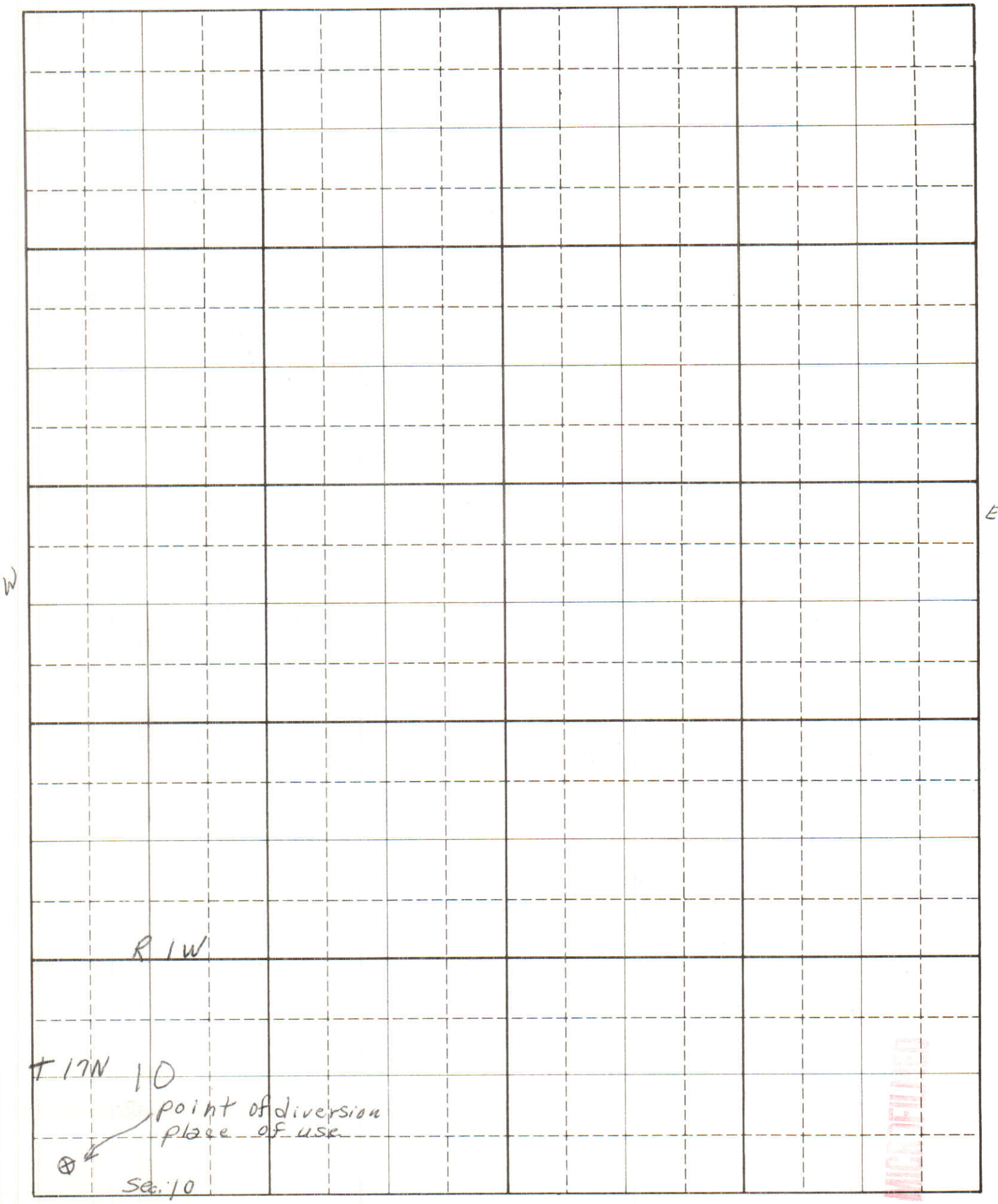


N

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



Scale: 2 inches equal 1 mile

S

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.

Mildred/Virgil Kilmarth
(Applicant)

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Application for

No. 67-7345

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated July 28.1977

and the last in the issue dated August 4.1977 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Subscribed and sworn to before me this

AUG 5 - 1977

day of

, 19....

