

TOM BROWN - STEPHEN DIXON

PLAT 01

FL

DIXON

Located in SW45

Jerome Co

Lot 8 Feb 14

SW 4, SE 4, SEC. 11

T-9-S, R-16-E, B.M.

LEG

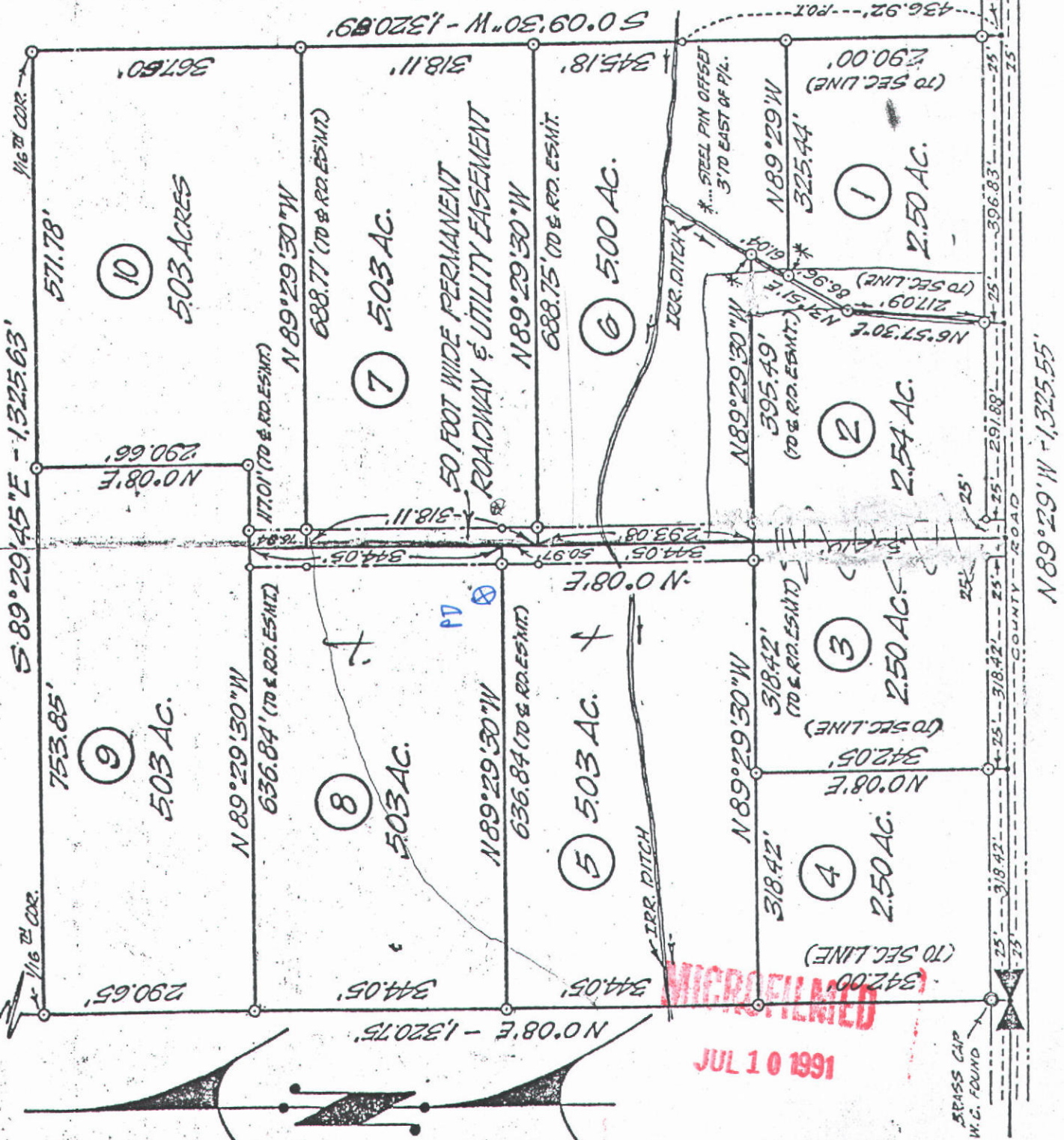
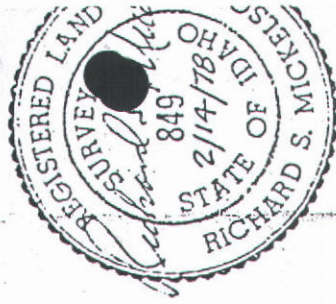
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P.K. NAIL

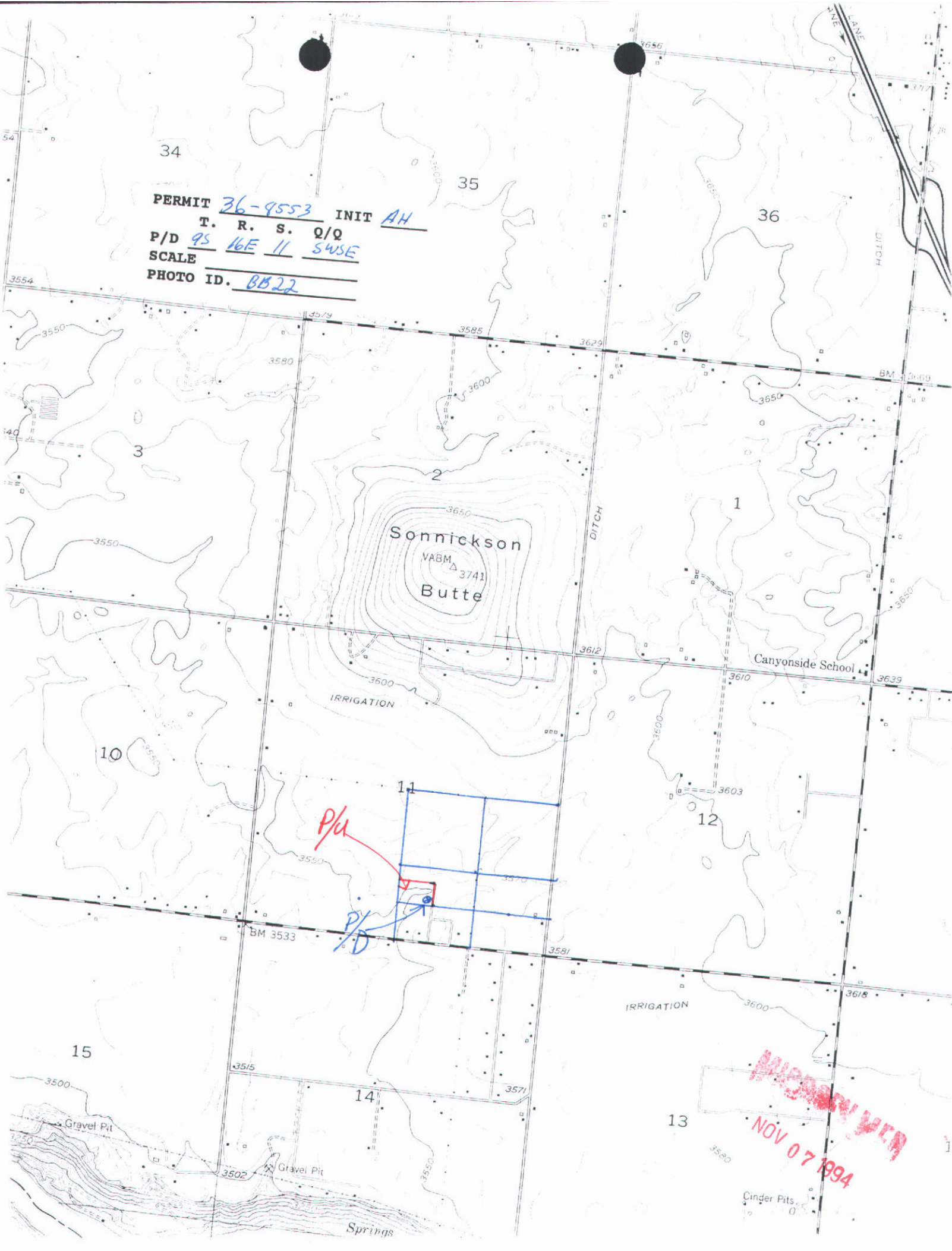
1/2" X 24"

BRAISS

1" X 2" X



PERMIT 36-9553 INIT AH
T. 9S R. 16E S. 11 Q/Q SWSE
SCALE _____
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36-08553
Tom BROWN - ST.

