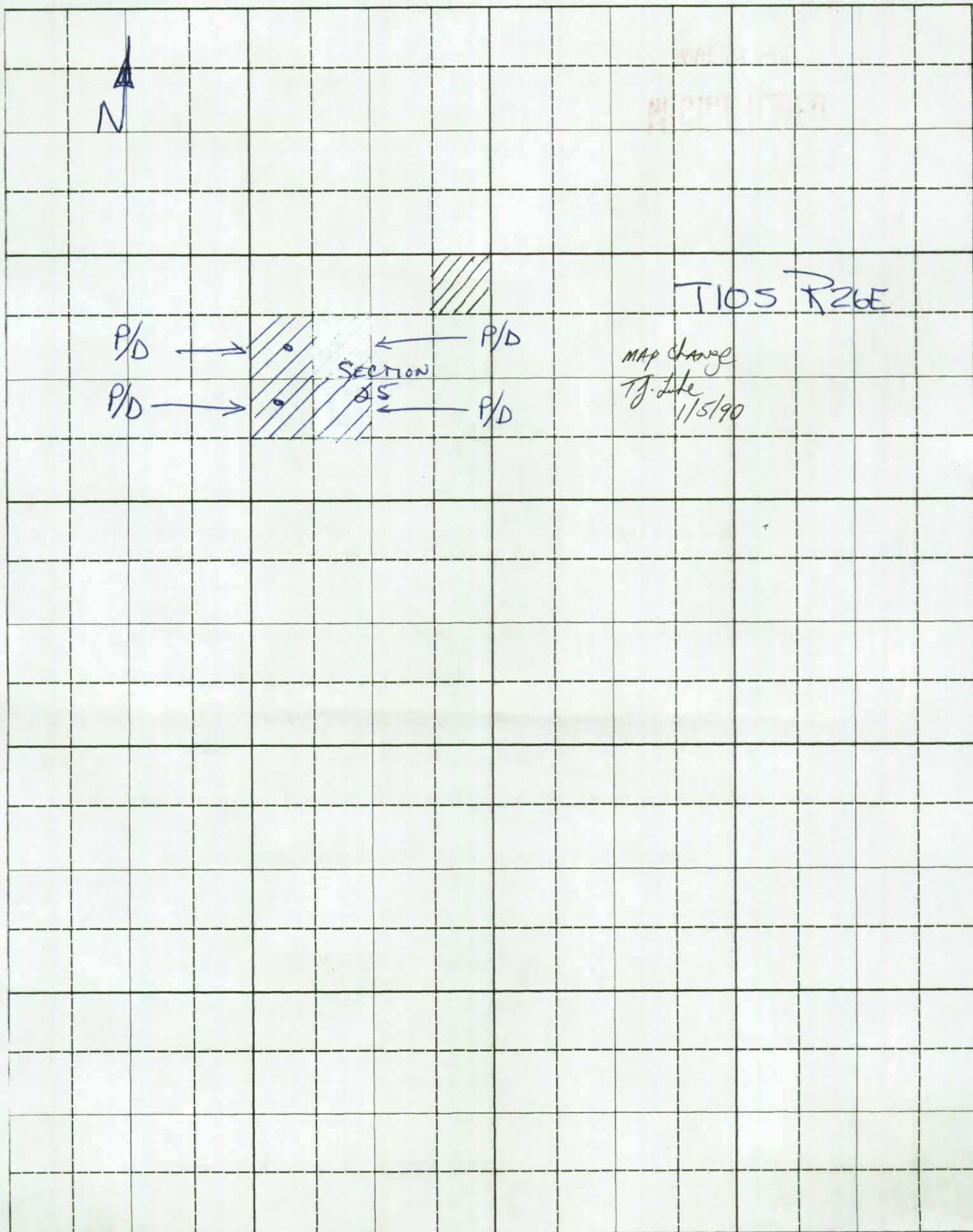


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

MAR 22 1990

Michael B. Wheeler
(Applicant)

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Jody Johnson being first
duly sworn, deposes and says that she is the

clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for 2
consecutive weeks, commencing with the issue
dated December 6 1989, and ending
with the issue dated December 13 1989.

Jody Johnson

STATE OF IDAHO

COUNTY OF

On this 20 day of December in the year of 1989, before me,
a Notary Public, personally appeared Jody Johnson,
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Robert Mahoney
Notary Public for Idaho

Residing at Burley ID

My commission expires: 2/1/93

Cost of Publication 33.48

Notary Fee .50

Total Cost 33.98

RECEIVED
DEC 26 1989

Department of Water Resources

89-704

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

43-07192

WHEELER, MICHAEL P.

WHEELER, DIANA M.

STAR RT. BOX 78

DECLO, ID 83323

Source: GROUNDWATER

Diversion Pt: SWNW Sec 25 T 10S R 26E

SESW Sec 25 T 10S R 26E

NESW Sec 25 T 10S R 26E

NWSW Sec 25 T 10S R 26E

Use: IRRIGATION (3.200 CFS)

STOCKWATER (.020 CFS)

Total Diversion: (3.220 CFS)

Date Filed: 5/16/1983

In: T10S R26E S25 NENE SWNW NESW

NWSW

160.0 ACRES TOTAL

Permits will be subject to all prior water
rights. Protests may be submitted based on
the criteria of Sec. 42-203A, Idaho Code and
/or the public interest criteria of Sec. 42-
203C, Idaho Code. Protests must be filed
with the Director, Dept. of Water Resources,
Statehouse Mail, Boise, Idaho 83720 on or
before DECEMBER 25, 1989.

/s/ R. Keith Higginson, Director

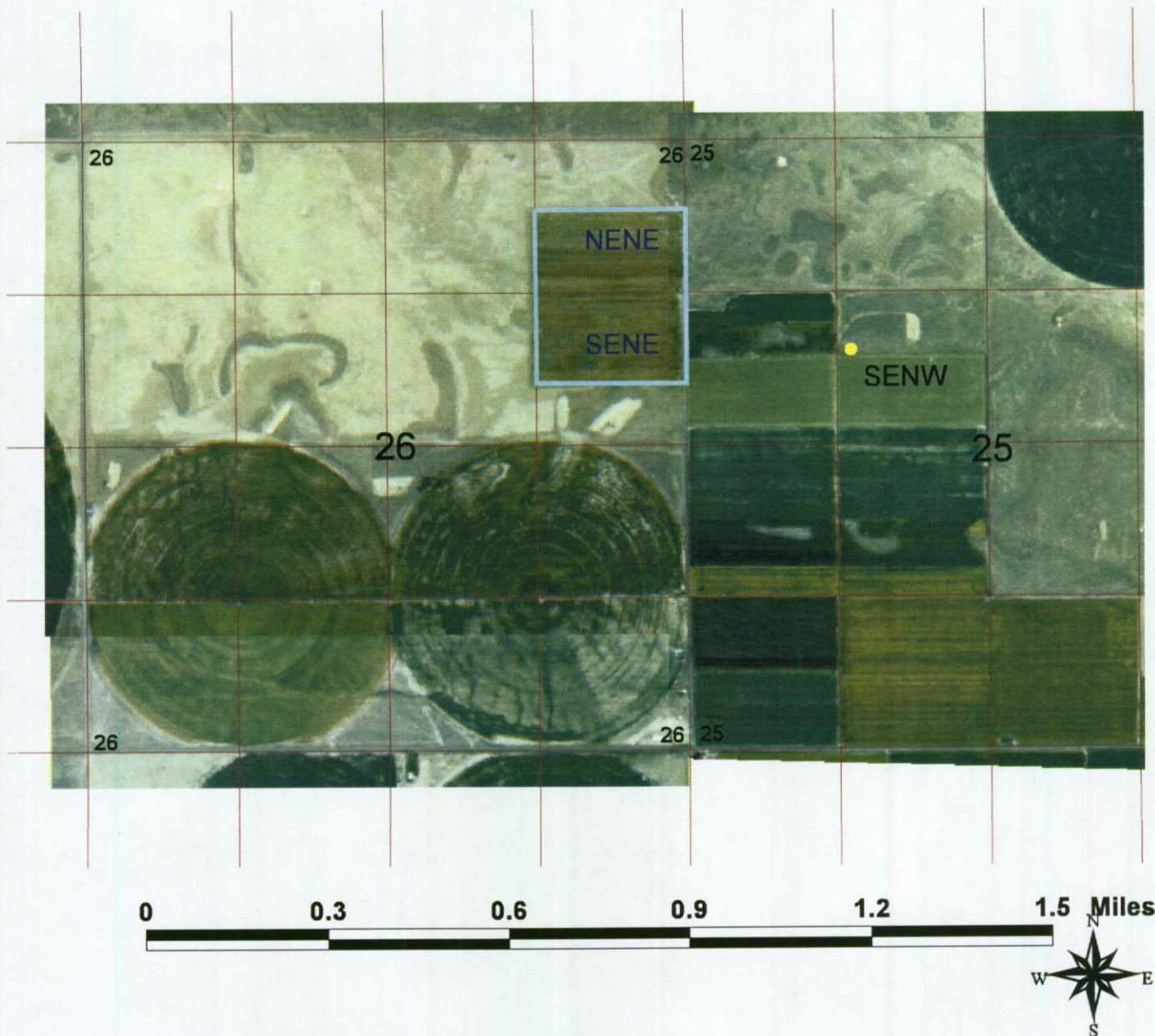
Published in the South Idaho Press on De-
cember 6 and 13, 1989.

