

**SOUTH IDAHO PRESS
BURLEY, IDAHO**

AFFIDAVIT OF PUBLICATION

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

Arlene Sutton being first
duly sworn, deposes and says that ^She is the

bookkeeper 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 TWO
consecutive weeks, commencing with the issue
dated May 17 1977, and ending
with the issue dated May 24, 1977

Arlene Sutton

Subscribed and sworn to before me
this 24th day of May
1977.

Bartholomew Notary Public

Cost of Publication

Notary Fee

Total Cost \$10.15

Notary Public Residing at Burley, Idaho
My Commission Expires Oct. 10, 1980

MAY 26 1977

Department of Water Resources
Southern District Office

77-214

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Delmar
L. Woodworth, American Falls, Idaho
83211 has on 5/4/77 submitted Ap-
plication No. 43-7073 for a permit to
appropriate 5.4 cubic feet per second
of water from groundwater by means
of wells, pumps, motors, sprinkler
system, within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
24, Twp. 10S, Rge. 28E., B.M., Cassia
County NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, Twp. 10S,
Rge. 28E., B.M., to be used from Mar-
ch 15 to Nov. 15 for irrigation pur-
poses of 270 acres within the W $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 24, Twp. 10S, Rge.
28E., B.M.

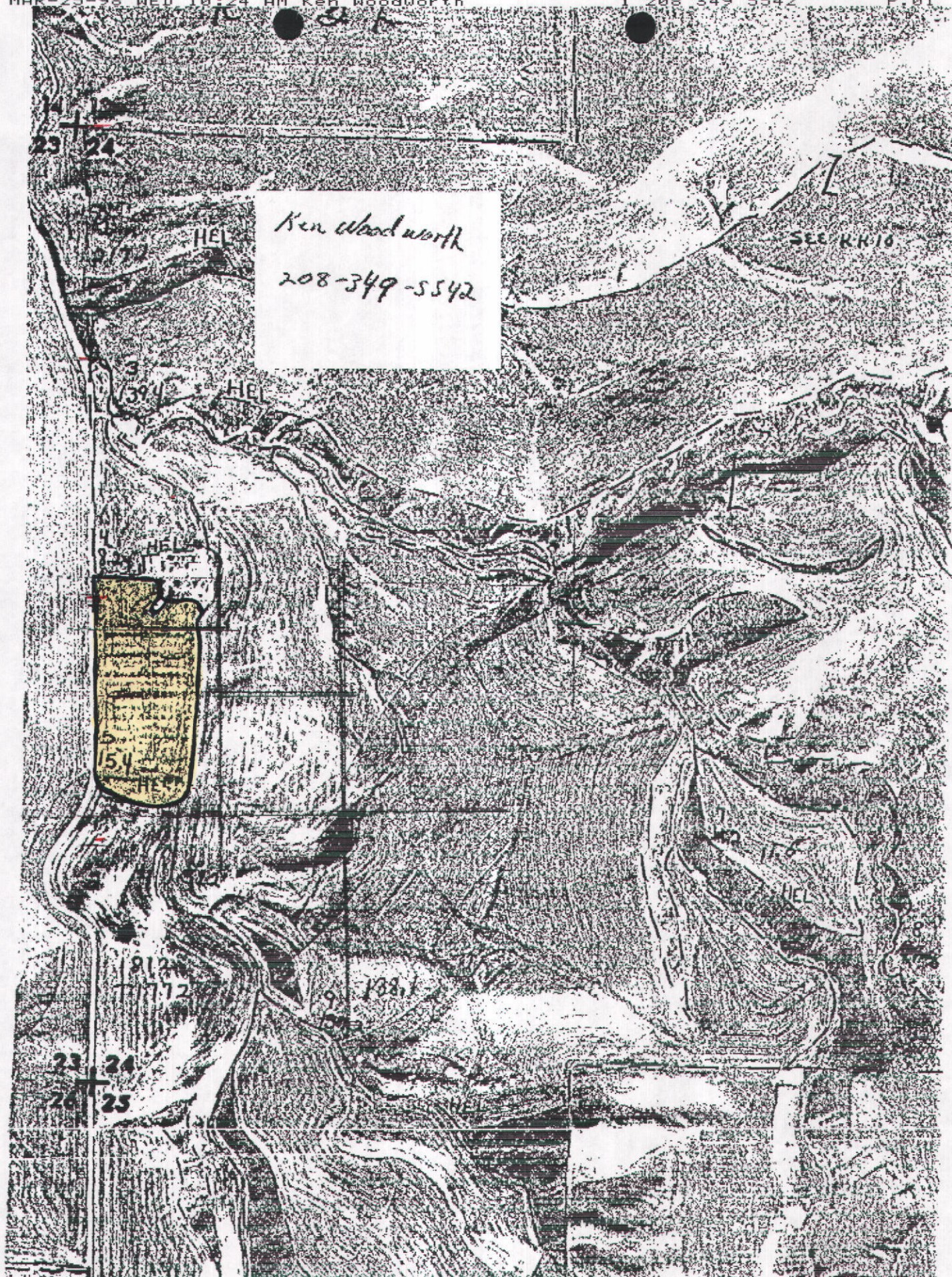
If issued, this permit will be subject
to all prior water rights. Protests
against the granting of the permit
must be filed with the Idaho Depart-
ment of Water Resources, 1041 Blue
Lakes Blvd., North, Twin Falls, Idaho,
83301 on or before June 3, 1977.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on
May 17, 24, 1977.

BK
5/27/77





MICROFILMED

MAY 15 1998

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MICROFILMED
MAY 15 1998

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HEL
MAY 15 1998

43-7073



P/D
(Looking north)



P/U
(Looking south)

MICROFILMED

MAY 15 1998

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Delmar L. Woodworth
American Falls, Idaho 83211
has on 5/4/77 submitted Application No. 43-7073
for a permit to appropriate 5.4 cubic feet per second ~~XXXXXXX~~
of water from March 15 to Nov. 15 groundwater
by means of wells, pumps, motors, sprinkler system.
within the SLEANE, Sec. 28, Twp. 10S, Rge. 28E., B.M., Cassia County
NELSON, Sec. 24, Twp. 10S, Rge. 28E., B.M.,

to be used from March 15 to Nov. 15
for irrigation purposes of 270 acres

within the NE 1/4, Sec. 24, Twp. 10S, Rge. 28E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before June 3, 1977.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press
on May 17 and May 24, 1977

77-214

OK/Am 5/17/77

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Delmar L. Woodworth, American Falls, Idaho 83211 has on 5/4/77 submitted Application No. 43-7073 for a permit to appropriate 5.4 cubic feet per second of water from groundwater by means of wells, pumps, motors, sprinkler system, within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, Twp. 10S, Rge. 28E., B.M., Cassia County NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, Twp. 10S, Rge. 28E., B.M., to be used from March 15 to Nov. 15 for irrigation purposes of 270 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 24, Twp. 10S, Rge. 28E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before June 3, 1977.

C. STEPHEN ALLRED
Director

Published in the South Idaho Press on
May 17, 24, 1977.



Cecil D. Andrus
Governor

A. Keith Higginson
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

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

May 10, 1977

South Idaho Press
Box 190
Burley, Idaho 83310

RE: Application for Permit #43-7073-Delmar L. Woodworth

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:ab

Enclosure

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07073

Priority: July 16, 1977

Maximum Diversion Rate: 0.18 CFS
Maximum Diversion Volume: 60.0 AF

This is to certify, that DELMAR L WOODWORTH
735 CALDER AVE

AMERICAN FALLS ID 83211

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 4, 1977; and
has submitted Proof of Beneficial Use on January 27, 1992. An examination indicates
that the works have a diversion capacity of 0.180 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	0.18 CFS	60.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 24, Township 10S, Range 28E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S 28E 24	NWSW 15			15

Total number of acres irrigated: 15

CONDITIONS OF APPROVAL AND 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 that 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 shall 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 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

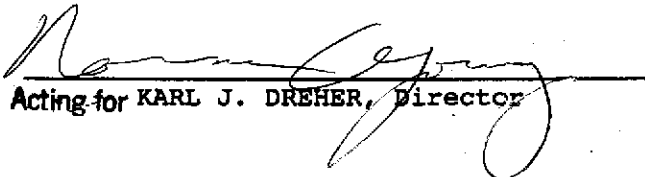
MAY 15 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07073

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 2nd
day of April, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED
MAY 15 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF LICENSE)
NO. 43-07073 IN THE NAME OF)
DELMAR L. WOODWORTH)
_____)

**ORDER GRANTING PETITION
FOR RECONSIDERATION**

This matter having come before the Department of Water Resources (Department) as a petition to reconsider the issuance of a water right license, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On March 9, 1998, the Department issued a preliminary order (order) granting Water Right License No. 43-07073 (license) in the name of Delmar L. Woodworth (petitioner).
2. On March 25, 1998, the petitioner filed a Petition for Reconsideration (petition) with the Department in connection with the order. The petitioner asserts that the legal description of the place of use is in error.

