

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

JANET PARKER, 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 5/15 1979, and ending

with the issue dated 5/22, 1979

Janet Parker
Subscribed and sworn to before me

this 24 day of May
1979.

Lord/Weber Notary Public

Cost of Publication 14.76

Notary Fee 14.76

Total Cost 14.76

RECEIVED

MAY 25 1979

79-128 Department of Water Resources

NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following ap-
plication(s) have been submitted for permit to
appropriate the public waters of the State of
Idaho:

45-7376

PAPPAS, HELEN, ROUTE 1, DECLO, ID 83323,
Source: GROUNDWATER, Date Filed: 04/23/1979,
Amount: 1.30 CFS, Diversion Point: LOT 02 SWSW
Sec 22 T 10S R 24E, CAMAS Co., Use:
IRRIGATION (1.30 CFS) from 03/15 to 11/15,
Place of Use: LOT 02 (SENW) NESW NWSE Sec 22 T
10S R 24E FOR 65 ACRES, Diversion Means: WELL,
PUMP AND SPRINKLER SYSTEM.

43-7139

BERRYMAN, GLENN T. &/or VIRGINIA B., STAR
ROUTE, MALTA, ID 83342, Source: RUNOFF AND
SPRINGS, Dated Filed: 03/09/1979, Amount:
1.50 CFS, Diversion Point: LOT 04 (SWSW) Sec 19
T 13S R 26E, CASSIA Co., Use: IRRIGATION (1.50
CFS) from 03/15 to 11/15, Place of Use: NESW
LOT 03 (NWSW) LOT 04 (SWSW) SESW Sec 19 T 13S
R 26E FOR 75 ACRES, Diversion Means: DITCHES
ON THE RANCH.

If issued, the permit(s) will be subject to all
prior water rights. Protests against the granting of
any permit must be filed with the Director of the
Idaho Department of Water Resources, 1041 Blue
Lakes Blvd. North, Twin Falls, Idaho 83301 and
received on or before JUNE 4, 1979.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on May 15
and 22, 1979.

MICROFILMED

43-7139



Section of Stream Where Measurement Was Taken
(Note 3' staff gauge for scale)

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JUN 04 1990

D72

D 47

C 11.2

30/29

(22)

(16)

(17)

(11)

(2)

(1)

PD 4.7

T 1478

E222

Cassia Creek

ditch

from Cassia Cr.