MICROFILMED

MAR 22 1990

Right Holder: Michael Wheeler

Right 43-07192



LEGEND

- Point of Diversion: SENW, S25, T10S, R26E
- Place of Use Legal Description: E1/2NE, S26, T10S, R26E
- Quarter-section line

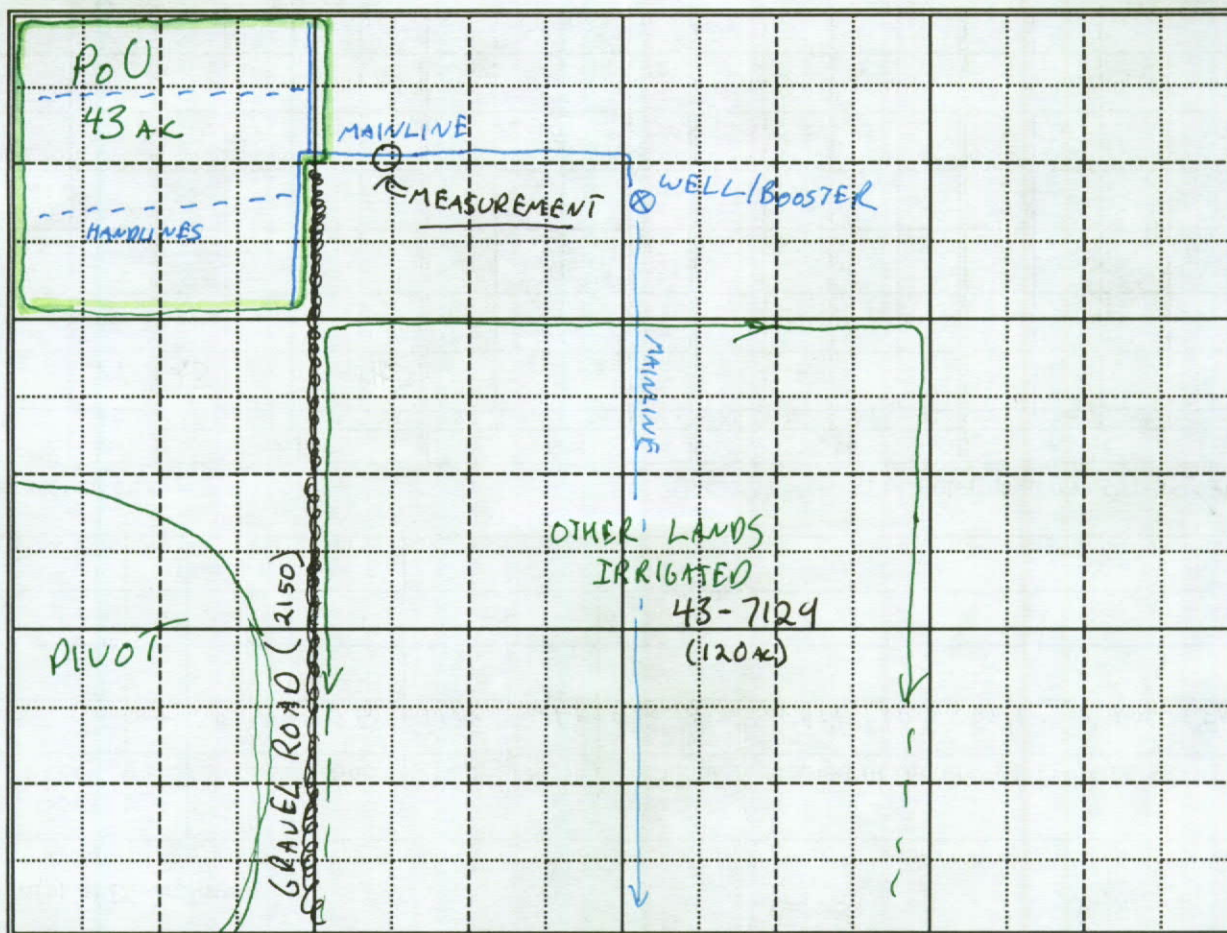
Note: License 43-07129 shares the same well used under this right and irrigates lands in the S1/2NW and N1/2SW, S25, T10S, R26E

MICROFILMED

JUN 25 1999

GIS Place of Use illustration
1993 aerial photography
Prepared by Sharla Curtis
Date: April 1999

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



ALTERNATE DIAGRAM ATTACHED ALSO

Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PUMP	GE	125	CNJ316123		
BOOSTER	CENTURY	40	BE7		

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic						

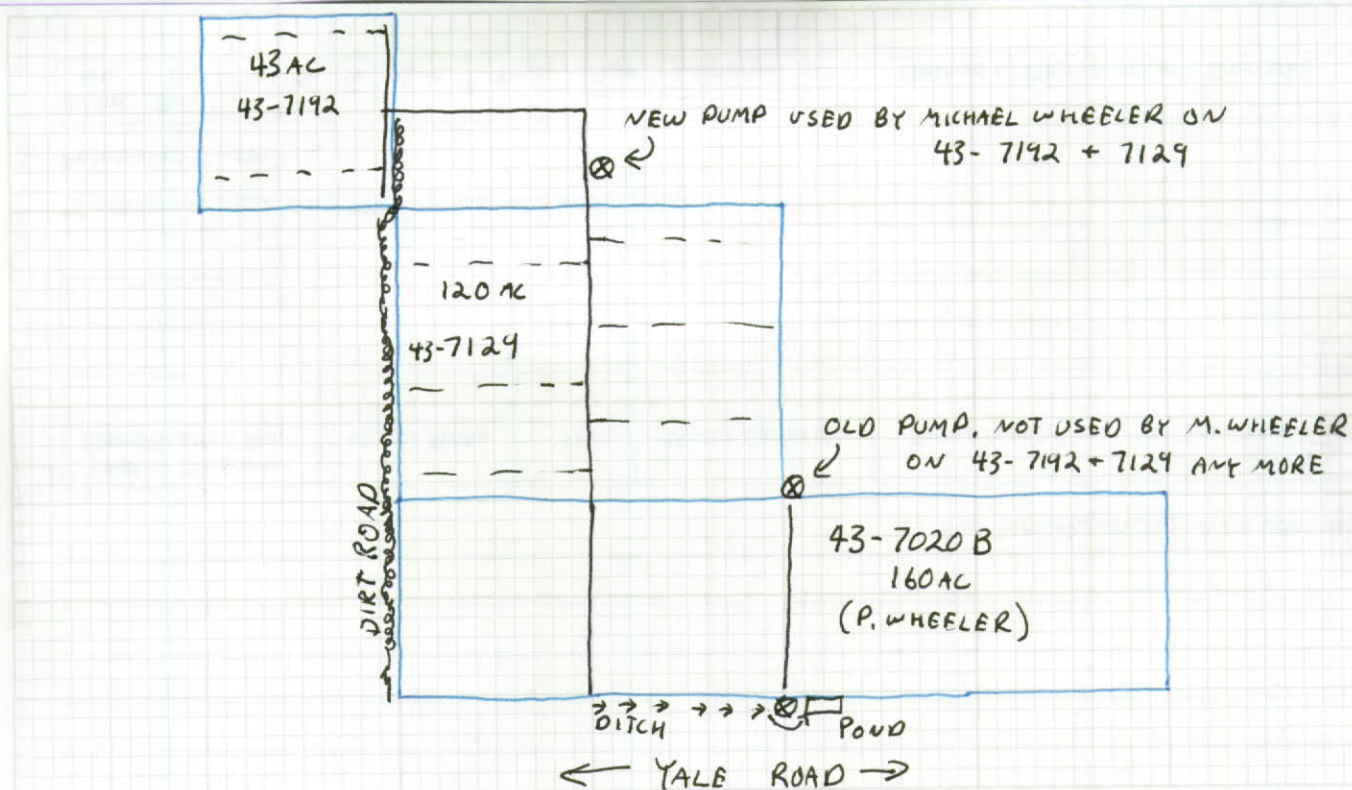
2. Measurements: AVERAGE 0.82 cfs ON 4 MEASUREMENTS OVER 4 MINUTES

MICROFILMED

JUN 25 1999

43-7192
WHEELER

SYSTEM DIAGRAM SHOWING NEARBY WELLS + LANDS.