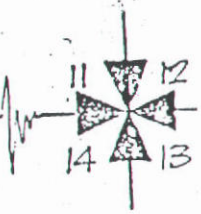
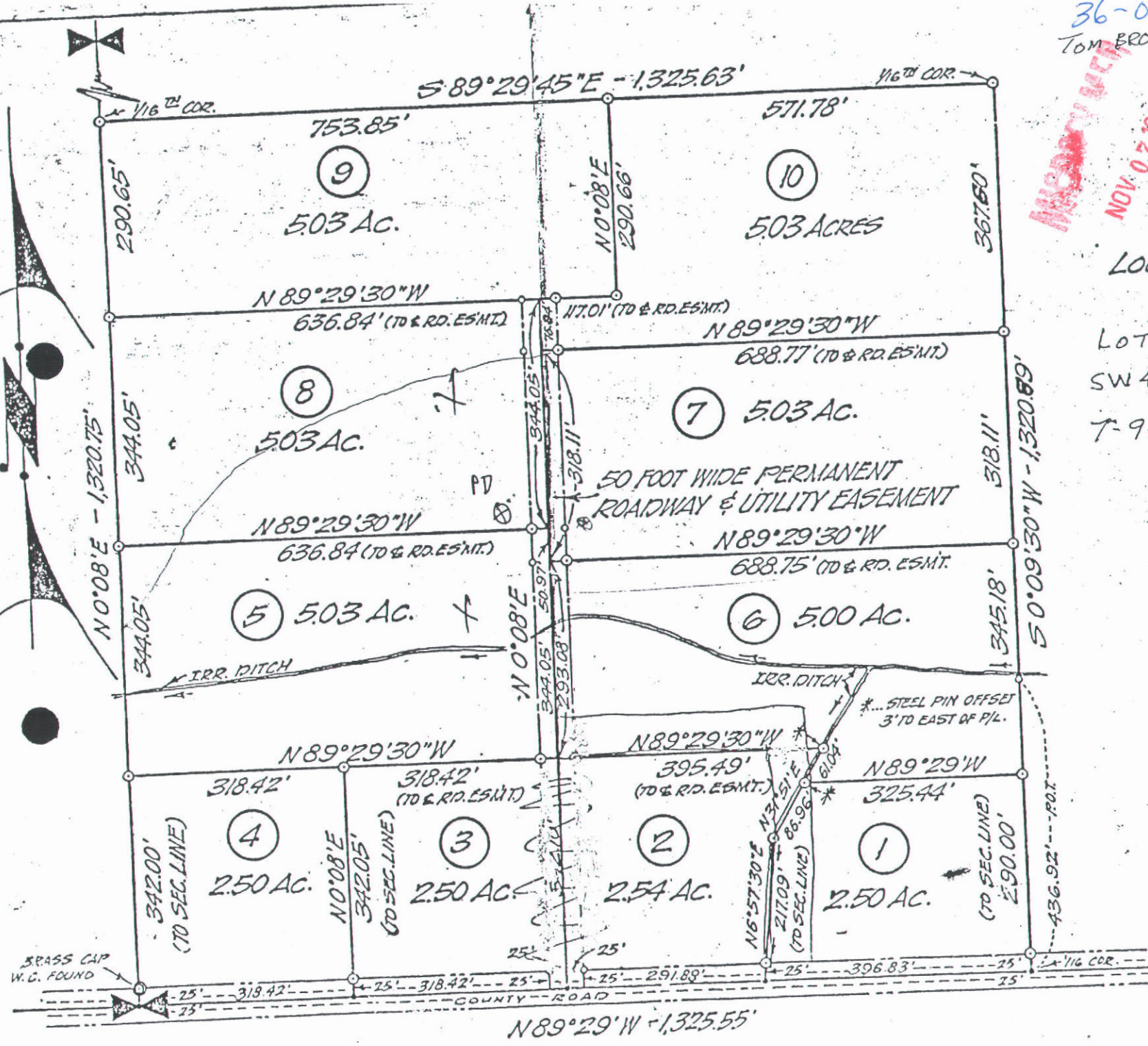
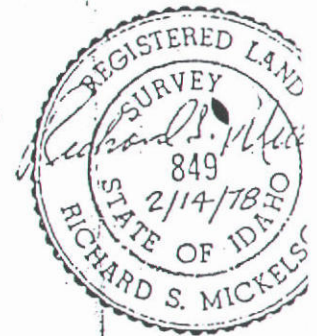
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PLA
FL
DIXON

Located in SW4 SE
Jerome Co
Lot 8
SW 4, SE 4, SEC. 11
T-9-S, R-16-E, B.M.
LEGE

SCALE: 1"

- P.K. NAIL
- 1/2" X 24"
- BRASS
- 1" X 2" X



36-08583

N 0° 08' E - 1,320.75'

290.65'

344.05'

344.05'

88' Out

135'

Ditch

252'

5.03 AC.

9

122.0'

36-08553

N 89° 29' 30" W

636.84' (MD & RD. ESTIM.)

8

5.03 AC.

N 89° 29' 30" W

636.84' (MD & RD. ESTIM.)

5

5.03 AC.

Drainage Ditch Length = 700'

24'

Kitchen Road

Out

7

PD

324'

4" pipe

N 0° 08' E
290.66'

N 70° 01' (MD & RD. E.)

318.11'

50 FOOT ROADWAY

N 0° 08' E

75'

08'

50.97'

1

NOV 07 1994

#1

P/O



#2

4"
irrigation line



REMOVED
NOV 07 1994

3-08553

#3

P/u



PROPERTY OF
NOV 07 1994

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Jerome } ss.

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1st day of May, 1991, and the date of the last publication was on the 8th day of May, 1991.

Patty Nance
Subscribed and sworn to before me this 8th day of May, 1991.
(SEAL)

Vincenzo Gandiaga
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2x

Lines tabular at _____ 6¢/Pica
295.3 Lines straight at 14.77 5¢/Pica
Subsequent lines at 11.82 4¢/Pica
TOTAL COST 26.59

COPY OF NOTICE

(Paste Here)

Not. Appl. To Wat. Rt.
TITLE OF NOTICE
E. Whittaker
36-08553
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. D. W. R. B.
BILL TO

NOTICE OF APPLICATION FOR TRUST
WATER RIGHT
36-08553
WHITTAKER, EVERETT L.
259 PHEASANT RD. W. NO. 82
TWIN FALLS, ID 83301
Source: GROUNDWATER
Diversion Pt: SWSE Sec 11 T 09S R 16E
Use: IRRIGATION (.150 CFS)
Total Diversion: (.150 CFS)
Date Filed: 7/9/1990
In: T09S R16E S11 SWSE
5.0 ACRES TOTAL
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, Statehouse Mall, Boise, Idaho 83720 on or before MAY 20, 1991.
-s- R. Keith Higginson, Director
Pub: 5-1, 8 N4720

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

No 5034

4720

OK
JL
5-10-91

MICROFILMED
JUL 10 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08553

Priority: July 9, 1990

Maximum Diversion Rate: 0.13 CFS
Maximum Diversion Volume: 17.2 AF

This is to certify, that EVERETT L WHITTAKER
259 PHEASANT RD WEST #82
TWIN FALLS ID 83301

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 9, 1990; and
has submitted Proof of Beneficial Use on April 13, 1993. An examination indicates
that the works have a diversion capacity of .150 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	0.13 CFS	17.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 11, Township 09S, Range 16E
JEROME 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>
09S	16E	11	SWSE	4.3		4.3

Total number of acres irrigated: 4.3

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.
8. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.

07 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08553

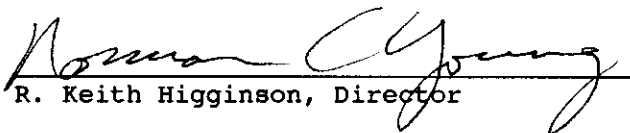
CONDITIONS/REMARKS:

9. Place of use is located within Lot 8, Dixon Subdivision.

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 4th
day of NOVEMBER, 1994.

