

Examiner's Signature

Date _____

78-71-77
4861 UDDZ1
48-5-1

The Jones
 North Carolina
 X. Walker

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D., as reflected above

☐ Other

☐ Add P.D. as reflected above
☒ None more than enough
☐ Other

P/U with box will not be licensed since they would require an amendment & there are
 P/U.

P/U.

TWP.	RGE.	SEC:	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	TOTALS
145	39E	5	X	X	X	X	X	X	X	X	X	X	X	X	
		6													
		7													
145	38E	12	X												

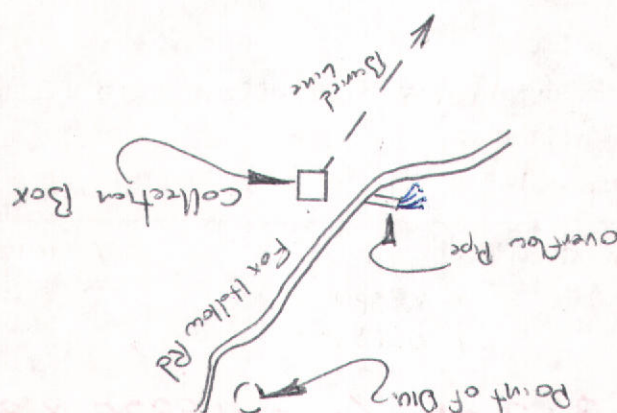
for quad above.

Place(s) of Use

Village of Banda (Domestic use)

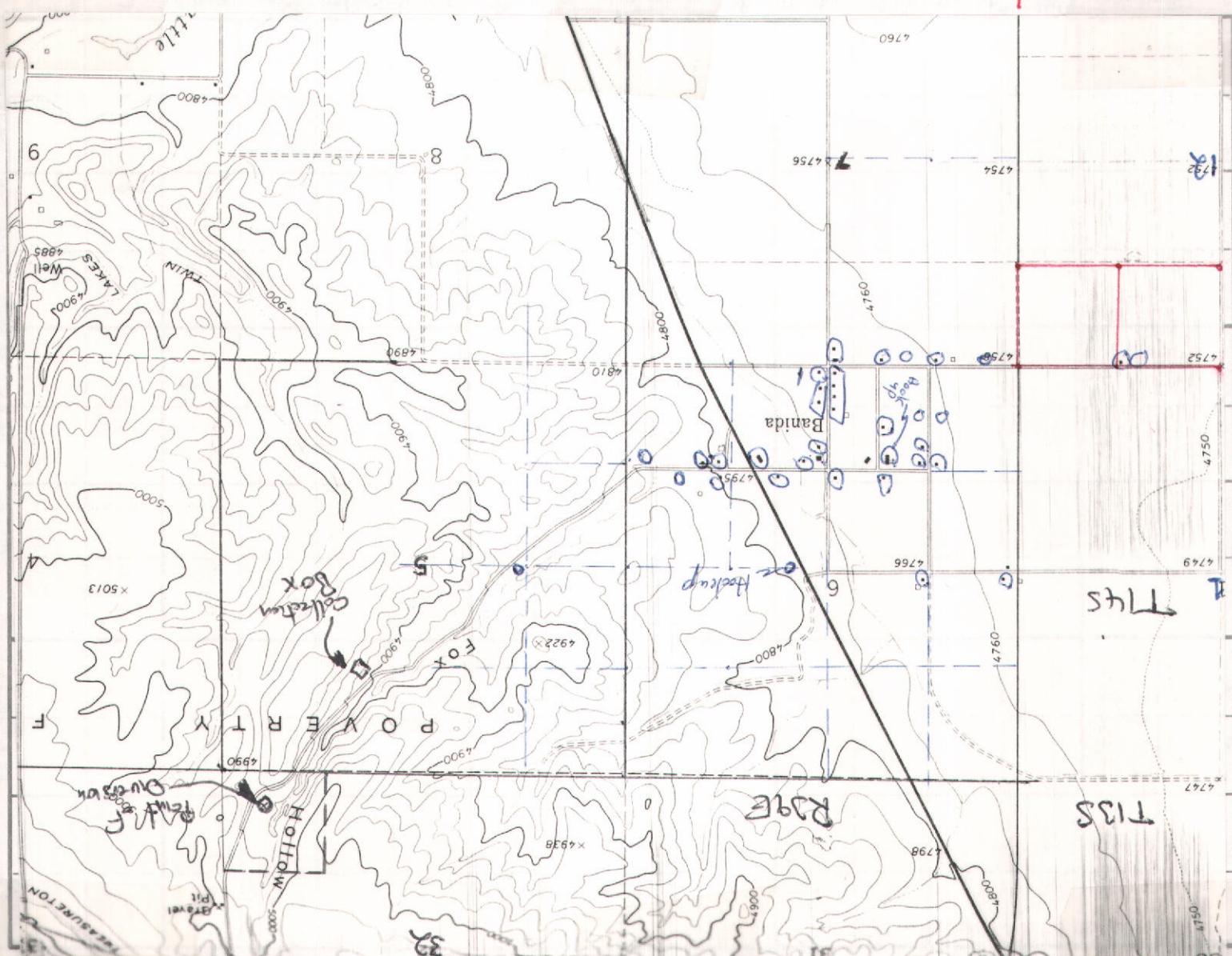
Point(s) of diversion:

SE 1/4 SE 1/4 Sect. 32 T13S R29E



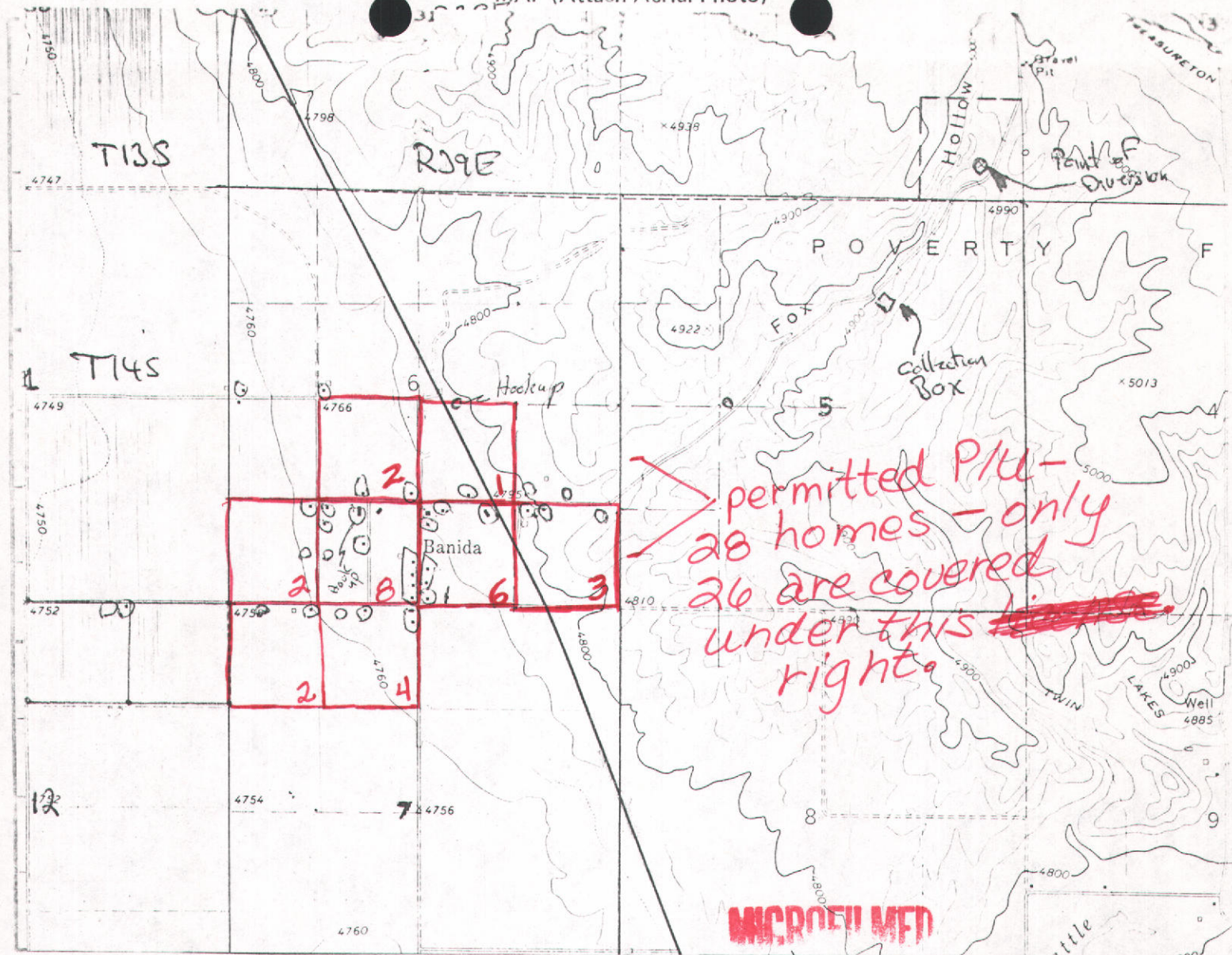
(Include distance from pump to measuring device, if applicable.)

SCHEMATIC DIAGRAM OF SYSTEM



MAP (Attach Aerial Photo)

MAP (Attach Aerial Photo)

