

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.

Earl B. Swearingen
(Applicant)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that EARL SWEARINGEN Box 649 Mountain Home, ID has on February 14, 1977 submitted Application No. 61-7308 for a permit to appropriate 1.74 cubic feet per second of water from A ground-water source by means of well, pump and pressure system within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18 T4S-R7E B.M., Elmore County to be used from Jan 1 to Dec 31 for domestic purposes and from Apr 1 to Oct 31 for irrigation of 29 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18 T4S-R7E 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, Statehouse, Boise, Idaho, 83720, on or before March 14, 1977.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, ID on March 3, 1977 and March 10, 1977.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2..... consecutive weeks, the first publication having been made on the 3..... day

of March....., 1977, and

the last publication having been made on the 10..... day of March.....

1977..; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 10.....

day of March....., 1977

Lloyd S. Waters

Notary Public

RECEIVED

Department of Water Resources
Western Regional Office

OK
5-14-77
y

MICROFILMED

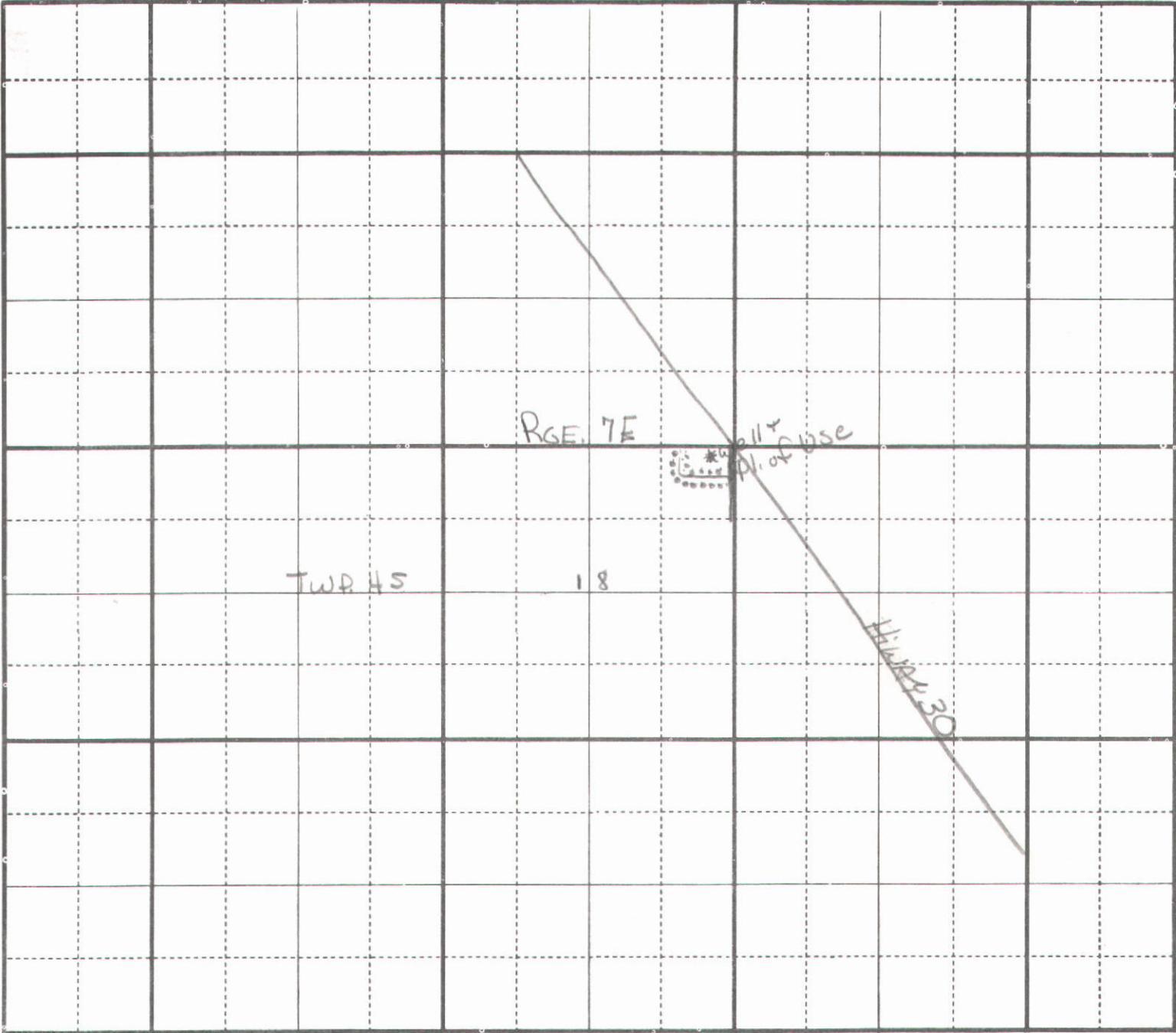


Diagram of System

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that EARL SWEARINGEN Box 649 Mountain Home, ID has on February 14, 1977 submitted Application No. 61-7208 for a permit to appropriate 1.74 cubic feet per second of water from A ground-water source by means of well, pump and pressure system within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18 T4S-R7E B.M., Elmore County to be used from Jan 1 to Dec 31 for domestic purposes and from Apr 1 to Oct 31

for irrigation of 29 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18 T4S-R7E 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, Statehouse, Boise, Idaho, 83720, on or before March 14, 1977.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, ID on February 24, 1977 and March 3, 1977.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 61-7308 Priority February 14, 1977 Amount 1.03 cfs

THIS IS TO CERTIFY, that EARL SWEARINGEN