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MILDRED &/or VIRGIL WILMARTH Box 35 Fruitvale, ID has on July 15, 1977 submitted Application No. 67-7345 for a permit to appropriate 0.08 cubic feet per second of water from a ground-water source by means of well, pump and pipelines within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10 T17N-R1W B. M., Adams Count to be used from Jan 1 to Dec 31 for domestic purposes within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10 T17N-R1W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before August 15, 1977.

C. STEPHEN ALLRED

Director

Published in the Adams County Leader, Council, ID on July 28, 1977 and August 4, 1977.

OK 144
8-12-77

RECORDED
AUG 6

Department of Water Resources
Western Regional Office

RECORDED

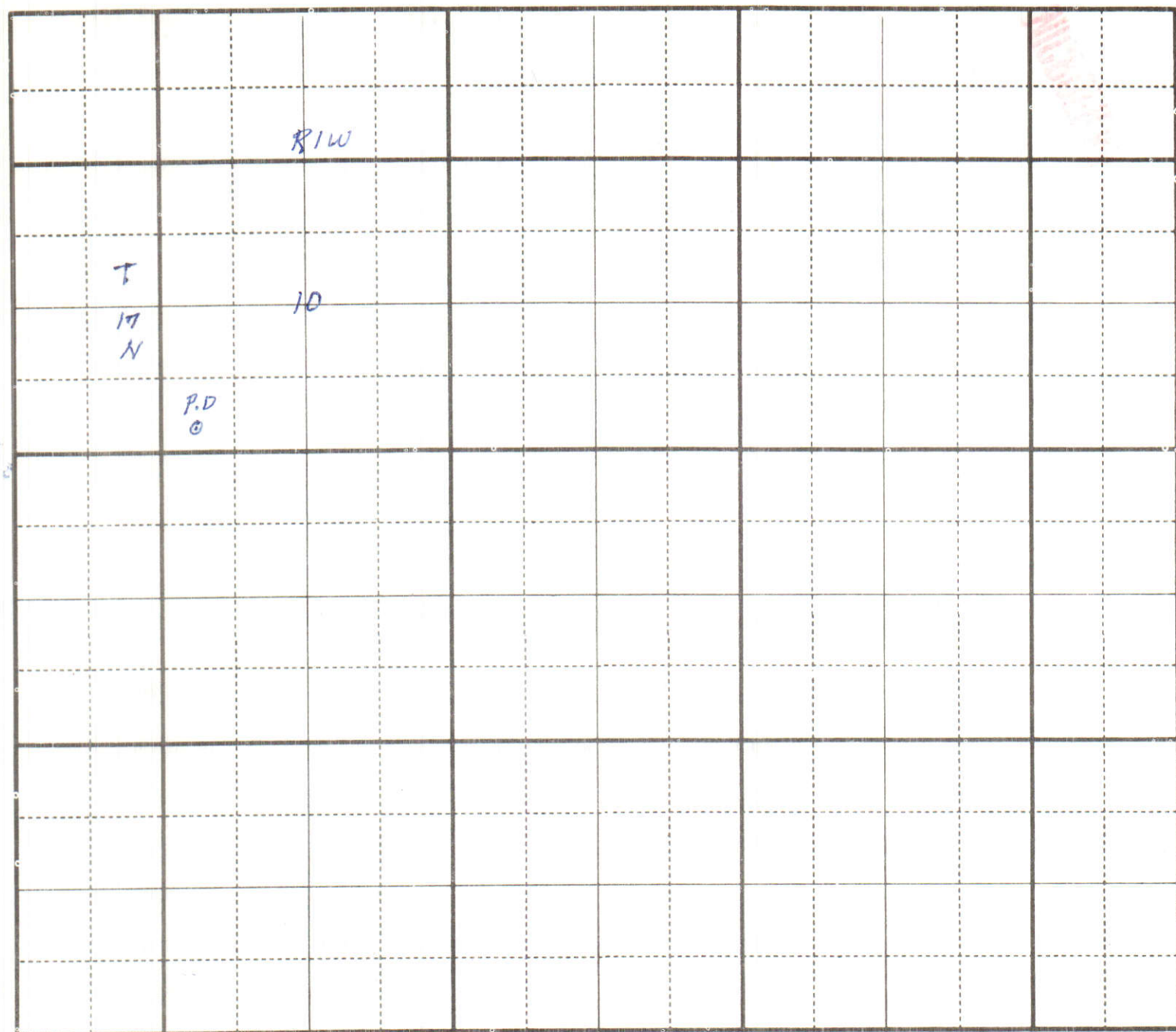


Diagram of System

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that VIRGIL &/or MILDRED WILMARTH
of Fruitvale, Idaho, has complied with the terms and conditions of Permit
No. 67-7345 issued pursuant to Application for Permit dated July 15, 1977,
and has submitted proof to the Department of Water Resources on September 14, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .08 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than .08 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 2.4 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, Twp. 17N,
Rge. 1W, B.M. in the County of Adams

[illegible]

Total number of acres irrigated _____

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of July, 19 80.

