho Code.

4. The permit holder submitted proof of beneficial use prior to the date set for proof.

5. The permit did not lapse, and the permit, along with its accompanying date of priority, is in good standing.

ORDER

IT IS HEREBY ORDERED that the previous lapse notice is voided and that the permit as originally approved is in good standing.

MICROFILMED

IT IS FURTHER ORDERED that there shall not be an advance in the date of priority, and that September 8, 1980 shall be the proposed date of priority.

Dated this 20th day of August, 1986.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Vernon C. Phillips Phone 438-5906

Post office address Rt. #2, Box 191A, Paul Idaho 83347

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 7 Township 7S

Range 29E B.M. Power County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.00 cfs for irrigation purposes from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 6.00 cfs. cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump and sprinkler system

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

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

c. Proposed well diameter is 20 inches; proposed depth of well is 470 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

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

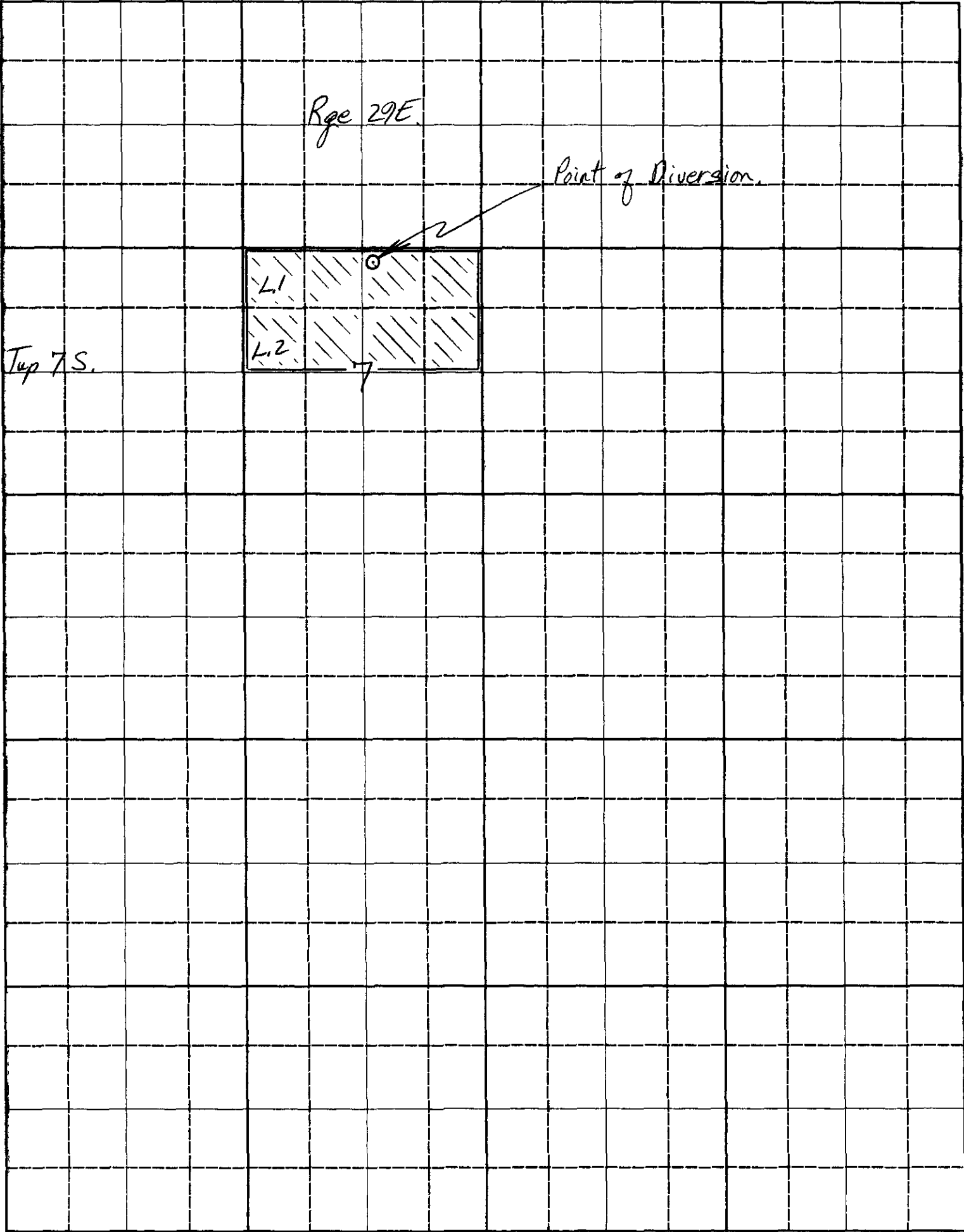
(3) List number of each kind of livestock to be watered _____

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

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

MICROFILMED

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.

Vernon C. Phillips
(Applicant)

Proposed Priority

9/8/80

Drafted

Received by

EMC

Date 9-08-1980

Time 4:45

Preliminary check by SM

Fee \$ 145.00

Received by kw

Date 9/9/80 #14999

Publication prepared by kw

Date 9/11/80

Published in

Power County Press

Publication dates

9/17 & 9/24/80

Publication approved

kw

Date 9/29/80

Protests filed by:

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by

EMC

RA

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. 35-7914, 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 October 1, 19 85.

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 9th day of October, 1980.

L. Glen Saxton

Chief, Operations Bureau

RECEIVED

SEP 20 1980

Affidavit of Publication

Department of Water Resources
Eastern District Office

kw
9/29/80

STATE OF IDAHO

COUNTY OF POWER

} S.S.

.....Brett Crompton..... being first duly sworn
on oath, states:

That he.... is the Editor....Manager.....
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2.....
successive weekly issues thereof, the date of the first publica-

tion being the 17th.... day of Sept....., 1980

the date of last publication being the

.....24..... day of Sept....., 1980.