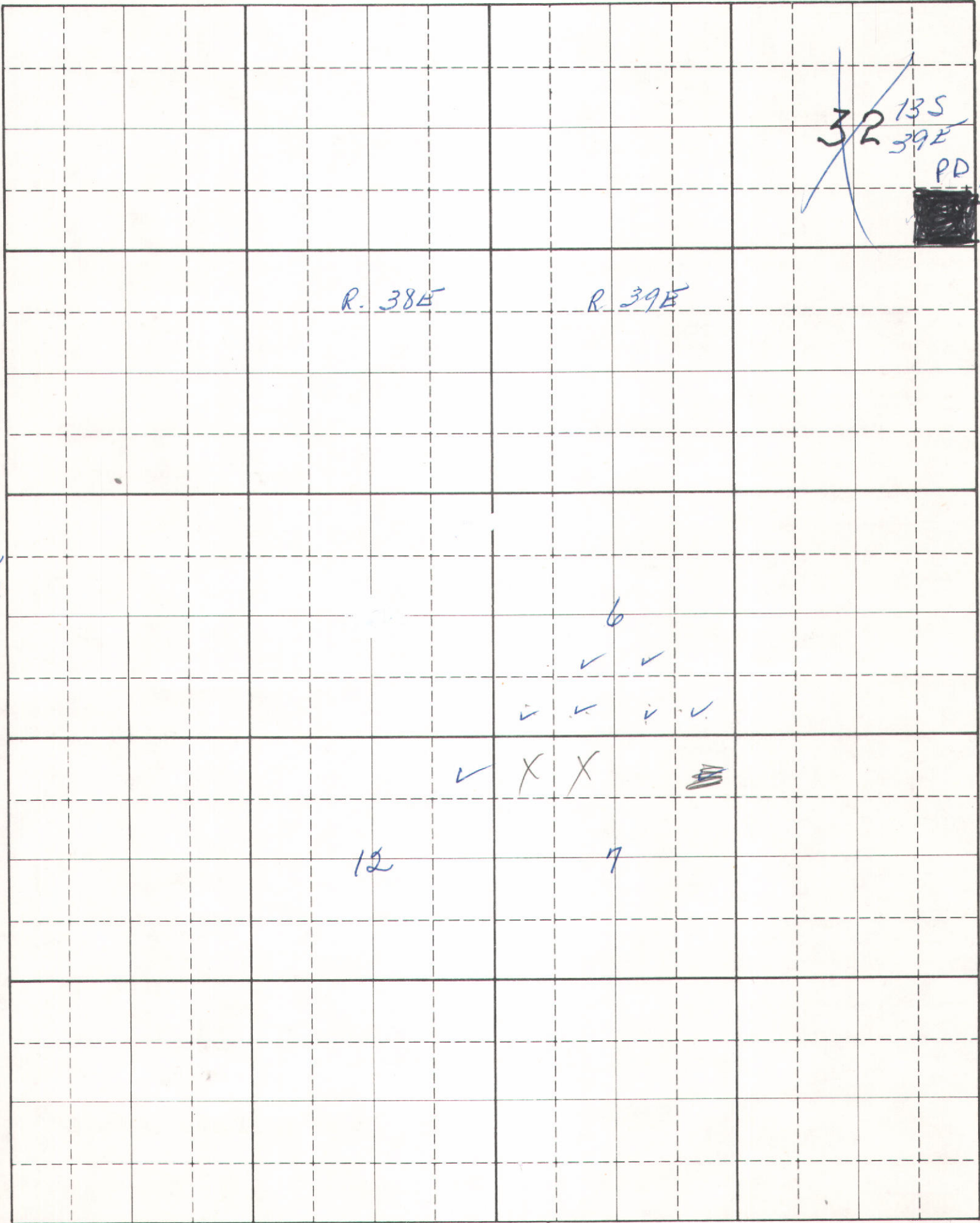


MICROFILMED

SCHEMATIC DIAGRAM OF SYSTEM

← 38E →

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.

Marion H. Bennett, Sec.
(Applicant)

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 13-7208 Priority August 6, 1977 Amount 0.13 cfs

THIS IS TO CERTIFY, that Winder-Banida Water & Sewer Dist.
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 13-7208 issued pursuant to Application for Permit dated July 25, 1977,
and has submitted proof to the Department of Water Resources on September 13, 1982,
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 0.13 cfs of water from a spring,
tributary to sinks, 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>Domestic</u> <u>(26 Units)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.13</u> cfs and	<u>31.2 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 0.13 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
31.2 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32,
Twp 13S, Rge 39E in the County of Franklin

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 $\frac{1}{4}$	
14S	39E	6									X		X	X		X	X	X	
		7					X	X											

Total number of acres irrigated _____

MICROFILMED

CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

P/U also known as Village of Banida.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28TH day of AUGUST, 19 86.

Norman C. Young
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-7208 IN THE)
NAME OF WINDER-BANIDA WATER & SEWER DISTRICT) ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before September 1, 1982; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on September 13, 1982;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-7208 be REINSTATED and the priority advanced to August 6, 1977.

Dated this 8th day of October, 1982.

L. Glen Saxton

L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. 13-7208 }

ORDER

WHEREAS, it has been determined by the Department of Water Resources that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

Identification No. 13 7208
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT APPROVED

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

1. Name of applicant Winder-Banida Water & Sewer Dist. Phone: 852-1096
post office address Rt. #3, Preston, Idaho 83263
2. Source of water supply unnamed spring which is a tributary of sinks
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 13S
Range 39E B.M. Franklin 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 0.48 for Domestic purpose from Jan. 1 to Dec. 31 (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. 0.48 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. buried perforated collector pipes that flow
into a concrete collection box, 6" x 400' pipe to a reservoir and distribution
system
80,000 Gal. Storage Tank(used in previous 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 _____ inches; proposed depth of well is _____ 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 \$ 140,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation: SEE ITEM 8b
(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 Village of Banida, or number of families to be
supplied with domestic water 26
(5) If water is to be used for other purposes describe: _____