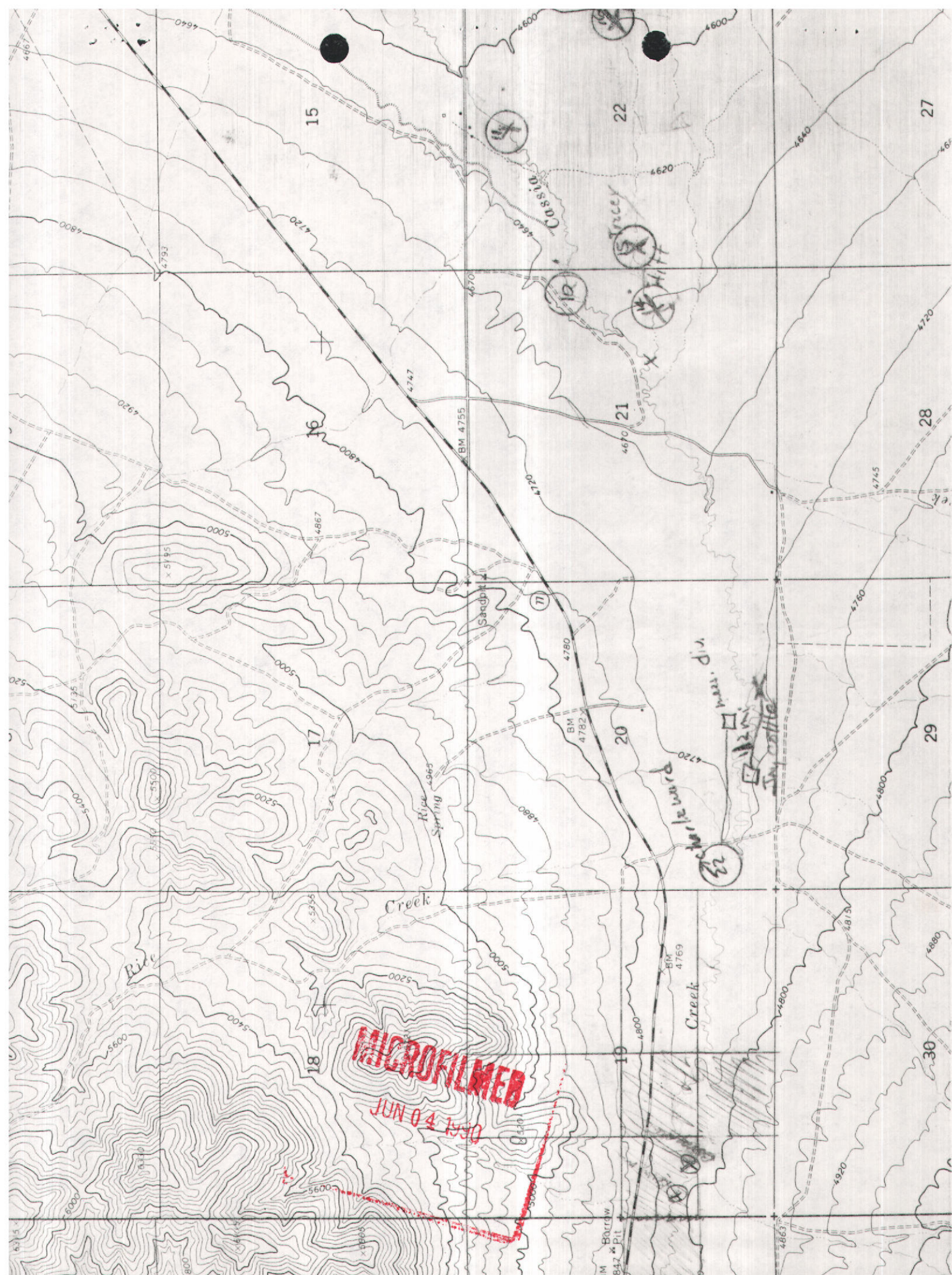
PD

M.P.

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JUN 04 1990

24 17
25 30



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07139

Priority: March 9, 1979

Maximum Diversion Rate: 1.50 CFS
Maximum Diversion Volume:¹ 262.5 AF

This is to certify, that DAVID J. HELLWINKEL
JULIE A. HELLWINKEL

P.O. BOX 363
MINDEN, NV 89423

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 9, 1979; and has submitted Proof of Beneficial Use on July 15, 1980. An examination indicates that the works have a diversion capacity of 2.470 cfs of water from:

UNNAMED STREAM tributary to CASSIA CREEK

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	03/15 to 11/15	1.50 CFS	262.5 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 4(SWSW), Sec. 19, Township 13S, 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>
13S	26E	19	NESW 2	LOT 4(SWSW) 7	SESW 11	59
			SWSE 17	SESE 22		16
		20	SWSW 16			

Total number of acres irrigated: 75

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

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JUN 04 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07139

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Use of water under this water right is subject to control by the watermaster of State Water District No. 43C
7. 2 points of diversion located in SWSW, S19, T13S, R26E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code, Witness the seal and signature of the Director, affixed at Boise, this 24th day of MAY, 1990.

Acting for R. Keith Higginson, Director

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JUN 04 1990

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APR 6 1990

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 43-07139

Date of Priority: March 9, 1979

Maximum Diversion Rate:
Maximum Diversion Volume:¹

1.50 CFS
262.5 AF

Comes now

DAVID J. HELLWINKEL
~~JULIE A. HELLWINKEL~~

MALTA, ID 83342

and represents to the Director of the

APPROVED

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. 43-07139, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

tributary to CASSIA CREEK

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

IRRIGATION

03/15 to 11/15

1.50 CFS

262.5 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 4(SWSW), Sec. 19, Township 13S, 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>
13S	26E	19	(NESW) 2	LOT 4	SWSW 7		SESW 11	
			SWSE 17		SESE 22			59
		20	SWSW 16					16

Total number of acres irrigated: 75

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 _____, this 4 day of April, 19 90.

MICROFILMED

JUN 04 1990

David J. Hellwinkel
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 43-07139

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓

Received by Chong Date 4-6-90 #CO/6/21

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 43-07139 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Use of water under this water right is subject to control by the watermaster of State Water District No. 43C
7. 2 points of diversion located in SWSW, S19, T13S, R26E.

Witness my hand this 24th day of MAY, 1990.

R. Keith Higginson
R. Keith Higginson, Director
Acting for

MICROFILMED

JUN 04 1990

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
OCT 16 1989

Glenn T. Berryman
I, Virginia B. Berryman, hereby assign to David J. Hellwinkel & Julie A. Hellwinkel
of P.O. Box Nalta Idaho
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 43-7139 -
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

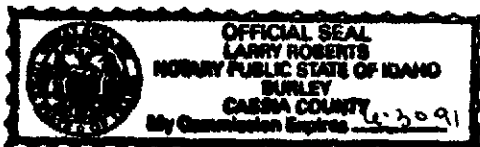
Made this 12th day of October, 19 89 - .