(Signed) Brett Crompton

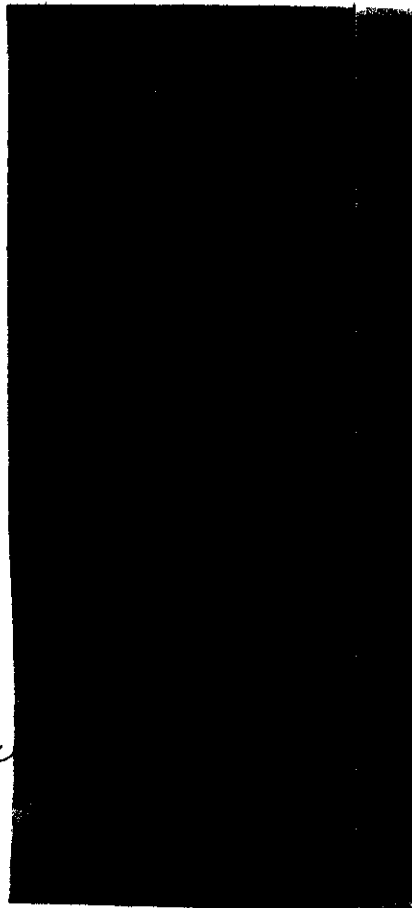
Subscribed and sworn to before me this

.....24th..... day of Sept....., 1980.

.....L. Foster.....
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) 1st..... day of April, 1981.



RECEIVED

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

POINT OF DIVERSION OVER

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
3507914	07S	29E	7	NW NE		GROUNDWATER	PHILLIPS, VERN
NO MATCHES FOR THIS POD							

MICROFILMED

JUL 19 1989

March 20, 1989

VERNON C. PHILLIPS
RT. 2 BOX 1222A
PAUL, ID 83347

RE: PERMIT NO. 35-07914

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JUL 19 1989

July 17, 1989

VERNON C. PHILLIPS
RT. 2 BOX 1222A
PAUL, ID 83347

RE: PERMIT NO. 35-07914

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUL 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

35-7914

Permit No.

Phillips

RECEIVED

OCT 23 1987

Department of Water Resources

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

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

Check of P/D index ES/ 7/20/87 (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index ES/ 7/20/87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
☒ Photographs of Point of Diversion and Place of Use
☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed [Signature] (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent ES/ 8/25/87 (Initial and date)

Exam Reviewed by Manager of Regional Office SM 10-1-87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office 10/21/87 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 35-7914

1. Owner: Vernon C. Phillips Phone No. 438-5906
Current Address: Rt #2 Box 1222 A Paul Idaho

2. Accompanied by: owner EXAM. DATE: 8/7/87

Address: _____ **Phone No.** _____

Relationship to Permit Holder: _____

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N.A.

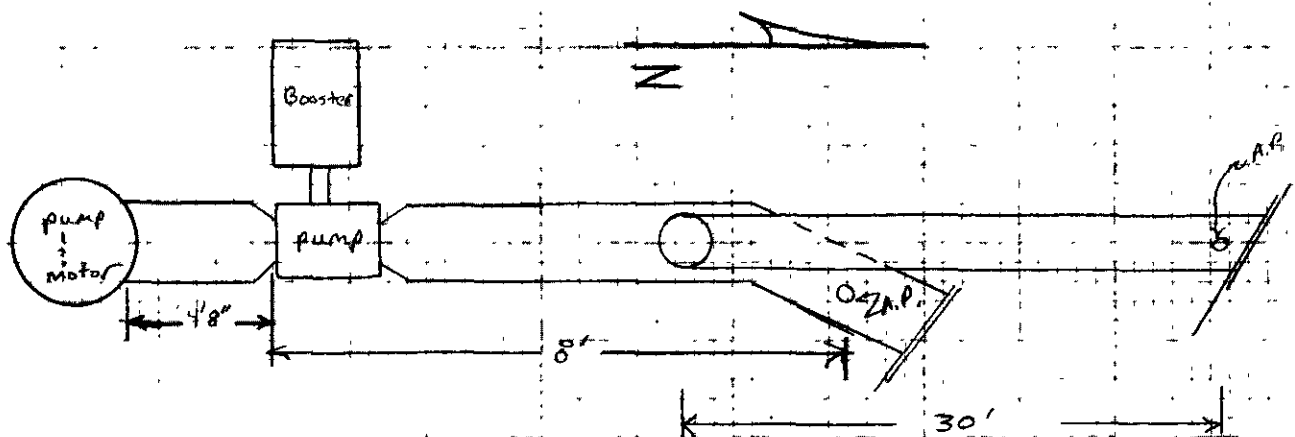
☐ **Copies Attached**

2. Other water rights with same point of diversion: N.A.

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



MICROFILMED

JUL 19 1989

Scale: ~~X'~~ = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required):

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

☒ **Aerial Photo Attached**
(required for irrigation of 10 acres or more).

System Description (continued)

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

pump/motor ^{booster} to 6-1/4 mile wheel lines with 5/32" Nozzles
and 1-8 tower center pivot with end gun 4 3/8 - 1/4 mile
hawl lines with 5/32" Nozzles. 6861 61 101

Well depth = 48.5

Draw Down = 413'
Static water level = 412.8'

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Westinghouse	300	7802	NA	N.A
Booster	Lincoln	60	2098195	Paco	1AD TR P94896

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

- 5. Point(s) of Diversion:**

[illegible]

- 6. Place(s) of Use:**

Indicate Method of Determination.