Acting for

R. Keith Higginson, Director



NOV 9 1994

RECEIVED

APR 13 1993

Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 4-13
Receipt No. C027198
Receipt by CA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 36-08553 Telephone No. 733-4130
2. Name(s) of Permit Holder(s): EVERETT L. WHITTAKER
3. Mailing Address: 259 PHEASANT RD. W. #82, T.F.ID.
4. Source of Water: GROUND WATER

If **GROUNDWATER**, Well Driller's Name: SMITH DRILLING, Date Drilled: 10-11-91

OPTIONAL:

Pump horsepower: 5 Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

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

Irrigation 5 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.15 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: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

EVERETT L. WHITTAKER 733-4130
Name Telephone No.

259 PHEASANT RD. W. #82, TWIN FALLS, IDAHO 83301
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.

RECORDED

Apr 11, 1993 Everett L. Whittaker
Date Signature (and title, if on behalf of a company or organization)

MAY 20 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08553

Proposed Priority: July 9, 1990 Maximum Diversion Rate: 0.15 CFS
This is to certify, that **EVERETT L. WHITTAKER**

259 PHEASANT RD. W. #82
TWIN FALLS, ID 83301

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>
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IRRIGATION	03/15 to 11/15	0.15 CFS
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LOCATION OF POINT(S) OF DIVERSION: SWSE Sec. 11, Township 09S, Range 16E
JEROME 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>
09S	16E	11	SWSE	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 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. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
9. Place of use is located within Lot 8, Dixon Sub

MICROFILMED

JUL 10 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08553

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

19th day of June, 1991.

for R. Keith Higginson, Director

RECEIVED

JUN 10 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 EVERETT L. WHITTAKER Phone 733-4130
Post office address 257 PHEASANT RD. W. #82 TWIN FALLS, IDA
8339
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 11 Township 9S Range 16E B.M. JEROME County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.15 cfs for Irrigation purposes from 3-15 to 11-15 (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) 0.15 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well & pump

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 ? inches; proposed depth of well is ? 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
Two years (minimum 1 year).

JUL 10 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
95	16E	11															5		5

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. _____

Canal shares are owned but not deliverable

11. a. Who owns the property at the point of diversion? Applicant

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

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

12. Remarks: Lot 8 Dixon Subdiv. for P/D & P/U.

JUL 10 1991

TOM BROWN - STEPHEN DIXON

PLAT 01

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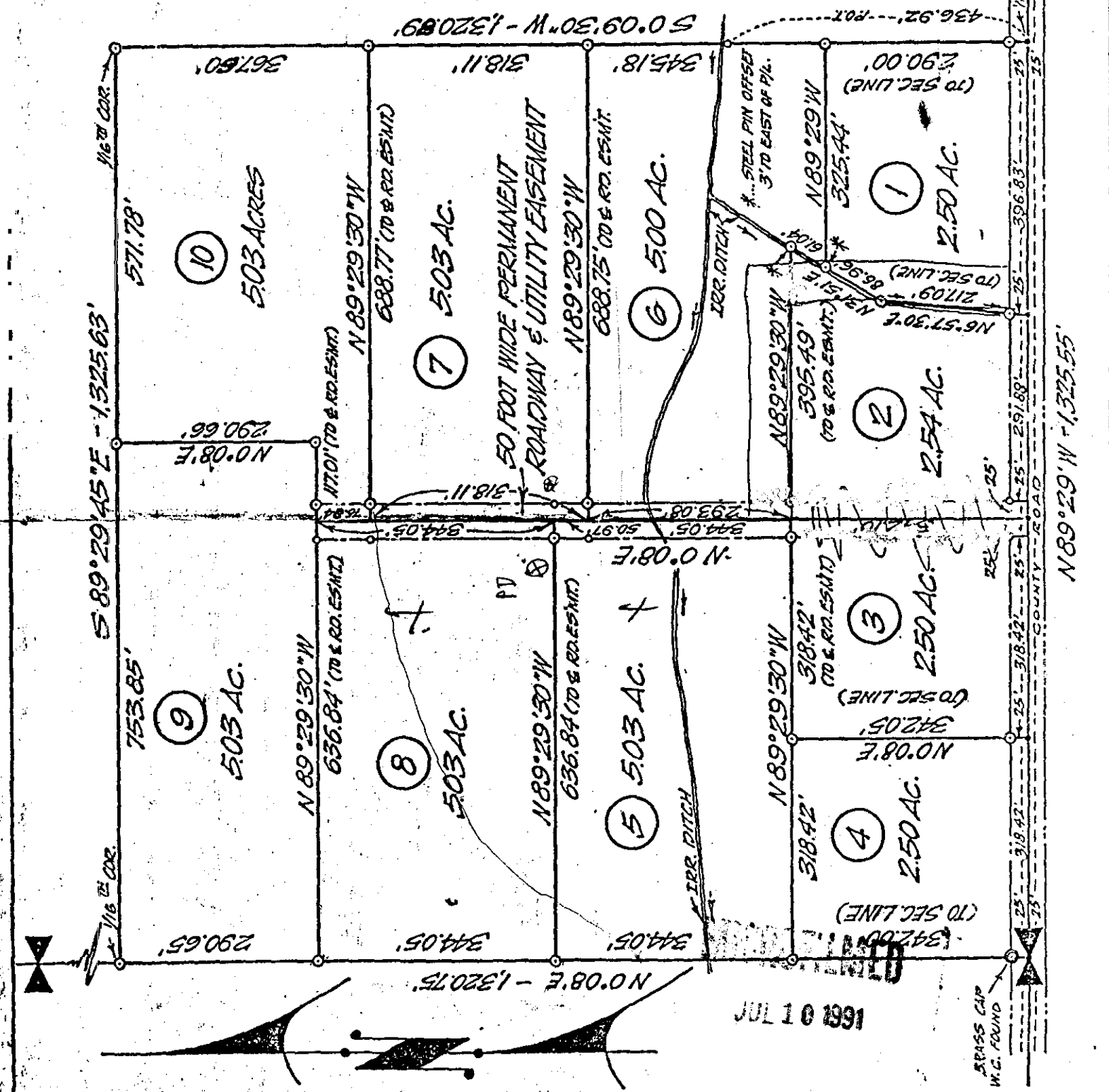
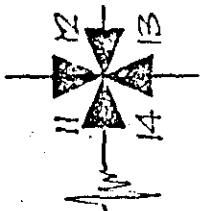
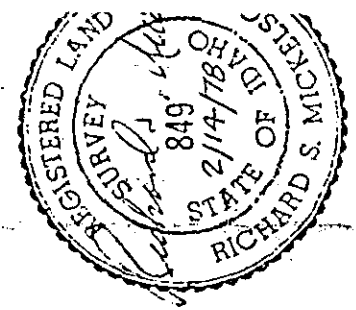
DIXON