Glenn T. Berryman
Permit Holder

Virginia B. Berryman
Spouse of Permit Holder

State of Idaho)
County of Cassia) ss.

On this 12th day of October, 19 89 - , personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



My commission expires:
6-30-91

Larry Roberts
Notary Public residing at Burley.

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JUN 04 1990

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Cherry Virginia B. Berryman Phone 445-2581

Post office address Star Route 272 Lt 2 Idaho 83342

2. Source of water supply Spring run off (springs) which is a tributary of _____

3. Location of point of diversion is (SW 1/4 of Lot 4 SW) 1/4 of Section 19 Township 13S

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

4. Water will be used for the following purposes:

*as per phone conversation 3/15/79

Amount 1 1/2 cfs for irrigation purposes from Jan 1 to Dec 31 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. 1 1/2 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Ditches on the ranch

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.

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is allow 1 yr. J.J. 8-6-79 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: _____ 1/4 of SW 1/4 of Section 19 Township 13 S
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 _____

(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: Irrigation

3/14/79
Per phone
conversation
G.I.F. w/purser
sec.

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

[illegible]

* Per conversation w/applicant 5-2-79 *js*

Total number of acres to be irrigated - 65 - 75*

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

Decree 120+

9. a. Who owns the property at the point of diversion Glenn & Virginia Berryman

b. Who owns the land to be irrigated or place of use Glenn T. and Virginia Berryman

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 This is to appropriate run off from Chokecherry Canyon
that runs onto the applicants' farm. It is irregular in its
availability. Have used it for many years. No other persons
use it.

[illegible]

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.

Alvin Bergman
(Applicant)

Proposed Priority 3-9-79

Proposed Priority: 5-2-79

Received by HA Date 3/9/79 Time 9:30 A.M.

Preliminary check by AS Fee \$ 45.00 92-282

Receipted by maria Date 3/12/79 # 12729

Publication prepared by maria Date 5/3/79

Published in smith lake press

Publication dates 5/15 + 5/22/79

Publication approved maria Date 5/29/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LH S.S.

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. 43-7139, and said application is hereby approved.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 80.
- 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: 1. An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
2. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 6th day of August, 19 79.

A. Glen Sayton
Chief, Operations Bureau

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

JANET PARKER, being first

duly sworn, deposes and says that She is the

CLERK of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice 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 5/15 19 79, and ending

with the issue dated 5/22 19 79

Janet Parker

Subscribed and sworn to before me

this 24 day of May

19 79

Lang/Meads Notary Public

Cost of Publication 14.76

Notary Fee _____

Total Cost 14.76

RECEIVED

MAY 25 1979

79-128 Department of Water Resources
NOTICE OF APPLICATION
FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

45-7376

PAPPAS, HELEN, ROUTE 1, DECLO, ID 83323, Source: GROUNDWATER, Date Filed: 04/23/1979, Amount: 1.30 CFS, Diversion Point: LOT 02 SWSW Sec 22 T 10S R 24E, CAMAS Co., Use: IRRIGATION (1.30 CFS) from 03/15 to 11/15, Place of Use: LOT 02 (SENW) NESW NWSE Sec 22 T 10S R 24E FOR 65 ACRES, Diversion Means: WELL, PUMP AND SPRINKLER SYSTEM.

43-7139

BERRYMAN, GLENN T. &/or VIRGINIA B., STAR ROUTE, MALTA, ID 83342, Source: RUNOFF AND SPRINGS, Dated Filed: 03/09/1979, Amount: 1.50 CFS, Diversion Point: LOT 04 (SWSW) Sec 19 T 13S R 26E, CASSIA Co., Use: IRRIGATION (1.50 CFS) from 03/15 to 11/15, Place of Use: NESW LOT 03 (NWSW) LOT 04 (SWSW) SESW Sec 19 T 13S R 26E FOR 75 ACRES, Diversion Means: DITCHES ON THE RANCH.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before JUNE 4, 1979.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press on May 15 and 22, 1979.