of Mountain Home, Idaho, has complied with the terms and conditions of Permit
No. 61-7308 issued pursuant to Application for Permit dated February 14, 1977,
and has submitted proof to the Department of Water Resources on February 14, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.03 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (29 units)	from <u>January 1</u> to <u>December 31</u> at <u>63</u> cfs and	<u>15.6</u> acre feet	
	from _____ to _____ cfs and	_____	
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>40</u> cfs and	<u>90</u> acre feet	
	(both dates inclusive)		

Subject, however, to the condition that no more than 1.03 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
105.6 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 4S,
Rge. 7E, B.M. in the County of Elmore

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 $\frac{1}{4}$	
4S	7E	18	20																20

Total number of acres irrigated 20

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
May, 19 81.

Director

RECEIVED

DRT

Identification No _____

Application No. 61-7308

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 Earl Swearingen Phone 587-5775
post office address Box 649 Mountain Home, ID
- 2 Source of water supply groundwater which is a tributary of _____
- 3 a Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 4S
Range 7E B.M. Elmore 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 1.6 for domestic purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum)
Amount 0.58 for irrigation purpose from 4-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- 5- Total quantity to be appropriated
a 1.74 cubic feet per second and/or
b _____ acre feet per annum
- 6 Proposed diverting works.
a Description of ditches, flumes, pumps, headgates, etc. _____
20" well with pump and pressure 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 20 inches, proposed depth of well is 685 feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years
b Estimated construction cost is \$ 30,000
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18 Township 4S
Range 7E B.M.
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 29
(5) If water is to be used for other purposes describe _____

MINOTARY

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	
4S	7E	18	29																29