CONCLUSIONS OF LAW

1. Section 67-5243(3), *Idaho Code*, states that any party may file a petition for reconsideration of a recommended order or a preliminary order.
2. The Department should grant the petition for reconsideration of the order pursuant to Section 67-5243(3), *Idaho Code*, in order to provide an opportunity for the Department to review the petitioners assertions.

ORDER

IT IS HEREBY ORDERED that the petition is **GRANTED** pursuant to Section 67-5243(3), *Idaho Code*.

Dated this 2ND day of APRIL, 1998.



NORMAN C. YOUNG
ADMINISTRATOR, WATER MANAGEMENT DIVISION

MICROFILMED

MAY 15 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07073

Priority: July 16, 1977

Maximum Diversion Rate:

0.18 CFS

Maximum Diversion Volume:

60.0 AF

This is to certify, that DELMAR L WOODWORTH
PO BOX 429

AMERICAN FALLS ID 83211 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 4, 1977; and has submitted Proof of Beneficial Use on January 27, 1992. An examination indicates that the works have a diversion capacity of 0.180 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	0.18 CFS	60.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 24, Township 10S, Range 28E
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	28E	24	SWNW 3	SENEW 12		15

Total number of acres irrigated: 15

CONDITIONS OF APPROVAL AND 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 that 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 shall 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 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

RECEIVED
MAY 15 1998

SUPERSEDED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07073

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 9th
day of MARCH, 1978.


Acting for KARL J. DREHER, Director

SUPERSEDED

MICROFILMED

MAY 15 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 43-07073	)	
	)	ORDER OF
IN THE NAME OF DELMAR L. WOODWORTH	)	REINSTATEMENT
	)	

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

FINDINGS OF FACT

1. On June 30, 1977, the Director of the Department of Water Resources issued Permit No. 43-07073 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before June 1, 1982.

2. On June 10, 1982 and again on June 18, 1987, the Department granted extensions of time, extending the proof of beneficial use due date to September 1, 1991.

3. On June 30, 1991, the Department sent a proof due notice to the permit holder.

4. On August 29, 1991, the permit holder filed a request for extension of time.

5. On November 12, 1991, the Department denied the request for extension of time and advised the permit holder to file proof of beneficial use on that portion of the project already complete.

6. On January 27, 1992, the permit holder submitted Proof of Beneficial Use to the Department.

7. Section 42-218a.1., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced an equal number of days that the proof was received late, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date.

8. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes the request for extension of time that was submitted on August 29, 1991.

RECEIVED

MAR 05 1992

9. The permit holder states that he did not file the proof of beneficial use form prior to the proof due date on advice received from the Department's Southern Regional Office. The permit holder also stated that he did not receive the denied extension of time for more than two months after it was filed, at which time, the 60 day simple reinstatement process had expired.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

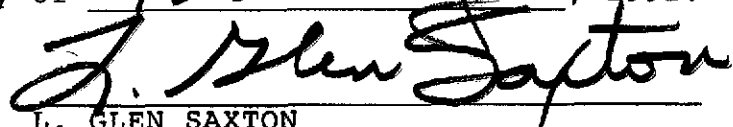
3. The permit can be reinstated with the date of priority advanced an equal number of days that the proof of beneficial use was received by the Department beyond the proof due date, and allowing for the response time on the denied extension of time.

ORDER

IT IS HEREBY ORDERED that Permit No. 43-07073 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to July 16, 1977.

Dated this 20th day of February, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MAR 05 1992

RECEIVED

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 100.00
Date 1-27-92
Receipt No. 5014097
Received by JF Clark

JAN 27 1992

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 43-07073 Telephone No. 349-5716
2. Name(s) of Permit Holder(s): Delmar L. Woodworth
3. Post Office Address: P.O. Box 429, American Falls, ID 83211
4. Source of Water: Groundwater
- a. If ground water, well driller's name: Dan's Pump & Service Date drilled: 4-30 to 5-13-81
- b. Pump horsepower: 12 Pressure (psi): 80 Dynamic pumping level (ft.): 95
5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 15.6 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

6. Total rate and/or volume for which proof is submitted 0.2⁶ cfs _____ 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 Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Ken or Delmar
NameSame
Telephone No.Same
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.

1-27-92
DateDelmar L. Woodworth
Signature (and title if on behalf of a company or organization)RECEIVED
MAR 05 1992

RECEIVED
NOV 28 1991

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

For Office Use Only
\$15 FEE Received by ✓
Date 8-28-92
Receipt # 5012669

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 42-07092

Name(s) of Permit Holder: Delmar L. Woodworth

Post Office Address: P.O. Box 429, American Falls, ID 83211

Telephone No. 344-5716

Date Proof is Due: 9-1-1991

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Well is drilled, 1.15 acres is being sprinkled.

Costing \$ 17,620.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Difficulty in getting the well drilled deeper has prevented completion of the project. The original driller would not go deep enough to get into the main aquifer. We have not been able to get a competent driller.

Permit holder(s) request an extension to 9-1, 1993.
(1 yr. minimum)

Delmar L. Woodworth
(Signature)

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be **GRANTED**
based on the fact that the department is only authorized to grant one (1)
extension of time based on due diligence.

Signed this 28th day of November, 1991.

R. K. [Signature]
Director

Form 100
679

Identification No. 43-7073

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

MAY 29 1987

Department of Water Resources
Southern Region Office

To provide additional time in which to submit
proof of beneficial use on a water right permit

JUN 02 1987

Department of Water Resources

Delmar L. Woodward of Box 429 American Falls
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to appropriate the Public
Waters of the State of Idaho No. 43-7073.

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before June 1, 1987.

That he has heretofore performed the following work described under said permit: Drilled a
10" x 190' well installed a 15 hp Submersible pump, 550' of
brass 5" Plastic mainline 1 T Bird wheel line 100ft long
1 T Bird wheel line 380 feet long
1 hand line 3" x 280', 1200' 5" aluminum mainline Costing \$ 19,620

That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: Waiting for Settlement of The Swan Falls
Litigation and The WWPB Litigation which may drastically
affect power rate in this area

Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to June 1, 1992.

Delmar L. Woodward
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time
within which to submit proof of beneficial use is extended to September 1, 1991.

Signed this 18th day of June, 1987.

J. Alan Sington
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

#130 accepted by 6-8-87 #49616

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

For Office Use Only
Fee Received 415
Date 5/27/82
BY [Signature]

MAY 27 1982

Department of Water Resources

Delmar L. Woodworth of Box 427 American Falls
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 43-70-1.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before 1 JUNE, 19 82.

That he has heretofore performed the following work described under said permit: LAND LEVELING
(This must be filled out if no work has been completed put none.)
consisting of filling in 2 ditches and building 2 gullies

Costing \$2000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
financial reasons - mainly the present state of the farm prices & farm economy.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to 1 JUNE, 19 87.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

Delmar L. Woodworth
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to June 1, 1987.

Signed this 10 day of June, 19 82.