MICROFILMED

May 25, 1990

DAVID J. HELLWINKEL
JULIE A. HELLWINKEL
P.O. BOX 363
MINDEN, NV 89423

RE: PERMIT NO. 43-07139

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

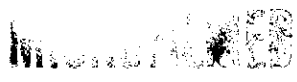
Enclosure

MICROFILMED

JUN 04 1990

D. Hellwinkel
PO Box 363
Minden Nev 89423

Department of Water Resources
1301 North Orchard Street
Boise Idaho 83720



JUN 04 1990

March 23, 1990

DAVID J. HELLWINKEL
JULIE A. HELLWINKEL
MALTA, ID 83342

RE: PERMIT NO. 43-07139

Dear Permit Holder(s):

We previously forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment. If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

Since the license will be permanent water right you prompt attention to this matter will be appreciated.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JUN 04 1990

January 23, 1990

DAVID J. HELLWINKEL
JULIE A. HELLWINKEL
MALTA, ID 83342

RE: PERMIT NO. 43-07139

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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JUN 04 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 5, 1989

RE: Permit No. 43-7139

Glenn T. Berryman
Rt. 2, Box 2636
Burley, ID 83318

Dear Mr. Berryman:

We are in receipt of the note you sent regarding the above referenced permit. In Idaho, a water right permit is considered personal property and only the permit holder of record can amend the permit. In this case, you and Virginia B. Berryman are the permit holders of record.

In order for our Department to request the licensing amendment from the new owners of the property, we request that you submit an assignment of permit. I have enclosed an assignment form for your convenience. Please note that this form must be signed in the presence of a notary public. Once this form is submitted, the permit will be in the new owner's name.

If you have any questions regarding this matter, please feel free to contact this office or our regional office in Twin Falls.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

Enclosure

cc: Southern Region

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JUN 04 1990

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State of Idaho
Department of Water Resources

SEP 13 1989

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 43-07139

Department of Water Resources
Date of Priority: March 9, 1979

Maximum Diversion Rate: 1.50 CFS
Maximum Diversion Volume:¹ 262.5 AF

Comes now

GLENN T. BERRYMAN
VIRGINIA B. BERRYMAN

STAR RT.
MALTA, ID 83342

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. 43-07139, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

tributary to CASSIA CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.50 CFS	262.5 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 4(SWSW), Sec. 19, Township 13S, Range 26E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S 26E 19	(NESW) 2	LOT 4 SWSW 7	SESW 11	
	SWSE 17	SESE 22		59
20	SWSW 16			16

Total number of acres irrigated: 75

*David & Julie Hellmuthel have bought
this property and have all water permit.
in their name. Their address is Malta Idaho - 83342,
Glenn T. Berryman.*

MICROFILMED

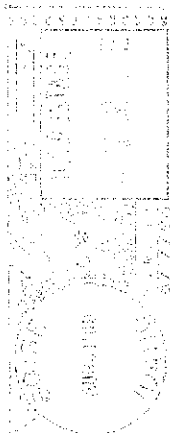
JUN 04 1990

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 _____, this _____ day of _____, 19____.

(Signature)

43-7139



Shawla

Send to

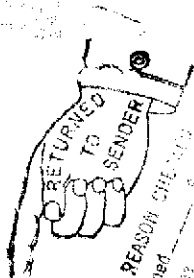
Rt 2 Box 2636
Burley, ID.

at. 9/8

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SEP 05 1989

Department of Water Resources



REASON CHECKED

Unclaimed _____

Address _____

Insufficient Address _____

No such street _____

No such place in state _____

at _____

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

RECEIVED

JUN 04 1990

August 30, 1989

GLENN T. BERRYMAN
VIRGINIA B. BERRYMAN
STAR RT.
MALTA, ID 83342

RE: PERMIT NO. 43-07139

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

JUN 04 1990

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
4307139	13S	26E	19	SW SW	4	RUNOFF AND SPRINGS	BERRYMAN, GLEN