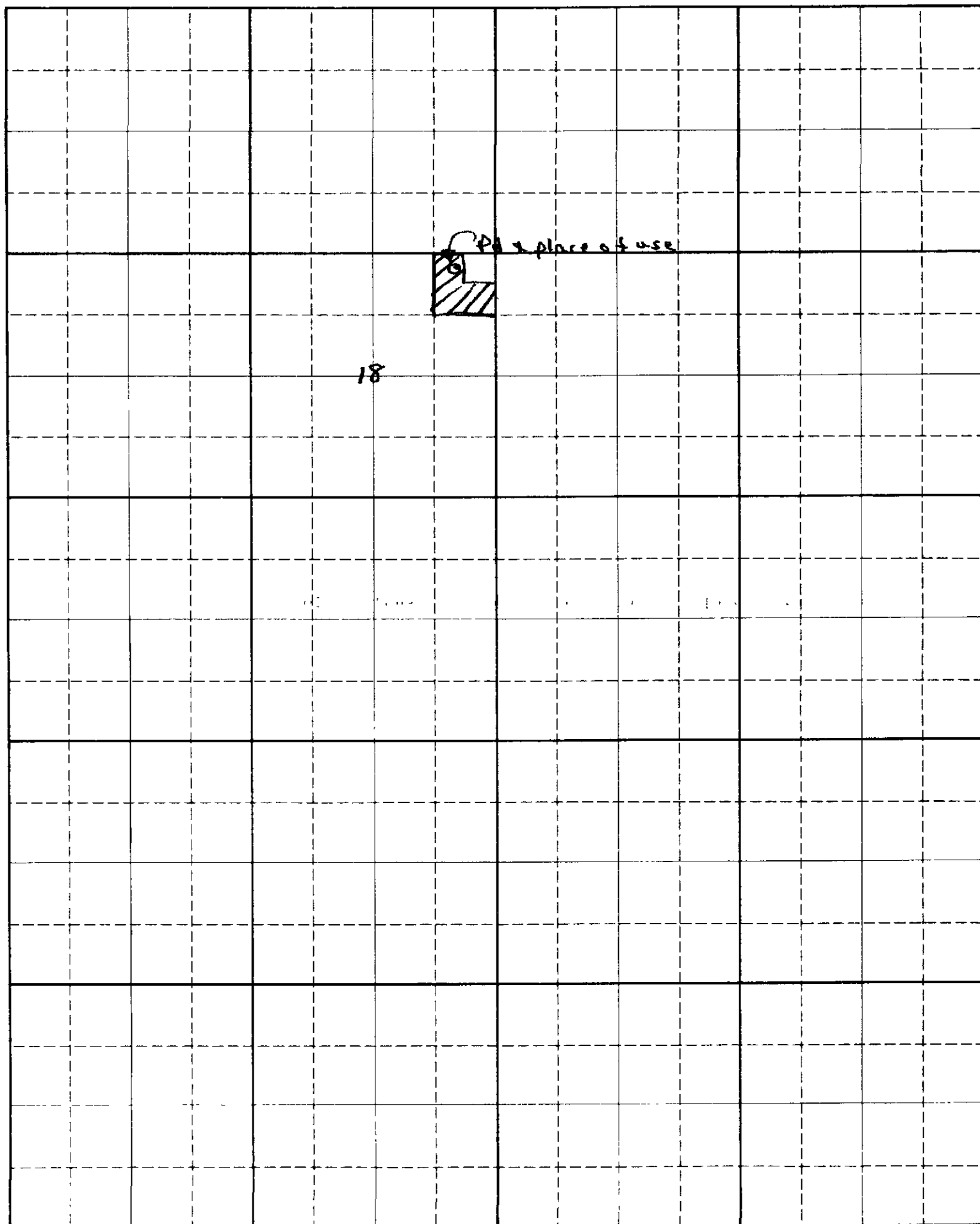
Total number of acres to be irrigated 29

c Describe any other water rights used for the same purposes as described above none

- 9 a. Who owns the property at the point of diversion Applicant
- b Who owns the land to be irrigated or place of use Applicant
- c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks property and well purchased from Don Holtz who is retaining his right 61-7230

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

Earl H. Juncos
(Applicant)

Proposed Priority 2/14/77

Received by ry Date 2-14-77 Time 10.51

Preliminary check by PW Fee \$ 35.00

Receipted by ry Date 2-14-77 # 66661

Publication prepared by ry Date 2-18-77

Published in Mountain Home News

Publication dates Feb 24 + March 3

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JSS jc

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 61-7308, and said application is hereby APPROVED.

1 Approval of said application is subject to the following limitations and conditions

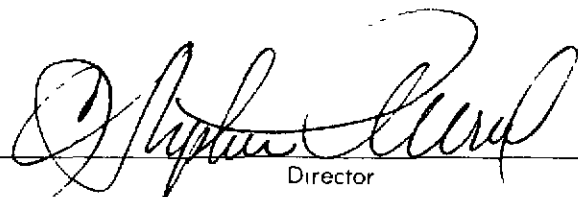
a SUBJECT TO ALL PRIOR WATER RIGHTS.

b Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 78.

c Other. A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2 Denial of said application is for the following reasons _____

Witness my hand this 28th day of March, 19 77.


