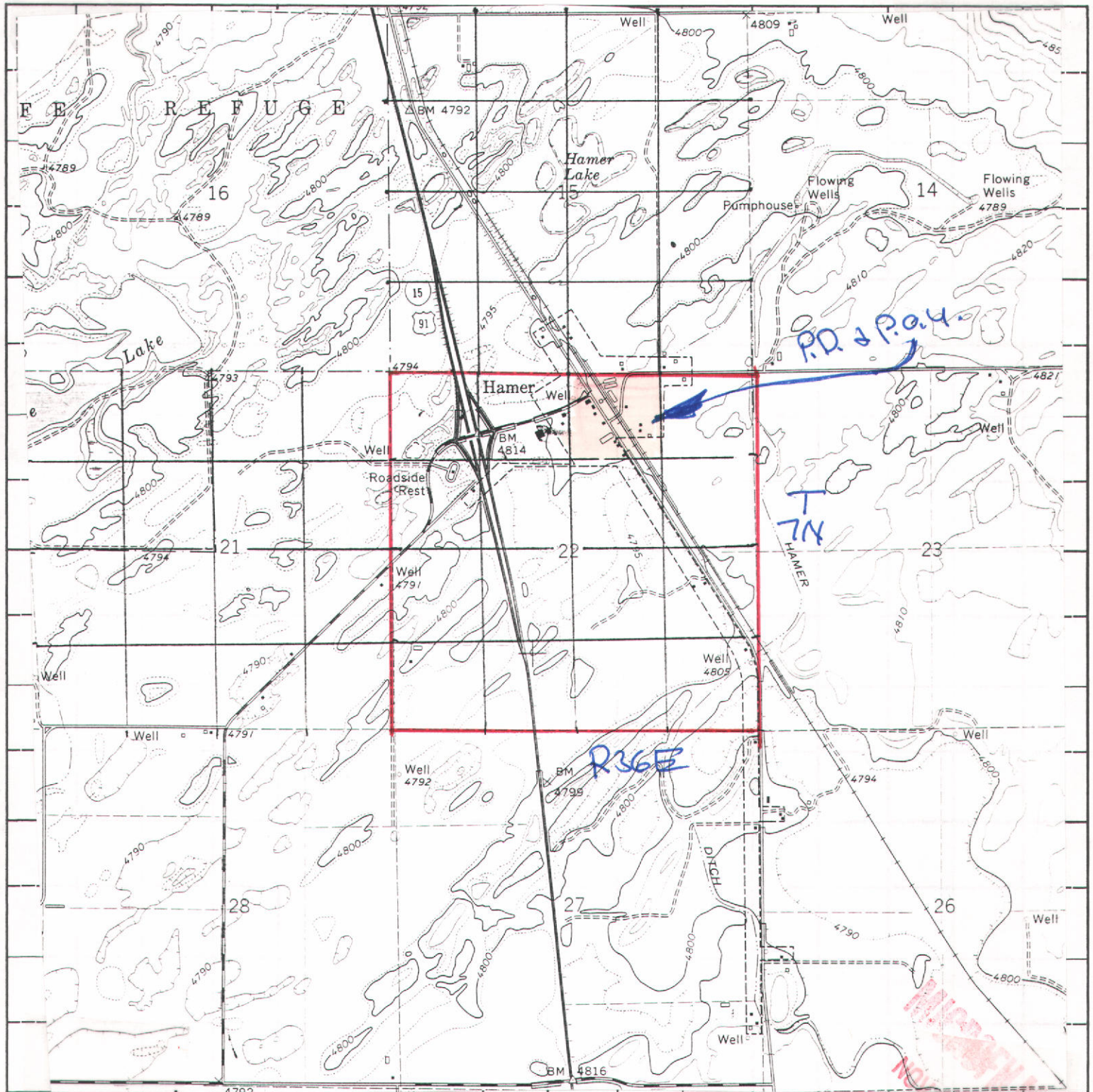


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

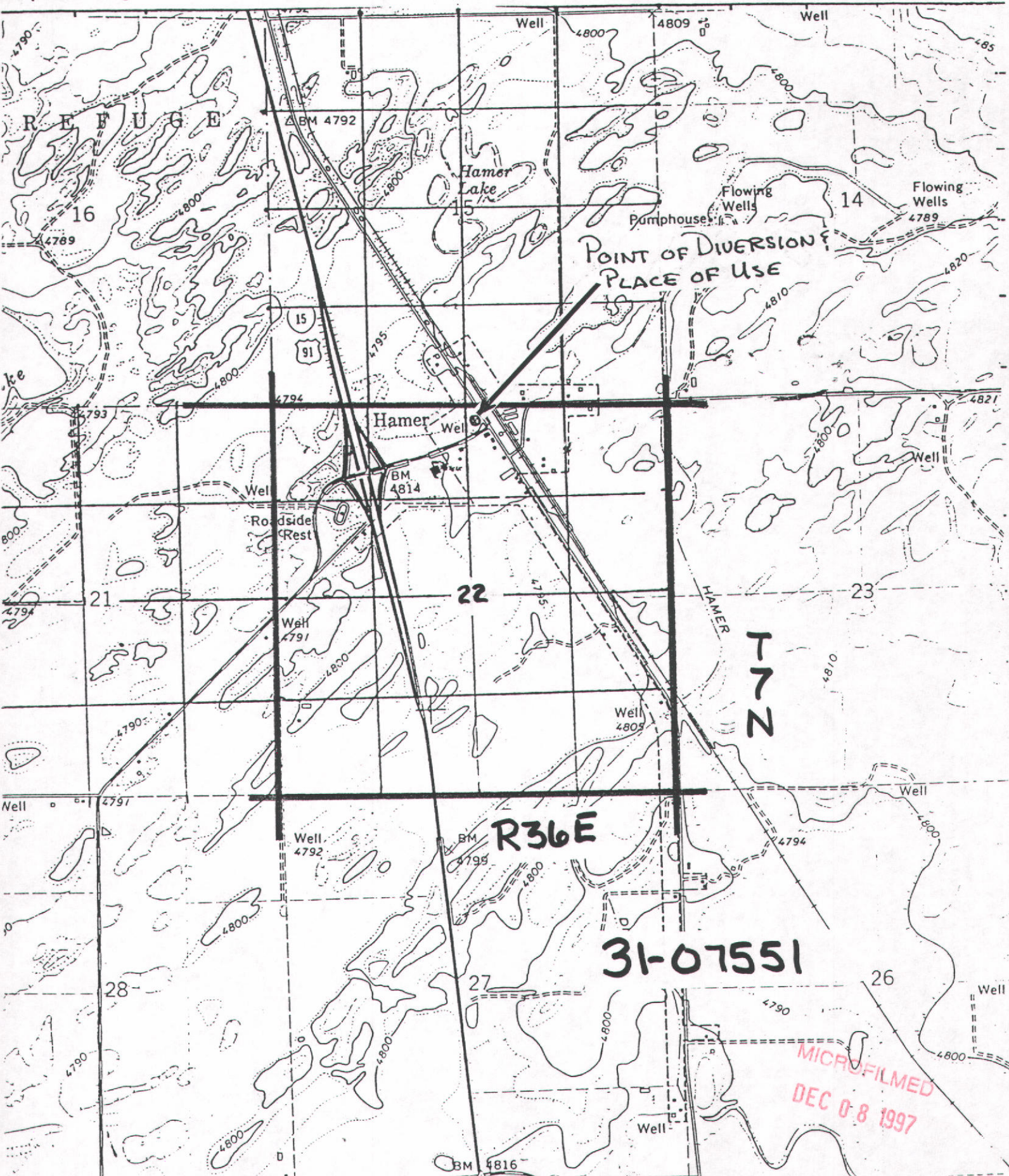