[illegible]

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar				191157	12"	
Cox/Hall meter					4"	
Manometer					57"	

2. Measurements:

main line I d. = 11 3/4" main hand line I d. = 4"
 12" main line pressure = 52 psi 4" main pressure = 46 psi
 Cox/manometer = 44.7" - 14.6" = 30.7"
 Annubar/manometer = 33.5" - 28.2" = 5.3" } I did a remeasurement
 Annubar/manometer = 21 - 15.5 = 5.5" } to check the manometer.
 Reading # 1.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$Q = 3.65 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$\text{Theoretical } Q(\text{motor}) = \frac{(300)(8.8)(4)(.80)}{413 + (52 \times 2.308)} = \frac{4.02}{5.02} = 3.47 \frac{\text{ft}^3}{\text{sec}}$$

$$Q(\text{Booster}) = \frac{(60)(8.8)(4)(.80)}{413 + (46 \times 2.308)} = \frac{3.71}{5.02} = 0.74 \frac{\text{ft}^3}{\text{sec}}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

Panel Input HP: (8) x 1.34 = _____ (9) Efficiency: (5)/(9) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (296)(3.5) = 1,036.00'$$

$$V_{DR} = [\text{Dispersion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (3.65)(214)(1.9835) = 1,549.31'$$

$$V = \text{Smaller of } V_{IR} \text{ or } V_{DR} = 1,036.00'$$

☒ Volume Calculations for Other Uses:

JUL 19 1989

N

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Pump Efficiency Data:

Multiplier = 80	meter # 42493127	
CTR 15	3 Rev = 17 sec.	
TA 2.5	6 Rev = 33.5 sec.	} while booster was off.
Kn 4.8	3 Rev = 17 sec.	
CLASS = 20	3 Rev = 17 sec.	
480 V		
3 W	3 Rev = 13.2 sec.	} after booster kicked on.
60 Hz	3 Rev = 13.1 sec.	
	3 Rev = 13.1 sec.	
	6 Rev = 26.5 sec.	

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	April - 1	Nov - 1	3.65	1,036.00
Totals:			3.65	1,036.00

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name Richard Lenz Jr.
 Signature Richard Lenz Jr.
 Certification Date Oct 1, 1987
 Field Report Preparation Date 8-25-87

Steve McCormick

CONSULTANT SEAL

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

DOM 12/27/88

MICROFILMED

JUL 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE
LICENSING REPORT

35-7914

Permit No.

Measurement Calculations

Field Measurement Calculations (Include theoretical capacities and system capacity)

Halls Meter: $Q = (A)(V_h)$ $A = \text{Area} = \frac{\pi d^2}{4}$ $V_h = \text{Halls Manometer Reading}$

$$Q_{\text{gpm}} = (A)(V_h) = \left[\frac{\pi d^2}{4} \right] (V_h) = \text{GPM} \div 448.8 \text{ gpm/cfs} = \text{CFS}$$

$$Q_{\text{cfs}} = \left[\frac{(3.1416) (4")^2}{4} \right] \times (.275) \div 448.8 = 0.77 \text{ cfs}$$

TABLE 1

CHART TO CONVERT LINEAR INCHES DIFFERENTIAL
IN THE MANOMETER TO MANOMETER READING

$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water	$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water	$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water
1	.140	17	12.435	33	43.950
1.5	.240	17.5	13.132	33.5	45.200
2	.350	18	13.848	34	46.500
2.5	.470	18.5	14.582	34.5	47.850
3	.600	19	15.334	35	49.200
3.5	.750	19.5	16.108	35.5	50.550
4	.903	20	16.898	36	51.900
4.5	1.080	20.5	17.707	36.5	53.250
5	1.283	21	18.534	37	54.600
5.5	1.540	21.5	19.380	37.5	56.000
6	1.803	22	20.246	38	57.35
6.5	2.094	22.5	21.129	38.5	58.7
7	2.397	23	22.031	39	60.05
7.5	2.722	23.5	22.951	39.5	61.4
8	3.066	24	23.891	40	62.75
8.5	3.428	24.5	24.849	40.5	64.1
9	3.810	25	25.825	41	65.45
9.5	4.210	25.5	26.820	41.5	66.8
10	4.627	26	27.834	42	68.15
10.5	5.063	26.5	28.866	42.5	69.5
11	5.520	27	29.917	43	70.85
11.5	5.994	27.5	30.987	43.5	72.2
12	6.486	28	32.075	44	73.55
12.5	6.997	28.5	33.181	44.5	74.9
13	7.526	29	34.307	45	76.25
13.5	8.074	29.5	35.451	45.5	77.6
14	8.642	30	36.580	46	78.95
14.5	9.228	30.5	37.750	46.5	80.3
15	9.832	31	38.960	47	81.65
15.5	10.454	31.5	40.200	47.5	83.00
16	11.096	32	41.450	48	84.35
16.5	11.756	32.5	42.800		

TOTAL Q = 3.65 cfs.

Annubar:

B = Difference in inches of water

C = Annubar Factor: Model 75 = ~~3.85~~
Model 73 = 4.14

K = Flow Correction Factor

= 1 for Manometer

= # From Calibration Chart

C=Correction Factor

$$Q_{\text{cfs}} = \left[\frac{(C)(id)^2 \sqrt{B}}{448.8} \right] K = \text{CFS}$$

$$Q_{\text{cfs}} = \left[\frac{(3.99)(11.75)^2 \sqrt{5.5}}{448.8} \right] K = \text{CFS}$$