Banida, Idaho
Franklin County
4-15-77

9 14
R 38 + 39

Scale = 660' = 1 inch

MICROFILMED

Quinn Casperson
Kempie Olsen

Ernest
Gregerson

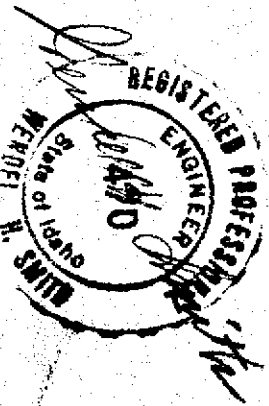
1
6
12
7

Geddes % Thomas (affian)
Donna Lou Vassler

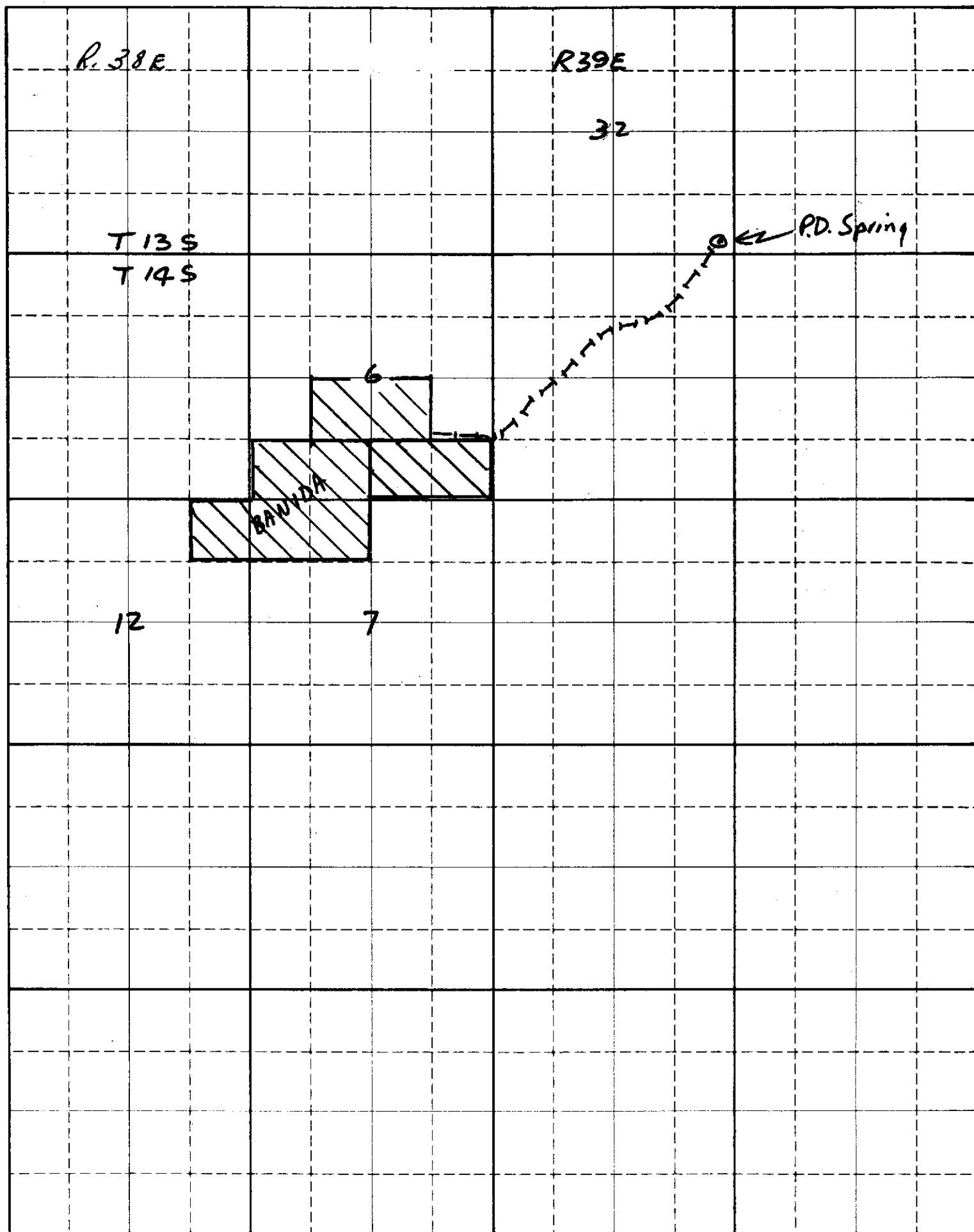
Ross Lindhardt
Robert Lindhardt
Hugh J. Geddes
% Jack Geddes

Ada
Elli
L.D. S.
Banda
Banda
Ward

Hoy Tao G. Miles
Hugh J. Geddes
Dorely Miles



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.

Winder and Banida Water & Sewer Dist.
 SI W. H. Bennett Sec.
 (Applicant)

07-12-19

Proposed Priority: 7/25/77

Received by: me Date: 7-25-77 Time: 11:15 AM
Preliminary check by me Fee \$25.00 #8310
Receipted by me Date: 8-01-77
Publication prepared by me Date: 8-05-77
Published in Quarterly Abstract
Publication dates Aug 11-18-1977
Publication approved me Date: August 22, 1977
Priority reduced to _____ Reason: _____
Protests filed by: _____
Copies of protests forwarded by: _____
Hearing held by: _____ Date: _____
Recommended for approval denial by me

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. 13-7208, 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 September 1, 19 82.
c. Other: 1. For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.
2. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 13 day of September 19 77.

Deputy Director

[Signature]

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

RICHARD D. STOCKDALE

being duly sworn,

deposes and says:

That he is the Office Manager of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once

a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

August 11th, 1977, and ending

with the issue of August 18th, 1977.

Richard D. Stockdale

Fee \$ 14.06

Subscribed and sworn to before me this 18th day

of August, 1977.

Notary Public

Notary Public, Residing at Preston, Idaho

My Commission Expires August 11, 1980

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Winder-Banida Water & Sewer Dist., Preston, Idaho has on 7-25-77 submitted Application No. 13-7208 for a permit to appropriate 0.48 cubic feet per second of water from an unnamed spring by means of pipeline and collection box within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 13S, R. 39E, B.M., Franklin County; to be used from Jan. 1 to Dec. 31 for domestic purposes for 26 families within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 7, T. 14S, R. 39E, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 14S, R. 38 E, 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 August 29, 1977.