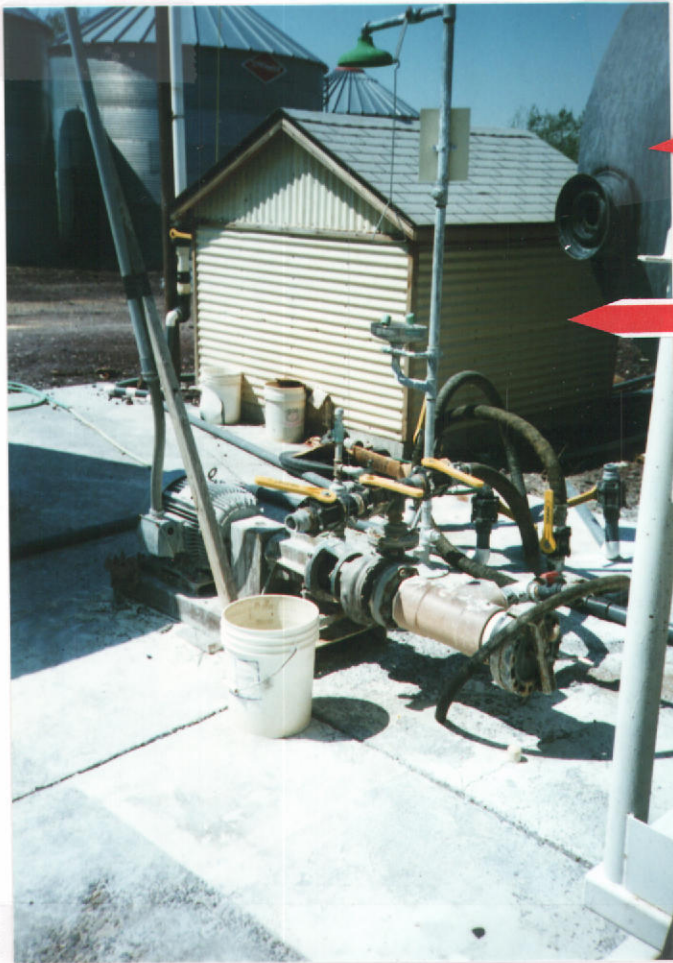
Scale: 2 inches equal 1 mile.

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.