Dana R. Torkup
Acting Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 43-7073

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "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"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton
GLEN SAXTON
Chief, Operations Bureau

Identification No. _____

Application No. A3-7072

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant Delmar L. Woodworth Phone: 349-5716
post office address Box 429 American Falls, Idaho 83211
2. Source of water supply groundwater which is a primary of _____
3. a. Location of point of diversion is SW 1/4 of NW 1/4 of Section 24 Township 10S
Range 28E., B.M. Cassia County; additional points of diversion if any:
NE 1/4 Sec. 24, Twp. 10S, Rge. 28E., B.M.
b. If water is not consumed, it will be discharged into Calder Creek at a point in SE 1/4
of NW 1/4 of Section 24 Township 10S Range 28E., B.M.
4. Water will be used for the following purposes:
Amount 5.4cfs for irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated:
a. 5.4cfs cubic feet per second and or
b. _____ acre feet per annum.
6. Proposed diverting works
a. Description of ditches, flumes, pumps, headgates, etc. _____
two wells with pumps and motors delivering to sprinkler system with pivots; handlines
and wheel lines
b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 2-18" inches; proposed depth of well is 650 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 160,000.00
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered: _____
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water: _____
(5) If water is to be used for other purposes describe: _____

16. Water uptake (mg/g dry weight) in each sub-region in the tabulation below

[illegible]

Total number of acres to be irrigated 270

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

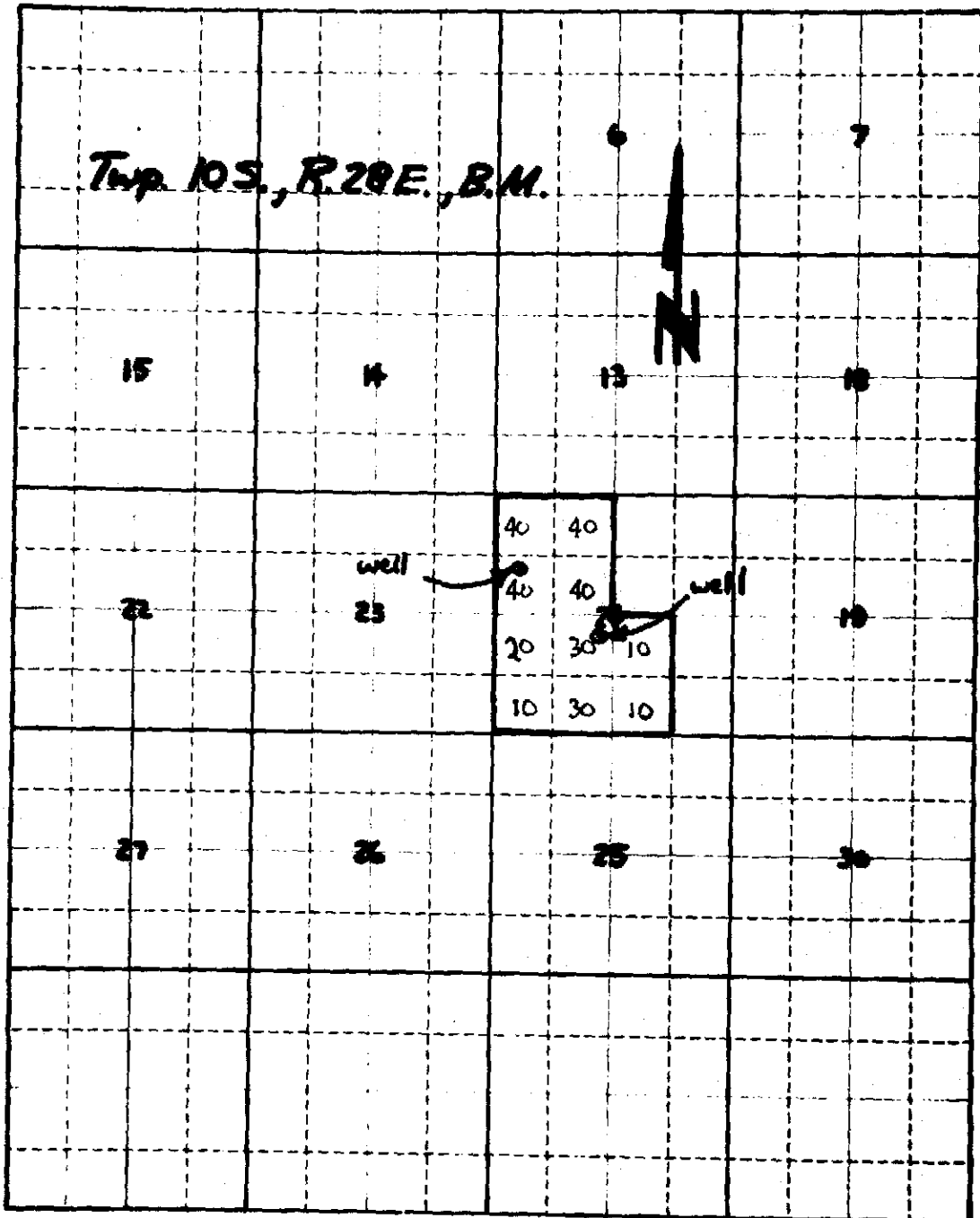
b. Who owns the land to be irrigated or place of use APPLICANT

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

10. Remarks

1

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.

Robert L. Vintcent
(Applicant)

Proposed Priority 5/4/77

Received by ADM Date 5-4-77 Time 12:30 P.M.

Preliminary check by GF Fee \$ 75.00

Received by ADM Date 5-4-77 # 3480

Publication prepared by AB Date 5/10/77

Published in South Idaho Press

Publication dates 5/17 + 5/24/77

Publication approved Am Date 5/17/77

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MSK

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. 43-7073, 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 June 1, 19 82.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 30 day of June, 19 77.


Deputy Director

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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

Arlene Sutton

being first

duly sworn, deposes and says that ^She is the

bookkeeper 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 two

consecutive weeks, commencing with the issue

dated May 17 1977, and ending

with the issue dated May 24, 1977

Arlene Sutton

Subscribed and sworn to before me

this 24th day of May

1977

Barth Brumley Notary Public

Cost of Publication

Notary Fee

Total Cost \$10.15

Notary Public Residing at Burley, Idaho
My Commission Expires Oct. 10, 1980

77-214

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Delmer L. Woodworth, American Falls, Idaho 83211 has on 5/4/77 submitted Application No. 43-7073 for a permit to appropriate 3.4 cubic feet per second of water from groundwater by means of wells, pumps, motors, sprinkler system, within the SW1/4, Sec. 24, Twp. 10S, Rge. 22E., S.M., Cassia County NE1/4, SW1/4, Sec. 24, Twp. 10S, Rge. 22E., S.M., to be used from March 15 to Nov. 15 for irrigation purposes of 270 acres within the W1/4, SW1/4, Sec. 24, Twp. 10S, Rge. 22E., S.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1849 Elm Lake Blvd., North Twin Falls, Idaho, 83429 on or before July 5, 1977.

Witness my hand and the Seal of the State of Idaho at Boise, Idaho, this 17th day of May, 1977.

B.R.
Jun 15/27/77



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 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DELMAR WOODWORTH
735 CALDER AVE
AMERICAN FALLS ID 83211

RE: Water Right 43-07073

Dear Mr. Woodworth:

On April 2, 1998, the Department of Water Resources (the Department) issued the enclosed water right license in response to your petition for reconsideration of the license issued on March 9, 1998. The enclosed license supersedes the license issued on March 9, 1998. The revised license is an amended 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 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 this 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 this 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, this preliminary order will become a final order of the Department.

RECEIVED

MAY 15 1998

If any party appeals or takes exceptions to this 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 the 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 the 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:

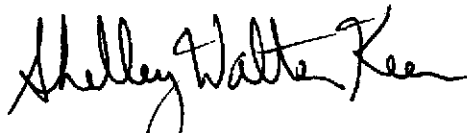
MAY 15 1988

- 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.