Director

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that **EARL SWEARINGEN** Box 649 Mountain Home, ID has on February 14, 1977 submitted Application No. 61-7308 for a permit to appropriate 1.74 cubic feet per second of water from A ground-water source by means of well, pump and pressure system within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18 T4S-R7E B.M., Elmore County to be used from Jan 1 to Dec 31 for domestic purposes and from Apr 1 to Oct 31 for irrigation of 29 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18 T4S-R7E 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, Statehouse, Boise, Idaho, 83720, on or before March 14, 1977.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, ID on March 8, 1977 and March 10, 1977.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2..... consecutive weeks, the first publication having been made on the 3..... day of March....., 1977, and the last publication having been made on the 10..... day of March..... 1977..; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 10..... day of March..... 1977

Lloyd S. Waters
Notary Public

RECORDED

OK
5-14-77
y

WATER RIGHTS WORK SHEET

IDENTIFICATION NUMBER 61-7308

RECORD 01 LAST NAME(40 char.) FIRST NAME(20 char.) ORIG. OWNER

ACTION CODE

RECORD 02 ADDRESS LINE 1(30 char.) LINE 2(30 char.)

RECORD 03 ADDRESS LINE 3(30 char.) CITY(23) STATE(2) ZIP(5)

RECORD 04 SOURCE OF WATER(30 char.) TRIBUTARY OF(30 char.)

RECORD 05 ACTION CODE

A. STAGE(1 char.) (A,P,L,D,S,J OR BLANK)		
B. STATUS(1 char.) (D,L,R,C,A,I,F OR BLANK)		
C. PRIORITY DATE(8 char.)		
D. COUNTY OF P/D(2 char.)		
E. TOTAL DIVERSION RATE(10 char.)	<u>C</u>	<u>1.03</u>
F. TOTAL DIVERSION VOLUME(10 char.)	<u>C</u>	<u>105.4</u>
G. TRANSFER/AMENDMENT(1 char.) (P, T, A OR BLANK)		
H. WATER DISTRICT NUMBER(3 char.)		
I. DLE/CARRY ACT(1 char.) (D, C OR BLANK)		
J. RIGHT BASIS(1 char.) (for adjudications only A, B, C, D, E, F OR BLANK)		

RECORD 06

ACTION CODE	POINT OF DIVERSION(16 char.)			RGE.	GOV'T. LOT	REDIV.
	TRACT	SEC.	TWP.			

RECORD 07 PERIOD OF USE(8 char.)

ACTION CODE	FROM	TO	USE CODE	CFS	AFA
<u>C</u>	<u>03/15</u>	<u>11/15</u>	<u>A</u>	<u>.40</u>	<u>90.0</u>
<u>C</u>	<u>01/01</u>	<u>12/31</u>	<u>D</u>	<u>.63</u>	<u>15.6</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RECORD 08 PLACE OF USE

ACTION CODE	USE CODE	TWP.	RGE.	SEC.	TRACT	LOT	ACRES
<u>X</u>	<u>A</u>	<u>04S</u>	<u>01E</u>	<u>18</u>	_____	_____	_____
<u>L</u>	<u>A</u>	<u>04S</u>	<u>07E</u>	<u>18</u>	<u>NENE</u>	_____	<u>20</u>
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

RECORD 09 NAME(60 char.) DECREE DATE(8 char.)

RECORD 10 REMARKS(65 char.)

X (This deletes all remarks.)
A. _____
B. _____
C. _____
D. _____
E. _____

RECORD 11, 12 or 14 11 OTHER USES(65 char.)
12 OTHER RIGHTS(65 char.)
14 DIVERSION MEANS(65 char.)

RECORD ACTION CODE
11 C 0/29 Acres.

RECORD 13 ACTION CODE

A. PROOF DUE DATE(8 char.) _____
B. PERMIT/DENIED DATE(8 char.) _____
C. PROTESTED DATE(8 char.) _____
C. HEARING DATE(8 char.) _____
E. OLD NUMBER(5 char.) _____
F. PROOF MADE(1 char.) _____
G. FIELD EXAM-MADE(1 char.) _____
(P, R, F OR BLANK)
H. CONDITIONS OF APPROVAL(3 char.) X C1
(8 CONDITIONS)

July 19, 1982

RE: License 61-7308

Fred Fulford, Secretary
New Horizons Water Corp.
3290 Sonny St.
Mountain Home, ID 83647

Dear Mr. Fulford:

Our office received your letter of June 30, 1982. In answer to your questions, in Idaho a water right license is considered real property and is appurtenant to the land. Proof of owning the water right license is proof of owning the land to which it is appurtenant to. The right may be forfeited by five years of non-use.

The only time a license can be changed is when the land owner files with our office a transfer to change the point of diversion &/or the place of use.