*Judy Millmore*  
(Applicant)

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





TANKS

Well housing



well

31-07551

MICROFILMED  
DEC 08 1997

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 31-07551

Priority: August 26, 1991

Maximum Diversion Rate: 0.04 CFS  
Maximum Diversion Volume: 0.6 AF

This is to certify, that JUDY WILLMORE  
PO BOX 637

REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 26, 1991; and has submitted Proof of Beneficial Use on September 27, 1993. An examination indicates that the works have a diversion capacity of 0.110 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> |
|-----------------------|----------------------|--------------------------|----------------------|
| COMMERCIAL            | 04/01 to 09/30       | 0.04 CFS                 | 0.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 22, Township 07N, Range 36E  
JEFFERSON County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

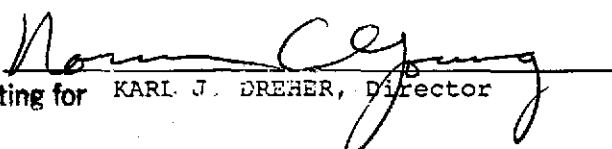
07N 36E 22

NWNE

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 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for a fertilizer plant.

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 12<sup>TH</sup> day of NOVEMBER, 1997.

  
Acting for KARL J. DREHER, Director

MICROFILMED  
DEC 1 1997

RECEIVED

SEP 27 1993 No

OFFICE USE ONLY

Am't. of Fee \$ \_\_\_\_\_  
Date \_\_\_\_\_  
Receipt No. \_\_\_\_\_  
Receipt by \_\_\_\_\_

STATE OF IDAHO Department of Water Resources  
DEPARTMENT OF WATER RESOURCES

## PROOF OF BENEFICIAL USE

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

1. Permit No. 31-07551 Telephone No. 356-7550 356-0874  
2. Name(s) of Permit Holder(s): Judy Reeser and Scott Willmore  
3. Mailing Address: Po Box 637 Rexburg ID 83440  
4. Source of Water: Beep Well

If **GROUNDWATER**, Well Driller's Name: Andrew Well Drilling Date Drilled: 1/27/83

OPTIONAL:

Pump horsepower: 2 hp Pressure (psi): 40 Dynamic pumping level (ft.): 116'

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

Domestic NA (No. of households) Stockwater \_\_\_\_\_ (No. and type of stock)

Irrigation \_\_\_\_\_ (No. of acres)

Other

Water source for Shop & Equipment washing  
Commercial fertilizer plant

6. Total rate and/or volume for which proof is submitted 0.4 cfs OR \_\_\_\_\_ acre/feet

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

Measuring device: Required? \_\_\_\_\_ Yes \_\_\_\_\_ No Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

OR

Flow Measurement Port: Required? \_\_\_\_\_ Yes \_\_\_\_\_ No Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

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

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

Scott Willmore 356-0874  
Name Telephone No.

4541 W 1000 W Rexburg ID 83440  
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.

Sept 21, 93 Scott E. Willmore (Co Owner)  
Date Signature (and title, if on behalf of a company or organization)

OCT 19 1993

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 31-07551

Proposed Priority: August 26, 1991 Maximum Diversion Rate: 0.04 CFS

This is to certify, that JUDY WILLMORE  
PO BOX 637  
REXBURG ID 83440

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

| <u>BENEFICIAL USE</u>                                                                               | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------------------------------------------------------------------------------------|----------------------|--------------------------|
| COMMERCIAL                                                                                          | 04/01 to 09/30       | 0.04 CFS                 |
| <u>LOCATION OF POINT(S) OF DIVERSION:</u> NWNE Sec. 22, Township 07N, Range 36E<br>JEFFERSON County |                      |                          |

PLACE OF USE: COMMERCIAL  
TWN RGE SEC

07N 36E 22 NWNE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Commercial use is for a fertilizer plant.

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

21<sup>st</sup> day of October, 1991.

*R. Keith Higginson*  
for R. Keith Higginson, Director

NOV 15 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Judy Willmore Phone 356-7155

Post office address Box 637 Rexburg, ID 83440

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is \_\_\_\_\_ 1/4 of NW 1/4 of NE 1/4, Govt. Lot \_\_\_\_\_

Sec. 22 Township 7N Range 36E B.M. Jefferson County; additional

points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.04 for Commercial purposes from 4-1 to 9-30 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) \_\_\_\_\_ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & pump to washroom  
Facilities at Fertilizer plant

b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage:  
\_\_\_\_\_ to \_\_\_\_\_ inclusive.

c. Proposed well diameter is 6 inches; proposed depth of well is 100 feet.