MICROFILMED

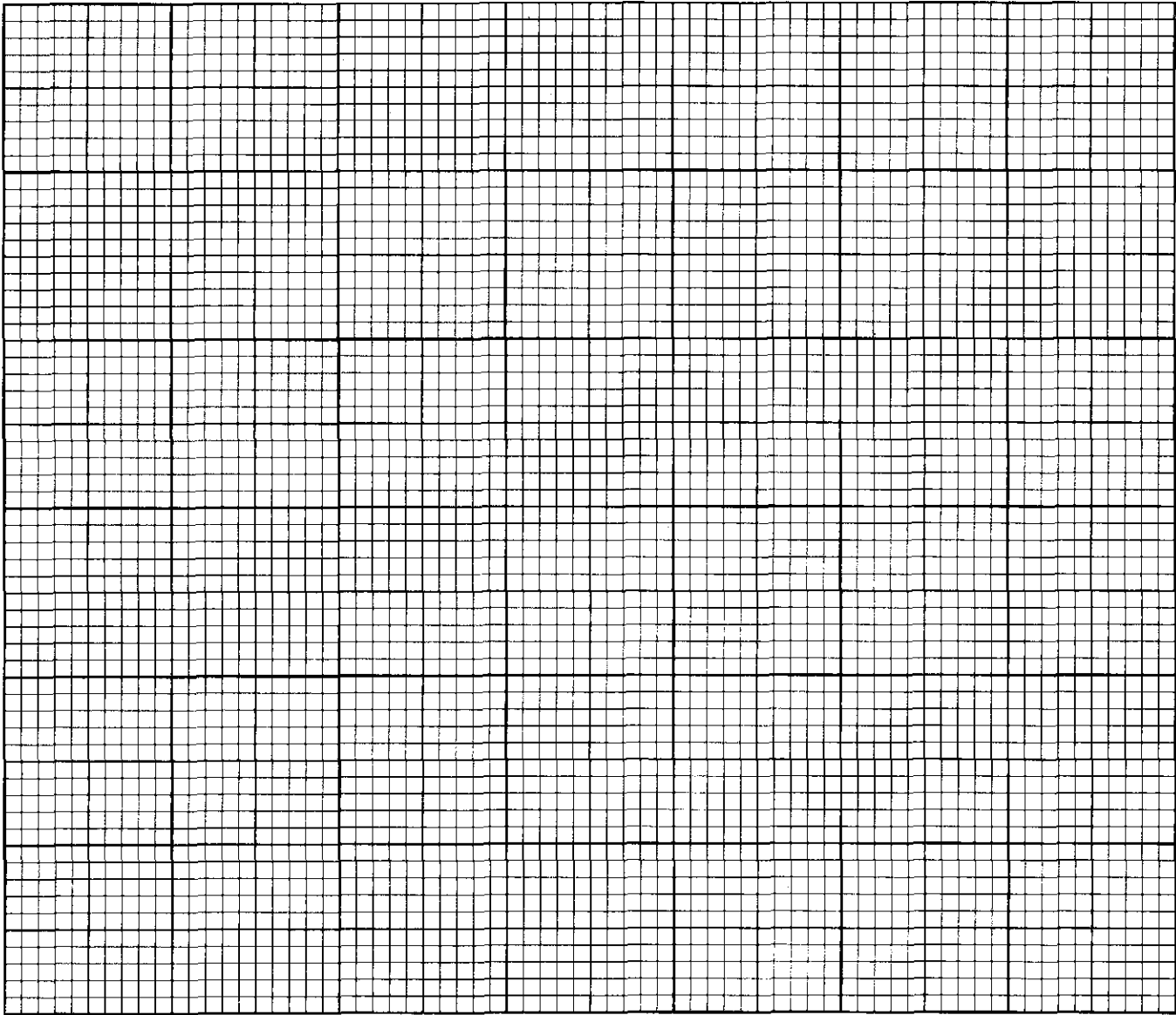
JUN 04 1990

Department of Water Resources

Total Acres 75

10. Other water rights on these lands Cassia Creek decreed right
11. Other water right diverted from same p.d. None

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks Flow varies from near zero to about 3 cfs depending on winter moisture conditions. In high-water years like 1984, Cassia Creek floods; it is also mainly in high-water years that Chokesherry Canyon flows very far off the 4.7 acre field at its mouth.

15. 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
16. Examiner's/Consultant's Signature J.P. Horton Date 11-26-84
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination _____

Date

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

LICENSING REPORT

RECEIVED

JUN 30 1988

43-7139

Permit No.

1. Measurement Calculations

Department of Water Resources

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Measured 2.47 cfs, Allow 1.5 cfs applied for.

- b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.5 \times 75 = 262.5 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 262.5 \text{ AFA}$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: Cassia Creek decreed right

- b) Other water rights with same point of diversion: —

- c) Analysis:

MICROFILMED

JUN 04 1990

RECOMMENDED AMOUNTS

- | | | | | | | |
|----|------------|----------|---------|-----------|----------------------|-----------------|
| 3. | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
| | 43-7139 | | 1.5 cfs | | | 2.47 cfs |

4. Permit Holder: _____

Address: _____

5. Source: _____ tributary to _____

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
<u>Irrigation</u>	<u>3-15</u>	<u>11-15</u>	<u>1.5</u>	<u>262.5</u>

Allowable Maximums: _____

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: _____

Not to exceed 0.02 cfs/acre for all rights combined on this land.