If you have questions, please contact me at (208) 327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

Enclosures

RECEIVED

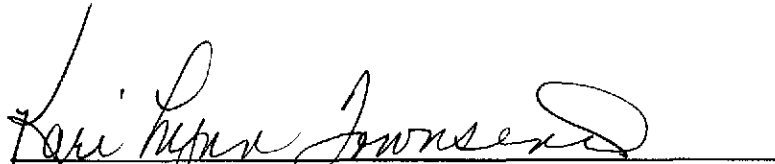
MAY 15 1998

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER** (Approved License) to the person(s) listed below:

Water Right 43-07073

**DELMAR WOODWORTH
735 CALDER AVE
AMERICAN FALLS ID 83211**


Kari Lynn Townsend
Secretary

RECORDED
MAY 15 1998

MEMORANDUM

DATE: April 2, 1998

TO: Water Right File 43-07073

FROM: Shelley W. Keen *SWK*

RE: Place of Use

The USGS topographic quadrangle shows that the irrigated place of use is entirely within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, T10S, R28E, as indicated in the right holders petition for reconsideration. The license should be corrected and issued as a revised preliminary order.

RECORDED
MAY 15 1998



4714

4713

4712

32' 30'

4711

4710

4709

310 000
FEET

File 4361073

MEMORANDUM

TO: File 43-07073

FROM: Sharla

DATE: March 25, 1998

RE: Petition for Reconsideration

On this date, Mr. Woodworth called in response to the recently issued license. He disagreed with the description of the place of use. After looking at the file, I could see that we had made a mistake in the description of 12 acres in the SENW; the correct description is the NWSW. Mr. Woodworth stated that all 15 acres are in the NWSW. He faxed me a copy of the aerial photo which shows the entire west half of the section. An order granting the petition for reconsideration will be prepared which includes a requirement on the part of the permit holder to provide information to document his concerns.

MICROFILMED

MAY 15 1998

Ken Woodworth
208-349-5542

SECRET

MIKRON-LMB

MAY 15 1998

3-18-1998

Idaho Dept of Water Resources
Po. Box 83720
Boise Idaho 83720-0098

Attn: Kari Lynn

Re: Change of addresses

Dear Kari,

This is to verify the change of addresses for Cleft of the Rock Farms and Delmar Woodworth. Both used P.O. box 429 American Falls Idaho as their business mailing address until the summer of 1994 . At that time they changed back to using the street address of 735 Calder Ave. American Falls Idaho 83211. Please send all correspondence to the 735 Calder Ave Address. If you have any further questions, please call 208-226-2238 or 208-349-5542 or you may send a fax to 208-349-5542, Thank you,

Sincerely,

Delmar Woodworth

Delmar Woodworth

Cleft of the Rock Farms by:

Delmar Woodworth

PTR.

*File 43-07073
WR 2 database
updated 3.25.98
Ket*

MICHAEL J. WOOD

MAY 15 1998

M E M O R A N D U M

DATE: March 18, 1998

TO: File 43-07073

FROM: Kari Lynn Townsend

RE: Returned Mail

=====

The water right license mailed on March 10, 1998 was returned by the postoffice for address correction.

A check of the phone book showed an address of 735 Calder Ave and a different phone number than the one shown on the field exam report.

I called the number shown in the phone book (226-2238) and reached Mrs. Woodworth. She verified that she and her husband had received mail at the PO BOX of record but not for at least 10 years.

Mrs. Woodworth will send us a written notice of an address change so we can update the database.

I resent the license and accompanying paperwork today. *ket*

226-2238

NOT RECORDED

MAY 15 1998

735 Calder Ave

83211

RECEIVED

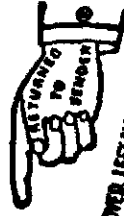
MAR 16 1998

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

To

L43-07073
DELMAR L WOODWORTH
PO BOX 429
AMERICAN FALLS ID 83211



- ☐ MOVED, LEFT NO ADDRESS
- ☒ NOT DELIVERABLE AS ADDRESSED
- ☐ UNABLE TO FORWARD
- ☐ ATTEMPTED - NOT KNOWN
- ☐ UNCLAIMED ☐ REFUSED
- ☐ NO SUCH STREET - NUMBER
- ☐ DO NOT REMAIN IN THIS ENVELOPE
- ☐ INSUFFICIENT ADDRESS
- ☐ NO MAIL RECEIPTABLE
- ☐ BOX CLOSED NO ORDER



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

March 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DELMAR L WOODWORTH
PO BOX 429
AMERICAN FALLS ID 83211

RE: WATER RIGHT NO. 43-07073

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 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 this 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.

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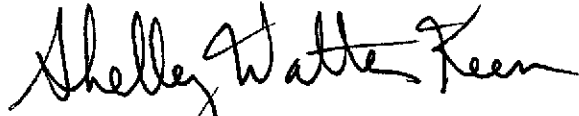
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- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

RECORDED
MAY 15 1988

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.

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

RECORDED

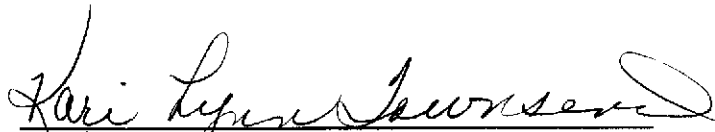
MAY 15 1988

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of **March, 1998**, 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. 43-07073

DELMAR L WOODWORTH
PO BOX 429
AMERICAN FALLS ID 83211


Kari Lynn Townsend
Secretary

ENCLOSURE

MAY 15 1998

MEMORANDUM

TO: File 43-07073

FROM: Sharla

DATE: March 4, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 43-07073 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T10S, R28E, S24 - SWNW (3 acres), NWSW (12 acres)

TOTAL = 15 acres

For rights with > 5 acres, the number of acres per $\frac{1}{4}$ are rounded to the nearest whole number.

Examiner: Jim Stanton

Exam Date: August 10, 1993

RECORDED

MAY 15 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 43-07073

DATE 3/4/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	Change <u>—</u>	OK <u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	Change <u>—</u>	OK <u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	Change <u>—</u>	OK <u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate	<u>5.4</u> cfs
Fee limit	<u>1.0</u> cfs \$100 ⁰⁰
Measured	<u>—</u> cfs
Theoretical	<u>.18</u> cfs

.26 in 80 psi and 95' lift (blue form)
sprinkler heads cap.

Recommended Total Div Rate .18 cfs

ANNUAL VOLUME/ NATURE OF USES	<u>✓</u>	Use <u>SW</u>	cfs <u>.18</u>	Volume Calc <u>15 x 4.0 =</u>	af
					af
					af
					af
		SUBTOTAL	<u>.18</u>	<u>60.0</u>	af

Flow rate .18 cfs X — days X 1.98 = — af
Total volume recommended — af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS — Watermaster Control WD# —