If you have any other questions, please feel free to contact me at 334-4123.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw

FRED FULFORD
From: New Horizons Water Corporation
3290 Sonny ST.
MTN. Home, ID. 83847

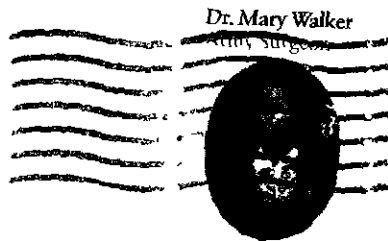
JUN 20 1982

Dear Sir:

I am enquiring about the license issued for Water rights under license number 61-7308. The land, pumps, canals and all structures belong to the New Horizons Water Corporation. The land and systems no longer belong to Mr. Carl Swearingen to whom the license was issued. Should the water rights be changed, or can they be to the New Horizons Water Corporation? Could the present owner of the Water rights license come back and divert water from the existing water supply for any other reason than the subdivision it now supplies? Could the present owners of the Water rights license, in the future, charge a use fee for the use of their permit?

Thank You
Fred Fulford
Secretary: New Horizons Water Corp.

New Horizons Water Corp.
c/o MR. FRED FULFORD
3290 Sonny St.
MTN, Home, ID 83647



Medal of Honor
USA 20c

Department of Water Resources
State Office
450 W. State Street
Boise, IDAHO 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~K. STEPHEN KILGORE~~

Director

Mailing address

Statehouse

Boise, Idaho 83720

(208) 334-4440

June 2, 1981

Earl Swearingen

Box 649

Mtn. Home, Idaho 83647

Dear Mr. Swearingen,

RE: License No. 61-7308

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

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

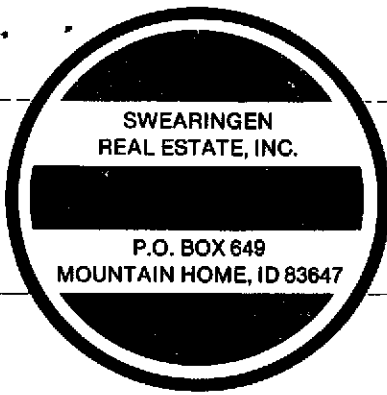
Sincerely,

JIM JOHNSON

Water Distribution Supervisor

JJ:mr

Enclosure



Jim 61-7308

Swearingen Real Estate
425 North 2nd East Mountain Home, Idaho
(208) 587-9751 **RECEIVED**

MAY 19 1981

Department of Water Resources

May 18, 1981

Jim Johnson
Water Distribution Supervisor
Statehouse
Boise, Idaho 83720

Dear Mr. Johnson:

The subdivision covered by your attached letter represents 29 homes, each on one (1) acre lots, therefore, we request that the water license be issued accordingly.

Sincerely yours,

Earl R. Swearingen

Encl.

ERS/ccr



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address.
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 15, 1981

Earl Swearingen
Box 649
Mtn. Home, Idaho 83647

Dear Mr. Swearingen,

A representative of this Department has made an examination of the works covered by your Permit No. 61-7308, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 1.03 cfs Source: groundwater

The maximum quantity diverted shall not exceed 105.6 acre feet per year.

Point(s) of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 4S, Rge. 7E, B.M.

Beneficial use: Domestic use for 26 units and irrigation of 20 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 4S, Rge. 7E.

Priority date established: February 14, 1977

Conditions (if any):

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

EDWARD M. GARDNER
587-9525

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1 Name of permit holder Earl Swearingen
Post office address Box 649, Mtn. Home, ID Phone _____
Person to contact _____ Phone _____

2. Source of water supply. Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 1.6 c.f.s for Dom (29)
 AF/Annum (nature of use)

Period of Use from 1/01 to 12/31
(mo.-day) inclusive (mo.-day)

Amount 0.58 c.f.s. for Irrig.
AF/Annum (nature of use)

Period of Use from 4/01 to 10/31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses. _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.74 cubic feet per second and annual volume _____ AF/Annum

5. Location of Point(s) of Diversion:

Township 45 N/S, Range 7E E/W, B M, Section 18, Subdivision Ne 1/4 Ne 1/4, L. L. Moore
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____, County _____

Other Points of Diversions. _____

Description of diverting works: 2-30hp pump, storage tanks, 6" mainlines,
2" feeder lines, 22"-685'