Located in SW 4 Sec 11
Jerome Co
Lot 8

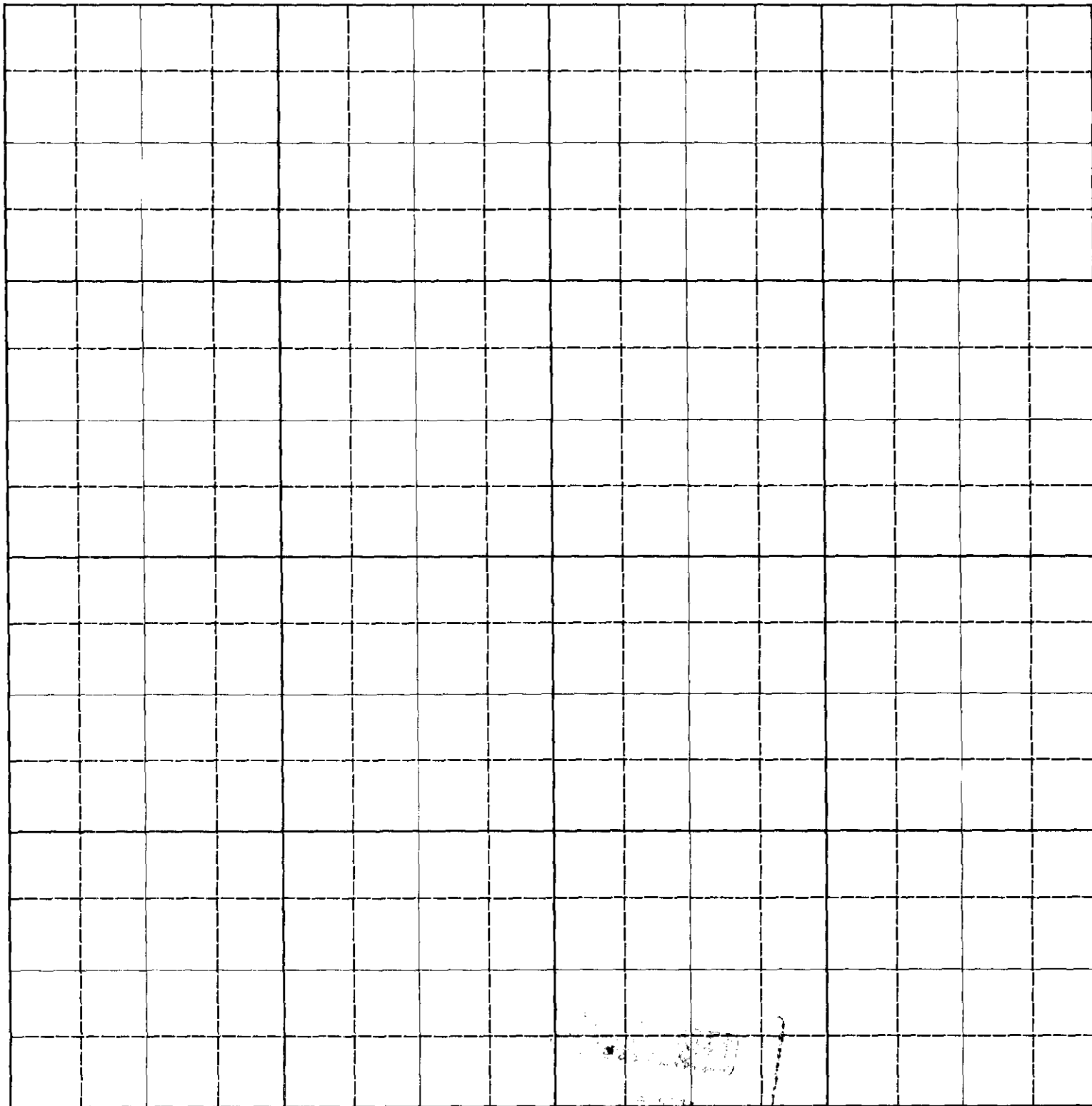
SW 4, SEC 11
T-9-S, R-16-E, B.M.
T-9-S, R-16-E, LEGAL

SCALE: 1"

- PK. NAIL
- 1/2" X 24"
- BRASS
- 1" X 2" X



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.

Ernest S. Whitaker
(Applicant)

Received by J. F. Stanton Date 7-9-90 Time 1:37 pm Preliminary check by AS
Fee \$ 20.00 Receipted by JP # 5012479 Date 7-9-90
Publication prepared by _____ Date _____ Published in _____
Publication approved JS Date 5-10-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

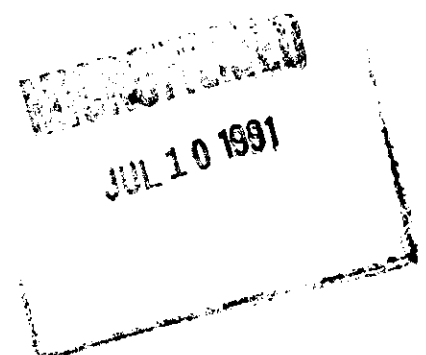
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. 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.

e. Other:





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 4, 1994

EVERETT L WHITTAKER
259 PHEASANT RD WEST #82
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 36-08553

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

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

SHELLEY W. KEEN
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED
NOV 07 1994

LICENS_ REVIEW CHECKLIST

PERMIT NO. 36-08553 DATE 10-18-94



NAME	Yes <u> </u> No <u>✓</u>	Or Address Change?
PRIORITY DATE	<u> </u> <u>✓</u>	Advance? <u> </u> Advanced to: <u> </u> Order to reinstate needed? <u> </u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	<u> </u> <u>✓</u>	Changes or just clarification of originally intended source? <u> </u> Notice of Intent to Void necessary? <u> </u>
POINT OF DIV	<u> </u> <u>✓</u>	Amendment needed? <u> </u> Overlaps? <u> </u>
PLACE OF USE	<u> </u> <u>✓</u>	Amendment needed? <u> </u> Overlaps? <u> </u>
DIV RATE	<u> </u> <u>✓</u>	Permit/fee limits: <u>.15 CFS</u> Meas Q = <u> </u> Theo Q = <u>.15</u> Recommend: <u>.13 CFS</u> <u>4.3 x .03 = .13 CFS</u> Combined rates exceed capacity <u> </u>
ANNUAL VOLUME	<u> </u> <u>✓</u>	Season of use: <u>4/4.0 (4-1 to 10-31)</u> <u>new</u> Calculations: <u>4.3 x 4 = 17.2 afa</u> Flow limit: <u> </u> cfs x <u> </u> x 1.9835 = <u> </u> Combined volumes exceed capacity/allowable <u> </u>
USES	<u> </u> <u>✓</u>	Change in Nature of Use or additional uses? <u> </u> Amendment necessary? <u> </u>
REMARKS	<u>sw</u> <u>condition</u> <u>{WB3}</u> <u>✓</u>	Multiple p/d(s) in ¼ ¼? <u> </u> Other <u>OWNED BUT NOT DELIVERABLE / DON'T USE</u>
CONDITIONS	<u> </u> <u>✓</u> <u>R51</u> <u>✓</u> <u>✓</u> <u>✓</u>	Measuring/Locking Devices <u> </u> Watermaster control - District <u> </u> Irrigation Overlap <u> </u> Water Quality <u> </u> Other <u>TRUST R55, 56</u> Heat/Cool/ Fish verified <u> </u>
COMMENTS:	<u>Acres reduced - deducted ⁵⁷ ditch area flowing through the property.</u>	

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO/NA</u>
<u>Irrigation</u>	<u>.13</u>	<u>17.2</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE	<u>✓</u>
_____	_____	_____	1ST AMENDMENT LETTER	_____
_____	_____	_____	FINAL AMENDMENT LETTER	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08553

1. Owner: Everett L. Whittaker Phone No. 733-4130

Current Address: 259 Pheasant Rd. W. #82 Twin Falls, ID 83301

2. Accompanied by: Owner EXAM DATE: 6-9-94

Address: Same Phone No. Same

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to None

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Canal Shares

2. Other water rights with the same point of diversion: None

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
			SW	SE	11	9S	16E	Jerome	USGS Topo Map