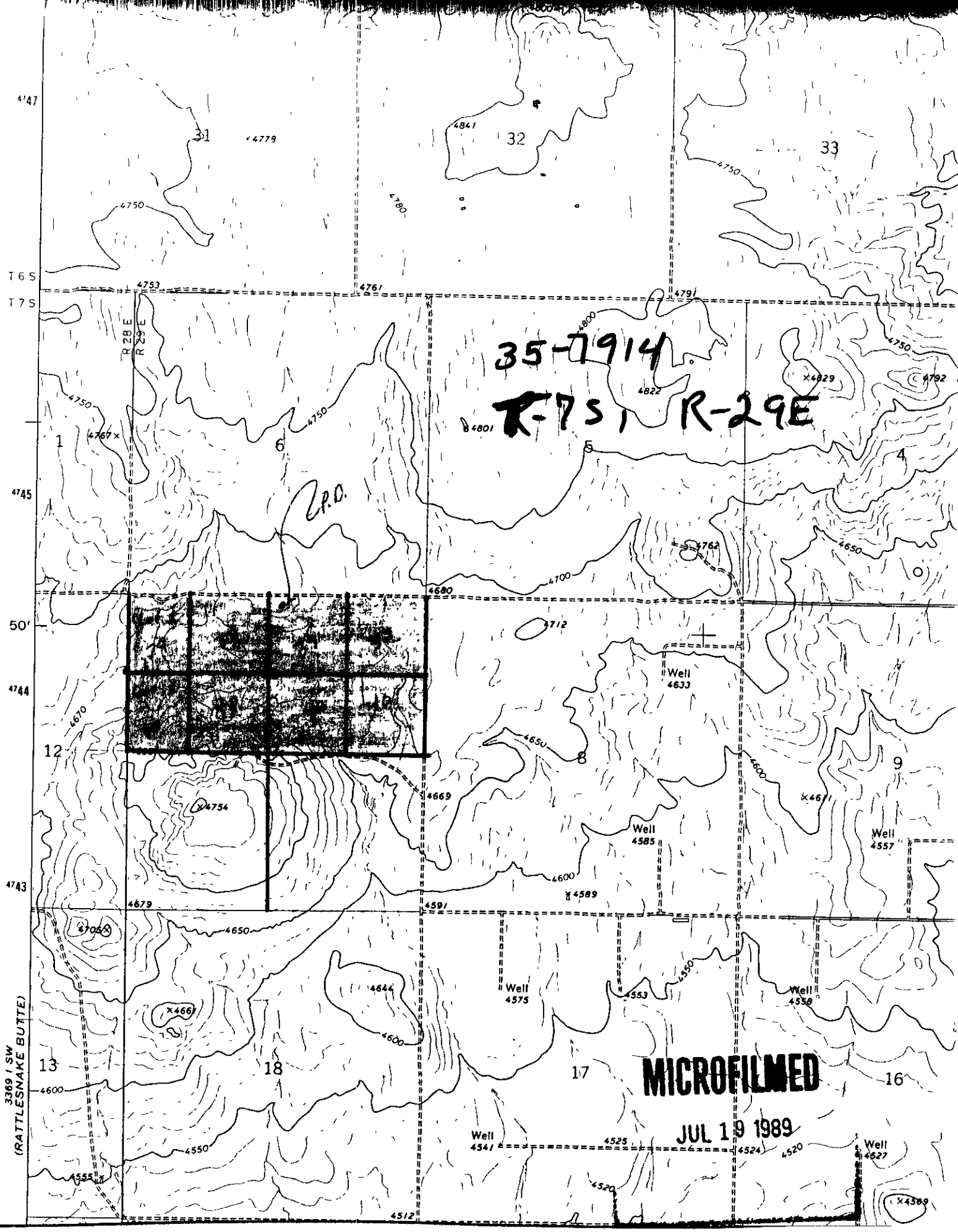
$$Q_{\text{cfs}} = 2.88 \text{ cfs}$$

6"	3.75
7.98"	3.87
10"	3.94
12"	3.99
14"/16"	4.01
18"/24"	4.02
30"	4.03

JUL 19 1989

MICROFILMED

12



35-1914

R-7S, R-29E

C.P.O.

MICROFILMED

JUL 19 1989

3369 / SW
(RATTLESNAKE BUTTE)

N.O.1

N.O.1.E.

0.5 NORTH

N. 89° 58' W.

80.13

Sec. 8
600.40

MICROFILMED

JUL 19 1989

N. 89° 59' W.

80.09

Sec. 17
600.40

NORTH

NORTH

0.5 NORTH

N. 89° 56' E.

75.06

Sec. 7
600.52

N. 89° 53' E.

75.07

Sec. 18
600.52

7
30.10

1
30.12

80

2

30.13

3

30.13

80

4

30.14

1

30.14

80

2

30.13

35-7914

N 06° E. 40.00
GO.

Total Area	22622.89

TRUE MERIDIAN



LAT. 42° 45' N.
LONG. 112° 59' W.

Scale 40 Chains to an inch
Mean Magnetic Declination 18° 40' E.