Measuring device required yes ☐ ~~no~~ ☒

6. Lands to be irrigated or place of use.

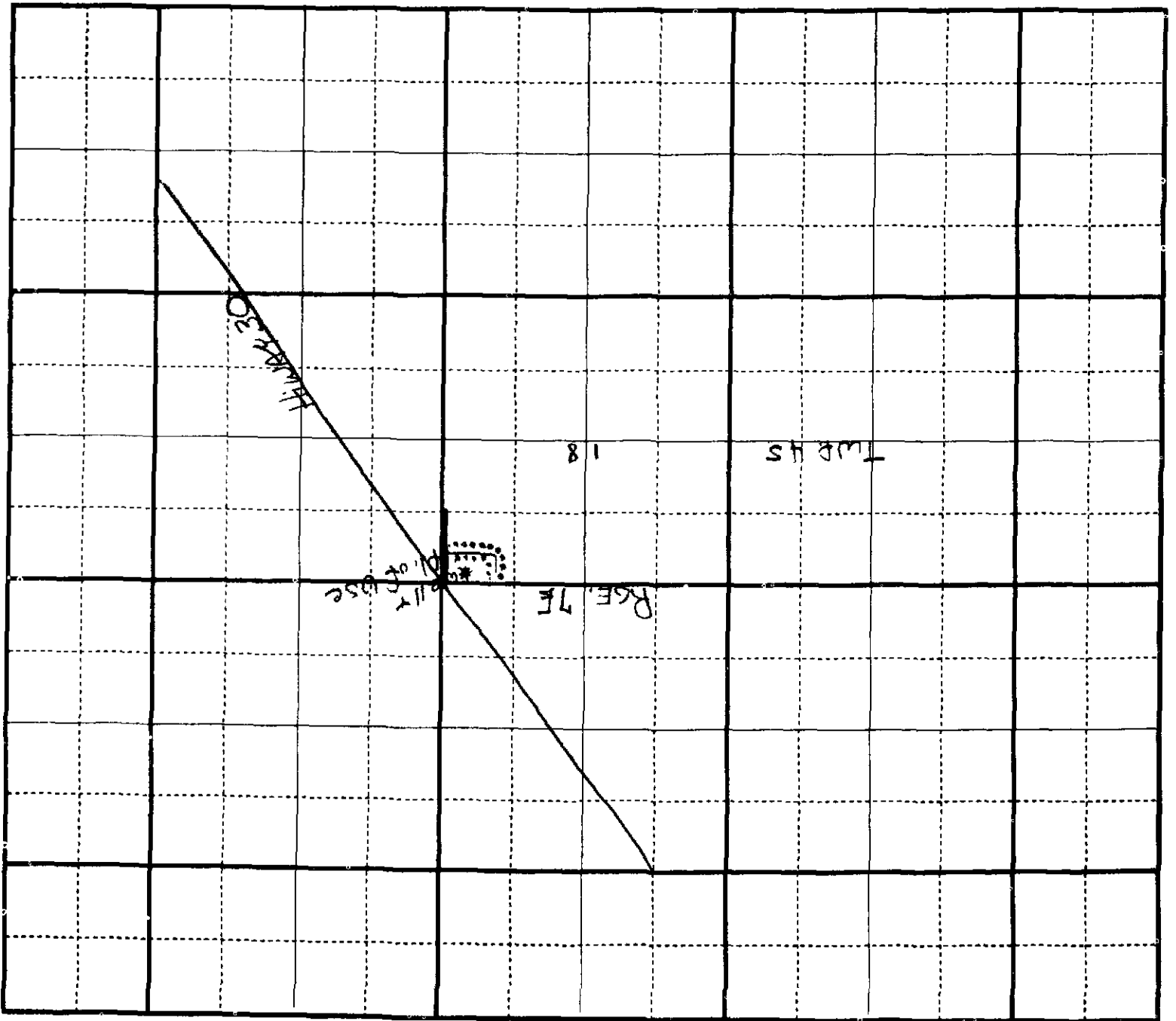
[illegible]