RA GW Measurement/Measuring Device

RA Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA

Adjustment Memo bounded acres

1st Amend Letter NA

2nd Amend Letter NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 15 1994

Department of Water Resources

A. GENERAL INFORMATION

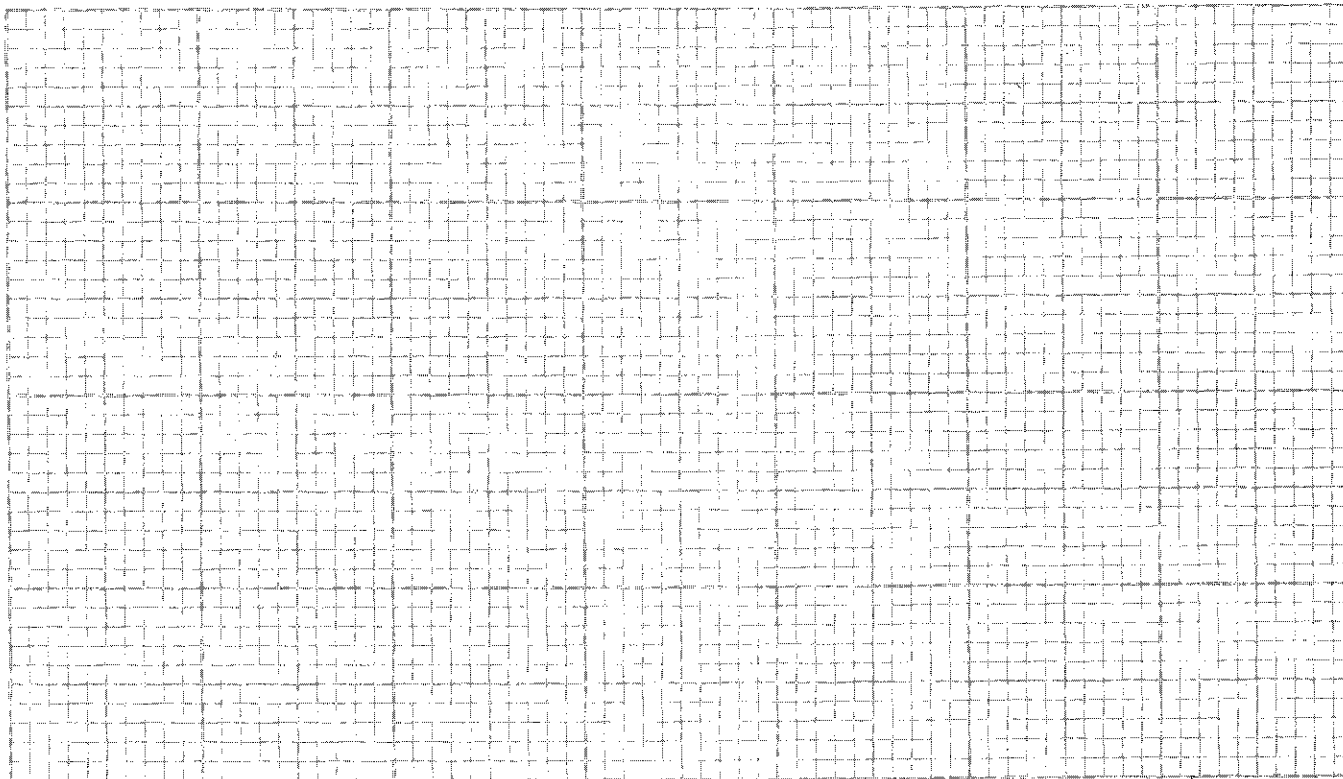
1. Owner: Delmer Woodworth Permit No. 43-07073
Current Address: PO Box 429, American Falls, ID 83211 Phone No. 349-5716
2. Accompanied by: Mr. Woodworth EXAM. DATE: 8-10-93
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

MICROFILMED
MAY 15 1998

MAY 15 1968

1971-2000

[illegible]

6. Place(s) of Use: Acacia plant, Jotgrid Indicate Method of Determination

[illegible]

5. Point(s) of Diversion:

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

Well or Diversion Identification No. *	Function	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		12		Jacuzzi	

☐ See Remarks on page 4 for continuation

Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Well, submersible pump, mainline to ~~300 yd~~ birds $\frac{1}{4}$ " - $\frac{1}{2}$ " hd. $\frac{8}{16}$ "
~~6-5/32" hd.~~ Runs 16 birds at a time. Flow goes down as season progresses.
Mainly "9/64" nozzles.
System runs 16 birds all season long, but with less & less efficiency as pressure declines over the season.

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured - pressure down to 40 psi. At 3.66 gpm/hd = 0.13 cfs.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

16 hds x 5.01 gpm/hd = 0.18 cfs, Recommend 0.18 cfs be licensed

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: ~~50~~⁷⁵ psi x 2.31 = 173.3 ft (1); Dynamic pumping level: 75 ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: 0.28 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15.4 \times 4 = 61.6$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.18 \times 2/4 \times 1.9835 = 76.4$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 61.6 \text{ AFA}$

2. Volume Calculations for Other Uses:

MICROFILMED
MAY 15 1998



CONSULTANT SEAL

8-11-93

g Stanton

J. E. Stanton

J. AUTHENTICATION

☐ Add P.U. as reflected above☐ Add P.D. as reflected above

avon

Totals:

0.18

9/9

I. RECOMMENDATIONS

Investition

From

10

4-1 10-31

Rate of Diversion

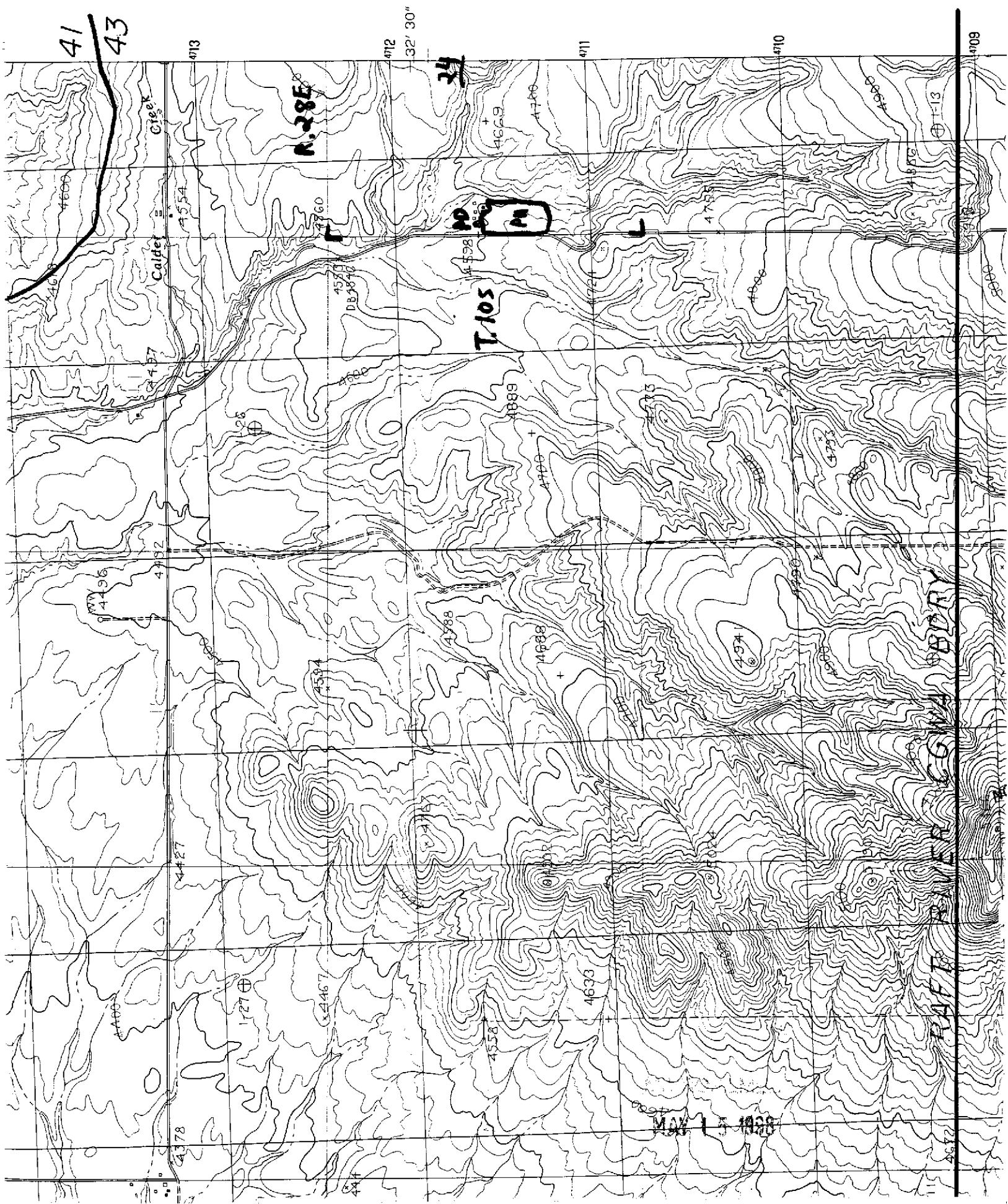
0.18 cfs

Annual Volume

9/9

H. REMARKS AND OVERLAP REVIEW ANALYSIS

41
43



R. 285

T. 105

34

MAY 15 1938

PAGE RIVER CGWA BDRY

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.USE TYPEWRITER OR
BALLPOINT PENRECEIVED
9/7/83