Director

MICROF"ED

Identification No. _____

Application No. 67-7345

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Mildred and ^{or} Virgil Wilmarth Phone: 253 - 4834
post office address Box 35 Fruitvale, Idaho 83620

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

3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 17N
Range 1W B.M. Adams County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount .08 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .08 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 8 inch well --83 feet deep
with a $\frac{1}{2}$ HP submersible pump with pipe lines to two houses.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 83 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

b. Estimated construction cost is \$ 2,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 17N
Range 1W B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 2.

(5) If water is to be used for other purposes describe: The water might be used to irrigate
lawns and garden only if the irrigation water for the place becomes too low.

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

[illegible]

Total number of acres to be irrigated_____

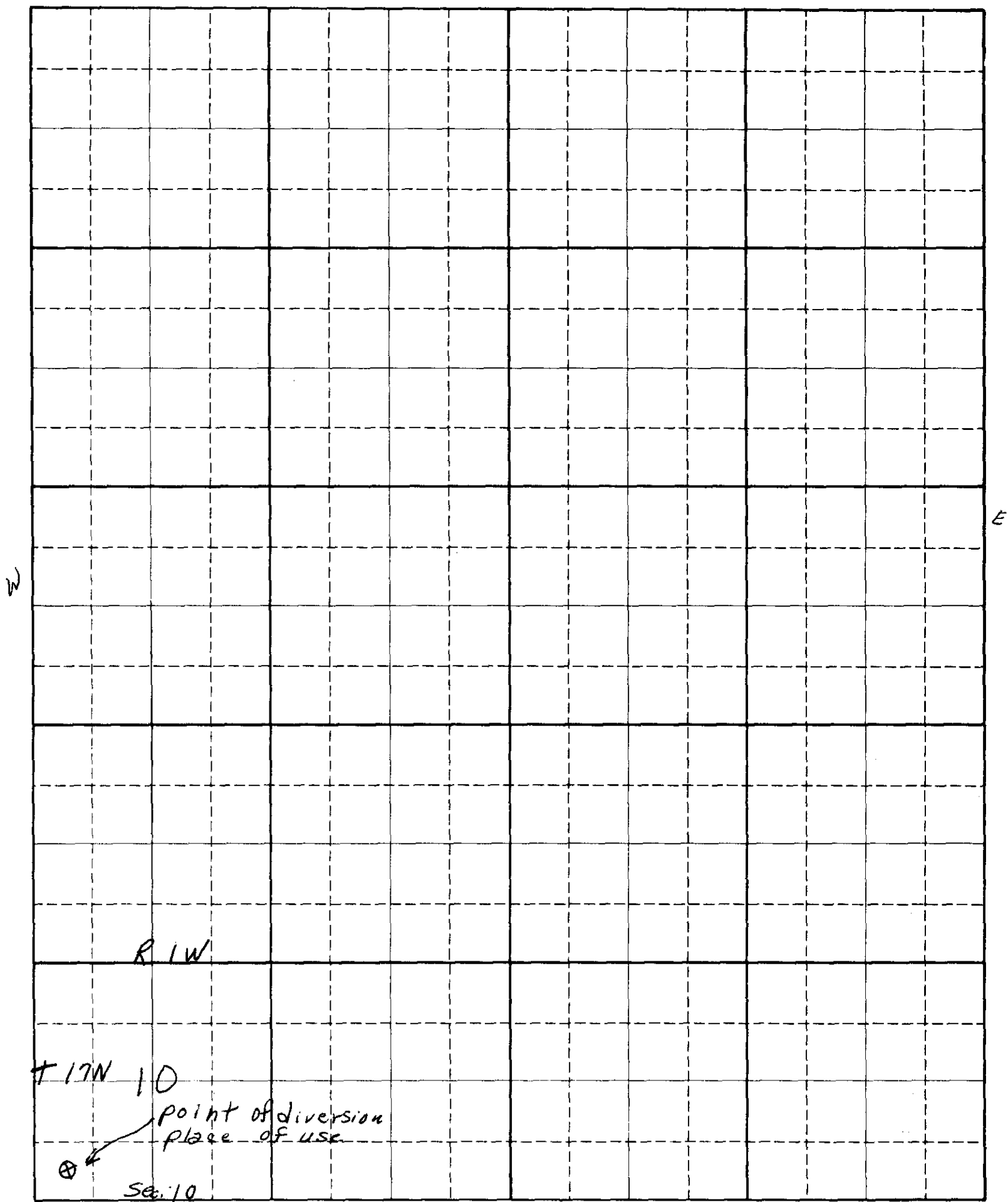
c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion Mildred and Virgil Wilmarth
b. Who owns the land to be irrigated or place of use Mildred and Virgil Wilmarth
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