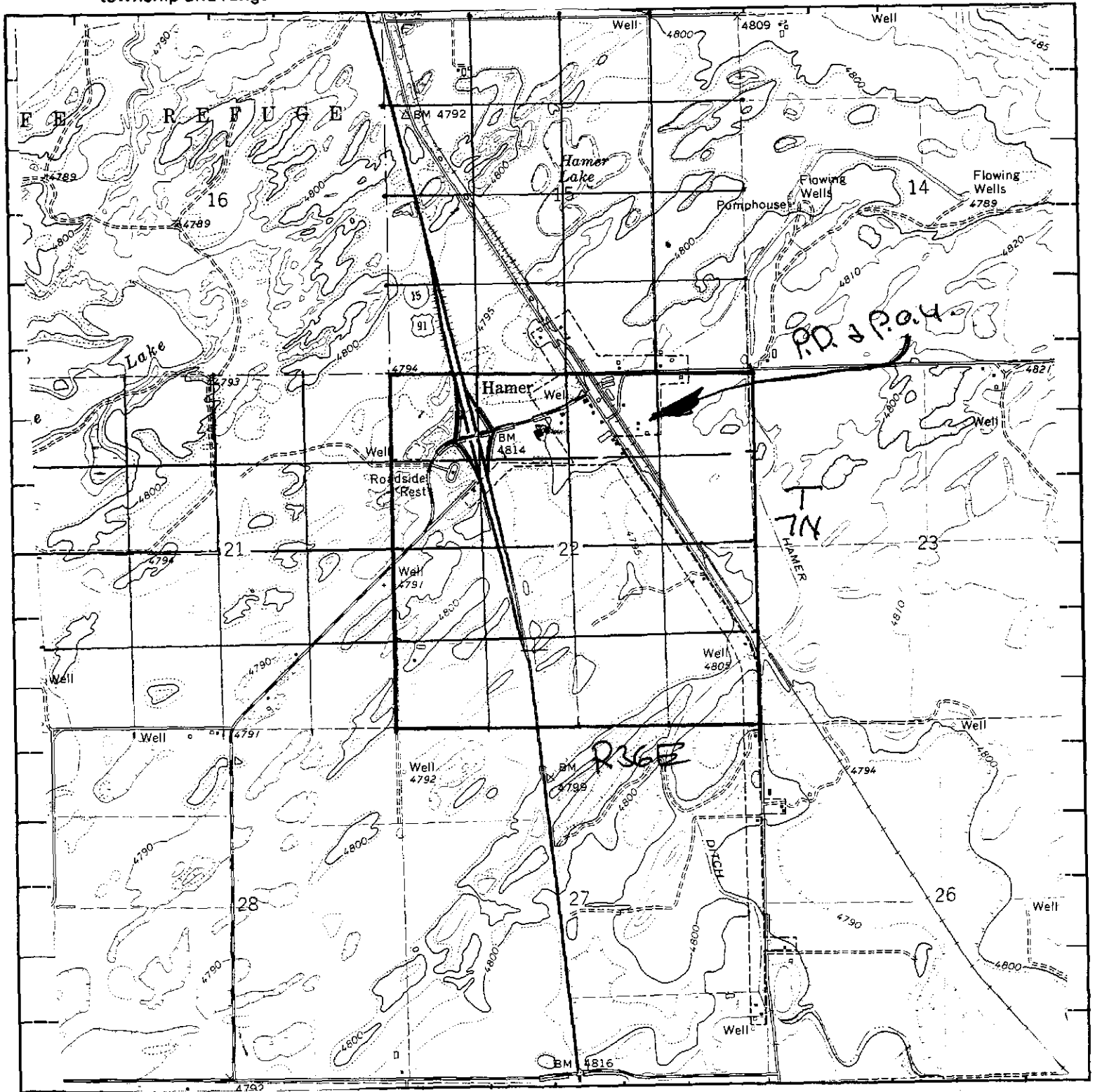
d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

2 years (minimum 1 year).

1965-66

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



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.

*Gudy Willmore*  
(Applicant)

NOV 9 2 40 PM

e. Other:

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

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.

\_\_\_\_\_, 19\_\_\_\_

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

# ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by DL Date 8-26-91 Time 12:00 Preliminary check by \_\_\_\_\_

Fee \$ 30.00 Received by HLJS # E016475 Date 8-26-91

Publication prepared by DLB Date 9-19-91 Published in Idaho State

Publication approved DLB Date 10-3-91

# AFFIDAVIT OF PUBLICATION

State of Idaho )  
 ) ss  
County of Jefferson )

I, LaReena Lydon  
of the Jefferson Star, published weekly at  
Rigby, Jefferson County, Idaho, do  
solemnly swear that the

Notice of Application  
a copy of which notice appears attached  
hereto, was published in the regular and  
entire issue of said newspaper, and not in  
any supplement issue thereof for Sept 12, 1991  
consecutive issues, the first publication  
having been made on Sept 12, 1991  
and the last publication having been made  
on Sept 25, 1991

Further, that said newspaper is one of  
general circulation in said county; that it is a  
legal newspaper, conforming to legal  
specifications under the Idaho Statutes; that  
it has at least two hundred bona fide  
subscribers living within the county of  
publication; and that it has been  
continuously and uninterruptedly published  
in said county during a period of seventy-  
eight consecutive weeks prior to the first  
publication of the said notice.

## NOTICE OF APPLICATION FOR TRUSTWATER RIGHT

31-07551

WILLMORE, JUDY  
P.O. BOX 637  
REXBURG, ID 83440  
Source: GROUNDWATER  
COUNTY: Jefferson  
Diversion Pt: NWNE Sec 22 T 07N R  
36E

Use: COMMERCIAL (040 CFS)  
Total Diversion: (040 CFS)

Date Filed: 8/26/1991

In: T07N R36E S22 NWNE

The permit(s) will be subject to all  
prior water rights. Protests may be sub-  
mitted based on the criteria of Sec. 42-  
203A, Idaho Code and/or the new pub-  
lic interest criteria of Sec. 42-203C,  
Idaho Code. Protests must be filed with  
the Director, Dept. of Water Resources,  
150 Shoup Ave., Suite 15, Idaho Falls,  
Idaho 83402 on or before OCTOBER 7,  
1991.