Scale: 1" = _____.

MICROFILMED
JUN 25 1999

PERMIT 43-7192 INIT MTH
T. R. S. Q/2
P/D 10s 26E 26
SCALE _____
PHOTO ID. ASCS - WHEELER

23

24

26

25

43.0

47.8

← 127.3
MICROFILMED
JUN 25 1999

26

25

35

36

43- 7192
WHEELER

POU



POU



PROFILMED
JUN 25 1999

43-7192
WHEELER

P/O



MICROFILMED
JUN 25 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69195

This is to certify that: MICHAEL P WHEELER AND/OR
DIANA M WHEELER
2155 E 100 S
DECLO ID 83323
(208)349-5761

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
43-7129	AJC/License	09/13/1978	2.80 cfs	560.0 af	140.0	140.0	GROUND WATER
43-7192	WR/License	05/16/1983	0.82 cfs	172.0 af		43.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-7129	NO	NO	YES	NO	NO	NO
43-7192	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-7129	43-7129	2.80 cfs	560.0 af	140.0	183.0		N/A	N/A	N/A	N/A
43-7192	43-7192	0.82 cfs	172.0 af	43.0	183.0		N/A	N/A	N/A	N/A
TOTALS		2.86 cfs	732.0 af	N/A	183.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this

25th day of

April, 2002

J. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED

MAY 16 2002

WATER RIGHT NO. 43-7129
As Modified by Transfer No. 69195

In accordance with the approval of Transfer No. 69195, Water Right No. 43-7129 is now described as follows.

Right Holder: MICHAEL P WHEELER AND
 DIANA M WHEELER
 2155 E 100 S
 DECLO ID 83323

Priority Date: 09/13/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	2.80 CFS	560.0 AF
			2.80 CFS	560.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSNW Sec. 25 Twp 10S Rge 26E CASSIA County

GROUND WATER NWSWSE Sec. 25 Twp 10S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	26E	25									31.7	24.0	40.0	39.3					135.0
10S	26E	26	21.0	8.0	1.0	18.0													48.0

Total Acres: 183

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140.0 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-7129 and 43-7192 shall not exceed 2.86 cfs, nor total combined annual volume of 732.0 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

MAY 16 2002

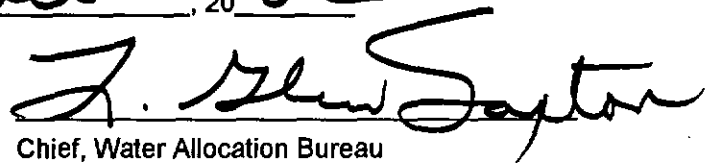
WATER RIGHT NO. 43-7129
As Modified by Transfer No. 69195

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of April, 2002


Chief, Water Allocation Bureau

MICROFILMED
MAY 16 2002

WATER RIGHT NO. 43-7192
As Modified by Transfer No. 69195

In accordance with the approval of Transfer No. 69195, Water Right No. 43-7192 is now described as follows.

Right Holder: MICHAEL P WHEELER AND
 DIANA M WHEELER
 2155 E 100 S
 DECLO ID 83323

Priority Date: 05/16/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.82 CFS	172.0 AF
			0.82 CFS	172.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSNW Sec. 25 Twp 10S Rge 26E CASSIA County

GROUND WATER NWSWSE Sec. 25 Twp 10S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 26E 25							31.7	24.0	40.0	39.3							135.0
10S 26E 26	21.0	8.0	1.0	18.0													48.0

Total Acres: 183

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 43.0 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-7129 and 43-7192 shall not exceed 2.86 cfs, nor total combined annual volume of 732.0 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

MICROFILMED
 MAY 16 2002

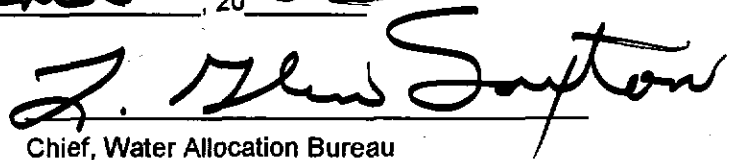
WATER RIGHT NO. 43-7192
As Modified by Transfer No. 69195

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this transfer approval.
7. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of April, 2002


Chief, Water Allocation Bureau

MICROFILMED

MAY 16 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 43-07192

Priority: May 16, 1983

Maximum Diversion Rate:

0.82 CFS

Maximum Diversion Volume:

172.0 AF

This is to certify, that MICHAEL P WHEELER
DIANA M WHEELER

2155 E 100 S

DECLD ID 83323

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 16, 1983; and has submitted Proof of Beneficial Use on January 12, 1993. An examination indicates that the works have a diversion capacity of 2.860 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 10/31	0.82 CFS	172.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 25, Township 10S, Range 26E
CASSIA 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>
10S	26E	26	NENE 23	SENE 20		43

Total number of acres irrigated: 43

CONDITIONS OF APPROVAL AND REMARKS

1. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 43-07129 and 43-07192 when combined shall not exceed a total diversion rate of 2.86 cfs.
5. Right 43-07129 is also diverted through the point(s) of diversion described above.

MICROFILMED

JUN 25 1999

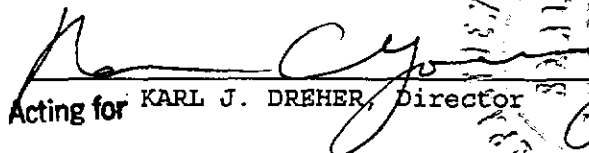
State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 43-07192

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 36TH day of

April, 1999


Acting for KARL J. DREHER, Director

MICROFILMED
JUN 25 1999

RECEIVED

APR 28 1999

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 43-07192

Date of Priority: May 16, 1983

Maximum Diversion Rate: 0.82 CFS

Maximum Diversion Volume: 172.0 AF

Comes now

MICHAEL P WHEELER

2155 EAST 100 South
STAR RT BOX 70

DIANA M WHEELER

DECLO ID 83323

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 43-07192, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.82 CFS	172.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 25, Township 10S, Range 26E
CASSIA 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>
10S	26E	26	NENE 23	SENE 20		43

Total number of acres irrigated: 43

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

Signed at Declo, Idaho, this 26 day of April, 1999.

Michael P. Wheeler
(Signature)

MICROFILMED

JUN 25 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 43-07192

FOR DEPARTMENT USE ONLY

Preliminary check by llw Fee = 50.- Received by llw # C045070 Date 4/28/99

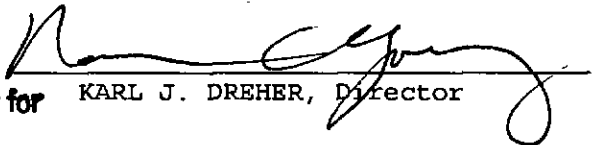
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 43-07192 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 43-07129 and 43-07192 when combined shall not exceed a total diversion rate of 2.86 cfs.
5. Right 43-07129 is also diverted through the point(s) of diversion described above.

Witness my hand this 30TH day of April, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED
JUN 25 1999

RECEIVED

JAN 12 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 43-7192 Telephone No. 349-5761
2. Name(s) of Permit Holder(s): MICHAEL P. WHEELER
3. Mailing Address: Star Rt. Box 78 DEERLO, IDAHO 83323
4. Source of Water: GROUNDWATER

If GROUNDWATER, Well Driller's Name: REX WEECH Date Drilled: Aug. thru Nov. 1987

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

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

Irrigation 40 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .7582 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes NO Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? YES No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

MICHAEL WHEELER 349-5761
Name Telephone No.