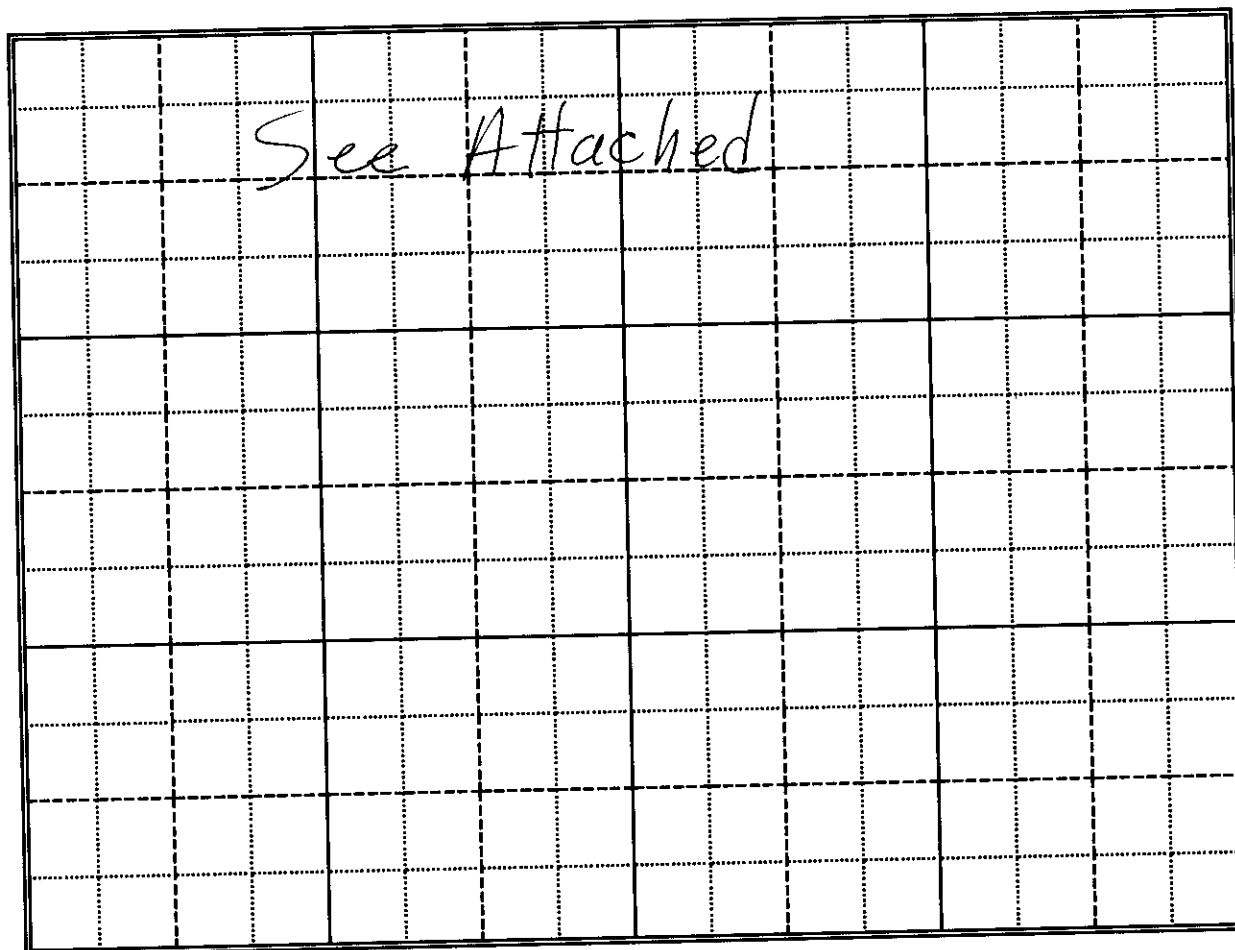
2. Place(s) of Use:

Indicate Method of Determination Pacing of non-irrig. area

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	16E	11															4.3		4.3

NOV 07 1994

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	5	illegible	Grundfos	Pump Type 60-5-50-7

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

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** A theoretical flow measurement is used for calculation of flow. The well driller's static level is used for lift.

NOV 07 1994

E. NARRATIVE/REMARKS/COMMENTS

The owner of this property claimed that he had canal shares, but they were not deliverable. The point of diversion for this system is a well with a 5 hp pump located at the southeast corner of the property. Small holes are drilled in the pipe and plugs are installed. When water is needed from a hole, the plug is removed. The pipe size that is used is 4" for the entire system. Pipe is located along the east edge of the property and corrugates irrigate west towards the drainage ditch. The pipe then runs along the north edge of the property and irrigates south towards the drainage ditch. The north pipe dumps into a ditch which lies along the west side of the property. This ditch is used to irrigate east towards the drainage ditch.

$$\text{Area not irrig.} = (87.5)(135) + 24(700) = 28,613 \text{ ft}^2 = .7 \text{ ac.}$$

$$\text{irrigated acres} = 5.03 - .7 = 4.3 \text{ ac.}$$

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

NOV 07 1994

F. FLOW CALCULATIONS

Measured Method:

____ Additional Computation Sheets Attached

$$Q = \frac{5(8.814)(.7)}{73 + (60 \times 2.308)} = .15 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4.3(4.0) = 17.2 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .13(215)(1.9835) = 55.4 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 17.2 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$\text{Legal limit} = .03(4.3) = .13 \text{ cfs}$$

$$\text{Permit} = .15 \text{ cfs}$$

$$\text{fees} = .15 \text{ cfs}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	.13	17.2
Totals:			.13	17.2

2. Recommended Amendments

☐ Change P.D. as reflected above☐ Add P.D. as reflected above☒ None☐ Change P.U. as reflected above☐ Add P.U. as reflected above☐ Other**I. AUTHENTICATION**Field Examiner's Name Alan Hamster Date 6-17-94

Reviewer _____ Date _____

SEAL

APPROVED
NOV 07 1994

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-08553

DATE: 6-14-94

BY: 4H

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (5) \times (0.70)}{[(73) + (40 \times 2.31)]} = 15$$

LIFT FROM:

measurement ()

owner ()

area estimate ()

well logs (X)

Booster (Y) (N)

PSI FROM:

measurement ()

owner ()

estimate (X)

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Franklin

Pump Make, Serial or ID, rating

Grundfos 68-5-50-7

REMARKS

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

$$\text{POTENTIAL} = \frac{(215) \times (1.98) \times (15)}{(4.3)} = 14.85$$

REQUIRED Acre Feet/Acre/Annum = 17.2 4

(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

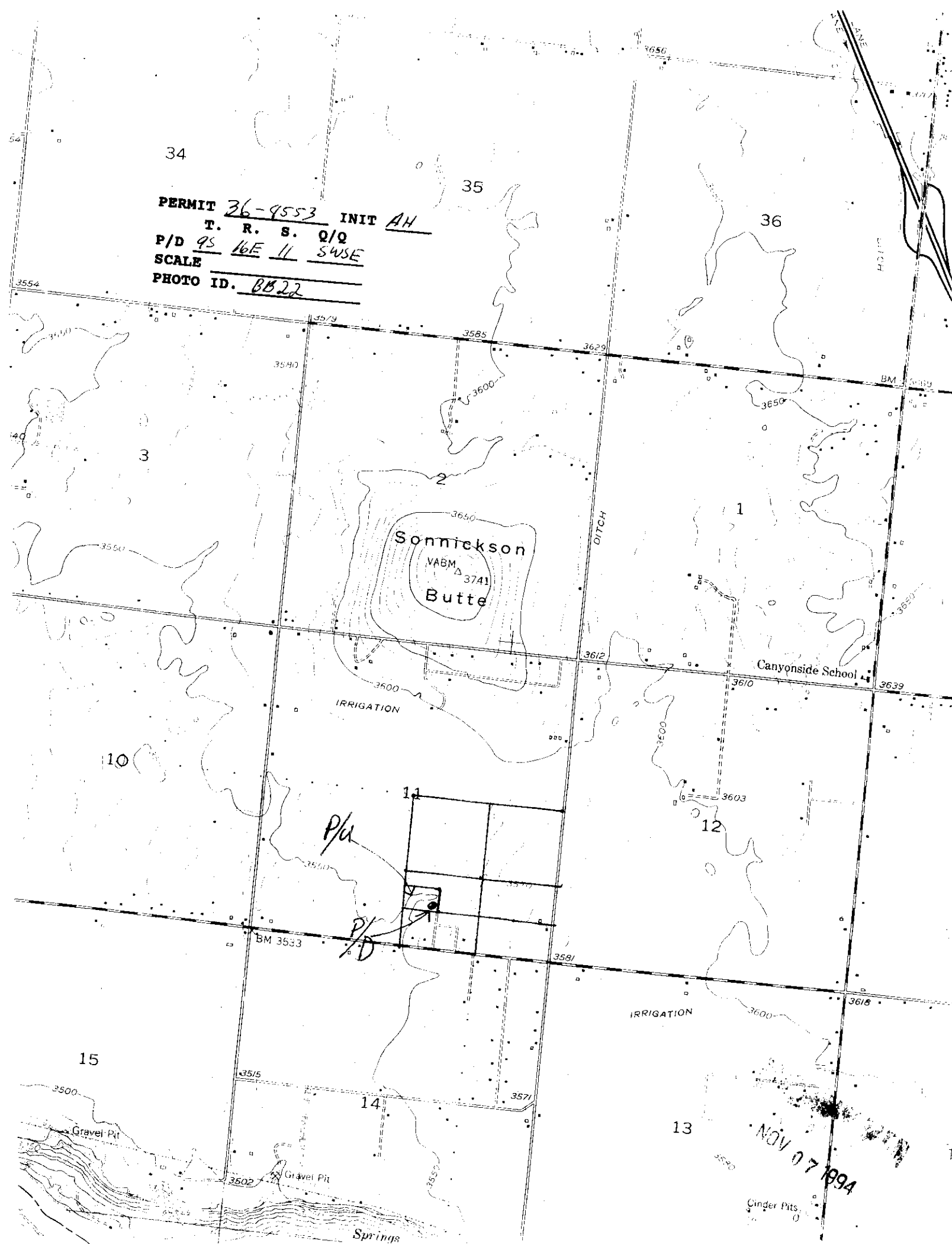
IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