1. WELL OWNER Name <u>Delmar Woodworth</u> Address <u>American Falls, Idaho 83211</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>95</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 <u>56</u> °F, Quality _____																																																																							
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped																																																																			
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>10"</td><td>0</td><td>53</td><td>brown sand and clay</td><td> </td><td>X</td></tr><tr><td>10"</td><td>53</td><td>92</td><td>dark grey sandstone</td><td> </td><td>X</td></tr><tr><td>10"</td><td>92</td><td>98</td><td>brown sandstone - hard</td><td> </td><td>X</td></tr><tr><td>10"</td><td>98</td><td>99</td><td>brown sandstone & broken rock</td><td> </td><td>X</td></tr><tr><td>10"</td><td>99</td><td>113</td><td>brown sandstone - fine</td><td> </td><td>X</td></tr><tr><td>10"</td><td>113</td><td>158</td><td>brown sandstone - coarse</td><td> </td><td>X</td></tr><tr><td>10"</td><td>158</td><td>167</td><td>green sandstone, clay & rock</td><td> </td><td>X</td></tr><tr><td>10"</td><td>167</td><td>177</td><td>brown sandstone - coarse</td><td> </td><td>X</td></tr><tr><td>10"</td><td>177</td><td>188</td><td>black sandstone</td><td> </td><td>X</td></tr><tr><td>10"</td><td>188</td><td>190</td><td>black sandstone & clay</td><td> </td><td>X</td></tr></tbody></table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	10"	0	53	brown sand and clay		X	10"	53	92	dark grey sandstone		X	10"	92	98	brown sandstone - hard		X	10"	98	99	brown sandstone & broken rock		X	10"	99	113	brown sandstone - fine		X	10"	113	158	brown sandstone - coarse		X	10"	158	167	green sandstone, clay & rock		X	10"	167	177	brown sandstone - coarse		X	10"	177	188	black sandstone		X	10"	188	190	black sandstone & clay		X
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____		<i>Corrected Log!</i> <i>Description</i> <i>dated 6/87</i>																																																																							
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>.250 inches</td><td>10 inches</td><td>1 feet</td><td>57 feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </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> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> Material used in seal: ☐ Cement grout ☒ Puddling clay ☐ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overcore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld _____ ☐ Cemented between strata Describe access port <u>well cap</u>				Thickness	Diameter	From	To	.250 inches	10 inches	1 feet	57 feet													Number	From	To																																															
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6. LOCATION OF WELL Sketch map location must agree with written location. N W X E S County <u>Cassia</u> Subdivision Name _____ Lot No. _____ Block No. _____ NW 1/4 Sec. 24 T. 10 N. S. R. 28 E. W																																																																									
10. Work started <u>4-10-81</u> Cashed <u>5-1-81</u>		11. DRILLER'S CERTIFICATION I/We certify that all minimum well construction standards are complied with at the time the rig is removed. Firm Name <u>San's Pump & Service</u> P.O. Box 190 Address <u>American Falls, Idaho 83211</u> Signed by (Firm Official) _____ and (Operator) <u>[Signature]</u>																																																																							



3

HEI

See R.R. 10
High Elev

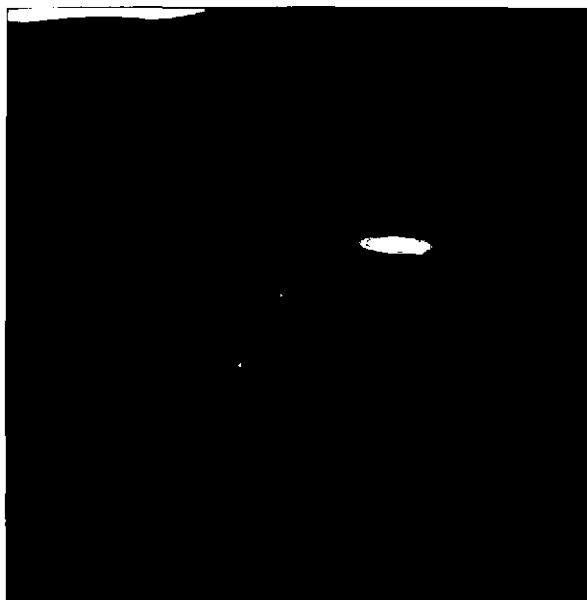
HEI

NELUW

318

EL

43-7073



P/D
(Looking north)



P/U
(Looking south)

43-7073
MAY 15 1963

February 21, 1992

DELMAR L. WOODWORTH
P.O. BOX 429
AMERICAN FALLS ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 43-07073

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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.

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

Enclosure

RECEIVED
MAR 05 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 43-07073

Reviewed by Klg

Date 2/14/92

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigation - 15.6 acres
Correct Uses? yes

SOURCE OF WATER

Surface water source
✓ Ground water source

45/81 NA Drilling permit required?
/ Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
\$100 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 1/27/92 27 148
Date proof due 9/1/91 + 121 - 75
No. of days late = 148 73
Priority Date 5/4/77 + 124
New Priority Date 7/16/77 197
Klg
Response time
11/12/91 - 316
8/29/91 - 241 credit
12/31/91 = 365
9/1/91 = 244
121

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

Proof Made 2/27/92
2/21/92 Klg

RECEIVED
FEB 13 1992

February 10, 1992

Department of Water Resources,
1301 North Orchard Street, Statehouse Mall
Boise, Idaho 83720-9000

Department of Water Resources

Attn: Pamela Skaggs
Technical Records Specialist

RE: Permit #43-07073

Dear Ms Skaggs:

On Aug 29 1991 we met with James Stanton in the Twin Falls office concerning the above referenced permit. We furnished him with a copy of the well log and also showed him receipts for the equipment installed during May of 1981 at that time. We asked him the possibility of getting the permit extended and he filled out a request for an extension of time. I asked if we should file a beneficial use form for the amount we had developed, or wait until we were notified on the extension of the permit. He indicated we would have 60 days after the lapse date to file beneficial use and that 30 to 45 days should be plenty of time to notify us if the extension request was denied.

We were not notified as to the status of the permit until receipt of a certified letter (enclosed copy) denying the extension of time on the 12 of Nov, 12 days after the last day to submit proof of beneficial use. Had we been notified prior to the last day of the 60 day period as to the status of the permit extension, we would have filed the beneficial use form prior to the end of October.

Due to medical reasons, surgerys appointments and tests, for myself and other family members and other obligations, also out of state, it was not possible to follow up on this matter until late January.

Please notify us as to the outcome of this matter, especially the determination of the priority date. Thank you.

RECEIVED
MAR 05 1992

Sincerely,

Delmar L. Woodworth

Delmar L. Woodworth

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 5, 1991

Mr. Delmar L. Woodworth
P.O. Box 429
American Falls, ID 83211

Re: Permit No. 43-07073

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time. Please note that the department has previously granted an extension of time in connection with this permit.

I suggest that you file the enclosed proof of beneficial use form for that portion of the development completed. However, since you did not file by the proof due date, your priority date on that portion will be advanced to a later date. You can then file a new application within one year of the time you actually intend to develop the remainder of the water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

If you have any questions or if we can be of any further assistance, please feel free to contact us or any of our regional offices.

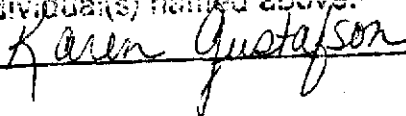
Sincerely,


L. GLEN SAXTON
Chief, Water Allocation Bureau

Enc: Proof of Beneficial Use form/instruction
Extension of Time

CERTIFICATION OF MAILING

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



MAR 05 1992

D. L. Woodworth
750 CALDER AVE.
AMERICAN FALLS, ID.
83211

Fold at line over top of envelope to the
right of the return address.

CERTIFIED

P 672 002 602

MAIL

Attn: Pamela Hays

RETURN REQUESTED



ALWAYS
USE ZIP CODE

State of Idaho Dept. of Water Resources
1301 North Orchard St.
State House Mail
Boise, Idaho 83720-9000

MAR 05 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 31, 1992

Delmar L. Woodworth
P.O. Box 429
American Falls, ID 83211

RE: Permit #43-07073

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on January 27, 1992. The permit lapsed September 1, 1991 so the 60-day late period during which the permit can be readily reinstated has passed.