Star Rt. Box 78 DEERLO, IDAHO 83323
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

1-8-93 Michael P. Wheeler
Date Signature (and title, if on behalf of a company or organization)

JAN 28 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 43-07192

Proposed Priority: May 16, 1983

Maximum Diversion Rate:

3.22 CFS

This is to certify, that **MICHAEL P. WHEELER**
DIANA M. WHEELER
STAR RT. BOX 78
DECLO, ID 83323

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	3.20 CFS
STOCKWATER	01/01 to 12/30	0.02 CFS
	Totals	3.22 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW Sec. 25, Township 10S, Range 26E
SENW Sec. 25, Township 10S, Range 26E
NESW Sec. 25, Township 10S, Range 26E
NWSW Sec. 25, Township 10S, Range 26E
CASSIA 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>
10S	26E	25	NENE 40	SWNW 40	NESW 40	160
			NWSW 40			
				Total number of acres irrigated:		160

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1993**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
5. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

MICROFILMED

MAR 22 1990

Permit To Appropriate Water

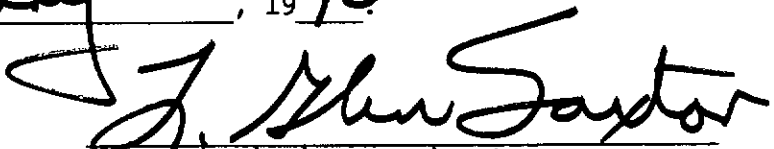
NO. 43-07192

CONDITIONS/REMARKS:

7. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
8. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

23 day of January, 1990

for 
R. Keith Higginson, Director

MICROFILMED

MAR 22 1990

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 43-7192
RECEIVED
MAY 13 1983

To appropriate the public waters of the State of Idaho Department of Water Resources
Southern District Office

1. Name of applicant MICHAEL P. WHEELER & OR Phone 208-349-5761
DIANA M. WHEELER
Post office address STAR RT. Box 78 DEERLO T.O. 83323

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

3. Location of point of diversion is S 1/2 of NW 1/4 of Section 25 Township 10S

Range 26E B.M. CASSIA County, additional points of diversion if any: _____

N 1/2 SW 1/4 Section 25 T10S R-26E

4. Water will be used for the following purposes:

Amount 3.2 for Irrig. purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for Stockwater purposes from 1-1 to 12-30 (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. 3.22 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 - Sprinkler -
water trough

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 650 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: S 1/2 of NW 1/4 of Section 25 Township 10S
M.W.
Range 26E 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 up to 100 HEAD

(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

MAR 22 1990

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	26E	25	40						40	*	40	40							160

Total number of acres to be irrigated 160

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 APPLICANTS

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

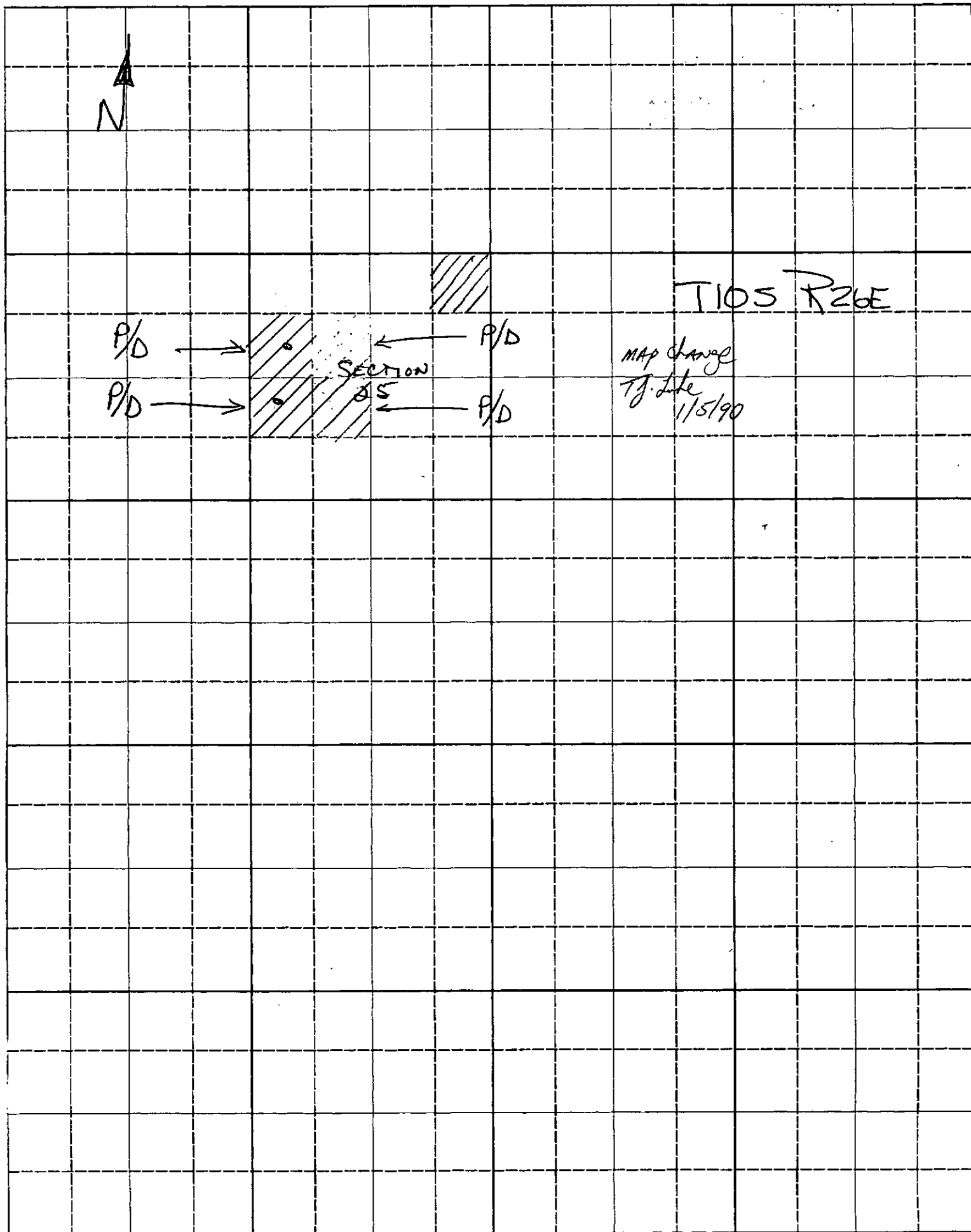
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks Deleted 40 acres in SENW sec 25; And Added 40 acres in NENE sec 25. AS per phone conversation with MR. Wheeler on 11/30/89

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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.

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MAR 22 1990

Michael R. Wheeler
(Applicant)

maye 5/18/83 11:30 a
Received by RC Date 5/16/83 Time 2:50pm
Preliminary check by ADA Fee \$ 105⁰⁰ # 27368
Receipted by maye Date 5/18/83
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: none

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

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. 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:

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MAR 22 1990

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

County of Cassia,

STATE OF IDAHO

Jody Johnson being first
duly sworn, deposes and says that she is the
clerk

..... of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for 2
consecutive weeks, commencing with the issue
dated December 6, 1989, and ending
with the issue dated December 13, 1989.

Jody Johnson

STATE OF IDAHO

COUNTY OF

On this 20 day of December in the year of 1989,
a Notary Public, personally appeared Jody Johnson,
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Robert Mahoney
Notary Public for Idaho

Residing at Burley, ID

My commission expires: 2/1/93

Cost of Publication 33.48
Notary Fee .50
Total Cost 33.98

RECEIVED
DEC 26 1989

Department of Water Resources

89-704

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT**

WHEELER, MICHAEL P.
V. WHEELER, DIANA M.
STAR RT. BOX 78
DECLO, ID 83323
Source: GROUNDWATER
Diversion Pt. SWNW Sec 25 T 10S R 26E
SESW Sec 25 T 10S R 26E
NWSW Sec 25 T 10S R 26E
NWSW Sec 25 T 10S R 26E
Use: IRRIGATION (3.200 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (3.220 CFS)
Date Filed: 5/16/1983
In: T10S R26E S25 NENE SWNW NESW
NWSW
160.0 ACRES TOTAL
Permits will be subject to all prior water
rights. Protests may be submitted based on
the criteria of Sec. 42-203A, Idaho Code and
for the public interest criteria of Sec. 42-
203C, Idaho Code. Protests must be filed
with the Director, Dept. of Water Resources,
Statehouse Mail, Boise, Idaho 83720 on or
before DECEMBER 25, 1989.
/s/ R. Keith Higginson, Director
Published in the South Idaho Press on De-
cember 6 and 13, 1989.