TOTAL ACREAGE 29

29

SECRET

Diagram of System



DATE OF EXAM _____

ACREAGE

Found 20 ✓
Recommended 20

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = <u>0.40</u> c.f.s.	V = <u>90</u>	AF/Ann. from <u>3/15</u>	to <u>11/15</u>
Domestic Q = <u>0.63</u> c.f.s.	V = <u>15.6</u>	AF/Ann. from <u>1/1</u>	to <u>12/31</u>
Livestock Q = _____ c.f.s.	V = _____	AF/Ann. from _____	to _____
<u>1.03</u>	<u>105.6</u>		

Is water co-mingled? yes _____ no _____

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

Exchange? yes _____ no _____

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

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

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

Total Q measured 1.03 cfs Method of measurement FLOW METER

Total Q recommended 1.03 cfs Meter No. 77-6-295 type McCrometer Condition GOOD

Total V recommended 105.6 acft/ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

APPROX. 465 gpm - Demand system - annmt. used during summer months.
 $\frac{465 \text{ gpm}}{448.8} = 1.03 \text{ capacity}$
34 acs per home w/26 homes = 19.5 acs or 20 acs x 4.5 = 90 acft/ann. ✓
Domestic 26 homes x .6 acft = 15.6 acft/ann. ✓
20 acs x .02 = 0.40 acft/ann. Total 1.03 = 0.63 acft/ann. domestic.

SYSTEM DESCRIPTION:

20 PRESSURE TANKS - 40 psi - McCrometer Flow meter # 77-6-295
SUB. PUMPS & MOTORS - 6" pipe line to place of use - 2-30 hp pumps -
SURMISE w/2" feeder lines to place of use. 26 homes w/4 ACRE
/OWNS.

REMARKS:

Per telephone conversation w/ Ron Swearingen it was determined that all 29 lots are to be supplied water from this system. 26 houses have been built and 3 more houses will soon be built. The water main line has been established for the 3 remaining homes 5/26/81 Jim Leinen should receive 29 units

Examiner's Signature Jan Graver Date 11/20/80

Checked by DRS Date 11/22/80

Approved by Reyn Date 5/7/81

Paul Gibson - 587-8730

10.30 ~~Friday~~ Monday

3835 Sonny St. - Highway 30 - go under last
overpass - curve in Rd. & just yard &
under overpass but before candle barn

4/10ths mile take rd. to right Grausman
Rd. & crosses Hamilton & go past Double
Width Sonny St ^{& tan Porphy} 2nd house - two story
camper

200-714-0000

IDENT. NO. 61-7308

IDENT. NO. 61-7308

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 161-7308
Old No. New No.

Record

1. Original Owner: Carl Swearingen

Present Owner: _____

2. Address: P.O. Box 6493. City: Mountain Home State: ID Zip: 836474. A. Source of Water: YW

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): P

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 2-14-1977D. County: 39E. Total Diversion Rate: 1.74

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NENE</u>	<u>18</u>	<u>4S</u>	<u>7E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 10-31 for A purposes. Amount 0.58
(cfs or AC-FT/yr)from 1-1 to 12-31 for D purposes. Amount 1.6

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date: 4-1-1978

B. Date Permit Approved or Denied: 3-28-1977

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: 01

14. Diversion Means (brief narrative): well, pumps & pipeline.

March 1, 1978

Re: Permit No. 61-7308

Earl Swearingen
Box 649
Mountain Home, Idaho 83647

Dear Mr. Swearingen:

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in **Boise**.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

Identification No. _____

Permit No. 61-7230

OR 61-7308 ?

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

FEB 14 1978

1. a) Name of Permit Holder SWEARINGEN Real Estate, Inc. - Department of Water Resources

b) Post Office Address Box 649, Mt. Home, Id.

2. Permit Number 61-7230 OR 61-7308 ?

3. Date of Priority that you are prepared to establish 3-15-77

4. a) Source from which water was appropriated UNDERGROUND

b) Location of the point of diversion: NE 1/4 NE 1/4, Section 18

Township 4S, Range 7E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 1 CFS for Domestic purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 1 CFS cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By Flow Meter Measured

By Hiddleston Drilling Inc. of Mt Home Idaho

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)

two 30 hp pumps storage tanks
6" main lines 2" feeder lines 22" casing
well depth 65' cased all the way

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

micrometer

c) Give well driller's name and address and the date the well was completed: UNKNOWN

8. If other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

9 Plot subdivision

2/28/78

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

2-13-78
(Date)

Erick Swearingen
(Signature)

State of IDAHO)
) ss.
County of Elmore)

On this 13th day of February, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Darlene Sargrey
Notary Public residing at Mtn. Home, Id.