R. Keith Higginson, Director  
Published in the Jefferson Star,  
Rigby, Idaho, Sept. 18 and 25, 1991.

On this 21st day of Sept  
in the year of 1991, before me, a Notary  
Public, personally appeared

LaReena Lydon  
known or identified to me to be the person  
whose name subscribed to the within  
instrument, and being by me first duly  
sworn, declared that the statements therein  
are true, and acknowledged to me that he  
executed the same.

Merrill C. Freeman  
Notary Public of Idaho

Residing at Idaho Falls

My commission expires: 7-10-93

RECEIVED

SEP 27 1991

Department of Water Resources  
Eastern District Office

NOV 15 1991



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

November 13, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JUDY WILLMORE  
PO BOX 637  
REXBURG ID 83440

RE: WATER RIGHT NO. 31-07551

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.

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.

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.

RECORDED

DEC 18 1997

### 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:

- 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.

MICROFILMED

DEC 9 1977

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.

Sincerely,

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

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

RECORDED  
3  
DEC 28 1967

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of November, 1997, 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. 31-07551

JUDY WILLMORE  
PO BOX 637  
REXBURG ID 83440

  
Kari Lynn Townsend  
Secretary

RECORDED  
DEC 9 8 1997

# LICENSE REVIEW CHECKLIST

PERMIT NO. 31-07551

DATE 11/4/97

REVIEWER: SHARLA

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

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

## RATE OF DIV

|                                           |                                                      |
|-------------------------------------------|------------------------------------------------------|
| Permitted Rate                            | <u>.04</u> cfs                                       |
| Fee limit                                 | <u>.04</u> cfs NO FEE REQD                           |
| Measured                                  | <u>—</u> cfs                                         |
| Theoretical                               | <u>.11</u> cfs @ 20' lift and 40 psi (b/a form info) |
| Recommended Total Div Rate <u>.04</u> cfs |                                                      |

ANNUAL VOLUME/  
NATURE OF USES —

|   |                 |                |                          |                      |
|---|-----------------|----------------|--------------------------|----------------------|
| ✓ | Use <u>Comm</u> | cfs <u>.04</u> | Volume Calc <u>.6</u> af | as in house domestic |
|   |                 |                | af                       |                      |
|   |                 |                | af                       |                      |
|   |                 |                | af                       |                      |
|   | SUBTOTAL        | <u>.04</u>     | <u>.6</u> af             |                      |

Flow rate .04 cfs X 365 days X 1.98 = 29.8 af  
 Total volume recommended .6 af  
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

c/f fertilizer plant

CONDITIONS — Watermaster Control WD# —  
— GW Measurement/Measuring Device  
— Overlap  
— Use specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA  
 Adjustment Memo —

1st Amend Letter NA  
 2nd Amend Letter —

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
SEP 11 1997  
Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 31-7551

1. Owner: Judy Reeser & Scott Willmore Phone No. 356-0874

Current Address: P.O. Box 637 Rexburg Id 83440

2. Accompanied by: - EXAM DATE: 23 Aug 1994

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: Groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: \_\_\_\_\_

2. Other water rights with the same point of diversion: \_\_\_\_\_

**C. DIVERSION AND DELIVERY SYSTEM**

**1. Point(s) of Diversion:**

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County    | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|-----------|---------------------------------|
|           |           | NW  | NW  | NE  | 22   | 7N   | 36E  | Jefferson | ON SITE                         |
|           |           |     |     |     |      |      |      |           |                                 |
|           |           |     |     |     |      |      |      |           |                                 |
|           |           |     |     |     |      |      |      |           |                                 |

**2. Place(s) of Use:**

Indicate Method of Determination

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 7N  | 36E | 22  |    | C  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

RECORDED

SEP 8 1997

[illegible]

## 2. Measurements:

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

#### D. FLOW MEASUREMENTS

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

|                                       |            |    |                  |           |                                   |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|                                       | UNK        |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

4

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

Aerial Photo Attached  
(required for irrigation)

Photo of Diversion and System Attached

Scale: T = \_\_\_\_\_

[illegible]

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

E. NARRATIVE/REMARKS/COMMENTS

well pump mainline to Booster with flexible hoses to  
mixing tanks for fertilizer plant

AMOUNT IS "DE MINIMIS"

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

MICROFILMED  
DEC 6 8 1997

## F. FLOW CALCULATIONS

**Measured Method:**

Amount is De Minimus

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

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

## 2. Volume Calculations for Other Uses:

$$z_{0.90} = 1.28$$

## H. RECOMMENDATIONS

## 1. Recommended Amounts

| Beneficial Use | From<br>To | Period of Use | Rate of Diversion | Annual Volume<br>V (ata) |
|----------------|------------|---------------|-------------------|--------------------------|
| Commercial     | 4/1        | 9/30          | 0.0475            | 0.6                      |
|                |            |               |                   |                          |
|                |            |               |                   |                          |
|                |            |               |                   |                          |
|                |            |               |                   |                          |
|                |            |               |                   |                          |
| Totals:        |            |               |                   |                          |