MICROFILMED

MAR 22 1990

MEMORANDUM

TO: FILE 43-7192
FROM: VAULT
RE: TRANSFER # 69195
DATE: 10/29/2001

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 43-7129

MICROFILMED
MAY 16 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL P WHEELER
DIANA M WHEELER
2155 E 100 S
DECLO ID 83323

RE: WATER RIGHT NO. 43-07192

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

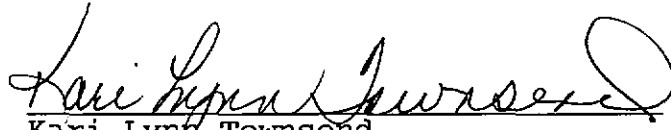
MICROFILMED
JUN 25 1999

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of May, 1999, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 43-07192

MICHAEL P WHEELER
DIANA M WHEELER
2155 E 100 S
DECLO ID 83323


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 25 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

RETURNED TO SENDER
STREET AND/OR NUMBER HAS BEEN
CHANGED BY LOCAL AUTHORITY.
ONE YEAR TIME LIMIT HAS EXPIRED.

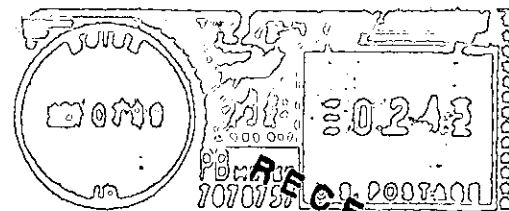
4.9.99- Phoned Mrs. Wheeler
for address correction.

2155 E 100 S

Declo

Resent mail - Ket

L43-07192
MICHAEL P WHEELER
STAR RT BOX 78
DECLO



RECEIVED
APR 09 1999
Department of Water Resources

MICROFILMED
JUN 25 1999

ID 83323



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 7, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL P WHEELER
DIANA M WHEELER
STAR RT BOX 78
DECLO ID 83323

RE: WATER RIGHT NO. 43-07192

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JUN 25 1999

MEMORANDUM

TO: File 43-07192

FROM: Sharla

DATE: April 5, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 43-07192 are as follows:

H. RECOMMENDATIONS

Irrigation	4/1 – 10/31	0.82 cfs	172.0 afa
------------	-------------	----------	-----------

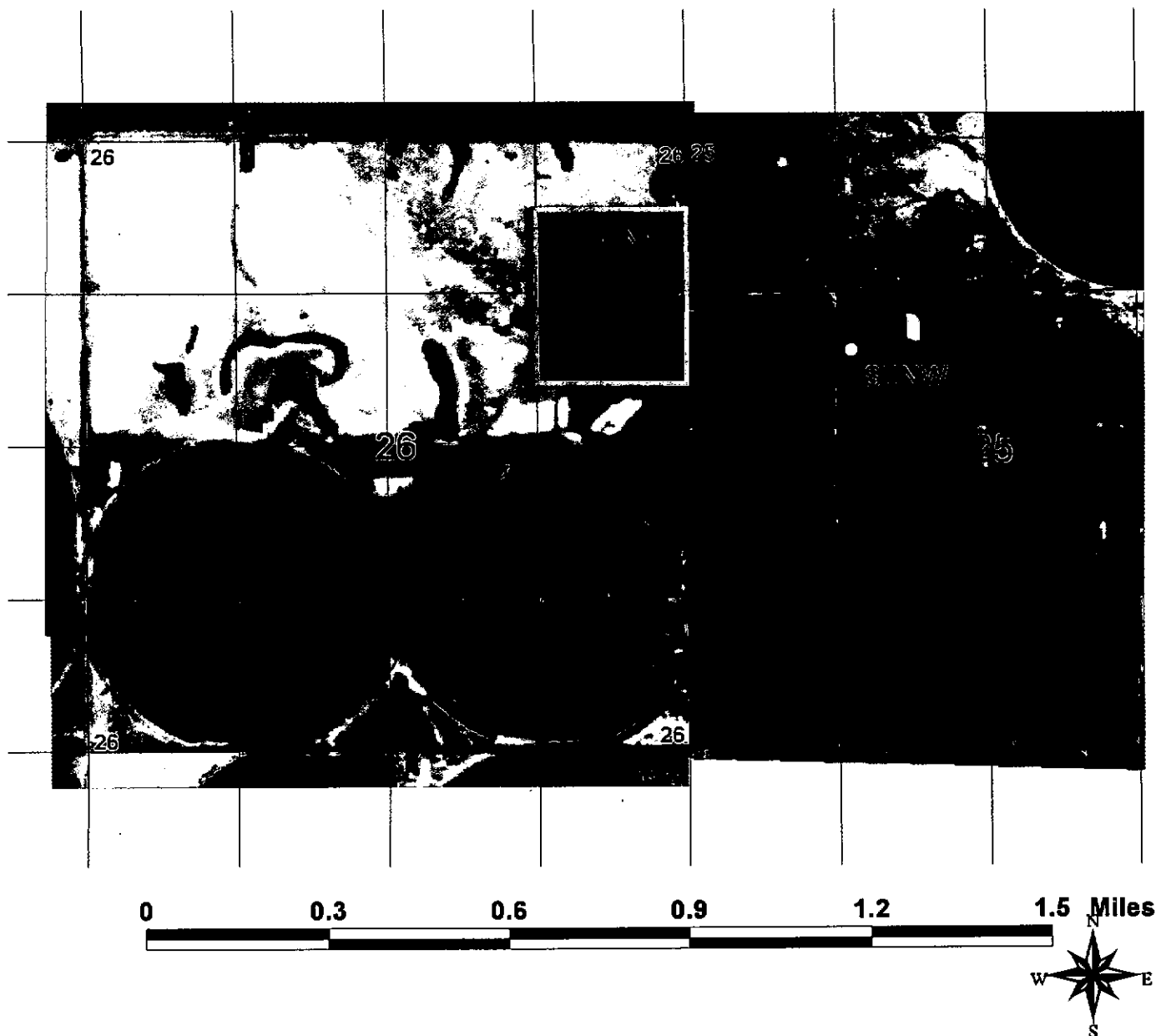
The standard irrigation season for this area is 4/1 – 10/31. The permit allowed a higher diversion rate and the measurement found 0.82 cfs being used; the license can be issued for 0.82 cfs rather than the 0.76 cfs indicated on the proof form.

Exam Date: July 8, 1994
Examiner: Michael Harsllarger

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JUN 25 1999

Right Holder: Michael Wheeler

Right 43-07192



LEGEND

-  Point of Diversion: **SENW, S25, T10S, R26E**
-  Place of Use Legal Description: **E1/2NE, S26, T10S, R26E**
-  Quarter-section line

Note: License 43-07129 shares the same well used under this right and irrigates lands in the S1/2NW and N1/2SW, S25, T10S, R26E

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GIS Place of Use Illustration
1993 aerial photography
Prepared by Sharla Curtis
Date: April 1999

LICENSE REVIEW CHECKLIST

PERMIT NO.

43-07192

DATE

2/17/99

REVIEWER: SHARLA

NAME

Change/OK

Address

SOURCE

Does change clarify orig. intended source? If no, Void permit

POINT OF DIV

Change (P39 /P47)

Add (P45/P42)

Feds - P40

W32 (multiple in 1/4)

W36 (overlap)

W59 (subd. desc)

Overlaps:

Right(s):

File reviewed Profile reports printed

PLACE OF USE

Change (P41/P47)

Add (P41/P42)

Feds - P43

W60 (subd. desc)

W27 (ppu acre limit)

Overlaps:

Right(s):

File reviewed Profile reports printed

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate 3.22 cfs

Fee limit

1.00 cfs \$100.00

Measured

.82 cfs

Theoretical

2.93 cfs

2.86 license 43-07129 used for cap.