T

Range No 29 East of the Boise
to the field notes of the survey thereof on file

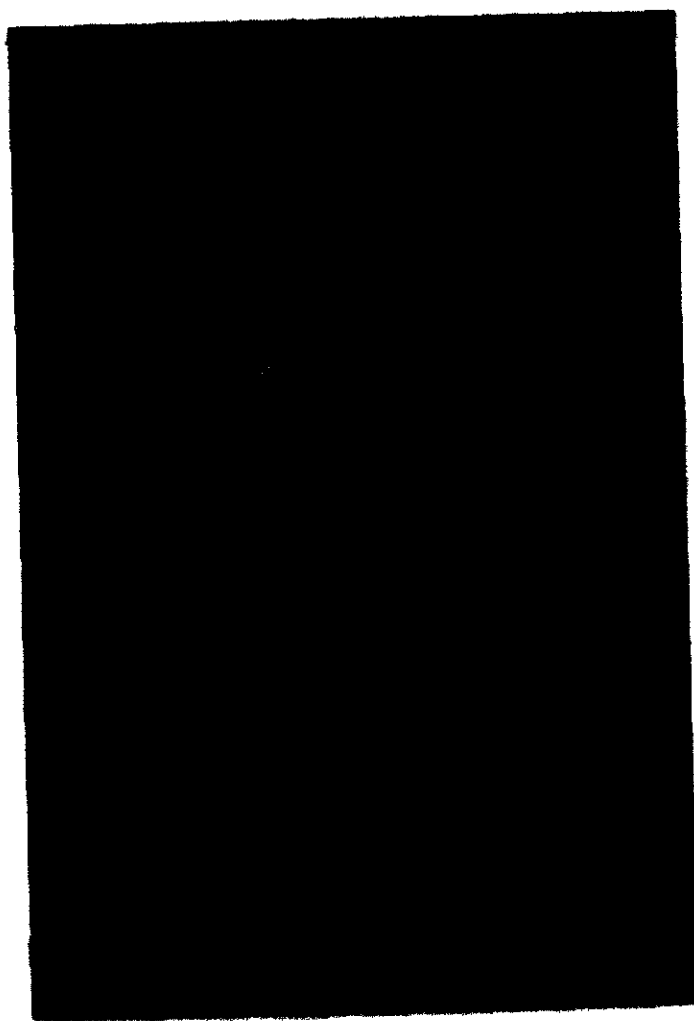
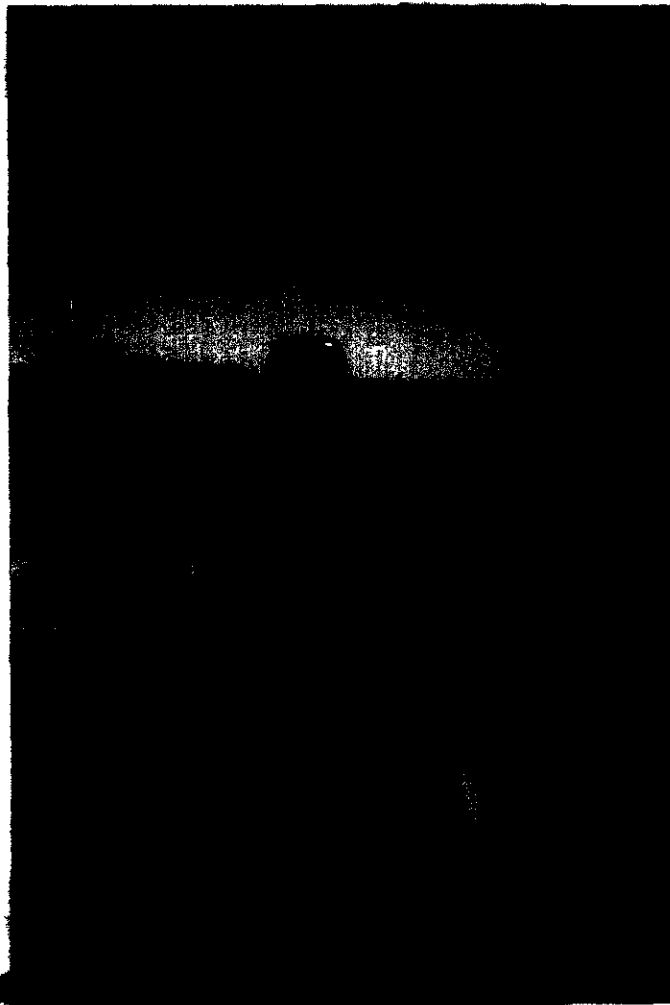
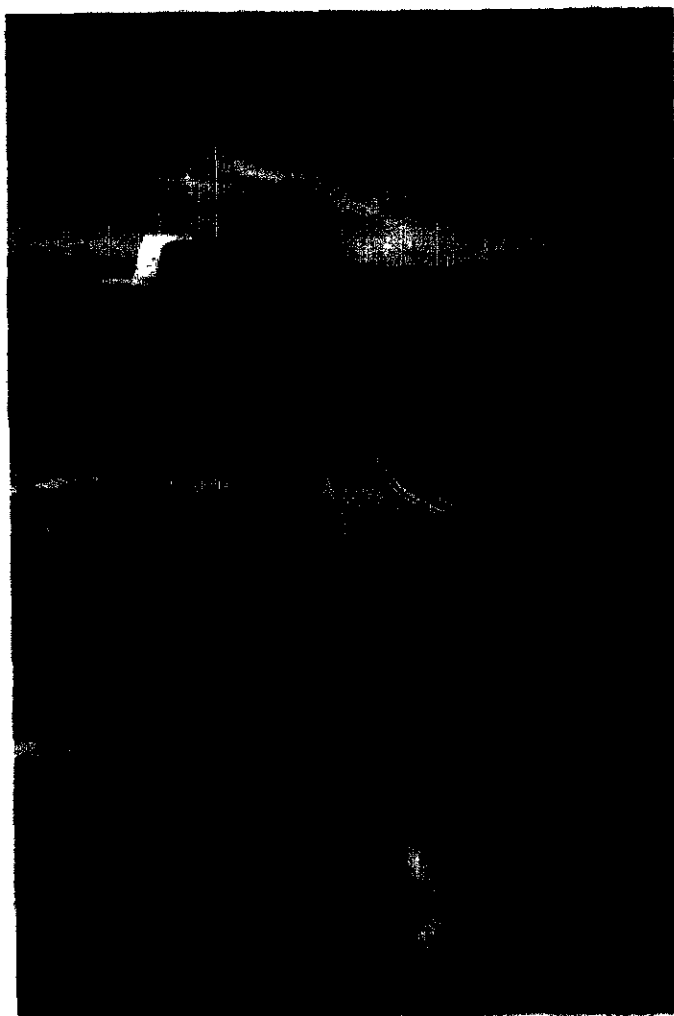
proved.

} Darius A. Zittle
Surveyor General.