## 2. Recommended Amendments

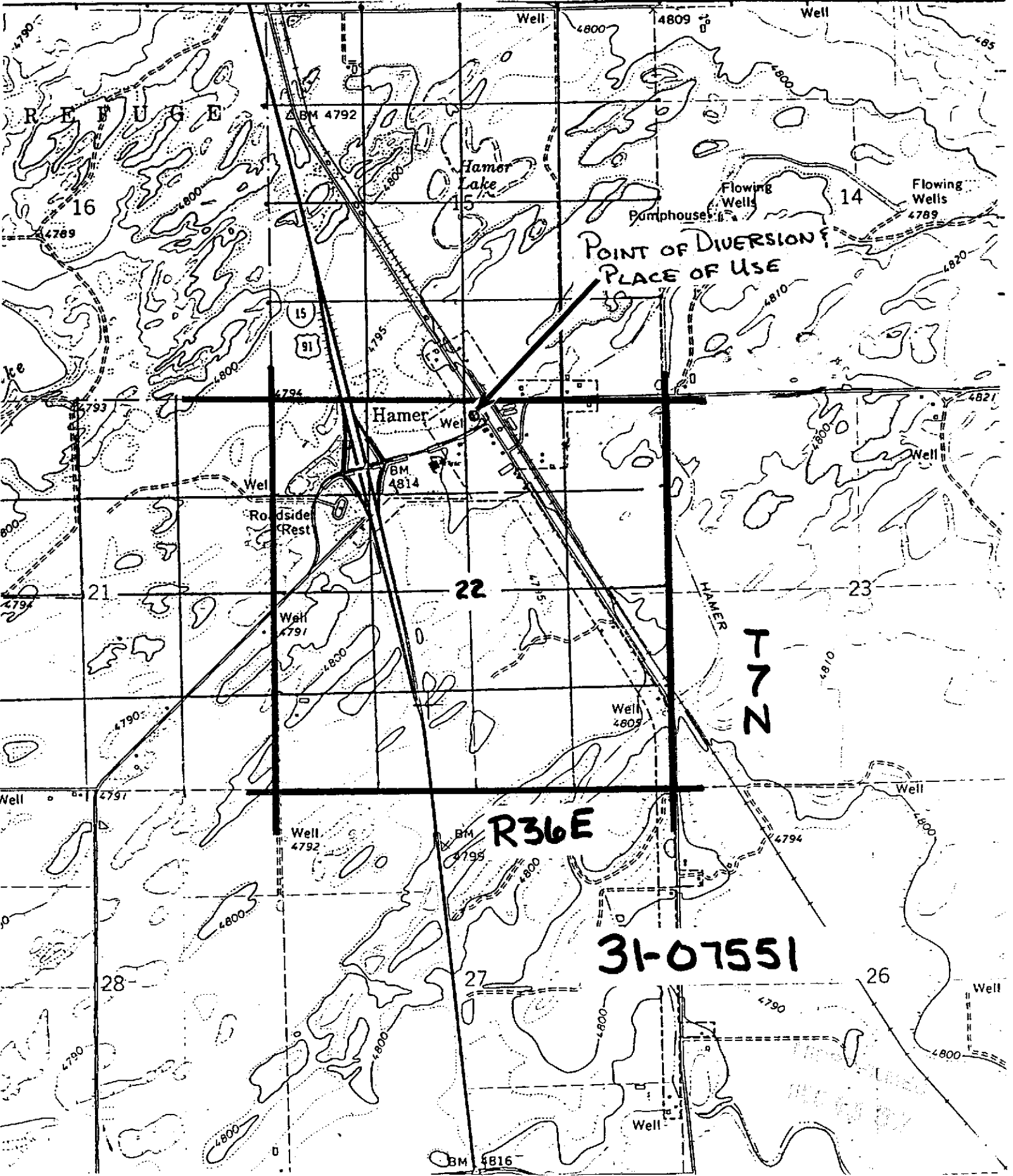
|       |                                |       |                             |       |                                |
|-------|--------------------------------|-------|-----------------------------|-------|--------------------------------|
| _____ | Change P.D. as reflected above | _____ | Add P.D. as reflected above | _____ | Change P.U. as reflected above |
| _____ | None                           | _____ | Add P.U. as reflected above | _____ | Other                          |