My commission expires March 25, 1979



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

January 31, 1978

CERTIFIED MAIL

138317

Re: Permit No. 61-7308

Earl Swearingen
Box 649
Mountain Home, Idaho 83647

Dear Mr. Swearingen:

One of the conditions of approval of your water Permit No. 61-7308 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1978. Enclosed is an affidavit form which must 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 affidavit 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.

C. STEPHEN ALLRED
Director

CSA:jfr

Encl: Proof affidavit

RECEIVED
JAN 31 1978
DEPT. OF WATER RESOURCES
BOISE, IDAHO

April 1, 1977

Re: Permit No. 61-7308

Earl Swearington
Box 649
Mountain Home, ID 83647

Dear Mr. Swearington:

Enclosed is a copy of your approved Application for Permit No. 61-7308 . We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

REPORT

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 61-

- ☒ 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

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
☐ Papers Sent

(1) RWH 2-14-77

In form to receipt

(2) ry 2-22-77

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) RWH 2-14-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

Slight in sec 9
☒ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use none platted

(10) _____

Comments: Depth to water $\approx$ 390' in sec 9

(11) ry OK

Affidavit of Publication received (date) 3-14-77

(12) _____

Final date for protests 3-14-77

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

☐ Proposed Priority

☐ Reason for Reduction _____

☒ Measuring device required

☐ See attached sheet for other conditions of approval

☐ No special conditions for approval

(15) District W

By JH Date 3-14-77

RECEIVED



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

Division of Environment
801 Reserve Street
Boise, ID 83702

March 2, 1977

MEMORANDUM

TO: L. Glen Saxton
FROM: David Sanders
SUBJECT: Application for Permit No. 61-7208 (Earl Swearingen)

We are informing the applicant that the engineering plans of this public water system must be approved by our department.

David Sanders

HDS/ds

February 22, 1977

Re: Application for Permit No. 61-7208
(Earl Swearingen)

David Sanders
Department of Health & Welfare
Statehouse
Boise, ID 83720

Dear Mr. Sanders:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter.

If you have questions regarding the application, please contact this office.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

RECORDED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN REGION

Cecil D. Andrus
Governor

R. Kerth Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

February 18, 1977

Re: Notice of Application for Water Permit No. 61-7208 - Earl Swearingen

Mountain Home News
Drawer 0
Mountain Home, ID 83647

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before March 14, 1977.

Sincerely,

Bill submitted
3-14-77
y

MICROFILM

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that EARL SWEARINGEN
Box 649 Mountain Home, ID
has on February 14, 1977 submitted Application No. 61-7208
for a permit to appropriate 1.74 cubic feet per second ~~XXXXXXX~~
~~XXXXXXX~~ of water from A groundwater source
by means of well, pump and pressure system
within the NE1/4 Sec 18 T4S-R7E B.M., Elmore County

to be used from Jan 1 to Dec 31
for domestic purposes and from Apr 1 to Oct 31 for irrigation of 29
acres
within the NE1/4 Sec 18 T4S-R7E B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
March 14, 1977.

R. KEITH HIGGINSON

Director

Published in the Mountain Home, News, Mountain Home, ID
on February 24, 1977 and March 3, 1977.

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that EARL SWEARINGEN Box 649 Mountain Home, ID has on February 14, 1977 submitted Application No. 61-7308 for a permit to appropriate 1.74 cubic feet per second of water from A ground-water source by means of well, pump and pressure system within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18 T4S-R7E B.M., Elmore County to be used from Jan 1 to Dec 31 for domestic

~~purposes and from April 1 to Oct 31~~
purposes and from Apr 1 to Oct 31 for irrigation of 29 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 18 T4S-R7E 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, Statehouse, Boise, Idaho, 83720, on or before March 14, 1977.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, ID on February 24, 1977 and March 3, 1977



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Kerth Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

February 17, 1977

Earl Swearingen
Box 649
Mountain Home, ID 83647

Dear Mr. Swearingen:

Enclosed is your Receipt No. 6661 in the amount of \$ 35.00
for ~~Application for Permit No. 61-7208~~ which was received in this
office on ~~February 14, 1977~~.

Sincerely,

RITA BENDELE
Senior Clerk

RB

Enclosure