MICROFILMED

JUL 19 1989

35-7914

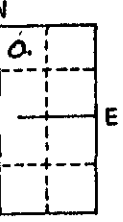


MICROFILMED

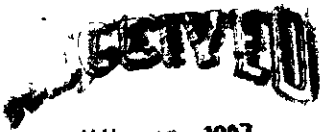
JUL 1 8 1969

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

WELL OWNER Name <u>Cullen Phillips</u> Address <u>750 W 300 N Paul Idaho</u> Owner's Permit No. <u>35-7914</u> <u>14999</u> NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____ PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type) METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____ WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table style="width: 100%; font-size: small;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>5/16</u> inches</td> <td><u>20</u> inches +</td> <td><u>1</u> feet</td> <td><u>19</u> feet</td> </tr> <tr> <td><u>3/16</u> inches</td> <td><u>16</u> inches</td> <td><u>356</u> feet</td> <td><u>486</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No on Liner Was a packer or seal used? ☒ Yes ☐ No on Surface Pipe Perforated? ☒ Yes ☐ No on 16" Liner How perforated? ☒ Factory ☐ Knife ☐ Torch Size of perforation <u>3"</u> inches by <u>1/8"</u> inches <table style="width: 100%; font-size: x-small;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>360</u> perforations</td> <td><u>436</u> feet</td> <td><u>456</u> feet</td> </tr> <tr> <td><u>180</u> perforations</td> <td><u>416</u> feet</td> <td><u>426</u> feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>19'</u> Material used in seal: ☒ Cement grout ☒ Puddling clay ☒ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>18" dk 2" pipe 0 - 18"</u> LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Power</u> N.W. ¼ NE ¼ Sec. <u>7</u>, T. <u>7 S</u> - N.S. R. <u>29 E</u> E.W.	Thickness	Diameter	From	To	<u>5/16</u> inches	<u>20</u> inches +	<u>1</u> feet	<u>19</u> feet	<u>3/16</u> inches	<u>16</u> inches	<u>356</u> feet	<u>486</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	<u>360</u> perforations	<u>436</u> feet	<u>456</u> feet	<u>180</u> perforations	<u>416</u> feet	<u>426</u> feet	_____ perforations	_____ feet	_____ feet	7. WATER LEVEL Static water level <u>403</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☒ Cap ☐ Plug Temperature _____ °F. Quality <u>good</u> 8. WELL TEST DATA ☐ Pump ☒ Bailor ☐ Air ☐ Other _____ <table border="1" style="width: 100%; font-size: x-small;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td></td> <td><u>62.5 cc recovery</u></td> <td><u>on 150 gal</u></td> </tr> <tr> <td></td> <td><u>bailor displacement check</u></td> <td></td> </tr> </tbody> </table> 9. LITHOLOGIC LOG <table border="1" style="width: 100%; font-size: x-small;"> <thead> <tr> <th>Hole Diam.</th> <th colspan="2">Depth</th> <th>Material</th> <th>Water Yes No</th> </tr> <tr> <th></th> <th>From</th> <th>To</th> <th></th> <th></th> </tr> </thead> <tbody> <tr><td>24</td><td>0</td><td>7</td><td>Overburden</td><td>X</td></tr> <tr><td>24</td><td>7</td><td>18</td><td>Firm grey basalt</td><td>x</td></tr> <tr><td>20</td><td>19</td><td>33</td><td>" "</td><td>x</td></tr> <tr><td>20</td><td>33</td><td>166</td><td>Red cinders & Broken grey basalt boulders very cavity</td><td>y</td></tr> <tr><td>20</td><td>166</td><td>178</td><td>Grey basalt</td><td>y</td></tr> <tr><td>20</td><td>178</td><td>182</td><td>Large grey basalt boulders & some red cinders cavity</td><td>y</td></tr> <tr><td>20</td><td>182</td><td>203</td><td>Broken grey basalt & red cinders</td><td>x</td></tr> <tr><td>20</td><td>203</td><td>208</td><td>Grey basalt</td><td>v</td></tr> <tr><td>20</td><td>208</td><td>257</td><td>Broken grey basalt</td><td>x</td></tr> <tr><td>20</td><td>257</td><td>284</td><td>Grey basalt</td><td>x</td></tr> <tr><td>20</td><td>284</td><td>325</td><td>Broken burnt grey basalt & some red cinders</td><td>y</td></tr> <tr><td>20</td><td>325</td><td>355</td><td>Grey basalt</td><td>x</td></tr> <tr><td>20</td><td>355</td><td>360</td><td>Burnt basalt</td><td>y</td></tr> <tr><td>20</td><td>360</td><td>367</td><td>Broken grey basalt & brn clay</td><td>x</td></tr> <tr><td>20</td><td>367</td><td>372</td><td>Broken grey basalt</td><td>x</td></tr> <tr><td>20</td><td>372</td><td>399</td><td>Grey basalt</td><td>y</td></tr> <tr><td>20</td><td>399</td><td>406</td><td>Brn clay sediment</td><td>x</td></tr> <tr><td>20</td><td>406</td><td>426</td><td>Grey basalt</td><td>x</td></tr> <tr><td>20</td><td>426</td><td>442</td><td>Broken burnt grey basalt</td><td>x</td></tr> <tr><td>20</td><td>442</td><td>478</td><td>Brn sticky clay</td><td>x</td></tr> <tr><td>16</td><td>478</td><td>500</td><td>Grey basalt</td><td>x</td></tr> <tr><td>16</td><td>500</td><td>511</td><td>Losing all cuttings</td><td>x</td></tr> </tbody> </table> RECEIVED MAY 20 1981 Department of Water Resources Eastern District Office 10. Work started <u>JUN 7 81</u> finished <u>April 20 1981</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. JUL 19 1981 Firm Name <u>Schesser Drilling</u> Firm No. <u>95</u> Address <u>P.O. Box Rupert Idaho</u> Date <u>5/17/81</u> Signed by (Firm Official) <u>[Signature]</u> and (Operator) <u>[Signature]</u>	Discharge G.P.M.	Pumping Level	Hours Pumped		<u>62.5 cc recovery</u>	<u>on 150 gal</u>		<u>bailor displacement check</u>		Hole Diam.	Depth		Material	Water Yes No		From	To			24	0	7	Overburden	X	24	7	18	Firm grey basalt	x	20	19	33	" "	x	20	33	166	Red cinders & Broken grey basalt boulders very cavity	y	20	166	178	Grey basalt	y	20	178	182	Large grey basalt boulders & some red cinders cavity	y	20	182	203	Broken grey basalt & red cinders	x	20	203	208	Grey basalt	v	20	208	257	Broken grey basalt	x	20	257	284	Grey basalt	x	20	284	325	Broken burnt grey basalt & some red cinders	y	20	325	355	Grey basalt	x	20	355	360	Burnt basalt	y	20	360	367	Broken grey basalt & brn clay	x	20	367	372	Broken grey basalt	x	20	372	399	Grey basalt	y	20	399	406	Brn clay sediment	x	20	406	426	Grey basalt	x	20	426	442	Broken burnt grey basalt	x	20	442	478	Brn sticky clay	x	16	478	500	Grey basalt	x	16	500	511	Losing all cuttings	x
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4/86