C. STEPHEN ALLRED
Director

Published in the Preston Citizen on August 11 and August 18, 1977.

Legal No. 445 — Pub. Aug. 11, 18, 1977.

RECEIVED

AUG 22 1977

Department of Water Resources
Eastern District Office



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 4, 1986

RE: Permit No. 13-7208

Winder-Banida Water & Sewer Dist.
Rt. 3, Box 203
Preston, ID 83263

Gentlemen:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

RECEIVED
SEP 10 1986
WATER RESOURCES

MEMORANDUM

TO: File 13-7208

FROM: Jim Johnson *Jim*

DATE: July 25, 1986

RE: State Office Review for License Processing

Since the field exam showed that more homes were supplied water than can be allowed on the license (26 homes per item 8a(4) on the permit), notations were made on the field exam to show that only the homes within the legal description shown on the permit are to be included on the license. Also, since the permit limited the homes to 26, 2 homes within the permit legal description are not included in the license.

By selecting only the legal descriptions identified on the permit, a license can be issued without requiring an amendment of permit.

2014-07-25 10:10 AM
JIM JOHNSON
2014-07-25 10:10 AM



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

May 2, 1986

RE: Permit No. 13-7208

Winder-Banida Water & Sewer Dist.
Rt. 3, Box 203
Preston, ID 83263

Dear Permit Holder(s):

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

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
MAY 14 1986

RECEIVED

JAN 16 1984

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

APR 19 1985

Department of Water Resources

13-7208

Permit No.

Department of Water Resources

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 8-24-83 Accompanied by Heber Swainston Total Q measured 0.13 cfs ✓
If source is surface water, estimate total flow of source _____
Methods of measurement Bucket & stopwatch Meets Permit requirements? _____

Measurement calculations: measurement 1 gallon / 1 sec
or 60 gpm
or 0.13 cfs

~~V = unlimited for Village Code~~

$$26 \times 1.2 \text{ AF} = 31.2 \text{ AF} / 0.13 \times 1.9835 \times 365 = 94.1 \text{ AF}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	NA	NA	NA	NA				

System Description Buried pipe at pd to concrete collection box with overflow
pipe then buried line to Village of Banda

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement =	Q (cfs)	V (afa)	AFA/Acre
<u>Domestic ✓</u>		<u>0.13 ✓</u>	<u>31.2 AF</u>	
<u>(26 units)</u>				

Total

0.13 cfs 31.2 AF

Remarks Lines go to 37 sites of use - ALLOW 26 units per
-26 permit.
11 units with no rights filed-

There are 28 homes in permitted place of use-
2 of these are not covered under this
right.