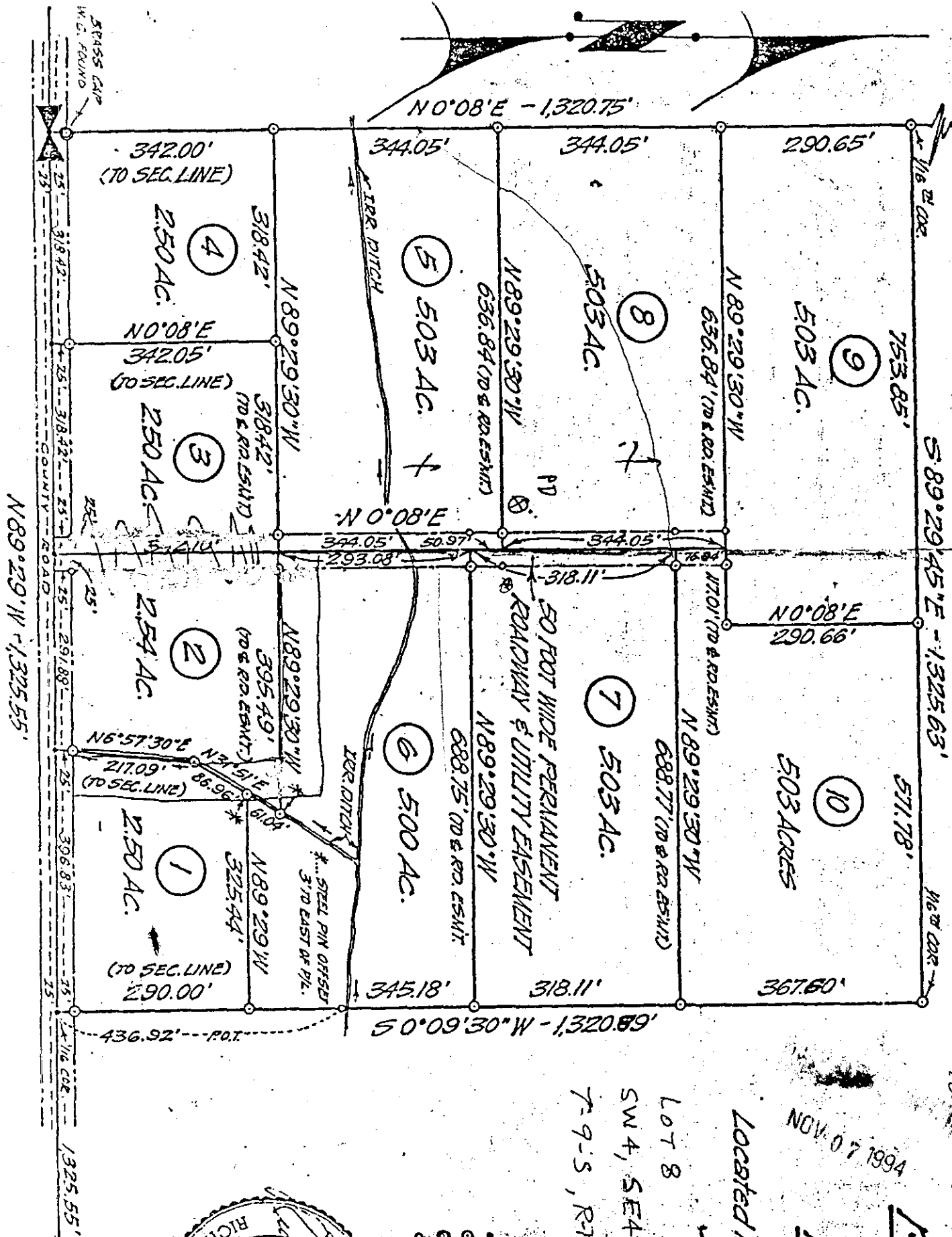
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