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

- a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date.
- b) Reasonable cause why the proof of beneficial use was filed late.

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

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

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

Enclosure



MAR 05 1992

I certify that file No. 43-7073

has been reviewed and is ready to be MICROFILMED
and DESTROYED.

Ma. Skaggs
Signature

11-29-91
Date

The attached proof report is the water right as it appeared in the database
prior to the final status and deletion from the database.

WATER
98-264

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

11/29/91 10:52:00
Page 1

Water Right Number - 43-07073

Prefix Translation:

WATER RIGHT

Old (B) Number -

----- Last Name -----

----- First Name -----

----- Address -----

and C - CURRENT OWNER -
UNKNOWN

DELMAR L.

1 - P.O. BOX 429

2 -

3 -

City- AMERICAN FALLS

State- ID Zip- 83211

Phone -

----- Priority Date -----
05/04/1977

----- Region -----
17 SOUTHERN

----- Stage -----
P - PERMIT

----- Status -----

----- Source -----
GROUNDWATER

----- Tributary -----

Tran	Eng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Indian Code)
100	20E	24	SW NW			(31) CASSIA		
100	20E	24	NE NW			(31) CASSIA		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/15	11/15		5.400	

----- Total Div. Rate ----- + - Total Div. Volume ----- + - Total Div. Capacity -----
5.400

Tran	Eng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
100	20E	24	NE NW		40.0	01 IRRIGATION		(31) CASSIA	
100	20E	24	NW NW		40.0	01 IRRIGATION		(31) CASSIA	
100	20E	24	SW NW		40.0	01 IRRIGATION		(31) CASSIA	
100	20E	24	SE NW		40.0	01 IRRIGATION		(31) CASSIA	
100	20E	24	NE SW		30.0	01 IRRIGATION		(31) CASSIA	
100	20E	24	NW SW		20.0	01 IRRIGATION		(31) CASSIA	
100	20E	24	SW SW		10.0	01 IRRIGATION		(31) CASSIA	
100	20E	24	SE SW		30.0	01 IRRIGATION		(31) CASSIA	
100	20E	24	NW SE		10.0	01 IRRIGATION		(31) CASSIA	
100	20E	24	SW SE		10.0	01 IRRIGATION		(31) CASSIA	

Total Acres: 270.0

----- Diversion Means ----- WELL, PUMPS & SPRINKLER.

----- Main-Irrigation Use -----

----- Other Rights for Same Use -----

10000000
000-000

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

11/29/91 10:52:59
Page 2

Water right number - 43-07073

Prefix Translation: WATER RIGHT

----- Remarks -----
No Remarks found.

----- Old Water Right Numbers -----
No Old Water Right Numbers found.

----- Conditions of Approval -----
DIP - The right holder shall either install a measuring device or a
- flow measurement port or provide a certified measurement or
- computation of flow based upon system design to be prepared by a
- professional engineer.

----- Decree Plaintiff ----- + ----- Decree Defendant ----- + ----- Decree Date ----- +
00/00/0000

----- Comments -----
Date: 11/07/1991 User Id: VMULT Subject: Lapse Notice Sent
Lapse Notice Sent

----- Audit Fields - 09/22/87 05/28/88 CONVERT 11/07/91 COMMENTS -----

----- Water Rights Dates and Flows Area -----

Proof Due Date	- 09/01/1991	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 06/30/1977	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 05/20/1985	DLE/Carry Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl. Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL B. ANDERSON
GOVERNOR
L. KATHY WOODWARD
DIRECTOR

November 5, 1991

Mr. Delmar L. Woodworth
P.O. Box 429
American Falls, ID 83211

Re: Permit No. 43-07073

Dear Permit Holder:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. Section 42-204, Idaho Code, provides that the department can only grant one extension of time. Please note that the department has previously granted an extension of time in connection with this permit.

I suggest that you file the enclosed proof of beneficial use form for that portion of the development completed. However, since you did not file by the proof due date, your priority date on that portion will be advanced to a later date. You can then file a new application within one year of the time you actually intend to develop the remainder of the water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

If you have any questions or if we can be of any further assistance, please feel free to contact us or any of our regional offices.

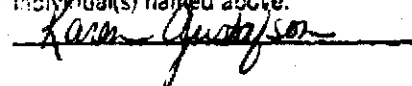
Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enc: Proof of Beneficial Use form/instruction
Extension of Time

CERTIFICATION OF MAILING

I hereby certify that on 11/7/91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



138795
June 30, 1991

DELMAR L. WOODWORTH
P.O. BOX 429
AMERICAN FALLS, ID 83211

PROOF DUE NOTICE

RE: PERMIT NO. 43-07073

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 September 1, 1991. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MEMORANDUM

TO: FILE/PERMIT NO. 43-7073

FROM: TIM LUKE *TL*

RE: SWAN FALLS PROCESSING

DATE: 3-13-89

In response to my letter and questionnaire dated 1-30-89, the permit holder submitted a December 5, 1984 letter (enclosed with file) from Idaho Power's (IPCO) attorney's stating that the permit had been dismissed from the Swan Falls lawsuit (Ada County Case 81375). It appears that this filing was inadvertently omitted from IPCO's dismissal lists.

Based on this documentation, the Department will exempt this permit from any further review required by Section 42-203D and remove the filing from the Swan Falls process list. The Department should proceed with the normal field examination and licensing process upon submittal of proof and exam fee.

copy: Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

FEB 27 1989

Department of Water Resources

GENERAL INSTRUCTIONS: Please answer all questions thoroughly.
A separate questionnaire must be completed for each permit.

1. Permit number 43-7073.
2. Was the development or a portion of the development complete and water from the source identified under this permit used before July 1, 1985? Yes ✓ No

If yes, the Department requests that you submit evidence showing the extent of your development existing on July 1, 1985. Evidence should at least include aerial photos (for developments of five acres or more) which are signed and dated by a local ASCS representative. Other evidence may include power records, irrigation equipment records or receipts, and affidavits from persons who are knowledgeable of your operation and dates of past water use.

3. Are you still interested in developing or completing the development under your water right filing?
Yes ✓ No
If no, please complete and return the attached relinquishment form.
If yes, please submit the required \$20.00 readvertisement fee.
4. If you answered yes to question #3, please indicate the number of acres you intend to develop. 290 acres

5. Remarks: 10" well, 15 HP submersible pump - have irrigating system 15 acres since NOV 1981 using 1 1/2 inch well line 600' long, 1 1/2 inch line 370' long, and some 3" HANDLINE, 550' line 5" main and 1200' of line with 1 1/2" 20' diameter

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 or cancellation of the permit by the department.

Delmar L. Woodward 24 Feb 1989
Permit holder Date

Address: P.O. Box 429 Phone (208) 349-5716
ACACIA FALLS, ID 83211 or 208-226-2238

I do have a letter from Idaho Power Co dated Dec 5, 1984 stating the permit was dismissed from case #81375 on Oct 25, 1984 - If a copy of this should be in my file, let me know and I will send same.
Delmar L. Woodward

1 D # 43-7073

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW
142 3RD AVE. NO.

MAILING ADDRESS: P.O. Box 1906
TWIN FALLS, ID 83404-1906
TELEPHONE (208) 734-0700
FAX (208) 726-1661

THOMAS G. NELSON
KIM A. RUSHOLT
L. EVAN ROBERTSON
STEVEN A. TOLMAN
DAVID L. TUCKER

TERRY J. SPRING
LARRY B. STONE
GARY D. METTE

December 5, 1984

MAILED 1289

WOODWORTH, DELMAR L.
Box 429
American Falls, ID. 83211
I.D. #43-7073

Department of Water Resources

RE: IDAHO POWER COMPANY vs. IDAHO DEPARTMENT OF WATER RESOURCES
Case No. 81375

On October 25, 1984, Idaho Power Company and the State of Idaho, through Governor Evans, entered into a contract regarding the captioned lawsuit. Pursuant to the terms of the contract, known as the Senate Bill 1180 Contract, certain uses of water were to be dismissed from the suit. It has been determined from the Department of Water Resources records that the above filing(s) held by you should be dismissed under the terms of the contract.