N

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



Scale: 2 inches equal 1 mile

S

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.

Mildred/Vigil Hilmarth
(Applicant)

Received by Y Date 7-15-77 Time 1:00 pm
Preliminary check by Y Fee \$ 10.00
Receipted by Y Date 7-15-77 # 8147
Publication prepared by Y Date 7-21-77
Published in Adams County Leader
Publication dates July 28 + August 4
Publication approved Y Date 8-12-77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by YJ

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7345, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1978.
 - c. Other: _____

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

Witness my hand this 23 day of September 1977


Deputy Director

HOUSE OF REPRESENTATIVES
U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
 WASHINGTON, D. C. 20250

Re: **WATER RIGHTS**
SW 1/4 Sec 10 T14N R14W E. M.
Adams County to be used from
Jan 1 to Dec 31 for domestic pur-
poses within the SW 1/4 Sec 10
T14N R14W E. M.

It is noted that permits will be
 subject to all prior water rights
 protests against the granting of
 the permit must be filed with the
 Director of the Idaho Department
 of Water Resources, 900 South
 Cole Road Boise, Idaho 83725 on
 or before August 15, 1977.

C. STEVEN ALLARD JR.
 Director

Published in the Adams Coun-
 ty Leader Council ID on July 28,
 1977 and August 4, 1977.

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

No. 67-7345

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

same being made in the issue dated July 28.1977

OK ~~141~~
8-12-77

Notice " as afore
Robert J. Jones

AUG 5 - 1977

• 19, ...

Notary Public for Idaho,
Residing at Council, Idaho

WATER RIGHT NUMBER 67-7345

OWNER LAST NAME - WILMARTH
OWNER LAST NAME - WILMARTH
ADDRESS LINE 1 - BOX 35
ADDRESS LINE 3 -ADDRESS LINE 2 -
CITY - FRUITVALEFIRST NAME - VIRGIL
FIRST NAME - MILDREDORIG OWNER -
ORIG OWNER -

STATE - ID ZIP CODE - 83620

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 07-15-1977 COUNTY - ADAMS

TOTAL DIV. RATE -

.0800 -CFS

TOTAL DIV. VOLUME -

2.40 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSW 10 17N 01W LOT

REDIV -

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FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.0800 CFS

USE DIV. VOLUME -

2.40 AFA

USE - DOMESTIC

PLACE OF USE - TWN 17N RNG 01W SEC 10 TRACT SWSW LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE - D/2 HOMES.

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 10-01-1978 PERMIT/DENIED - 09-23-1977 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - WELL, PUMP & PIPELINES.

VERIFIED RJM

IDENT. No. 67-7345

WATER RIGHT
DATA ENTRY LOG

[illegible]



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

July 31, 1980

Virgil & Mildred Wilmarth
Box 35
Fruitvale, Idaho 83620

Dear Mr. & Mrs. Wilmarth,

RE: License No. 67-7345

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:mr
Enclosure

MICROFILMED

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[illegible]

DATE OF EXAM 6/9/80

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= .08 c.f.s. V= 2.4 AF/Ann. from 1/1 to 12/31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured .08 Method of measurement calc est.