Recommended Total Div Rate .82 cfs

WATER USES

Change (P46)

Dom

.82 cfs

432.0 af

Irrig -

overlap (R58-R61, R62-R65, R66-R69)

supp. gw (WB7/065/079)

overlap spec. combined rts (W35)

<1acre (W31)

Domestic (W01/WB5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Wtr Quality (081/R07)

TOTALS

.82 cfs

172.0 af

Flow rate

.82 cfs X 214 days

X 1.98 = 347.5 af

2.86 cfs X 214 days = 611.8

REMARKS

ADD'L CONDITIONS

Watermaster Control WD#

GW Measurement/Measuring Device

Others

Trust (052/R55 remove 051)

Non-trust (048/049)

Advance Priority

yes no

SRBA Claim

Adjust Memo

Amend letters

4/1-10/31
Rate/Reason
P41, P38
P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 6 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 43-7192

1. Owner: MICHAEL WHEELER Phone No. 349-5761

Current Address: STAR RT. Box 78, DECLO, ID 83323

2. Accompanied by: MIKE WHEELER EXAM DATE: 7-8-94

Address: (2150 YALE Rd, MALTA, ID) Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: -NONE-

2. Other water rights with the same point of diversion: 43-7129 - COPY OF EXAMINER'S REPORT IN FILE.

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SE	NW	25	10s	26E	CASSIA	NAPP (BB82SW) - MEASURED P/O

2. Place(s) of Use:

Indicate Method of Determination NAPP/ASCS

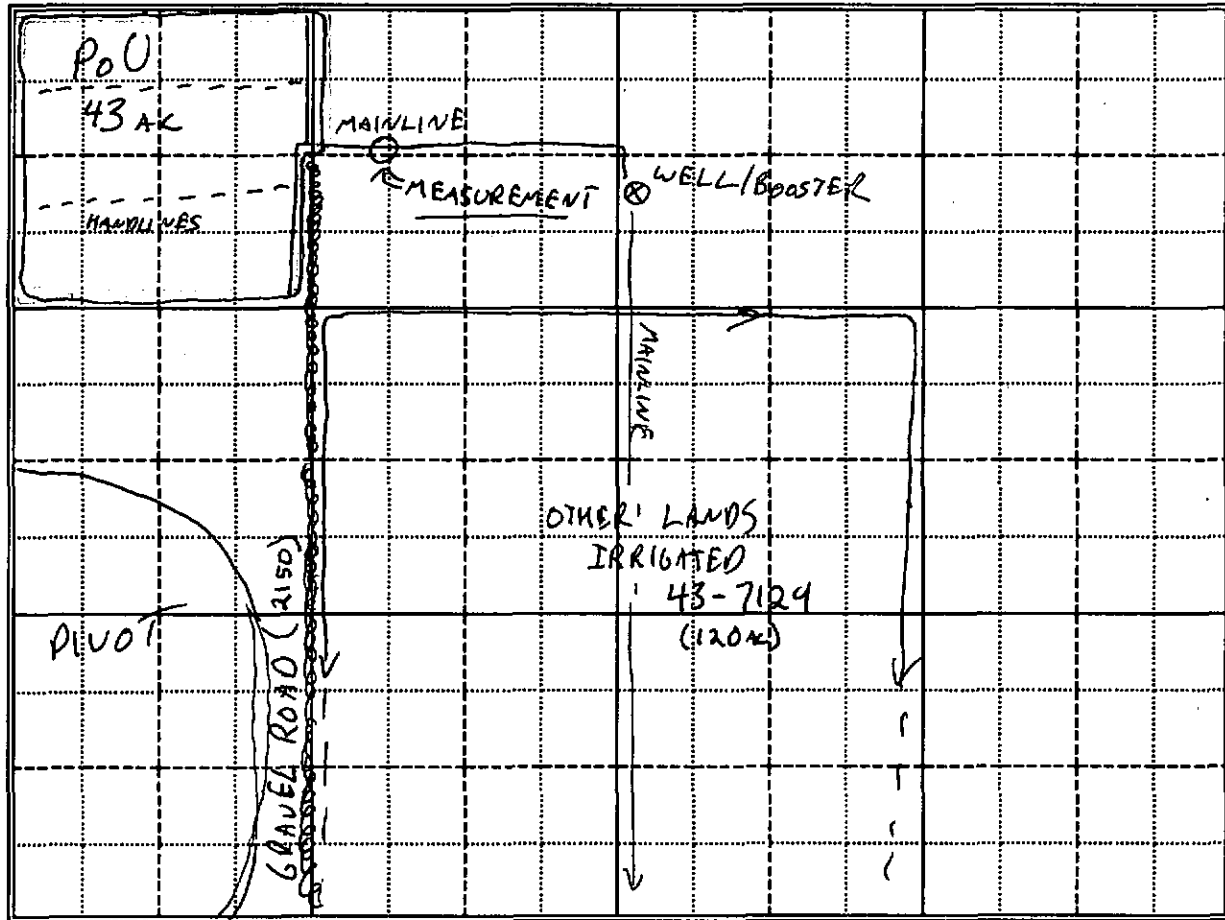
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10s	26E	26	23			20													43

Found
ASCS.

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JUN 24 1999

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



ALTERNATE DIAGRAM ATTACHED ALSO

Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PUMP	GE	125	CNJ316123		
BOOSTER	CENTURY	40	BE7		

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
POLYSONIC						

2. Measurements: AVERAGE 0.82 CFS ON 4 MEASUREMENTS OVER 4 MINUTES

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JUN 25 1999

E. NARRATIVE/REMARKS/COMMENTS

A WELL WITH A 125 HP PUMP AND 40 HP BOOSTER LIFTS WATER
FROM 190' THROUGH A SAND-REMOVER TO MAINLINES (8 INCH).
MAINLINE RUNS SOUTH TO IRRIGATE 120 ACRES UNDER 43-7129, AND
WEST TO IRRIGATE THESE 43 ACRES VIA TWO 33 HEAD WHEEL LINES.

MEASUREMENT WAS MADE ON THE WEST-BOUND MAINLINE WHILE
THE PUMP WAS WATERING BOTH 43 ACRE + 120 ACRE FIELDS. THE
MEASUREMENT ONLY APPLIES TO THE 43-ACRE FIELD.

Proof filed for 40 AC + 0.76 CFS.

FOUND 43 AC + 0.82 CFS.

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 25 1999

Additional Computation Sheets Attached

Theoretical: (165 HP, 190 FT, 68 PSI) = 2.93 CFS
 ↑
 OVER
 GAGE

1. Volume Calculations for Irrigation:

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{351.42}$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 160.0$$

2. Volume Calculations for Other Uses:

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	0.76	160.0
		Totals:	0.76	160.0

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

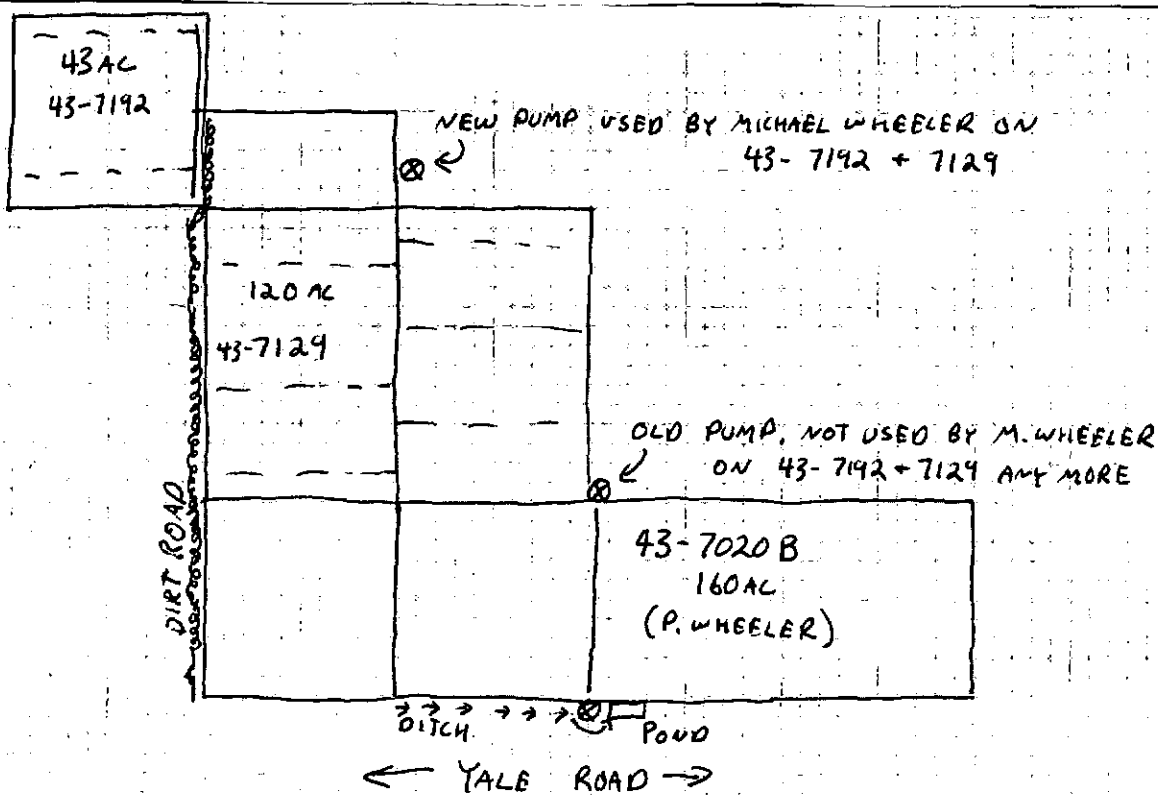
Field Examiner's Name Michael Harellinger Date 8-18-94

Reviewer _____ Date _____ SEAL _____

MICROFILMED
JUN 25 1999

43-7192
WHEELER

SYSTEM DIAGRAM SHOWING NEARBY WELLS + LANDS.