On October 25, 1984, a Notice of Dismissal With Prejudice was filed in Ada County dismissing the above filing(s). You will not be required to further defend the case as to the filing(s) listed above.

However, in the event that you do have other filings remaining in the lawsuit, you will be receiving a questionnaire in the near future. This questionnaire will provide us with the necessary information to determine whether or not your remaining filings should be dismissed pursuant to the terms of the contract.

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

Most sincerely,

Cynthia Cranston-Felton

Cynthia Cranston-Felton
Paralegal

CCF
PJ



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECELIA ANDERSON
GOVERNOR
R. KEITH BROCKBUSH
DIRECTOR

January 30, 1989

RE: PERMIT NO. _____

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4.2.3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

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 334-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

Form 100-9
1962

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 43-7073
Name(s) of Permit Holder(s): Delmar L. Woodward
Post Office Address: P.O. Box 429
AMERICAN FALLS, IDAHO 83407 Tel. No. 349-5716
☒ I hereby certify that construction of diversion works for the above referenced permit began on 15 March 1973. I understand that I must continue to develop the water system with due diligence to maintain a 100% 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:

When a reasonable difficulty is not an avoidable reason.

28 June 1973
Date

Delmar L. Woodward
Signature of Permit Holder



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
JUN 20 1983
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

RECEIVED
JUN 20 1983
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

June 24, 1987

Delmar L. Woodworth
Box 429
American Falls, ID 83211

Dear Mr. Woodworth:

Re: Permit Nos. 43-7073 and 43-7074

Enclosed is a copy of each approved request for extension of time. The time within which to submit proofs of beneficial use is extended to September 1, 1991.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 43-7073, 43-7074 Reviewed by 12 Date 6-18-1987
43-7075

BASIC INFORMATION

12 Date stamp received
12 Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
12 Fee received and receipted
12 Name and signature same as permit
12 Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

12 Has adequate work been completed to demonstrate due diligence?
12 Has the cost incurred been adequate to demonstrate an intent to complete the project?

12 Has the permit been involved in litigation?

a. Swan Falls Yes Dismissed from Swan Falls No

Other Identify

b. Is supporting documentation needed to complete the file? Requested

c. Calculate the period of delay

Date ^{proof due} litigation completed 6-1-1987

Date litigation began -3-1-1983

Total period of delay = 5mo 49ds

Present proof due date + 6-1-1987

NEW PROOF DUE DATE = 9-1-1991

Is delay by a government agency?

Is supporting documentation needed to complete the file? Requested?

ACTION TAKEN - Recommend approval based on Swan Falls litigation until 9-1-1991.

Special conditions or remarks:

12 Reinstates Date extension received _____ = _____
Proof due date _____ = _____
No. of days late _____ = _____
Priority date _____ = + _____
ADJUSTED PRIORITY DATE _____ = _____

12 Prepare coding sheet
12 Change colodex card



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDERSON

Governor

A. ROBERT DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

EXTENSION OF TIME

June 10, 1987

Woodworth Farm
Delmar L. Woodworth
P. O. Box 429
American Falls, ID 83211

PERMIT NO. 43-7073, 43-7074, 43-7075

We are in receipt of the \$45 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 42516.

Roberta Garrett
Records Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
MARCH 31, 1987

WOODWORTH, DELMAR L.
P.O. BOX 429
AMERICAN FALLS, ID 83211

PROOF DUE NOTICE

RE: PERMIT NO. 43-7073

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 JUNE 1, 1987. (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 COMPLETED 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. BENNETT DUNN
Mayor

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-2030, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NOT COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-2030, WHICH READS AS FOLLOWS:

42-2030. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. Glen Saxton
L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 334-4440

June 10, 1982

Delmar L. Woodworth
P.O. Box 429
American Falls, ID 83211

Dear Mr. Woodworth:

Re: Permit No.'s 43-7073 & 43-7074 & 43-7075

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to June 1, 1987.

Also enclosed is Receipt No. 23675 in the amount of \$45.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138566

WOODBURN, DELMAR L.
P.O. BOX 429
AMERICAN FALLS, ID 83211

MARCH 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 43-7073 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

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

SINCERELY,

WITA FLECK
AN. SECRETARY

ENC 1



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

ALVIN V. PETER

Director

A. STEVEN DUNN

Deputy

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

March 19, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

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

DRT:jg

Enclosures

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

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

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 323-7161

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

July 1, 1977

Re: Permit No.'s 43-7073 & 43-7074 & 43-7075

Delmar L. Woodworth
Box 429
American Falls, ID 83211

Dear Delmar:

Enclosed are copies of your approved Applications for Permit No. 43-7073 & 43-7074 & 43-7075. We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BONNY D. FLEENER
Chief, Water Rights

Enclosure: Copies of permits

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. WOODMORTH, Delmar L. - 43-7073

- ☒ 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) DS 5-7
- (2) DS 5-9
- (3) DS 5-9
- (4) ADM 5-11-77
- (5) _____
- (6) _____
- (7) mls 6-6-77
- (8) mls 6-6-77
- (9) _____
- (10) _____
- (11) Am 5/27/77
- (12) SB _____
- (13) _____
- (14) mls 6-6-77

In form to receipt

Send Copies to:

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

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

In form for advertising

Platted on Map No. _____

Located within Water District No. _____

Critical groundwater area: yes _____ no ☒

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

Other rights on the same place of use

Comments: _____

Affidavit of Publication received (date) 5/26/77

Final date for protests 6/3/77

Protests received: yes _____ no ☒

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

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction

☒ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District Southern Michael Steele Date 6-6-77

cc sent to Boise 5-9-77 Am

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Delmer L. Woodworth
American Falls, Idaho 83211
has on 5/4/77 submitted Application No. 13-7073
for a permit to appropriate 5.1 cubic feet per second ~~surface water~~
of water from March 15 to Nov. 15 groundwater
by means of wells, pumps, motors, sprinkler system.
within the S.W. 1/4, Sec. 24, Twp. 10S, Rge. 28E., B.M., Cassia County
NE 1/4, Sec. 24, Twp. 10S, Rge. 28E., B.M.,

to be used from March 15 to Nov. 15
for irrigation purposes of 270 acres

within the 1/4, S.W. 1/4, Sec. 24, Twp. 10S, Rge. 28E., B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83439, on or before
date June 2, 1977.

G. GEORGE JONES

Manager

77214

06/1/77 5/17/77

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Delmar L. Woodworth, American Falls, Idaho 83211 has on 5/4/77 submitted Application No. 43-7073 for a permit to appropriate 5.4 cubic feet per second of water from groundwater by means of wells, pumps, motors, sprinkler system, within the SW 1/4 NW 1/4, Sec. 24, Twp. 10S, Rge. 28E., B.M., Cassia County NE 1/4 SW 1/4, Sec. 24, Twp. 10S, Rge. 28E., B.M., to be used from March 1st to Nov. 15 for irrigation purposes of 270 acres within the W 1/2, W 1/2 SE 1/4, Sec. 24, Twp. 10S, Rge. 28E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before June 3, 1977.

C. STEPHEN ALLRED

Director

Published in the South Idaho Press on May 17, 24, 1977.



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

PERMIT TO PUBLISH

South Idaho Press
Box 190
Burley, Idaho 83310

For the State of Idaho
The State Engineer
Boise, Idaho

May 10, 1977

South Idaho Press
Box 190
Burley, Idaho 83310

RE: Application for Permit 643-7073-Danar L. Woodworth

Comments:

Enclosed you will find a legal notice which we wish to have published once a week for the next consecutive weekly issues of your publication. We have provided you with a copy of the notice and a copy of the application for permit. Please allow ample time for you to publish the notice in your publication.

As a publisher, you are required to proceed with the publication of the notice. If you believe the notice is correct, you should publish it. If you believe the notice is incorrect, you should contact us immediately.

As a publisher, you are required to provide an affidavit of publication with the publication bill.