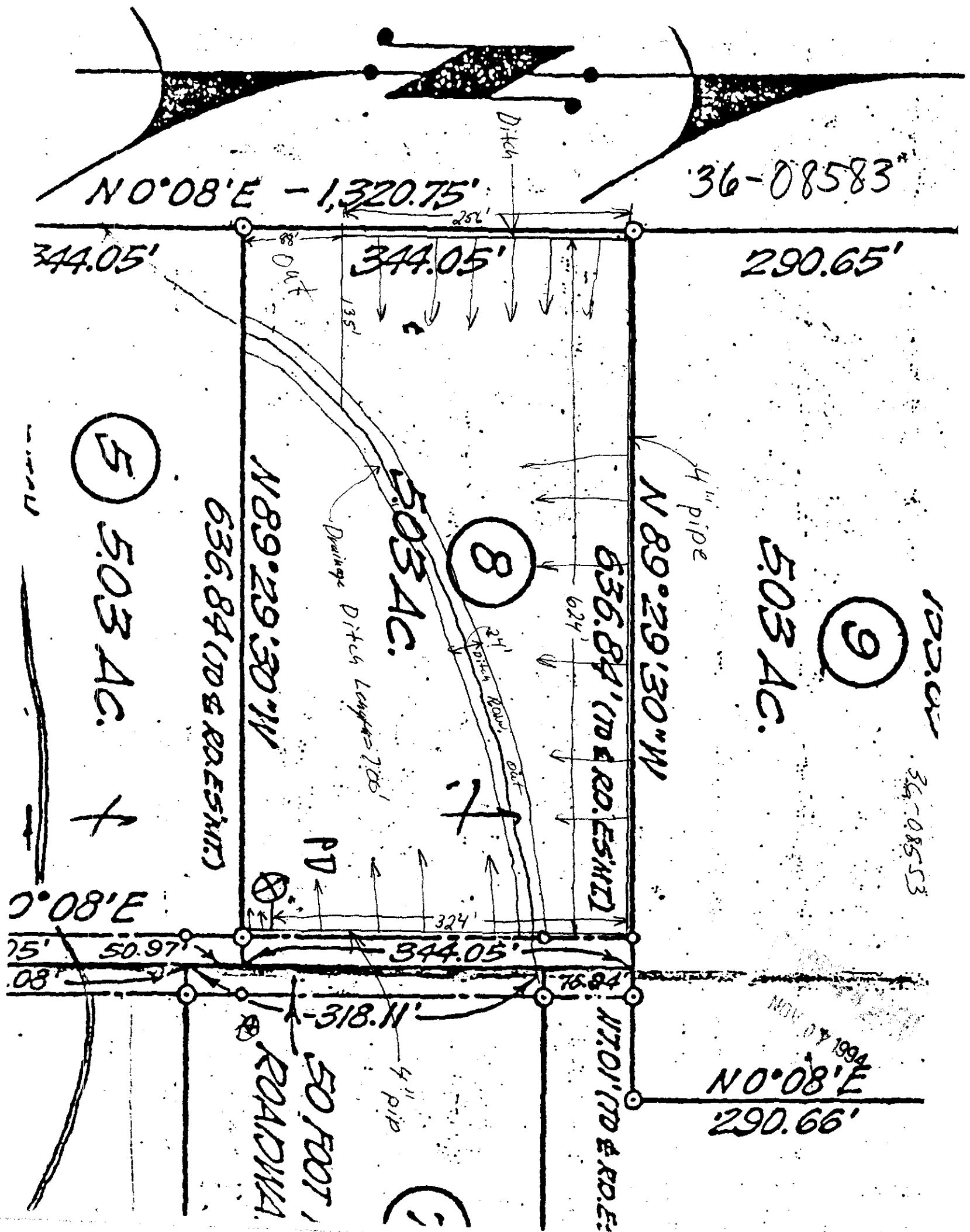
if psi = 40; then potential = 18.44

NOV 9 7 1994

PERMIT 36-9553 INIT AH
T. R. S. Q/Q
P/D 95 16E 11 SWSE
SCALE _____
PHOTO ID. BB22



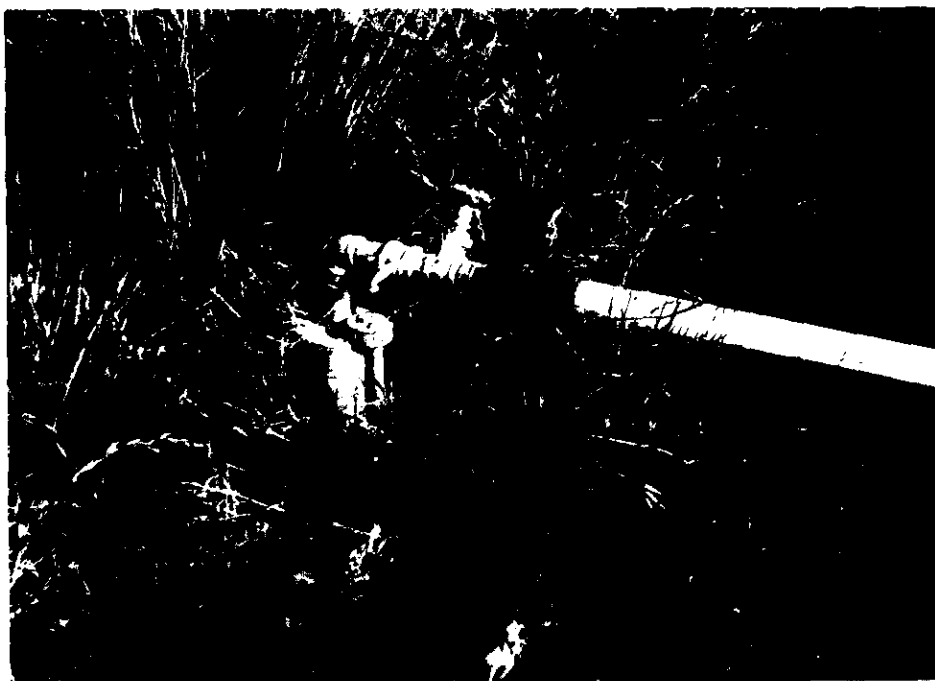




36-08553 ✓

#1

P/O



#2

4"
irrigation line

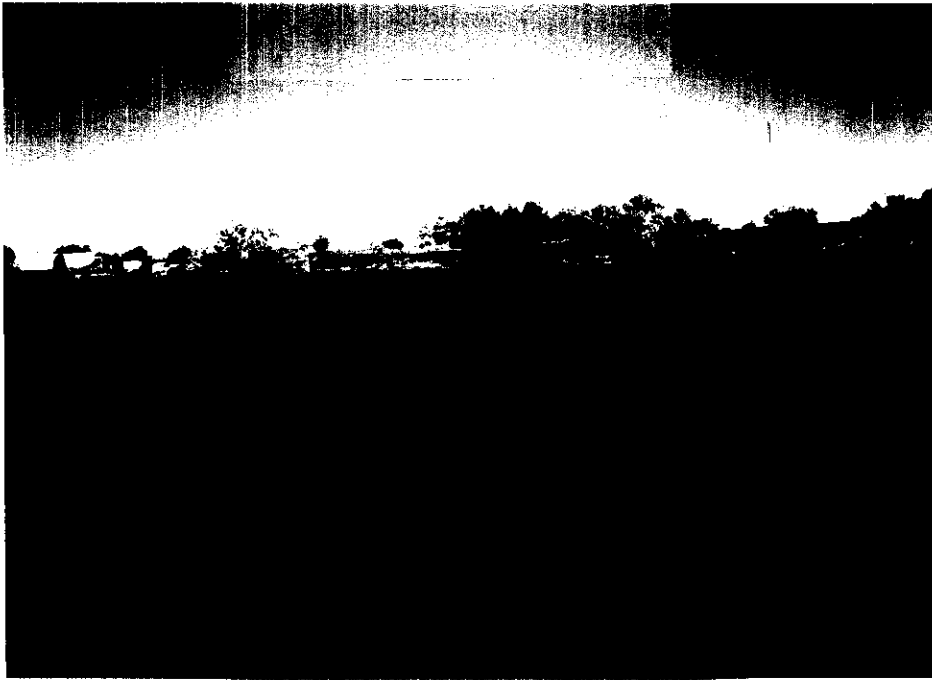


NOV 07 1994

3-08553

#3

P/u



NOV 6 7 1994

April 16, 1993

EVERETT L. WHITTAKER
259 PHEASANT RD. W. #82
TWIN FALLS ID 83301

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08553

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 SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

MAY 20 1993

7/90

Drilling Permit No. 6-91-5-088Water Right Permit No. 36-8553

Injection Permit No. _____

State of Idaho
Department of Water Resources**RECEIVED**

JUL 02 1991

APPLICATION FOR DRILLING PERMIT

Department of Water Resources

1. Applicant (please print) Everett L. Whittaker

2. Mailing Address 259 Pleasant Road West, #82
Twin Falls, ID 83301 Telephone 733-4130

☒ Well Owner ☐ Well Operator ☐ Other, specify _____

3. Proposed well location SW 1/4 SE 1/4, or Gov't Lot No. _____
Sec. 11, Twp. 9S, Rge. 16E, County Jerome

Street Address of Well Site _____

Lot, block and subdivision Lot 8, Dixon Subdiv.

4. Proposed use of well:

- ☒ Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

☒ Non-Domestic: Any beneficial use not included within the definition of domestic.

☐ Injection

☐ Monitoring - A well bore schematic and map is required for each well.

No. of proposed wells: _____

5. Well construction information:

A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9

B. Proposed Surface Diameter 8" Proposed Maximum Depth 200'

C. Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212° or more (Geothermal well)

6. Construction Start Date July 14, 1991

7. Anticipated Well Driller Smith Drilling, Jerome, ID
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Everett L. Whittaker Date June 27, 1991

Title _____

(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 6/27/91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Douglas Jones for Loren Holmes Mgr., So. Region
Signature of Authorized Department Representative Title

Receipt No. 5013483 Received by GP Fee \$200.00 Date 6-27-91

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

MICROFILMED
MAY 20 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

State 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.