Scale: 1" = _____.

MICROFILMED
JUN 25 1999

MODE SELECT
INPUT
OUTER DIAMETER
8.1165 IN
PIPE MATERIAL
? AL,DI

WALL THICKNESS
.05400 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.778 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

07-08 10:5700 *R
+370.105E 0GPM

07-08 10:5700 *R
+003.00 % AI2 OK

MODE SELECT
T0 CHECK

0297.9 MMSEC
099.55 % T0 OK

07-08 10:5800 *R
+369.576E 0GPM

07-08 10:5800 *R
+371.690E 0GPM

07-08 10:5900 *R
+368.520E 0GPM

07-08 11:0100 *R
+369.576E 0GPM

43-7142
WHEELER

MODE SELECT
INPUT

OUTER DIAMETER
8.1165 IN

PIPE MATERIAL
? AL, DI

WALL THICKNESS
.05400 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.778 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

07-08 10:5700 *R
+370.105E 0GPM

07-08 10:5700 *R
+003.00 % AI2 OK

MODE SELECT
T0 CHECK

0297.9 MMSEC
099.55 % T0 OK

07-08 10:5800 *R
+369.576E 0GPM

07-08 10:5800 *R
+371.690E 0GPM

07-08 10:5900 *R
+368.520E 0GPM

07-08 11:0100 *R
+369.576E 0GPM

AVERAGE

369.84 GPM = 0.824 CFS

43-7192

MICHAEL WHEELER

Polysonic
MEASUREMENT

MICROFILMED

JUN 25 1999

PHOTO ID. ORIND QUAD - WHEELER

MICROFILM

JUN 25 1999

PERMIT 43-7192 INIT MTH
T. R. S. Q/Q
P/D 10s 26E 26
SCALE
PHOTO ID. ASCS - WHEELER

43.0

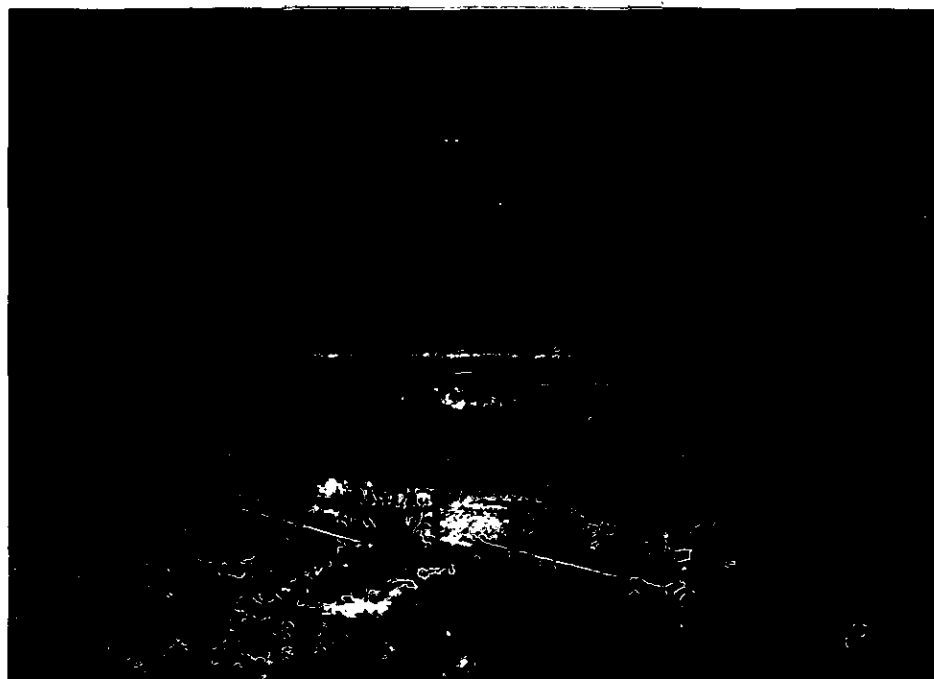
← 12³ MICROFILMED
JUN 25 1999

25

33

43- 7192
WHEELER

POU



POU



REFILMED
JUN 25 1999

43-7192
WHEELER

P/O



MICROFILMED
JUN 25 1999

January 15, 1993

MICHAEL P. WHEELER
DIANA M. WHEELER
STAR RT. BOX 78
DECLO ID 83323

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 43-07192

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 28 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 43-07192

Reviewed by Klg

Date 1/12/93

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigate - 40
Correct Uses? yes

SOURCE OF WATER

Surface water source
✓ Ground water source

yes Drilling permit required?
yes Copy in the file? Drilling Permit No. 43-87-S-0002
100 Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received WA
Date proof due -
No. of days late / =
Priority Date / +
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

proof acceptable

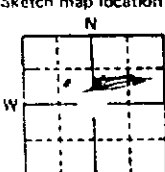
DATA ENTRY

New Address

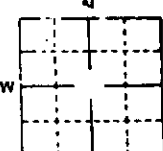
needs a flow
Proof Made 1/12/93
1/15/93 Klg

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTState 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.RECEIVED
USE TYPEWRITER OR
BALLPOINT PEN

JAN 06 1988

1. WELL OWNER Name <u>MICHAEL P. WHEELER</u> Address <u>STAND Bx 78</u> <u>DELOTT, IDAHO 83318</u> <u>43-97-5-002 V</u> Owner's Permit No. <u>43-7127</u>		7. WATER LEVEL Department of Water Resources Static water level <u>178</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 _____ of. Quality _____ Describe artesian or temperature zones below.																																																																																																																																																	
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5. WELL CONSTRUCTION Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____ Thickness _____ Diameter _____ From _____ To _____ Inches _____ inches _____ feet _____ feet Inches _____ inches _____ feet _____ feet Inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☒ Knife ☐ Torch Size of perforation <u>3/8</u> inches by <u>2 1/2</u> inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Model No. _____ Type _____ 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>32</u> Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☒ Cements 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 _____		10. Work started <u>AUGUST 12</u> finished <u>NOV. 28, 1987</u>																																																																																																																																																	
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. <u>1993</u> County <u>CASSIA</u> S. _____ T. <u>10</u> N. S. R. <u>26</u> E. M.		11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were compiled with at the time the rig was removed. Firm Name <u>WHEELER WELL DRILLING</u> Firm No. <u>210</u> Address <u>BVALEY, IDAHO 83318</u> Date <u>11/30/87</u> Signed by (Firm Official) <u>Michael P. Wheeler</u> and (Operator) <u>SAME</u>																																																																																																																																																	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
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1. WELL OWNER Name _____ Address _____ Owner's Permit No. <u>43-87-5-002</u> <u>43-7129</u>		7. WATER LEVEL Department of Water Resources. Static water level _____ feet below land surface. Flowing? ☐ Yes ☐ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ of. Quality _____ Describe artesian or temperature zones below.																																																																																																																																															
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	777	780	RED, ANHYDRITE																																																																																																																																														
4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		10. Work started _____ finished <u>Nov-28, 87</u>																																																																																																																																															
5. WELL CONSTRUCTION Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><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><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 Was a packer or seal used? ☐ Yes ☐ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ 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 _____ Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____ 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 _____		Thickness	Diameter	From	To	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Wach</u> Firm No. <u>210</u> Address _____ Date _____ Signed by (Firm Official) _____ and (Operator) _____																																																																																																															
Thickness	Diameter	From	To																																																																																																																																														
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name <u>PAID</u> Lot No. _____ Block No. _____ County <u>S.E. 1/4 Sec. 25, T. 12, N. 5, R. 26 E.W.</u> JAN 28 1993																																																																																																																																																	

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

6/87

RECEIVED

Drilling Permit 43-87-S-002
Water Permit No. 43-7129
Injection Permit No. _____

AUG 10 1987

State of Idaho
Department of Water ResourcesDepartment of Water Resources
Idaho Region Office

DRILLING PERMIT

AUG 17 1987

(Authorizing Construction of a Well)*

Department of Water Resources

1. Applicant MICHAEL P. WHEELER
2. Address STAN. RT. Box 78
DEERLO, IDAHO 83323
- (X) Well Owner () Well Operator () Other, specify _____
3. Water right permit no. 43-7129; Injection well permit no. _____
4. Proposed well location SE 1/4 NW 1/4 1/4, or Gov't lot No. _____,
Sec. 25, Twp. 10 S, Rge. 26 E, County CASSIN,
Lot, block and subdivision _____
5. Proposed use of well: (Check all that apply)
() Domestic (X) Stockwater () Monitoring
(X) Irrigation () Industrial () Municipal
() Injection () Other, Specify _____
6. Well construction information:
(X) New well () Deepen () Replace
Proposed surface diameter 16" Proposed depth 700 ft.
Anticipated bottom hole temperature:
(X) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
7. Anticipated construction start date Aug 12, 1987
8. Well Driller (if known) REX WEECH # 210
Address BURLEY IDAHO
Date 8-7-87 Applicant's signature Michael P. Wheeler
Title OWNER

* After other pre-requisite approvals have been obtained. JAN 28 1993

ACTION OF IDWR

☒ Approved☐ Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

Dated this 12 day of August, 1987.