## I. AUTHENTICATION

Field Examiner's Name KEITH C WILSON Date 23 Aug 94  
Reviewer 216 Date 12-6-96

SEAL

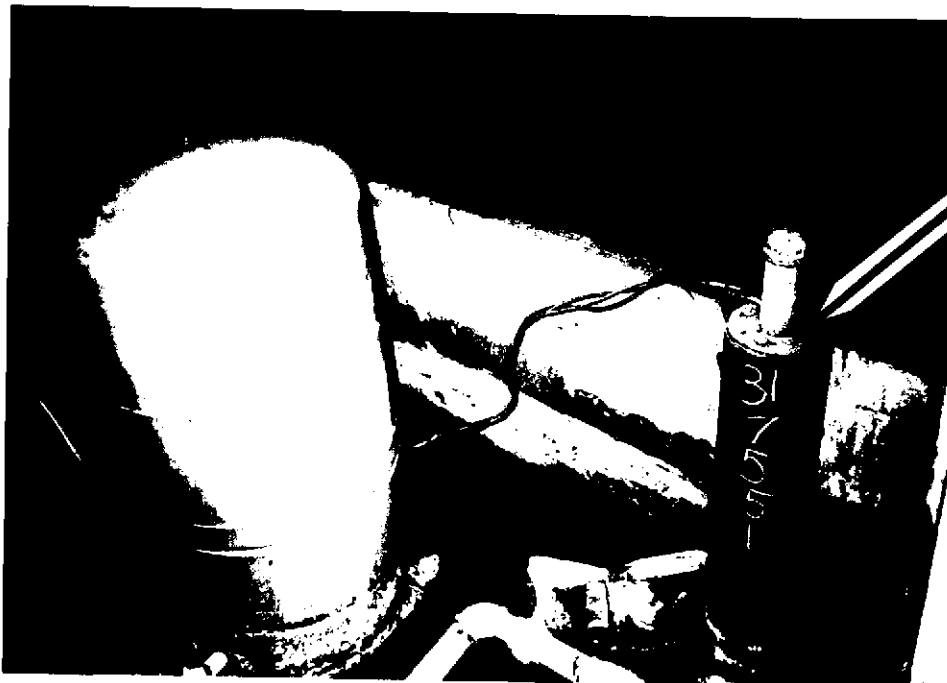
of proposed project: show clearly the proposed point of diversion, place of use, section number, ship and range number.





TANKS

Well housing



well

31-07551

31-07551  
1000 8 10 1977

October 1, 1993

JUDY WILLMORE  
PO BOX 637  
REXBURG ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-07551

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

c: IDWR - Region

**MICROFILMED**

OCT 19 1993

ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE

Permit No. 31-07551 Reviewed by Klg Date 9/28/93

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

NA Surface water source  
✓ Ground water source

NA Drilling permit required?  
1/27/83 Copy in the file? Drilling Permit No. \_\_\_\_\_  
Amount paid for permit \_\_\_\_\_ Correct?  
Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

NA Required?  
Amount Submitted  
Correct?

NA Required?  
Installed?  
Waiver requested?

PRIORITY CALCULATION

Date proof received NA  
Date proof due \_\_\_\_\_ - \_\_\_\_\_  
No. of days late \_\_\_\_\_ = \_\_\_\_\_  
Priority Date \_\_\_\_\_ + \_\_\_\_\_  
New Priority Date \_\_\_\_\_

DEFICIENCIES OR ACTION ITEMS

*proof acceptable*

DATA ENTRY

New Address \_\_\_\_\_

Proof Made 9/27/93  
10/1/93 Klg

August 31, 1993

JUDY WILLMORE  
PO BOX 637  
REXBURG ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 31-07551

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 November 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson  
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 140516

RECEIVED

OCT 19 1993



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

October 23, 1991

JUDY WILLMORE  
PO BOX 637  
REXBURG ID 83440

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 31-07551

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

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

Sincerely,

PAMELA SKAGGS  
Technical Records Specialist

PS:blm

RECEIVED  
OCT 25 1991

# APPLICATION FOR PERMIT REVIEW

Application #: 31-7551  
Date: 10-16-91

Reviewer: Pam Skaggs

✓ Existing:  
 ✓ No - 26A-P17  
     Complete in 1 year - P16  
 Yes  
     Proof not submitted - P16  
     Proof submitted - N/A  
 ✓ Groundwater:  
     GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)  
     ✓ LT. 0.2 cfs - N/A  
 ✓ Drilling Permit:  
     ✓ Approved w/permit - P99  
     Not included - 046-P23(All GW, even existing wells)  
 ✓ Location:  
     ✓ Water Districts - WD No. 31  
         Surface water - 005, 005-01H-P01(LT.2 w/pump)  
                             005-01J-P08(GT.2)  
         ✓ Groundwater - P05  
     Irrigation Districts - 023  
     Canal Co. Areas - 023  
     Drainage Districts - 024  
     Boise Front (63) - 058 (Groundwater)  
     ✓ Swan Falls Flag - C (1, Blank or Other)  
     ✓ Trust DMCI - 051-052-053-P74(Consumptive Uses)  
     Non Trust - 048-049  
 River Basins:  
     (Surface Water) Water District Control Condition &....  
     Boise (63) - 05A & 11E  
     Payette (65) - 047-P04, 059-P71  
     Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)  
 Use:  
     Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),  
                             042(req.), 002-P06(MD), 07A(Spec.),  
                             044(Policy 5G)  
     Power - Use Power Review  
     Mining - 06A or 010, 09E-P10 & 054(req.)  
     Storage - 18A-for multiple measuring devices(In WD),  
                     18B-P09(Size)  
         Rec. & Aesthetic - 027(Non-Consumptive)  
         Domestic - 021(restricted areas)  
 Ownership:  
     Non land owner - 004  
 Protested:  
     Agreement - 020  
 ✓ Beneficial Use Due Date: - 11-01-1993  
 Other Conditions Recommended