RECEIVED

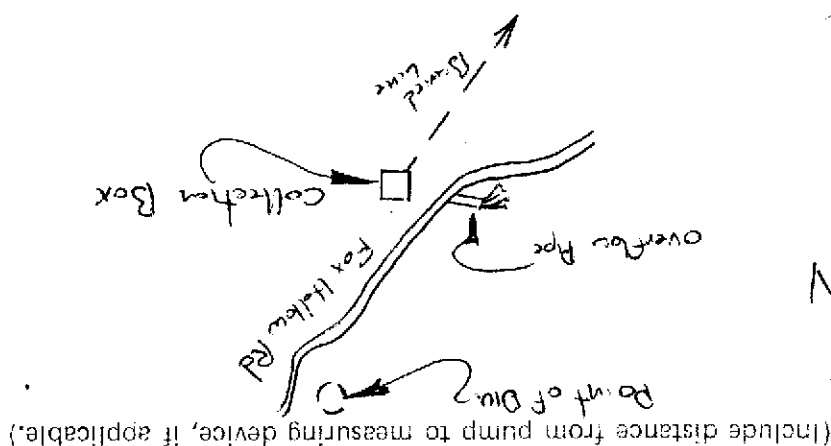
Date _____

had since they
went & there has
more than enough
been in admitted

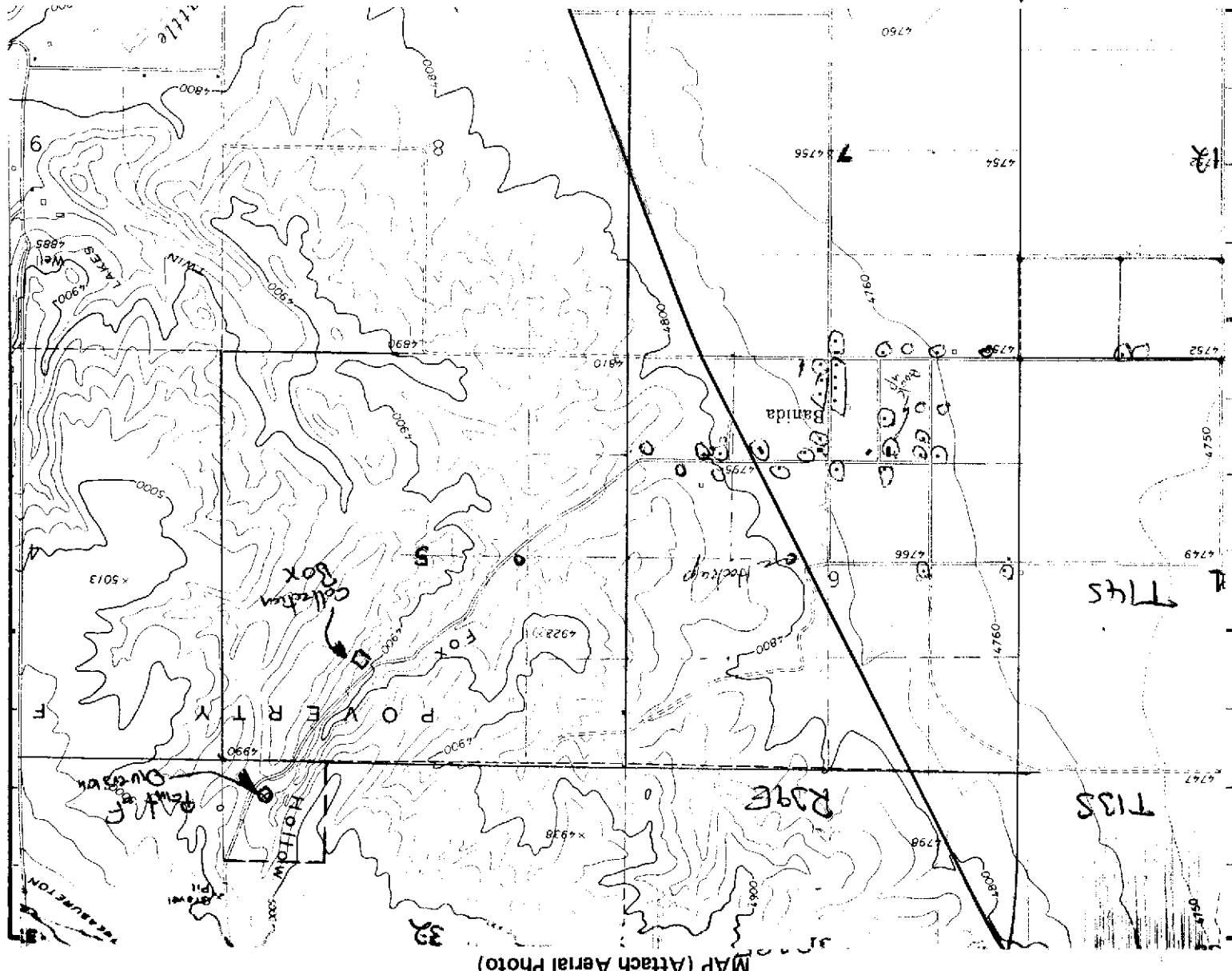
[illegible]

Village of Bandida (Domestic use)

SE 1/4 SE 1/4 Sect. 32 T13S R39E



SCHEMATIC DIAGRAM OF SYSTEM



MAP (Attach Aerial Photo)

TISS

R39E

POVERTY

Collection Box

permitted P/U -
28 homes - only
26 are covered
under this ~~right~~
right.

MICROFILMED

> permitted P/U - 5000
28 homes - only
26 are covered
under this ~~right~~
right. 4900 TWIN

WILDOEN MET

SCHEMATIC DIAGRAM OF SYSTEM

← 38E →

PERMIT N° 73-7208

Winda-Barnes (Water & Sewer Dist.)
(Name)

EXAMINATION: DATE: 8-24-83 Accompanied by: Alan Swanson

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.

Measuring Device Type: Bucket + Stopwatch

Meter # _____ Annubar# _____ Size # _____

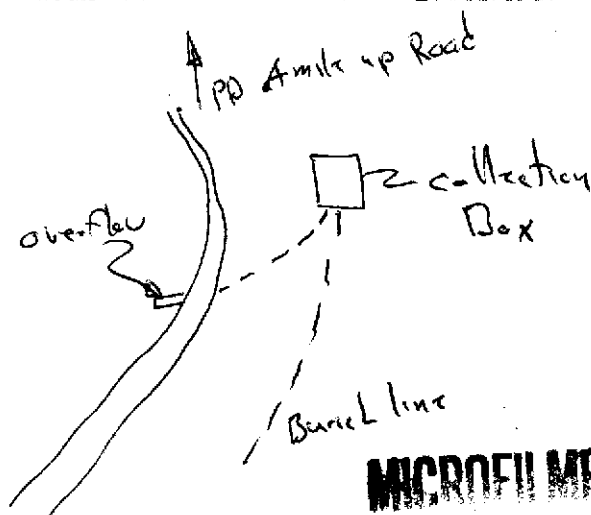
Remarks: Gravity Flow system

Measurement calculations:

1 gallon / sec measured at overflow
at collection Box
60 gpm

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____ Length _____



MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

October 26, 1982

Winder-Banida Water & Sewer District
Rt. #3, Box 203
Preston, ID 83263

RE: Permit No. 13-7208

Dear Sir:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

_____ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

 X A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

COLLEEN WRAY
Adm. Secretary

Enclosure: Reinstatement Order

MICROFILMED

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 13-7208

DATE: Oct 8, 1982

Date Proof Received

Proof Due

Number of Days Proof Late

$$\begin{array}{r} 256 \\ 244 \\ \hline 12 \end{array}$$

Priority Date

Number of Days Proof Late

New Priority Date

$$\begin{array}{r} 206 \\ 12 \\ \hline 218 \end{array} = \text{Aug. 6, 1977}$$

Remarks

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 No. 13-7208.

Name(s) of Permit Holder: Winder Barida Water & Sewer Dist.

Post Office Address: RT 3 Box 203

Preston, Idaho 83263

Tel. No. 952 1554

Source of Water: Two underground springs

Extent of Use:

☒ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☐ Irrigation

(acres)

☐ Other

Measuring Device: Required?