Under control of Watermaster 43-C

10. 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 _____

11. Examiner's Signature G. P. Stanton Date 11-26-84

Checked in Regional Office by John M. Martin ADM Date 6/25/86

Approved in State Office by [Signature] Date 5/4/91

MICROFILMED

JUN 04 1990

43-7139

INTER-DEPARTMENT MEMO — 1

FROM

DATE

MICROFILMED

JUN 04 1990

TO

SUBJECT

Notes

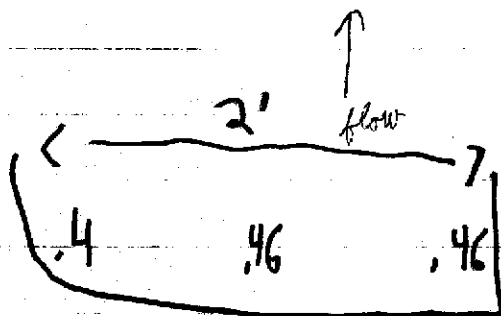
- 1) overlaps w/ rights of Norman & Betty in Series
V, Bettyman.

43-0068, 0070 B, 0476, 0071 B, 0073 B, 0074 B

- 2) May be Private matter if it doesn't flow
off owner's land

- 3) Measurement didn't require any more
labor than use of installed Access Port *JH*

SIGNATURE



$$= 2' \times .44' = .88 \text{ sq ft}$$

$$.88 \text{ sq ft} \times 3.51' / \text{sec} =$$

Time for stick to float 10' on surface

$$10' / 2.9 \text{ sec}$$

$$2.8\frac{1}{2}$$

$$2.8$$

$$2.9$$

$$2.8$$

$$10' / 2.85 \text{ sec} = \cancel{2.8} 3.51' / \text{sec}$$

$$\text{ave, } 2.85 \text{ sec} / 10' = .285 \text{ ft/sec surface velocity}$$

$$3.09 \text{ cfs}$$

$$+ .8 \text{ roughness coefficient} =$$

$$2.47 \text{ cfs}$$

measured

gravel & small cobble bottom $\frac{3}{4}$ " - 3" size material

2:15 pm MDT 6-1-84

MICROFILMED

JUN 04 1990

43-7139



Section of Stream Where Measurement Was Taken
(Note 3' Staff gauge for scale)

MICROFILMED

JUN 04 1990

D72

D 47

C 11.2

MICROFILMED

JUN 04 1990

27 17
25 30

F14118

F022

from Cassia Cr.

PD

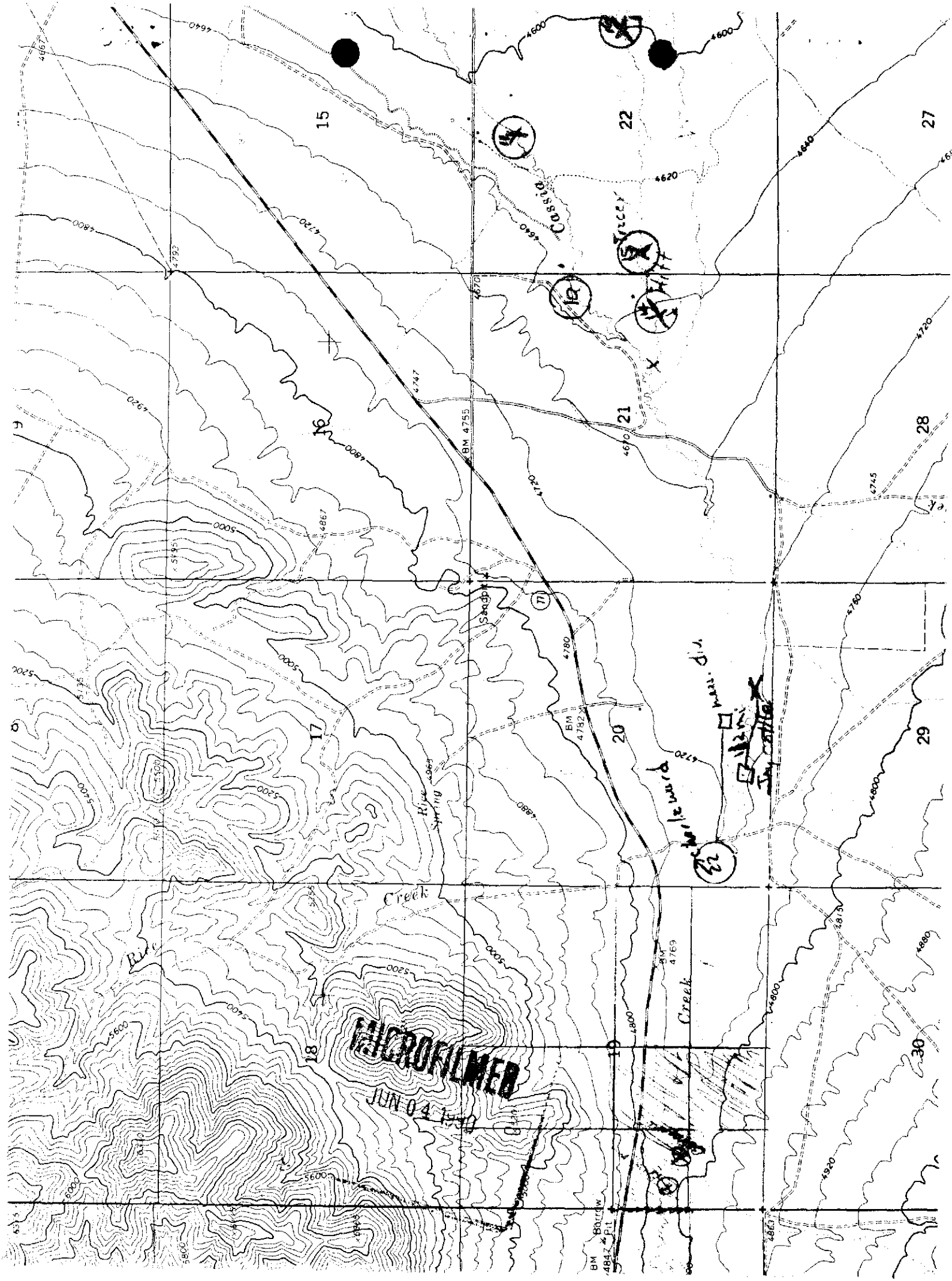
M.P.