JUL 16 1987

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

AUG 04 1987

For Office Use Only
Fee Received \$ 225
Date 7-21-87
Receipt # 41294
Receipt by da
Sent to S.O. 0

1. Permit No. 35 7914

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: VERNON C. Phillips

3. Post Office Address: RT 1 BOX 1222 PAUL, IDAHO
83347 Telephone No. 438 5906

4. Source of Water: Deep Well

5. Extent of Use:

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

Irrigation 300 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 5.5 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

4-20-81

8. Person to contact to accompany the department representative during the field examination:

VERNON C. Phillips
(Name)

RT 1 BOX 1222 PAUL, IDAHO 83347 438-5906
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

7-12-87
Date

Vernon C. Phillips
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

August 2/, 1986

RE: Permit No. 35-7914

Vernon C. Phillips
Rt. 2, Box 191A
Paul, ID 83347

Dear Permit Holders:

We acknowledge receipt of the statement of beneficial use and the supporting documentation for reinstating the above referenced permit. Enclosed is a copy of the Order of Reinstatement.

Before a license can be issued, a field examination will 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 or a representative may show him the system.

If you have any questions regarding this matter, please contact this office or our Eastern Regional Office at 525-7161.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

RECEIVED

MEMORANDUM

TO: File 35-7914

FROM: Jim Johnson *Jim*

DATE: June 30, 1986

RE: Reinstatement of Permit

In February, 1986 (exact date not known) I received a phone call from Mr. Ling, an attorney representing Mr. Phillips, the permit holder.

The purpose of Mr. Ling's call was to inform me that he had recently become aware that this permit had been lapsed by the Department and felt that it should not have been.

He stated that because the permit holder had been named as a defendant in the Idaho Power lawsuit, it was his understanding that it stayed all action on this permit. Therefore, when he received correspondence from Idaho Power asking the permit holder to submit to them Form A, Proof of Beneficial Use, he thought that it would satisfy the request by the Department of Water Resources to submit proof.

It wasn't until Mr. Phillips followed up with Idaho Power personnel on the status of the lawsuit that he became aware that the permit had lapsed.

He requested Idaho Power (Cindy Cranston) to send Form A to us, which was received on 3/3/86. Upon receiving the form, I sent the correspondence which set forth the items required for reinstatement.

Mr. Ling again called me stating that he did not feel the permit should have lapsed and therefore, did not need reinstating. He told me that Mr. Phillips had submitted Form A, Proof of Beneficial Use to Idaho Power in July, 1985, prior to the proof due date of the permit, which was October 1, 1985.

I reviewed Form A and when I could not determine when it was actually received, I called Idaho Power to determine if they had any record of when the form was received. They could not confirm what date Form A was received because it had since been sent to our Department.

After reviewing this matter, I can understand how a misunderstanding could occur in attempting to respond to both the Idaho Power lawsuit and Department of Water Resources requirements. I recommend that Form A, Proof of Beneficial Use, be accepted as compliance to the proof due notice sent 7/31/85 and reinstate the permit with no loss in priority.

WIPDCEI MED

ROGER D LING
ROBERT M NIELSEN
BRENT T ROBINSON

DAVID W HALEY
ASSOCIATE

LING, NIELSEN & ROBINSON
ATTORNEYS AT LAW
615 "H" STREET
P O BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
436-5662

June 26, 1986

RECEIVED
JUN 27 1986

Jim Johnson
Water Rights Supervisor
Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

RE: Permit No. 35-7914
Vernon C. Phillips - Permittee

Dear Mr. Johnson:

On March 19, 1986 you advised my client Vernon C. Phillips that you received the Proof of Beneficial Use postcard for the above permit on March 3, 1986, but that the permit had lapsed on October 1, 1985. Shortly thereafter I discussed this matter with you on the telephone and advised you that this permit, together with Permit No. 35-7973 in the name of Vernon C. Phillips, were two permits that were still part of the Swan Falls lawsuit and had not been dismissed therefrom. It is my understanding that so long as those permits were a part of that lawsuit, the time for filing proofs of beneficial use was stayed. As you will recall, you received the Proof of Beneficial Use through the attorneys for Idaho Power Company in that lawsuit, after they had reviewed the Proofs and agreed to dismiss Mr. Phillips from the lawsuit in regard to these two permits.

Recently Mr. Phillips has received a notice of a proposed inspection in regard to Permit No. 35-7973. We would like to have the proof of beneficial use inspection made on both of these permits at the same time, if at all possible.

We did not make formal application to have Permit No. 35-7914 reinstated, as we believed that it would be reinstated automatically by you after our telephone conversation. I would appreciate knowing whether or not you agree with our position in this matter, and will reinstate Permit No. 35-7914 without a formal application to do so.