☐ Yes

☒ No

Installed?

☐ Yes

☐ No

Access Port:

Required?

☐ Yes

☒ No

Installed?

☐ Yes

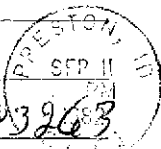
☐ No

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

Sept 11, 82
Date

Heber C Swainston Sec.
Signature of Permit Holder

Heber C. Swanson
RT 3 Box 203
Preston, Idaho 83263



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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

WINDER-BANIDA WATER & SEWER DIST.
RT. 3
PRESTON, ID 83263

SEPTEMBER 02, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 13-7208 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED JUNE 30, 1982.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD 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 STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CERTIFICATION OF MAILING
I hereby certify that on 9/10/82
~~a copy~~ an original of this document was
deposited in United States mail,
postage prepaid, addressed to the
individual(s) named above.

Donna Chism

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138178

WINDER-BANIDA WATER & SEWER DIST.
RT. 3
PRESTON, ID 83263

JUNE 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 13-7208 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1982. (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, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

February 11, 1982

Dear Water user:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have already installed the measuring device, the field examination can be more quickly conducted by the Department's field examiner. You will also derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or one of our regional offices.

Sincerely,

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

DRT:jg

Enclosure

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

MICROFILMED

5 October, 1977

Winder-Banida Water and Sewer District
Preston, Idaho 83263

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 13-7208. 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 either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

10/10/77

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 13-7208

☒ 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

(1) JAG 8/1/77

In form to receipt yes

(2) " "

Send Copies to:

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

(3) " "

☒ 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. DD-43

(6) " "

Located within Water District No. Basin 13

(7) " "

☒ Critical groundwater area: yes ☐ no

(8) " "

Groundwater levels:

☐ Declining, ☐ Stable, ☐ Increasing
(comment) _____

(9) " "

Other rights on the same place of use none

(10) " "

Comments: Applicant stated that were shallow individual wells that have dried up.

(11) Cal 8-22-77

Affidavit of Publication received (date) Aug 22-1977

(12) Cal 8-29-77

Final date for protests August 29-1977

Protests received: yes ☐ no ☒

(13) EMC 8-29-77

All requested information received from agencies or applicant: yes ☒ no ☐

(14) EMC 8-29-77

Action recommended:

☒ Approve ☐ Deny

7-25-77 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

☒ R/W Clause
See attached sheet for other conditions of approval

☐ No special conditions for approval

(15) District Eastern

By Ernest Calver

Date 7-29-77

Copy sent



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

RECEIVED

AUG 10 1977

Department of Water Resources
Eastern District Office

DIVISION OF ENVIRONMENT
636 Pershing
Pocatello, Idaho
83201

9 August 1977

Winder-Banida Water and Sewer District
Route #3
Preston, Idaho 83263

Re: Application #13-7208
(Franklin County)

Gentlemen:

We have been apprised of your intent to appropriate public waters of the State of Idaho to provide domestic water for twenty-six families (connections) in the Village of Banida. The use is defined as a public water supply.

Title 39-118 of the Idaho Code requires that plans and specifications must be reviewed and approved by our Department prior to construction. For your information we are enclosing a copy of the Idaho Drinking Water Standards. The standards present the minimum requirements for construction and operation of a public water system.

If you have any questions concerning our requirements, please do not hesitate to contact our office.

Yours very truly,

Henry L. Moran, P.E.
Rgnl. Environmental Supervisor

HLM/md
Enc.

CC: Ron Carlson ✓
Jack Palmer
Bill Maibauer

August 5, 1977

RE: Application for Permit No. 13-7207 SPARKS
13-7208 BANIDA-WINDER
13-7209 " "
13-7210 FORMAN
13-7211 WRIGHT

Preston Citizen
Box 472
Preston, Idaho 83263

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
Supervisor,
Eastern Region

RDC:CW

Bill submitted 8-22-77 by Ced

Enc: Legal Notice (5)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Winder-Banida Water & Sewer Dist.,
Preston, Idaho

has on 7-25-77 submitted Application No. 13-7208
for a permit to appropriate 0.48 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from an unnamed spring
by means of pipeline and collection box
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 13S, R. 39E, B.M., Franklin County;

to be used from Jan. 1 to Dec. 31
for domestic purposes for 26 families

within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 7, T. 14S, R. 39E,
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 14S, R. 38E, 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 _____
August 29, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Preston Citizen
on August 11 and August 18, 1977

RECORDED

W.B. H.A.

August 3, 1977

RE: Application for Permit No. 13-7208/13-7209

Mr. Kirby Vickers
Public Health Engineer
Department of Health & Welfare
636 Pershing
Pocatello, ID 83201A

Dear Mr. Vickers:

We are enclosing a copy of two applications that may be of interest to your agency. Please review the applications and if you have any comments, submit them to our Department as soon as possible. The last date of protest is August 29, 1977, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosures

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

August 2, 1977

RE: Application for Permit No. 13-7208 and 13-7209

Mr. Marion H. Bennett
Route #3
Preston, Idaho 83263

Dear Mr. Bennett:

Attached herewith is departmental receipt No. 8310 in the amount of \$50.00 for the above referenced applications.