Total Q recommended _____ Meter No. _____ Type _____ Condition _____

Total V recommended 2.4

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:
 $0.2 \times 2 \text{ households} \times .04 = .08 \text{ cfs}$
 $1.2 \text{ AF} \times 2 = 2.4$

SYSTEM DESCRIPTION:
.5 HP pump - 85 ft deep - 8 inch casing

REMARKS:

Examiner's Signature John X Noyes Date 6/9/80
Checked by DBS Date 6/12/80
Approved by RH Date 7/10/80

6/5/80 JKN

2 houses 8 inch casing 85 ft deep - 1/2 HP pump
location A.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

October 16, 1978

Mildred &/or Virgil Wilmarth
Box 35
Fruitvale, ID 83620

Dear Mr. & Mrs. Wilmarth:

Re: Permit NO. 67-7345

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in ~~Boise~~ (384-2190).

Sincerely,

RITA FLECK
Water Rights

RECEIVED
OCT 17 1978
WATER RIGHTS

Identification No. _____

Permit No. 67-7345

RECEIVED

SEP 14 1978

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE Department of Water Resources

1. a) Name of Permit Holder Mildred and/or Virgil Wilmarth
b) Post Office Address Box 35 Fruitvale, Idaho 83620
2. Permit Number 67-7345
3. Date of Priority that you are prepared to establish July 15, 1977
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 10
Township 17 N, Range 1 W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .08 for domestic purposes from January 1 to December 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .08 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Don Rich of Goodrich Drillers measured the flow
when he dug the well. He let the water run at its own speed; then measured the flow.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder: G. P. M. 20
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Draw down 30 Pumped 1 hr.
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 1/2 HP submersible pump, 8 inch well casing, 83 feet deep, pipe lines to two houses.
b) Describe the type and size of measuring device which you have installed at your point of diversion: This is not an irrigation well.
c) Give well driller's name and address and the date the well was completed: Mr. Don Rich
Goodrich, Idaho
Star Rt.
Council, Idaho 83612
The well was completed on October 23, 1974
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Household use at SW 1/4 of SW 1/4 of Section 10 Township 17N Range 1 W B.M.

Exam typed 10/16/78 by [Signature]

MILDRED WILMARTH
BOX 35
FRUITVALE, IDAHO
83620



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

373 WEST FRANKLIN STREET

BOISE

IDAHO 83720

Attn. RITA FLECK

CERTIFIED

No. 20590

MAIL

**RETURN RECEIPT
REQUESTED**



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL 100002

July 31, 1973
Re: Permit No.

67-7345

Mildred &/or Virgil Wilmarth
Box 35
Fruitvale, ID 83620

Dear Mr. & Mrs. Wilmarth:

One of the conditions of approval of your water Permit No. _____ (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK
Water Rights

Encl: Proof affidavit

30 September, 1977

Mildred and/or Virgil Wilmarth
Box 35
Fruitvale, Idaho 83620

Dear Mr. and Mrs. wilmarth:

Enclosed is a copy of your approved Application for Permit No. 67-7345.. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 67-

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

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
☐ Papers Sent

In form to receipt

Send Copies to:

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

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

In form for advertising

Platted on Map No. _____

Located within Water District No. _____

Critical groundwater area: yes _____ no ☒

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

Other rights on the same place of use N/A

Comments: _____

Affidavit of Publication received (date) 8-12-77

Final date for protests 8-15-77

Protests received: yes _____ no ☒

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

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W By JYS Date 8-12-77



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

July 25, 1977

Mildred Wilmarth
Box 35
Fruitvale, ID 83620

Dear Ms. Wilmarth:

Enclosed is your Receipt No. 8147 in the amount of \$ 10.00
for Application for Permit No. 67-7345 which was received in
this office on July 15, 1977.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

July 22, 1977

Re: Notice of Application for Water Permit No. 67-7345 -- Mildred &/or Virgil
Wilmarth

Adams County Leader
Council,
Idaho 83612

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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before August 15, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
8-12-77
[Signature]

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MILDRED &/or VIRGIL WILMARTH
Box 35 Fruitvale, ID
has on July 15, 1977 submitted Application No. 67-7345
for a permit to appropriate 0.08 cubic feet per second ~~acres feet~~
per ~~XXXXXX~~ of water from a groundwater source
by means of well, pump and pipelines
within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10 T17N-R1W B.M., Adams County

to be used from Jan 1 to Dec 31
for domestic purposes

within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10 T17N-R1W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before August 15, 1977.

C. STEPHEN ALLRED

Director

Published in the Adams County Leader, Council, ID
on July 28, 1977 and August 4, 1977.