NOV 15 1991

This is trustwater  
advertising

Dist. for staffing: 04-Sep-1991  
Submitted for advertising: 9-10-91

Form No. 202a  
4/87

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY ACW DATE 9-10-91 APPLICATION NO.  
APPLICANT NAME: JUDY WILLMORE

317551

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)  
☒ Address  
☒ Source (See USGS Quad for names of water sources)  
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)  
☒ County  
☒ Quantity (flow and/or volume)  
☒ Period of Use  
☒ Nature of proposed use (Include description of use.)  
☒ Description of diverting works  
☒ Time required for beneficial use of water  
☒ Place of use or acres irrigated  
☒ Map  
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)  
☒ Fee  
☒ Yes ☐ No\* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)  
☐ Overlapping point of diversion  
☐ Yes ☒ No Field check required  
☐ Yes ☒ No Field check by \_\_\_\_\_  
☐ Yes ☒ No Field report attached  
☐ Yes ☒ No Critical groundwater area  
☐ Yes ☒ No Groundwater management area  
☐ Yes ☒ No Send dam safety information  
☐ Yes ☒ No Send power requirement letter  
☐ Yes ☒ No Send fish farm requirement letter  
☐ Yes ☒ No Power residency affidavit  
☐ Yes ☒ No Power efficiency form  
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)  
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT \_\_\_\_\_

\_\_\_\_\_ Date Requested \_\_\_\_\_

RECEIVED  
OCT 16 1991

Department of Water Resources

SEND COPIES TO

|                   |                                 |                   |                      |
|-------------------|---------------------------------|-------------------|----------------------|
| <u>          </u> | Idaho Dept. of Health & Welfare | <u>          </u> | U.S. BLM             |
| <u>          </u> | Idaho Dept. of Fish & Game      | <u>          </u> | U.S. Forest Service  |
| <u>          </u> | Idaho Dept. of Lands            | <u>          </u> | Water District       |
| <u>          </u> | Adjudication Bureau Unit        | <u>X</u>          | Other <u>Rasholt</u> |
|                   |                                 | <u>X</u>          | <u>Tim Luke</u>      |

☒ Yes    ☐ No    Affidavit of publication received  
☒ Yes    ☐ No    Application published correctly. If not, record action taken.

|                                         |                                        |                                                                  |
|-----------------------------------------|----------------------------------------|------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Publication dates & paper, recorded on application               |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Protests received                                                |
|                                         |                                        | Final date for protest <u>10-7-91</u>                            |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Protests, dates, resolution of protest, recorded on application  |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Recommendations, attached                                        |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Measuring device required                                        |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Access port required                                             |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Will water be delivered by watermaster? If yes, what Dist. _____ |
| <input type="checkbox"/> Yes            | <input type="checkbox"/> No            | Special conditions of approval or cover letter below.            |

See below for additional information

Date of priority recommended 8-26-91  
By HWS Date 10-10-91

See below for additional information

By \_\_\_\_\_ Date \_\_\_\_\_

### ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

|                    |                               |                           |
|--------------------|-------------------------------|---------------------------|
| _____ City         | _____ Idaho Fish & Game       | _____ Irrigation District |
| _____ County       | _____ Idaho Health & Welfare  | _____ Canal Company       |
| _____ Reservations | _____ Division of Environment | _____ Other _____         |

Project impacts/implications report

COMMENTS

---

---

---

---

---

---

---

---

---

---

NOTICE OF APPLICATION FOR TRUSTWATER RIGHT

31-07551

WILLMORE, JUDY  
PO BOX 637  
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: NWNE Sec 22 T 07N R 36E

Use: COMMERCIAL ( .040 CFS)  
Total Diversion: ( .040 CFS)

Date Filed: 8/26/ 1991

In: T07N R36E S22 NWNE

NOV 15 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region  
150 Shoup Ave., Suite 15

---

Idaho Falls, Idaho 83402  
(208) 525-7161

SEPTEMBER 11, 1991

THE JEFFERSON STAR  
P.O. BOX 37  
RIGBY, ID 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 7, 1991.

Yours truly,

Rita Bodell  
Secretary

Encl.

NOV 15 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 7, 1991.

R. Keith Higginson, Director

Published 9/18/1991 & 9/25/1991

RECEIVED  
SEP 15 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

12-Sep-1991

JUDY WILLMORE  
PO BOX 637  
REXBURG ID 83440

RE: Application No. 31-07551

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Jefferson Star on September 19 & 26, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

  
HAROLD W. JONES  
Water Rights Supervisor

HWJ/rb

RECEIVED

SEP 1 1991

Idaho Department of Water Resources  
Eastern District Office

August 23, 1991

Judy Willmore  
Box 637  
Rexburg, Idaho 83440

Water Resources Board  
150 Shoup Avenue  
Idaho Falls, Idaho 83401

Dear Sirs:

Please find enclosed my application for permit. This permit was partially filled out some time ago by one of your representatives. It was not completed because he requested that I get a more detailed description of the property.

I am writing the description that the Jefferson County Assessor's office gave me as of this date for the property:

Township 7 North, Range 36 East, Section 22, the Northwest quarter of the Northeast Quarter.

(This is the other part of the description that shows in our legal papers: Lot 1 through 10 and the East Half of Lot 11 and 12 or Block 7, Hamer, Jefferson County, Idaho.)

I hope that this will be sufficient to process the permit. I have not filled in the description on the Permit Application and would appreciate it if you would do so. I am also enclosing a check in the amount of \$30.00 for the application fee. Please let me know if you need further information. My home phone number is 356-7155 or work 356-3887.

Sincerely,

*Judy Willmore*  
Judy Willmore

NOV 13 1991