We have taken the liberty of retyping your applications, making a few necessary changes in order to complete them for advertising. Please review the retyped applications and if they meet with your approval, sign and return to this office on or before August 29, 1977, which is the final date of protest.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:cw

Attachment

Enclosures (2)

Identification No. 13 7208

Application No. _____

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)

1. Name of applicant Winder-Banida Water & Sewer Dist. Phone: 852-1096
post office address Route 3 Preston, Idaho 83263
2. Source of water supply Spring SE which is a tributary of _____
3. a. Location of point of diversion is NE 1/4 1/4 of SE 1/4 1/4 of Section 34 32 Township 13
Range 39E B.M. FRANKLIN 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: 48 CFS or 216 gallons per minute
Amount _____ for Domestic purpose from Jan. 1 to Dec. 31 (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. _____ cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

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 _____ (Mo. Day) (Mo. Day) inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ 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:
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M. Parts of Sections 20, 28, 29, 30, 32 Township 14 Range 39
6-7
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 50012 - 14 - 38

(4) Name of municipality to be served Winder Ward, or number of families to be supplied with domestic water 26
(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.	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	
14	39	20	X	X															
14	39	29	X																
14	39	28		X	X														
14	39	32	X		X														
14	39	6	~~X~~	~~X~~															
14	38	12	X																
14	39	7																	

Total number of acres to be irrigated _____

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

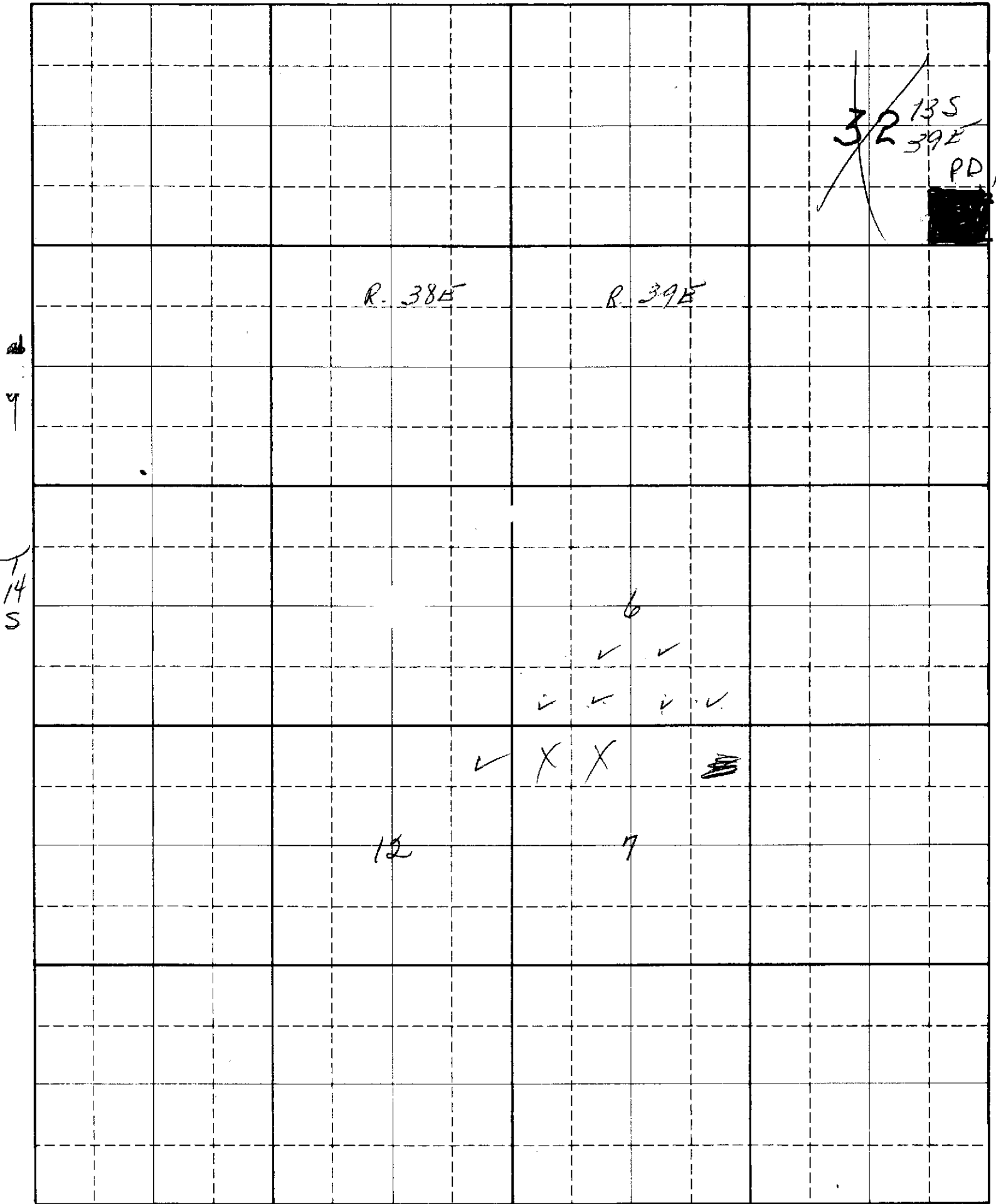
9. a. Who owns the property at the point of diversion **Willford Bosworth % 69 Farms**

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

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.

William H. Bennett Sec.
(Applicant)

Received by TM Date 7-25-77 Time 11:15 a.
Preliminary check by XX Fee \$ 45.00
Received by GW Date 8-01-77 # 8310

Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Priority reduced to _____ Reason _____
Protests filed by: _____

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

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. _____, and said application is hereby _____.

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 _____, 19____.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19____.

Director _____