PD 47

②

①

30/27





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

September 2, 1980

Glenn T. Berryman
Star Route
Malta, Idaho 83342

Re: Application for Permit No. 43-7139

Dear Mr. Berryman:

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.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

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

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

GLF:marya

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. **121713-7139**

Name(s) of Permit Holder: Glen Burryman

Post Office Address: Star Route

Malta Idaho

Tel. No. 645-2381

Source of Water: * Springs

Extent of Use: ☐ Domestic

(number of households) with

☐ Stockwater

(number and type of stock) ms.

* X Irrigation

75

(acres)

☐ Other

Burryman
812500

Measuring Device: Required?

☐ Yes ☐ No

Installed?

☐ Yes ☐ No

Access Port: Required?

X Yes ☐ No

Installed?

☐ Yes ☐ No

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

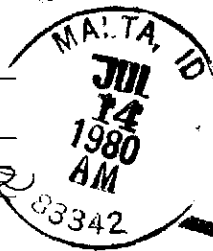
10/80
Date

Glen Burryman
Signature of Permit Holder

Glen T. Perryman

Star Rt.

Malta, Ida. 83342



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

JUL 15 1980

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

BERRYMAN, GLENN T. & VIRGINIA B.
STAR ROUTE
MALTA, ID 83342

138203

JUNE 30, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 43-7139 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

August 7, 1979

Mr. & Mrs. Glenn Berryman
Star Route
Malta, Idaho 83342

Dear Mr. & Mrs. Berryman,

RE: Permit No. 43-7139

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. The Department will provide specifications for the installation to you.

Sincerely,

David R. Tuthill Jr.

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

DRT:lr

Enclosure

STAFF REVIEW - STATE OFFICE

- 43-7139
1. ✓ Name vs. Signature
 2. g.w. Source
 3. ✓ Point of Diversion
 4. 1.5 Amnt. & Period of Use
 5. ✓ Descrip. of Diverting Wrks.
 6. 1 Time req. for Proof of B/U
 7. N/A Place of Use for other than irrig.
 8. 75 Place of Use for irrigation (add acres)
 9. ? Property Owner at Pt. of Div. & Pl. of Use
 10. ✓ Map
 11. 45 Fee & Rec't. No.