1. WELL OWNER Name <u>Everett L. Whittaker</u> Address <u>259 Pheasant Rd West #82 Twin Falls, ID</u> Drilling Permit No. <u>36-91-S-088</u> Water Right Permit No. <u>36-8553</u>		7. WATER LEVEL Static water level <u>73'</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF, Quality _____ Describe any other temperature zones below																																																																																																																																																																	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA <u>NONE</u> ☐ Pump ☐ Rammer ☐ Air ☐ Other _____																																																																																																																																																																	
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG SEP 04 1991 Department of Water Resources Southern Region Office																																																																																																																																																																	
4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____		<table border="1"><thead><tr><th>Bore Diam.</th><th>From</th><th>To</th><th>Description</th><th>Water</th></tr></thead><tbody><tr><td>10"</td><td>0</td><td>7</td><td>top soil</td><td>X</td></tr><tr><td></td><td>7</td><td>27</td><td>gray basalt</td><td></td></tr><tr><td></td><td>27</td><td>29</td><td>brown clay</td><td></td></tr><tr><td></td><td>29</td><td>32</td><td>broken basalt</td><td></td></tr><tr><td>10/8"</td><td>32</td><td>36</td><td>med hard gray basalt sm. breaks</td><td></td></tr><tr><td></td><td>36</td><td>38</td><td>pink basalt</td><td></td></tr><tr><td></td><td>38</td><td>39</td><td>gray basalt</td><td></td></tr><tr><td></td><td>39</td><td>49</td><td>gray basalt</td><td></td></tr><tr><td></td><td>49</td><td>51</td><td>crevice</td><td></td></tr><tr><td></td><td>51</td><td>53</td><td>med hard sm. breaks</td><td></td></tr><tr><td></td><td>53</td><td>55</td><td>crevice</td><td></td></tr><tr><td></td><td>55</td><td>57</td><td>med hard sm. breaks</td><td></td></tr><tr><td></td><td>57</td><td>58</td><td>med hard gray basalt</td><td></td></tr><tr><td></td><td>58</td><td>63</td><td>crevice</td><td></td></tr><tr><td></td><td>63</td><td>64</td><td>med hard sm. breaks</td><td></td></tr><tr><td></td><td>64</td><td>65</td><td>reddish gray scoria</td><td></td></tr><tr><td></td><td>65</td><td>75</td><td>med hard sm. breaks</td><td></td></tr><tr><td></td><td>75</td><td>87</td><td>crevice and broken</td><td>X</td></tr><tr><td></td><td>87</td><td>90</td><td>med hard</td><td></td></tr><tr><td></td><td>90</td><td>94</td><td>med hard lg. breaks</td><td>X</td></tr><tr><td></td><td>94</td><td>103</td><td>med hard sm. breaks</td><td></td></tr><tr><td></td><td>103</td><td>109</td><td>med hard</td><td></td></tr><tr><td></td><td>109</td><td>114</td><td>broken & soft spot</td><td>X</td></tr><tr><td></td><td>114</td><td>120</td><td>med hard small breaks & soft spot</td><td></td></tr><tr><td></td><td>120</td><td>121</td><td>soft spot talc</td><td>X</td></tr><tr><td></td><td>121</td><td>129</td><td>med hard soft spot</td><td>X</td></tr><tr><td></td><td>129</td><td>130</td><td>soft -- talc</td><td>X</td></tr><tr><td></td><td>130</td><td>139</td><td>med hard</td><td></td></tr><tr><td></td><td>139</td><td>142</td><td>med hard sm. breaks</td><td>X</td></tr><tr><td></td><td>142</td><td>146</td><td>med hard lg. breaks soft spot</td><td>X</td></tr><tr><td></td><td>146</td><td>150</td><td>med hard sm. breaks</td><td>X</td></tr></tbody></table>		Bore Diam.	From	To	Description	Water	10"	0	7	top soil	X		7	27	gray basalt			27	29	brown clay			29	32	broken basalt		10/8"	32	36	med hard gray basalt sm. breaks			36	38	pink basalt			38	39	gray basalt			39	49	gray basalt			49	51	crevice			51	53	med hard sm. breaks			53	55	crevice			55	57	med hard sm. breaks			57	58	med hard gray basalt			58	63	crevice			63	64	med hard sm. breaks			64	65	reddish gray scoria			65	75	med hard sm. breaks			75	87	crevice and broken	X		87	90	med hard			90	94	med hard lg. breaks	X		94	103	med hard sm. breaks			103	109	med hard			109	114	broken & soft spot	X		114	120	med hard small breaks & soft spot			120	121	soft spot talc	X		121	129	med hard soft spot	X		129	130	soft -- talc	X		130	139	med hard			139	142	med hard sm. breaks	X		142	146	med hard lg. breaks soft spot	X		146	150	med hard sm. breaks	X
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5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ Thickness _____ inches Diameter _____ inches From _____ feet To _____ feet 250 _____ inches 8.5/80 _____ inches 1 _____ feet -39 _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Model No. _____ Type _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Pudding clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____		10. Work started <u>8-23-91</u> finished <u>8-26-91</u>																																																																																																																																																																	
6. LOCATION OF WELL Sketch map location must agree with written location. N W E S Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Jerome County</u> MAY 20 1993 SW 1/4 SE 1/4 Sec. 11, T. 9S, R. 16E W 1/4		11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Smith Drilling & Pump Co.</u> Firm No. <u>11</u> Address <u>Jerome, ID 83338</u> Date <u>8-27-91</u> Signed by (Firm Official) <u>[Signature]</u> and (Operator) <u>Melton & Robbins</u>																																																																																																																																																																	

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

March 31, 1993

EVERETT L. WHITTAKER
259 PHEASANT RD. W. #82
TWIN FALLS ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 36-08553

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

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

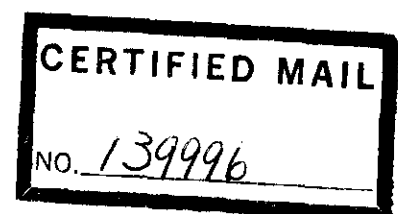
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
MAY 20 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

June 20, 1991

EVERETT L. WHITTAKER
259 PHEASANT RD. W. #82
TWIN FALLS, ID 83301

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08553

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.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of

MICROFILMED
JUL 10 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

NOV 10 1991

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Jerome } ss.

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

1st day of May, 1991,

and the date of the last publication was on the 8th day of

May, 1991.

Subscribed and sworn to before me this 8th day of

May, 1991.

(SEAL)

Patty Nance

[Signature]
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

_____ Lines tabular at _____ 6¢/Pica

295.3 Lines straight at 14.77 5¢/Pica

_____ Subsequent lines at 11.82 4¢/Pica

TOTAL COST 26.57

COPY OF NOTICE

(Paste Here)

State of Idaho, County of Jerome, R4.

TITLE OF NOTICE

R. L. Whittaker

36-6553

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

J. L. R. R.
BILL TO

NOTICE OF APPOINTMENT FOR TRUST

36-6553
WHITTAKER, EVERETT L.
250 PHEASANT RD. W. NO. 82
TWIN FALLS, ID 83301

Source: GROUNDWATER
Diverson Pt: SWSE Sec 11 T 09S R 16E
Use: IRRIGATION (.150 CFS)
Total Diverson: (.150 CFS)
Date Filed: 7/9/1990
In: T09S R16E S11 SWSE
5.0 ACRES TOTAL

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, Statehouse Mall, Boise, Idaho 83720 on or before MAY 20, 1991.

-s- R. Keith Higginson, Director
Pub: 5-1, 8 N4720

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line tabular.....6¢/Pica

7-8 pt. per line straight.....5¢/Pica

7-8 pt. per line successive
insertions.....4¢/Pica

No 5034

147.20

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

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

APRIL 24, 1991

Northside News
Box 468
Jerome, ID 83338

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before MAY 20, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

RECEIVED

APR 10 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

36-08553

WHITTAKER, EVERETT L.
259 PHEASANT RD. W. #82
TWIN FALLS, ID 83301

Source: GROUNDWATER

Diversion Pt: SWSE Sec 11 T 09S R 16E

Use: IRRIGATION (.150 CFS)
Total Diversion: (.150 CFS)

Date Filed: 7/ 9/ 1990

In: T09S R16E S11 SWSE

5.0 ACRES TOTAL

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, Statehouse Mail, Boise, Idaho 83720 on or before MAY 20, 1991.

R. Keith Higginson, Director

Published 5/ 1/1991 & 5/ 8/1991

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JUL 10 1991

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APR 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Department of Water Resources

Application No. 36-8553

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

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

1a. Are you the current owner of the land or place of use described under this application? Yes X No

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes No X

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. 0

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 5 ACRES

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

I HAVE 5 SHARES OF NORTHSIDE CANAL WATER BUT CAN NOT GET DELIVERY.

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

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

Applicant Robert J. Whetstone

Date Apr 12, 1991

RECEIVED

APR 12 1991

Department of Water Resources
Southern Region Office

note: Count all acreage as first acreage since canal shares are not delivered to abandoned use.

MICROFILMED

TJZ 4-15-91 JUL 10 1991



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

April 10, 1991

RE: APPLICATION FOR PERMIT NO. _____

Dear APPLICANT:

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

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

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

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

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

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

MAIL ROOM

JUL 10 1991

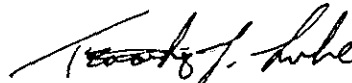
Page 2

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

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Tim Luke", with a stylized flourish at the end.

TIM LUKE
Sr. Water Resource Spec.

Enclosures

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JUL 10 1991

15-Aug-1990

EVERETT L WHITTAKER
259 PHEASANT ROAD WEST #82
TWIN FALLS ID 83301

Re: Application for permit No. 36-08553

Dear Mr. Whittaker:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

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JUL 10 1991