Jim Johnson
Department of Water Resources
June 26, 1986
Page 2

A review of the Idaho Power Company Swan Falls lawsuit will show that Mr. Phillips and these permits were still a part of that lawsuit and no dismissal had been filed when the Proof of Beneficial Use postcard was received by you from the attorneys for Idaho Power Company.

Very truly yours,

Roger D. Ling
Roger B. Ling *RL*

RDL:nh

UNRECORDED

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER

ATTORNEYS AT LAW
142 3RD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, ID 83303-1906
TELEPHONE (208) 734-0700

BOISE OFFICE
1020 MAIN ST., SUITE 320
P.O. BOX 1805
BOISE, ID 83702-1805
(208) 336-0700

TERRY T. UHLING
F. BRUCE COVINGTON
LAIRD B. STONE
GARY D. SLETTE
JERRY JENSEN

April 4, 1986

RECEIVED
APR 7 1986

Department of Water Resources

Mr. Jim Johnson
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Idaho Power Company v. Idaho Department of Water Resources
Case No. 81375 (Vernon C. Phillips - App. No. 35-7914)

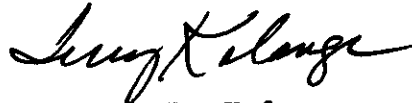
Dear Jim:

Pursuant to your telephone call of last week, I have reviewed the referenced application.

Prior to Cindy Cranston-Felton's termination of employment with this firm, she marked this application for dismissal upon the filing of the 6th Dismissal. It's possible that the Form A you have in your file came from Cindy as I am unable to locate it in our file. She wrote a letter to Mr. Ling on February 27, stating that this application would be dismissed.

If I can be of further assistance, please let me know.

Sincerely,



Teresa P. Kalange
Legal Assistant

UNRECORDED

March 19, 1986

RE: Permit No. 35-7914

Vernon C. Phillips
Rt. 2, Box 191A
Paul, ID 83347

Dear Permit Holder(s):

The Department received your proof of beneficial use postcard for the above referenced permit on March 3, 1986. The permit lapsed October 1, 1985, so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence during the authorized permit period from the time the permit was issued until the proof due date. This evidence could be in several forms such as a convincing combination of a well driller's log, pumping or power records, affidavits, aerial photos, receipts, etc.
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use postcard together with any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosure

RECEIVED

RECEIVED

MAR 3 1986

FORM A

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-7914

Name(s) of Permit Holder: Vernon C. Phillips

Post Office Address: Rt. #2, Box 191A, Paul, Idaho 83347

Telephone No. 438-5906

Source of Water: Ground water

Extent of Use: Domestic (number of households)

Stockwater (number and type of stock)

Irrigation 300 (acres)

Other/Remarks

Indicate the date water was first diverted and beneficially used under this permit: April 8, 1981

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

Flow Measurement Port: Required? ☒ Yes ☐ No
Required? ☒ Yes ☐ No

Person to contact to accompany the Department representative during field examination: Vernon C. Phillips

(same)

(Name)
438-5906

(Address)

(Telephone number)

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

July 2, 1985

Date

Vernon C. Phillips
Signature of Permit
(and Title, if appropriate)

MICROFILMED

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

PHILLIPS, VERNON C.
RT. 2 BOX 191A
PAUL, ID 83347

LAPSE NOTICE

OCTOBER 03, 1985

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 35-7914 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) 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 JULY 31, 1985.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF FORM OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE 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 BRINGS TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 10-30-1985
a copy of an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED



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

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138210

PHILLIPS, VERNON C.
RT. 2 BOX 191A
PAUL, ID 83347

PROOF DUE NOTICE

JULY 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 35-7914 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1985. (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

MICROFILMED

IDENT. NO. 35 7914

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

PHILLIPS, VERNON C.
RT. 2 BOX 191A
PAUL, ID 83347

OCTOBER 23, 1980

RE: PERMIT NO. 35-7914

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. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

35 7914

INITIAL REVIEW BY: Steve McCormick

APPLICATION NUMBER:

35-7914

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

Copies sent by: _____

Date: _____

PROCESSING:

- ☒ Yes ☐ No
☐ Yes ☒ No

Platted by: S.M.

Map No. 75-29E - BENJIN 35

Other rights on same place of use. None

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: Oct. 6 ✓

- ☐ Yes ☒ No

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9-25-1980. ✓
☒ 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? _____

9-08-1980

Date of priority recommended.

Special conditions of approval or cover letter. _____

MICROFILMED

By: Ernest Carlson

Date: 10-06-1980.

STATE OFFICE REVIEW:

SLW/L03

OIC

- ☐ See attached sheet for more information.

By: Robyn

Date: 10/9/80

Department of _____

September 12, 1980

RE: Application for Permit No. 35-7914

Vernon C. Phillips
Route #2, Box 191A
Paul, ID 83347

Dear Mr. Phillips:

Attached herewith is Departmental Receipt No. 14999 in the amount of \$145.00 for the above referenced application.

Sincerely,

KAY WALKER
Secretary

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 11, 1980

Power County Press
174 Idaho Street
American Falls, Idaho 83211

Gentlemen.

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 6, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMET

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, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before OCTOBER 6, 1980.

C. STEPHEN ALLRED

Director

Published 9/18 & 9/25/80.

MICROFILMED

35-2914

PHILLIPS, VERNON C.

RT. 2 BOX 191A, PAUL, ID 83347

Source: GROUNDWATER

Date Filed: 09/08/1980

Amount: 6.00 CFS

Diversion Point: NWE Sec 07 T 07S R 29E, POWER Co.

Use: IRRIGATION (6.00 CFS) from 04/01 to 11/01

Place of Use: NENE NWE SWE SENE NENW LOT 01 (NWNW) LOT 02 (SWNW) SENW
Sec 07 T 07S R 29E FOR 300 ACRES

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM.

MICROFILMED