Signed

Loren O. Hulme

Title

Southem Region Mgr

Received by M. Barber Fee 100⁰⁰ Date 8/12/87

Receipt No. 45136 Construction start date

Construction start extension to

Extension approved by

JAN 28 1993

November 30, 1992

MICHAEL P. WHEELER
DIANA M. WHEELER
STAR RT. BOX 78
DECLO ID 83323

PROOF DUE NOTICE

RE: PERMIT NO. 43-07192

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

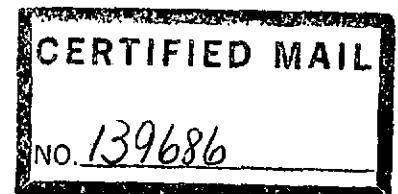
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED

JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. P43-07192
Name(s) of Permit Holder(s): MICHAEL P. WHEELER
Post Office Address: STAR RT. Box 78
DEERLO, IDAHO 83323 Tel. No. 349-5261

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on MAR. 1, 1990 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

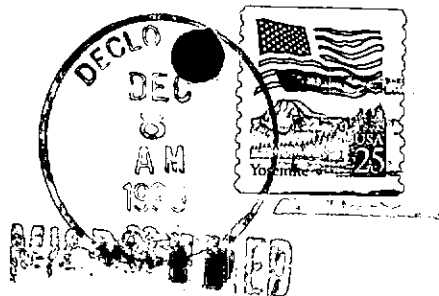
12/6/90
Date

Michael P. Wheeler
Signature of Permit Holder

MIKE & DIANA WHEELER
STAR ROUTE BOX 78
DECLO, IDAHO 83323

RECEIVED
DEC 10 1990

Department of Water Resources



JAN 28 1993

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



MEMORANDUM

TO: FILE/PERMIT NO. 43-7192

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 2-22-90

=====

The attached place of use overlap report shows that portions of the permit overlap an existing license, 43-7129. The field exam for this license was conducted in 1985. The acreage recommended in the exam and licensed should be considered the accurate irrigated acreage.

At the time this filing was being processed, the applicant amended the application by changing place of use from the SENW to the NENE. Upon receiving the approved permit, the applicant informed me that he had made a mistake in amending the place of use. We agreed that it would be best to go ahead with completing the project and then amend the permit at time of licensing. Unfortunately, I am not certain what the correct amendment should be, but I do seem to recall that the amendment pertained to undeveloped acreage.

For purposes of tracking trust water acreage, I have counted 40 acres as undeveloped trust acreage and the remaining 120 acres as supplemental. Forty acres from this permit is counted toward the annual 20,000 acre depletion limit.

MICROFILMED

MAR 22 1990

PAGE: 1

PLACE OF USE 1/4 1/4 OVERLAP REPORT

02/22/90

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4307192																							
4307015	KUNAU	L	GROUNDWATER	10S	26E	25	33	33		:			:								66		
4307020B	WHEELER	L	GROUNDWATER	10S	26E	25				:			:		40	40	:		40	40	160		
4307129	WHEELER	L	GROUNDWATER	10S	26E	25				:		39	22	:	40	39	:				140		
4307192	WHEELER	P	GROUNDWATER	10S	26E	25	40			:		40		:	40	40	:				160		
	1986 MAPPING DATA	—	-	COUNTY 31 QUAD BB 82	10S	26E	25		7	:		11	18	:	39	39	:	39	37	:	1 17 39 40 287		

Print /form=LS-landscape1
 /que=LT A206\$ print L.L.L

MAR 22 1990

MICROFILMED

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
January 24, 1990

MICHAEL P. WHEELER
DIANA M. WHEELER
STAR RT. BOX 78
DECLO, ID 83323

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P43-07192

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

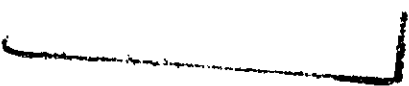
You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement 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 flow measurement port.

MICROFILMED

MAR 22 1990



Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 22 1990

Swan Falls

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

WHEELER, Michael P. &/or Diana

INITIAL REVIEW BY: ADA

APPLICATION NUMBER: 43-7192

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 Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. 43-7129 On same
land.
☐ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☐ 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? 43A-P05
5-16-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

App. in TRUST area - Trust Water
allow 3 yrs. to develop -

By: _____ Date: _____

STATE OFFICE REVIEW:

P05, P23, P03, P17

46 51 52 53 26 01G

- ☐ See attached sheet for more information.

By: KW Date: 1-12-1990

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

MEMORANDUM

TO: FILE/APPLICATION FOR PERMIT NO. 43-7192

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING/AMENDMENT OF APPLICATION

DATE: 1-5-~~89~~90

The department received the trust water questionnaire from the applicant on November 27, 1989. In the comments section of the questionnaire, the applicant inquired as to whether he could ammend the place of use. It was not clear as to how the applicant wanted to ammend the application.

The unclarity of the comment regarding the inquiry of the place of use amendment prompted a phone inquiry to Mr. Wheeler on November 30, 1989. Mr Wheeler stated that he wished to delete the 40 acres in the SENW of Section 25, T.10S, R.26E and add 40 acres to the NENE of the same section. I subsequently made this change on the application as per the request of Mr. Wheeler. The application was advertised as a trust water right on December 6 and 13, 1989, with the changes requested by Mr. Wheeler on November 30, 1989.

MICROFILMED

MAR 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

NOVEMBER 28, 1989

South Idaho Press
Box 190
Burley, ID 83318

~~436-4201~~
678-2201

Dear Legal Dept.:

Enclosed you will find legal notices 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before DECEMBER 25, 1989.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED
MAR 22 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

43-07192 -

WHEELER, MICHAEL P. -
WHEELER, DIANA M. -
STAR RT. BOX 78 -
DECLO, ID 83323 -

Source: GROUNDWATER -

Diversion Pt:	SWNW -	Sec 25	T 10S	R 26E
	SENW -	Sec 25	T 10S	R 26E
	NESW -	Sec 25	T 10S	R 26E
	NWSW -	Sec 25	T 10S	R 26E

Use: IRRIGATION (3.200 CFS) -
STOCKWATER (.020 CFS) -
Total Diversion: (3.220 CFS) -

Date Filed: 5/16/1983 -

In: T10S R26E S25 SWNW - NENE *
SENW - NESW - NWSW -
160.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before DECEMBER 25, 1989.

R. KEITH HIGGINSON, Director

Published 12/06/1989 & 12/13/1989

* altered per phone conv. 11/30/89 (see Permit)

MICROFILMED

MAR 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED

NOV 27 1989

Application No. 43-7192

Department of Water Resources

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

- 1a. Are you the current owner of the land or place of use described under this application? Yes X No
b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

- 2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes No X
b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

3. Please state the number of acres you have irrigated under this application since October 1, 1984. 140 A.

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 400 A.

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

43-07129

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant

Michael P. Wheeler

Date 11-21-89

MICROFILMED

MAR 22 1990

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

ATTN: TIM LUKE

As per our phone conversation, I would like to amend application 43-7192 to include an additional 40 acres (if possible.)

This property is owned by my father, Philip F. Wheeler, legal description SE 1/4 of NW 1/4 Section 26 R 10S. 26 EBM.

Please advise of any additional requirements.

Sincerely,

Michael P. Wheeler
Star Rt. Box 78
Declo, Id. 83323

MICROFILMED

MAR 22 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 23, 1989

RE: APPLICATION FOR PERMIT NO. 43-7192

DEAR APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under your application.

Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, the department asks that you complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments and/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water.

Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the department to void the application.

MICROFILMED

MAR 22 1990

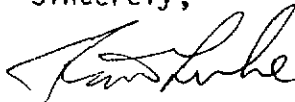
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information should be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

TL:sc

cc: Region

MICROFILMED

MAR 22 1990