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>7</u> Idaho Fish & Game Dept.	<u>7</u> Dept. of Lands
<u>7</u> Bureau of Land Management	<u>7</u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area X yes no - surface water source

Other rights on same land none from same source

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. NO

ID Power Co. Letter - G.W. & Tribs. NO

Snake River Condition NO

Payette River Letter NO

Priority Date 3/9/79

Water Quality #16 NO

Water Quality #10 NO
intrastate interstate

Meas. Dev. or Sc. Meas. yes OIC

Totalizing meter NO

Supplemental NO

Right-of-Way Cond. yes O4

Watermaster Cond. NO
Wtr. Dist No. ---

Meas. Dev. Cond. for apps within
a Water Dist. NO

Jimi
Reviewer
8/6/79
Date

TYPE correction on item 7

INTER-DEPARTMENT MEMO — 1

DATE June 11, 1979

FROM Terry Blau

TO File # 43-7139

SUBJECT Pre Permit Field Exam

On June 8th, 1979, I made a field inspection of the above numbered filing on Chokecherry Canyon. In talking with Mr. & Mrs. Berryman I soon discovered that they should have filed a claim instead of an application as the water had been used on the land they now own for at least 60 years. They decided to file a claim in addition to the application. I assisted them in filling out the claim which they will have notarized and will send it to our office.

An inspection of the stream showed that the channel could easily carry $1\frac{1}{2}$ second feet. Water was not reaching the place of use at the time of the exam, but it was obvious that water had been there and that it had been used for irrigation. The only other use of the water is for stock-watering purposes on land which the stream runs through owned by Richard Ward and the BLM. Mr. Berryman intends to acquire some additional land that has not been irrigated previously.

MICROFILMED_____
SIGNATURE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 43-7139 Glenn T & Virginia B. Berryman

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) LD 03/14/79

In form to receipt

(2) _____

Send Copies to:

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

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) ✓ _____

In form for advertising

(5) _____

Platted on Map No. CC-81

(6) LH 7-26-79

Located within Water District No. 43-C

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) maria 5/29/79

Affidavit of Publication received (date) 5/25/79

(12) _____

Final date for protests 6/4/79

Protests received: yes _____ no _____

(13) LH 7-26-79

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

(14) LH 7-26-79

Action recommended:

☒ Approve

_____ Deny

3-9-79 Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District S By Loren O. Holman Date 7-26-79

MICROFILMED
RECEIVED
JUL 30 1979
Department of Water Resources

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

43-2139

GERRYMAN, GLENN T. &/or VIRGINIA B.

STAR ROUTE, MALTA, ID 83342

Source: RUNOFF AND SPRINGS

Date Filed: 03/09/1979

Amount: 1.50 CFS

Diversion Point: LOT 04 (SWSW) Sec 19 T 13S R 26E, CASSIA Co.

Use: IRRIGATION (1.50 CFS) from 03/15 to 11/15

Place of Use: NESW LOT 03 (NWSW) LOT 04 (SWSW) SESW Sec 19 T 13S R 26E
FOR 75 ACRES

Diversion Means: DITCHES ON THE RANCH

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before JUNE 4, 1979.

C. STEPHEN ALLRED

Director

Published 5/17 & 5/24/79.

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JUNE 4, 1979

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 1, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

April 10, 1979

William A. Parsons
Parsons, Smith & Stone
Attorneys at Law
137 West 13th Street
Burley, Idaho 83318

Dear Mr. Parsons:

On March 9, 1979 you submitted an Application for a Permit for Glenn Berryman to appropriate water from Chokecherry Springs for irrigation. On March 14, 1979 I contacted you concerning whether Mr. Berrman should have submitted a claim for the use of the Springs with an early priority instead of the application. During that conversation you indicated you would contact us at a later date if we should continue to process their application. As of April 9, 1979 we have not received an answer.

If we do not hear from you before April 16, 1979, we will continue to process their application as intended.

Sincerely,

GARY L. FUNDERBURG
Senior Water Resource Agent

GLF:marya

RECEIVED
APR 11 1979

PARSONS, SMITH & STONE

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER
ASSOCIATE

ATTORNEYS AT LAW
137 WEST 13TH STREET
BURLEY, IDAHO 83318

P. O. BOX 910
TELEPHONE
(208) 678-8382

March 8, 1979

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

RE: Application for Permit
Glenn T. Berryman

Gentlemen:

Enclosed is an Application for Permit signed by Mr. Glenn T. Berryman. Also enclosed is our check for \$45.00 for filing.

Very truly yours,


William A. Parsons

WAP:rt

RECEIVED

MAR 9 1979

Department of Water Resources

RECEIVED

MAR 9 1979

Department of Water Resources
Southern District Office

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

March 15, 1979

William A. Parsons
Parsons, Smith & Stone
Attorneys at Law
137 West 13th Street
Burley, Idaho 83318

Re: Application for Permit No. 43-7139 - Glenn T. & Virginia B. Berryman

Dear Mr. Parsons:

Enclosed is your receipt No. 12729 for check No. 92-282 in the amount of \$45.00 for the above referenced Application for Permit, which was received in this office March 13, 1979.

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED