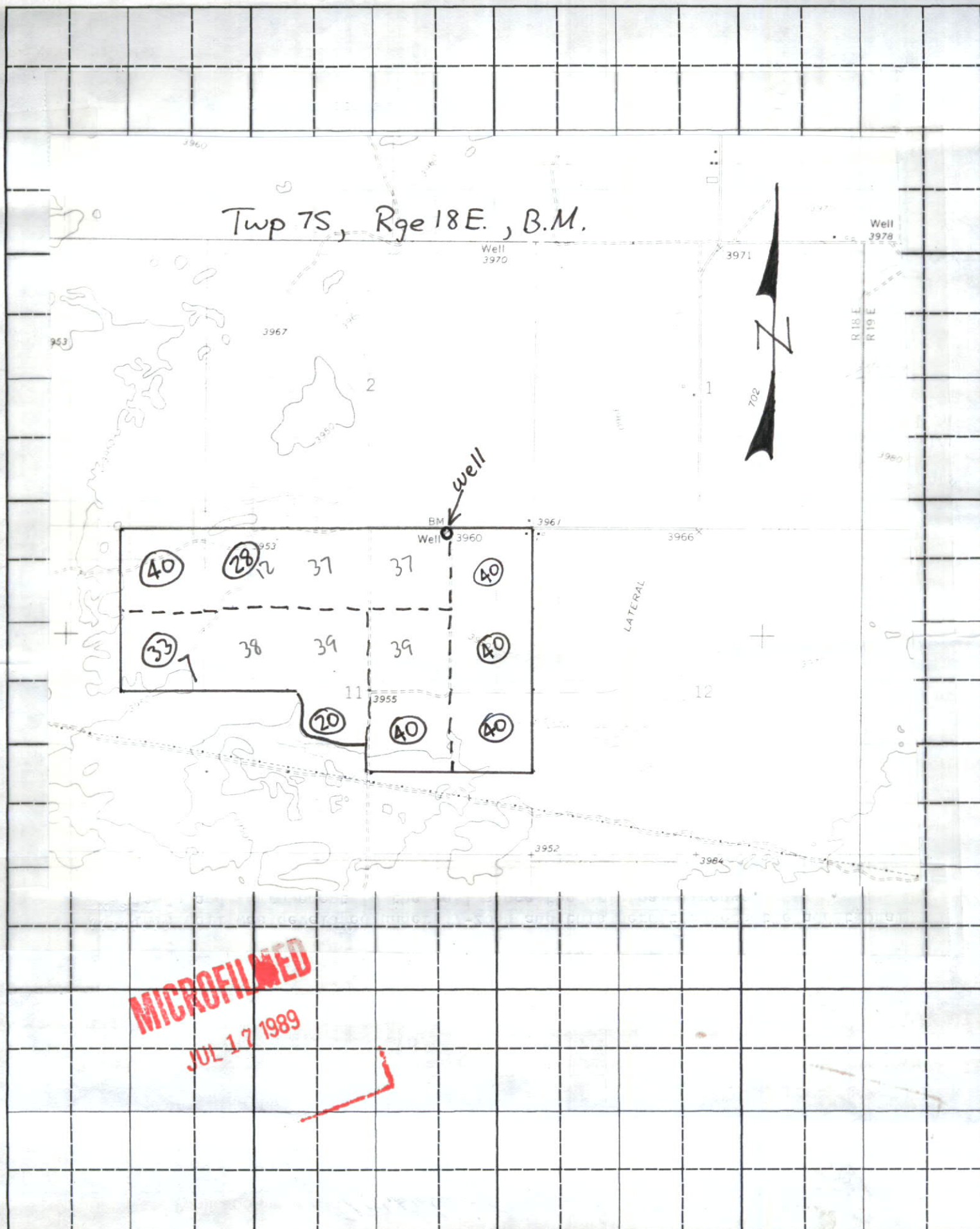


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James Whittaker
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-08063

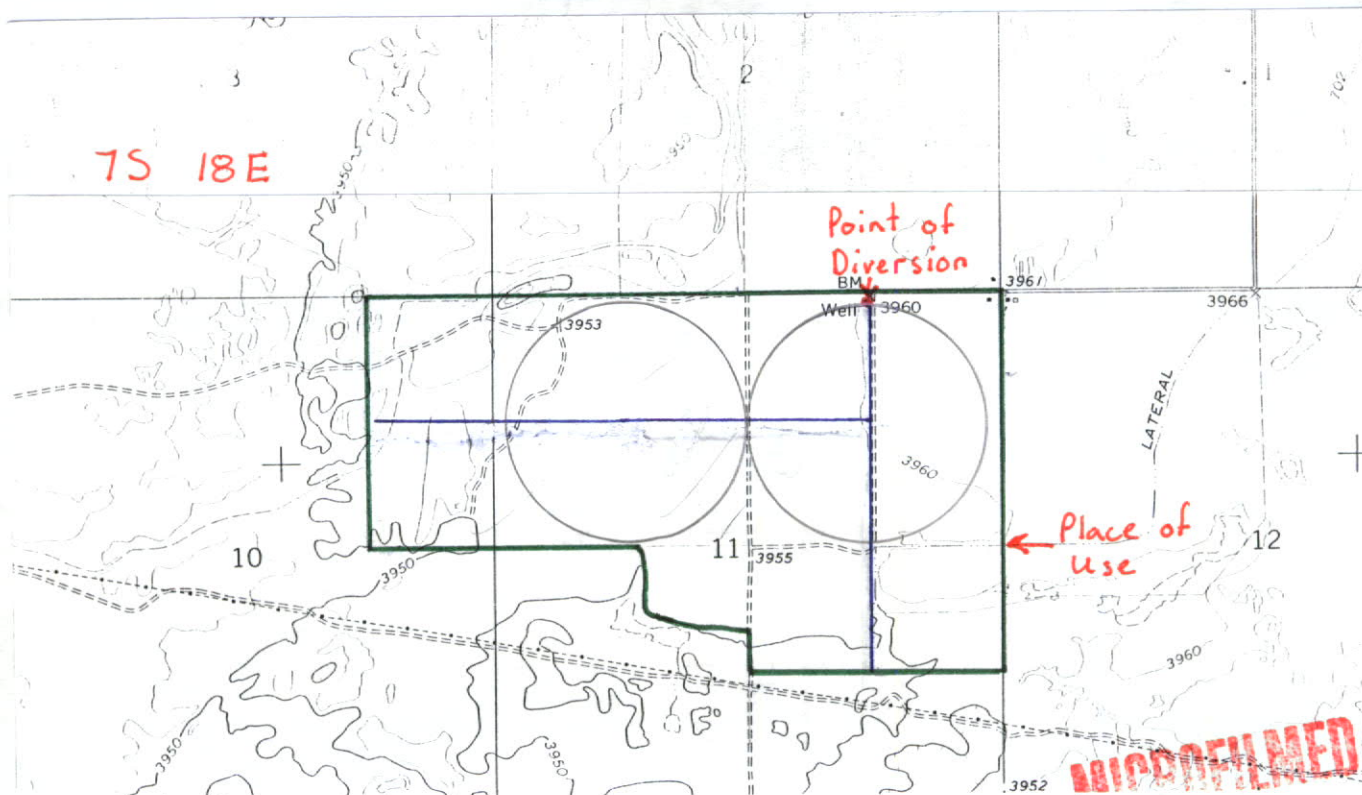
1. Owner: James Whittaker Phone No. 544-7731
Current Address: Route 1 Box 52 Dietrich ID 83324
2. Accompanied by: Same EXAM. DATE: _____
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Canal Water, 37-2644 ☐ Copies Attached
2. Other water rights with same point of diversion: None 37-2644 ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

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

DEC 11 1991



P.D.
Looking
North



P.U.
Looking
West



P.U.
Looking
East

EXPOSED
DEC 11 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENTMeasured by: Russ LewinsDate 8/8/89Owner: Jim WhittakerPermit No. 37-8063

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

During measurement of the irrigation system the valve to the corners was closed

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____

T = Pipe Thickness in Inches = _____

ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots 11 \frac{3}{4}$

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 12.00"

State ID No. _____

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14" - 16"	4.01
18" - 24"	4.02
30" or larger	4.03

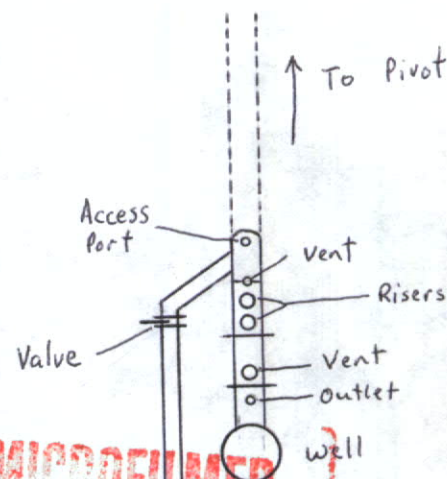
C selected 3.99DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)High Reading = 1) 22 2) 24.5 3) 27.5Low Reading = 1) 3 2) 5.5 3) 8.9High - Low = H = 19 (Avg)

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(11.75)^2 (\sqrt{19}) (3.99)}{448.8} = 5.35 \text{ cfs}$$

SKETCH (If not shown on Field Report)



←
To one
Pivot corner
(handlines)

→
To two
Pivot corners
(handlines)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-08063

1. Owner: James Whittaker Phone No. 544-7731
Current Address: Route 1 Box 52 Dietrich ID 83324

2. Accompanied by: Same EXAM. DATE: _____

Address: Same Phone No. Same

Relationship to Permit Holder: Same

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

Canal Water, 37-2644

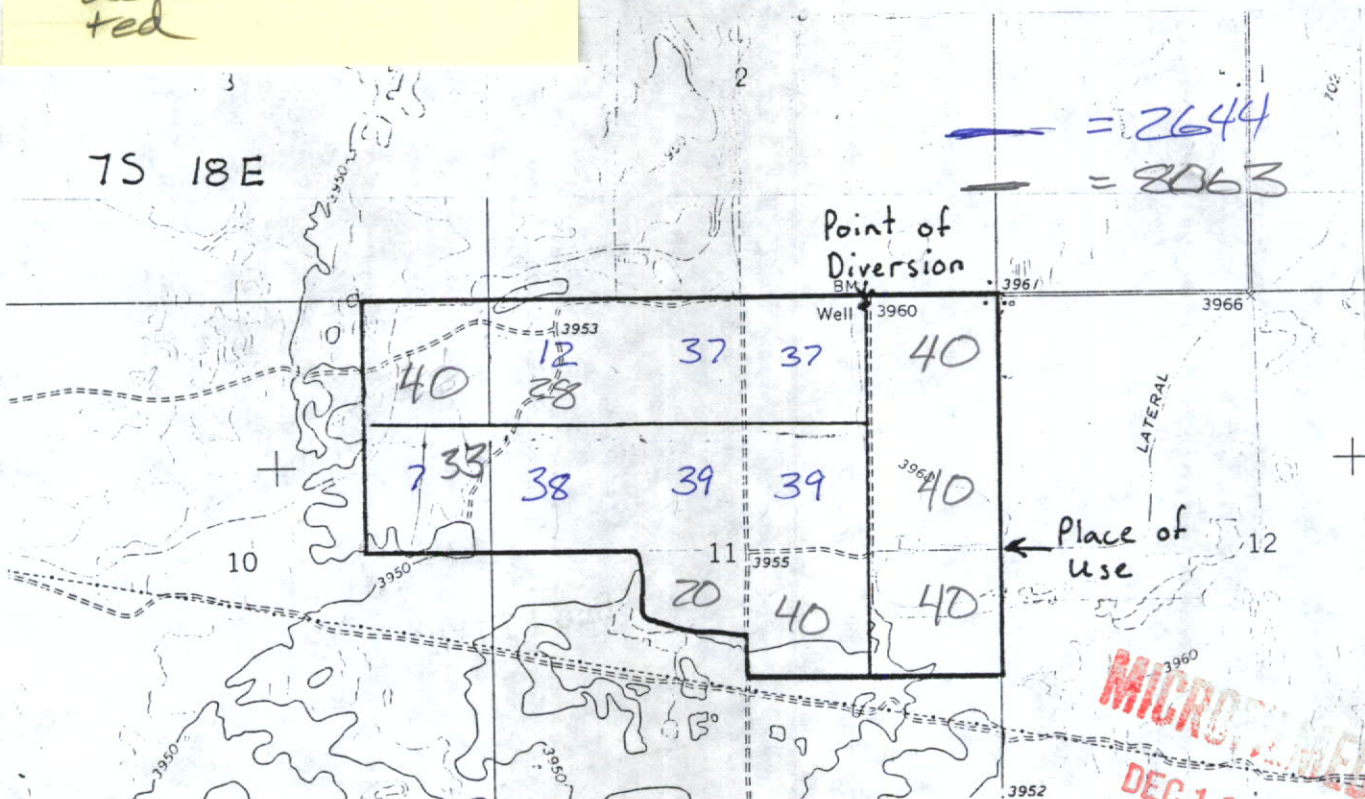
☐ Copies Attached

on: None 37-2644

☒ Copies Attached

☐ Copies of Field Exam's Attached

C. **SYSTEM** 37-2644 on same ground, though specific acres can not be separated
Major components and distances between components. Indicate weir
Alternative diagram attached

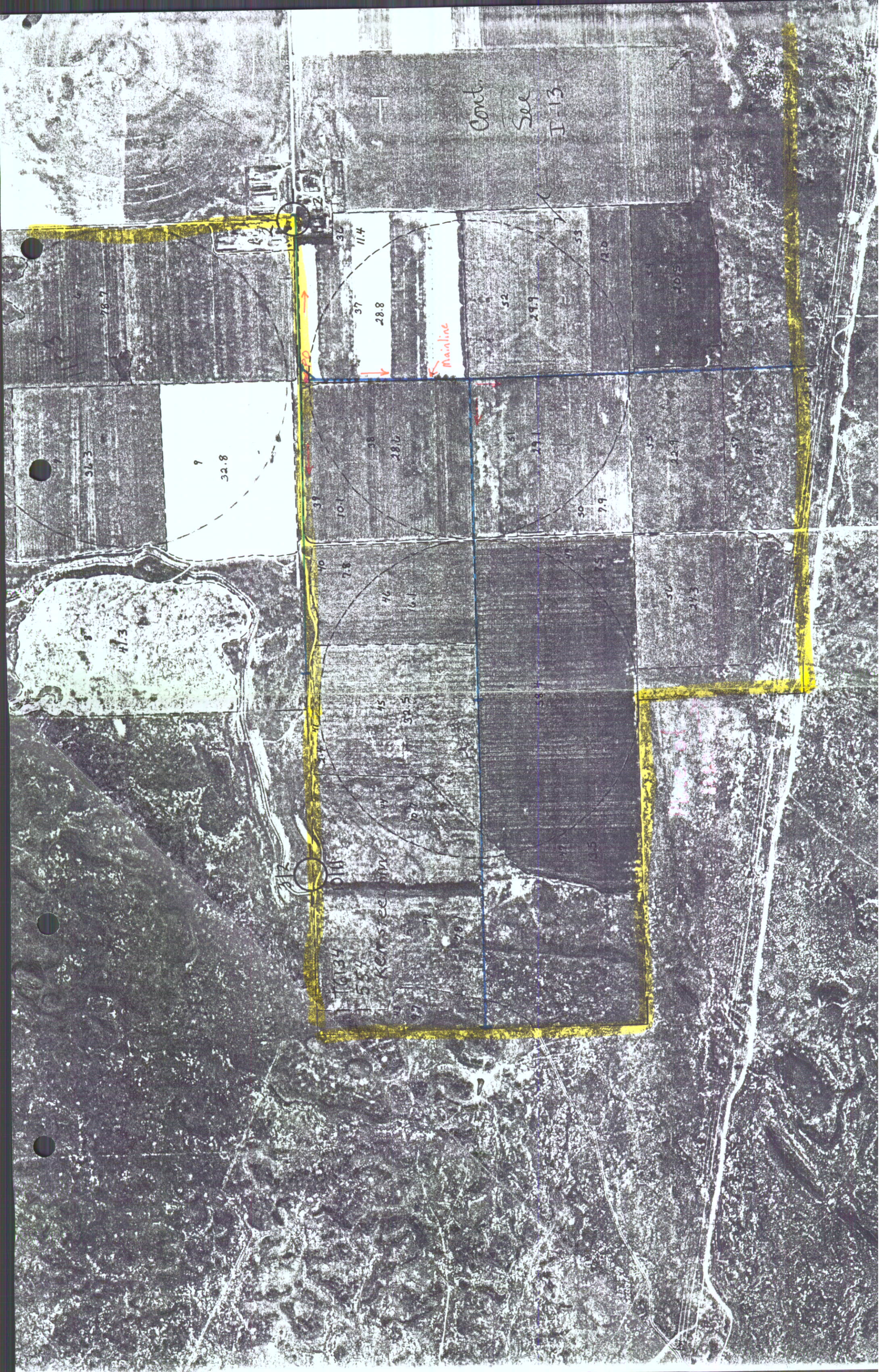


Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70065

This is to certify that: JAMES A WHITTAKER
498 E 670 S
DIETRICH ID 83324
(208)731-4651

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-8063	WR/License	01/06/1983	2 cfs	1124 af	N/A	281.0	GROUND WATER
37-2644A	WR/Decreed	10/31/1960	3.78 cfs	764 af	N/A	191.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

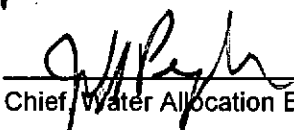
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-8063	NO	NO	YES	NO	NO	NO
37-2644A	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-8063	37-8063	2.00 cfs	1124 af	281.0	658.0		N/A	N/A	N/A	N/A
37-2644A	37-2644A	3.78 cfs	764 af	191.0	658.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.95 cfs	1888 af	472.0	658.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14 day of April, 2003

For 
Chief, Water Allocation Bureau

MICROFILMED
APR 16 2003

WATER RIGHT NO. 37-2644A
As Modified by Transfer No. 70065

In accordance with the approval of Transfer No. 70065, Water Right No. 37-2644A is now described as follows.

Right Holder: JAMES A WHITTAKER
 498 E 670 S
 DIETRICH ID 83324

Priority Date: October 31, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	3.78 CFS	764.0 AF
		3.78 CFS	764.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 11 Twp 07S Rge 18E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 18E 10	25.0			26.0													51.0
07S 18E 11	39.0	40.0	37.0	37.0	38.0	32.0	40.0	40.0	30.0				31.0	31.0			395.0
07S 18E 12					40.0	32.0	40.0	36.0	32.0	32.0							212.0

Total Acres: 658

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. Prior to the diversion and use of water under Transfer approval 70065, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

MICROFILMED

APR 16 2003

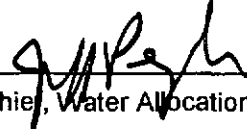
WATER RIGHT NO. 37-2644A
As Modified by Transfer No. 70065

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of 191 acres within the place of use described above in a single irrigation season.
6. Rights 37-2644A and 37-8063 when combined shall not exceed a total diversion rate of 4.95 cfs.
7. Use of this right is combined with water from American Falls Reservoir Dist. No. 2
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when the surface water delivered to this property are not sufficient for the proper irrigation thereof.
10. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14 day of April, 20 03

For 
Chief, Water Allocation Bureau

MICROFILMED

APR 16 2003

WATER RIGHT NO. 37-8063
As Modified by Transfer No. 70065

In accordance with the approval of Transfer No. 70065, Water Right No. 37-8063 is now described as follows.

Right Holder: JAMES A WHITTAKER
 498 E 670 S
 DIETRICH ID 83324

Priority Date: January 06, 1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	2.00 CFS	1,124.0 AF
			2.00 CFS	1,124.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 11 Twp 07S Rge 18E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 18E 10	25.0			26.0													51.0
07S 18E 11	39.0	40.0	37.0	37.0	38.0	32.0	40.0	40.0	30.0				31.0	31.0			395.0
07S 18E 12					40.0	32.0	40.0	36.0	32.0	32.0							212.0

Total Acres: 658

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. Prior to the diversion and use of water under Transfer approval 70065, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. This right is limited to the irrigation of 281 acres within the place of use described above in a single irrigation season.

MICROFILMED

APR 16 2003

WATER RIGHT NO. 37-8063
As Modified by Transfer No. 70065

CONDITIONS OF APPROVAL

6. Rights 37-2644A and 37-8063 when combined shall not exceed a total diversion rate of 4.95 cfs.
7. Use of this right is combined with water from American Falls Reservoir Dist. No. 2
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when the surface water delivered to this property are not sufficient for the proper irrigation thereof.
10. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14 day of April, 20 03

For  Chief, Water Allocation Bureau

MICROFILMED

APR 16 2003

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08063

Priority: January 6, 1983

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume: 1124.0 AF

This is to certify, that JAMES WHITTAKER

RT 1 BOX 52

DIETRICH ID 83324

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 6, 1983; and has submitted Proof of Beneficial Use on May 24, 1989. An examination indicates that the works have a diversion capacity of 5.350 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	03/15 to 11/15	2.00 CFS	1124.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 11, Township 07S, Range 18E
LINCOLN 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>
07S	18E	10	NENE 40	SENE 33		73
		11	NENE 40	SENE 40	NWNW 28	
			NESW 20	NESE 40	NWSE 40	208

Total number of acres irrigated: 281

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 that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. The maximum combined rate of diversion under this right & Right No. 37-2644 shall not exceed 5.35 cfs.

RECORDED

DEC 11 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08063

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 15th
day of NOVEMBER, 1991.

Acting for

R. Keith Higginson, Director

RECEIVED
FILMED

DEC 11 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-8063
RECEIVED
JAN 6 1983
Department of Water Resources
Southern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant James Whittaker Phone 544-7731
Post office address Route #1, Box 52, Dietrich, Idaho, 83324

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11 Township 7S
Range 18E B.M. Lincoln County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.0 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:

a. 2.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing Well & Pump delivers to
mainline system which supplies wheel-lines and handlines.

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
Existing (Month/Day) (Month/Day)

c. ~~Proposed~~ well diameter is 18 inches; proposed depth of well is 380 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

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

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

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

(5) If water is to be used for other purposes describe: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	18E	10	40			33													73
		11	40			40		28			20				40	40			208

Total number of acres to be irrigated 281

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

This well was developed under 37-2644 and this permit covers the additional lands and improvement in the well since the original license.

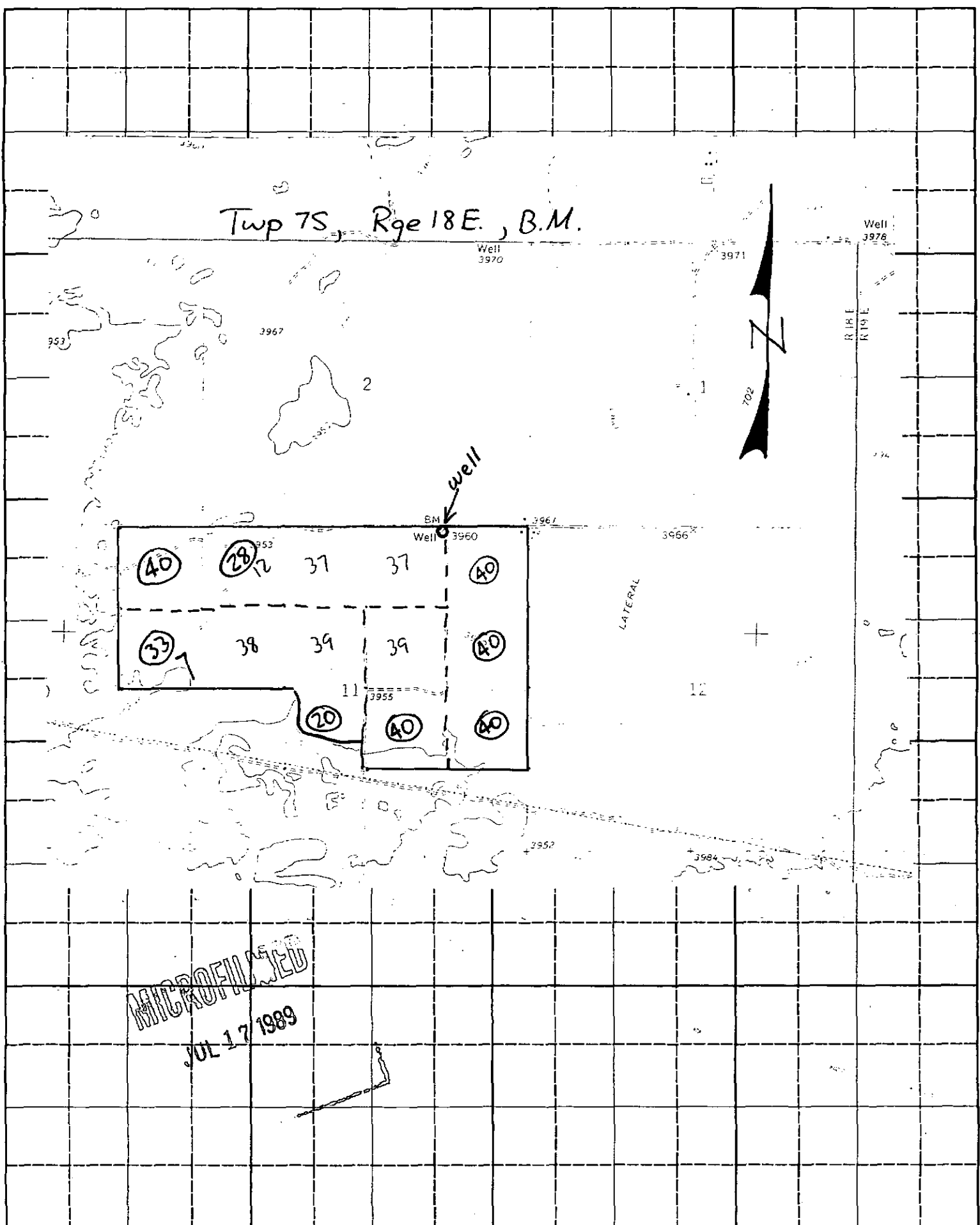
9. a. Who owns the property at the point of diversion Applicant

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

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

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James Whittaker
(Applicant)

Proposed Priority 1/6/83

Received by ADM Date 1/6/83 Time 2:30 p.m.

Preliminary check by js Fee \$ 65⁰⁰ # 23911

Receipted by mcy Date 1/6/83

Publication prepared by LG Date 2/6/89

Published in Northside News

Publication dates 2/15 & 2/22/89

Publication approved M. Bellair Date 3/13/89

Protests filed by: none

MICROFILMED
JUL 17 1989

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LA

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. 37-8063, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1990.

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

d. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 15th day of May, 1989.

J. Glen Saxton

AFFIDAVIT of PUBLICATION RECEIVED

State of Idaho,
County of Jerome

SS.

FEB 24 1989

Department of Water Resources
Southern Region Office

Mike Thornberry, being first duly sworn,
deposes and says that he 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 continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive 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 2x consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication

of said advertisement was on the 15 day of Feb

and the date of the last publication was on the 22

day of Feb, 19 89.

Subscribed and sworn to before me this 22nd

day of Feb, 19 89.

(SEAL)

Norma DeVoe
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	5¢/Pica
<u>1638</u> Lines straight at	<u>65.52</u> 4¢/Pica
Subsequent lines at	<u>57.33</u> 3.5¢/Pica
TOTAL COST <u>122.85</u>	

COPY OF NOTICE

(Paste Here)

App Water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

Dept. of Water Resources
2148 4th Ave E
Twin Falls, ID
83301

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

36-08273
B P FARMS, P.O. BOX 88, CAREY, ID
83320
Source: GROUNDWATER
Diversion Pt: SESE Sec 21 T 06S R 23E
Use: IRRIGATION (800 CFS)
Date Filed: 5/09/1985
In: T06S R23E S21 NESE NWSE SWSE
SESE - 40.0 ACRES TOTAL

36-08274
B P FARMS, P.O. BOX 88, CAREY, ID
83320
Source: GROUNDWATER
Diversion Pt: NWSW Sec 22 T 06S R
23E
Use: IRRIGATION (3,100 CFS)
Date Filed: 5/09/1985
In: T06S R23E S22 NWNE NENW
SWNW NESW
S22 NWSW, SWSW, SESW - 155.0
ACRES TOTAL

36-08275
B P FARMS, P.O. BOX 88, CAREY, ID
83320
Source: GROUNDWATER
Diversion Pt: NWSW Sec 28 T 06S R 23E
Use: IRRIGATION (8,000 CFS)
Date Filed: 5/09/1985
In: T06S R23E S21 SWNW SENW
NESW NWSW
S21 SWSW SESW
S28 NWNW SWNW NESW NWSW
S28 SWSW NWSE - 320.0 ACRES
TOTAL

36-08289
4 H FARMS INC., RT. 1 BOX 70A,
HAZELTON, ID 83335
Source: GROUNDWATER
Diversion Pt: NWSW Sec 28 T 10S R
20E
SESE Sec 29 T 10S R 20E
Use: IRRIGATION (1,090 CFS)
Date Filed: 6/28/1985
In: T10S R20E S29 SESE - 3.0 ACRES
TOTAL

37-08063
WHITTAKER, JAMES, RT. 1 BOX 52,
DIETRICH, ID 83324
Source: GROUNDWATER
Diversion Pt: NWNE Sec 11 T 07S R
18E
Use: IRRIGATION (2,000 CFS)
Date Filed: 1/08/1983
In: T07S R18E S10 NENE SENE
S11 NENE SENE NWNW NESW
S11 NESE NWSE - 281.0 ACRES
TOTAL

37-08078
KISLING FARMS, RT. 2 BOX 2334,
DIETRICH, ID 83324
Source: GROUNDWATER
Diversion Pt: SENW Sec 28 T 06S R 18E
Use: IRRIGATION (2,000 CFS)
Date Filed: 4/07/1983
In: T06S R18E S28 NWNE NENW
NWNW - 120 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 in-
terest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the
Director, Dept. of Water Resources, 2148
4th Avenue East, Twin Falls, Idaho 83301,
on or before MARCH 8, 1989.
R. Keith Higginson, Director
Pub: 2-15, 22 N13587

MEMORANDUM

TO: FILE 37-8063

FROM: VAULT

RE: TRANSFER # 70065

DATE: 4.15.03

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 37-2644A

MICROFILMED

APR 16 2003

November 20, 1991

JAMES WHITTAKER
RT 1 BOX 52
DIETRICH ID 83324

RE: WATER RIGHT NO. 37-08063

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

PHOTOFILMED
DEC 11 1991

OWNER NAME & ADDRESS
C JAMES WHITTAKER
RT 1 BOX 52
DIETRICH ID 83324
(208) 544-7731

PRIORITY DATE 01/06/1983 IRRIGATION

USE PERIOD FROM 03-15 11-15

DIVERSION RATE 2.00 CFS

DIVERSION VOLUME 1124.0 AFA

TOTAL DIVERSION: 2.00 CFS 1124.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 5.35 CFS

Point(s) of Diversion: T07S R18E S11 NW NE

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S 18E 10	:	40	:	33	:	:	:	:	:	:	:
07S 18E 11	:	40	:	40	:	28	:	20	:	40	:
										TOTAL ACRES	
											73.0
											208.0
											281.0

Other Water Rights with Same Point(s) of Diversion and Source:

37-02644A ~~37-00003~~

Other Water Rights Listing Overlapping Place(s) of use:

37-02644A ~~37-00003~~

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Remarks: The maximum combined rate of diversion under this right & Right

No. 37-2644 shall not exceed 5.35 cfs.

Dates: APP. Received: 01/06/1983 Priority Date: 01/06/1983
Proof Due Date: 06/01/1990 Proof Made Date: 05/24/1989
Exam Made Date: 08/08/1989 Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 10/28/91 CURTIS

RECEIVED

DEC 11 1991

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE Lt	NE Ac	NW Lt	NW Ac	SW Lt	SW Ac	SE Lt	SE Ac	NE Lt	NE Ac	NW Lt	NW Ac	SW Lt	SW Ac	SE Lt	SE Ac	SUM
L3708063	T075 R18E S10	40																73
0100212	SNAKE RIVE																	
0100213	SNAKE RIVE																	
0100215	SNAKE RIVE																	
0100220	SNAKE RIVE																	
3702644A	GROUNDWATE							07										7
3702644A	GROUNDWATE							07										7
3700063	GROUNDWATE																	73
86 MAP--	C63Q-AA 74	21						35										59
86 MAP--	CQ-AA 74							02										2
0100006	SNAKE RIVE																	
A0100006	SNAKE RIVE																	
A3700867Z2	LARGE CLAI	22						39										61
3702644A	GROUNDWATE			29		29				37		12		38		39		184
A3702644A	GROUNDWATE			29		29				37		12		38		39		184
3700063	GROUNDWATE																	208
86 MAP--	C63Q-AA 74	22		39		28		39		38		37		39		40		418
86 MAP--	CQ-AA 74	34		39		39		39		40		39		40		25		394
L3708063	T075 R18E S11	40																208
86 MAP--	C63Q-AA 74	21						35										59
86 MAP--	CQ-AA 74							02										2
0100006	SNAKE RIVE																	
A0100006	SNAKE RIVE																	
A3700867Z2	LARGE CLAI	22						39										61
3702644A	GROUNDWATE			29		29				37		12		38		39		184
A3702644A	GROUNDWATE			29		29				37		12		38		39		184
3700063	GROUNDWATE																	208
86 MAP--	C63Q-AA 74	22		39		28		39		38		37		39		40		418
86 MAP--	CQ-AA 74	34		39		39		39		40		39		40		25		394

DEC 11 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

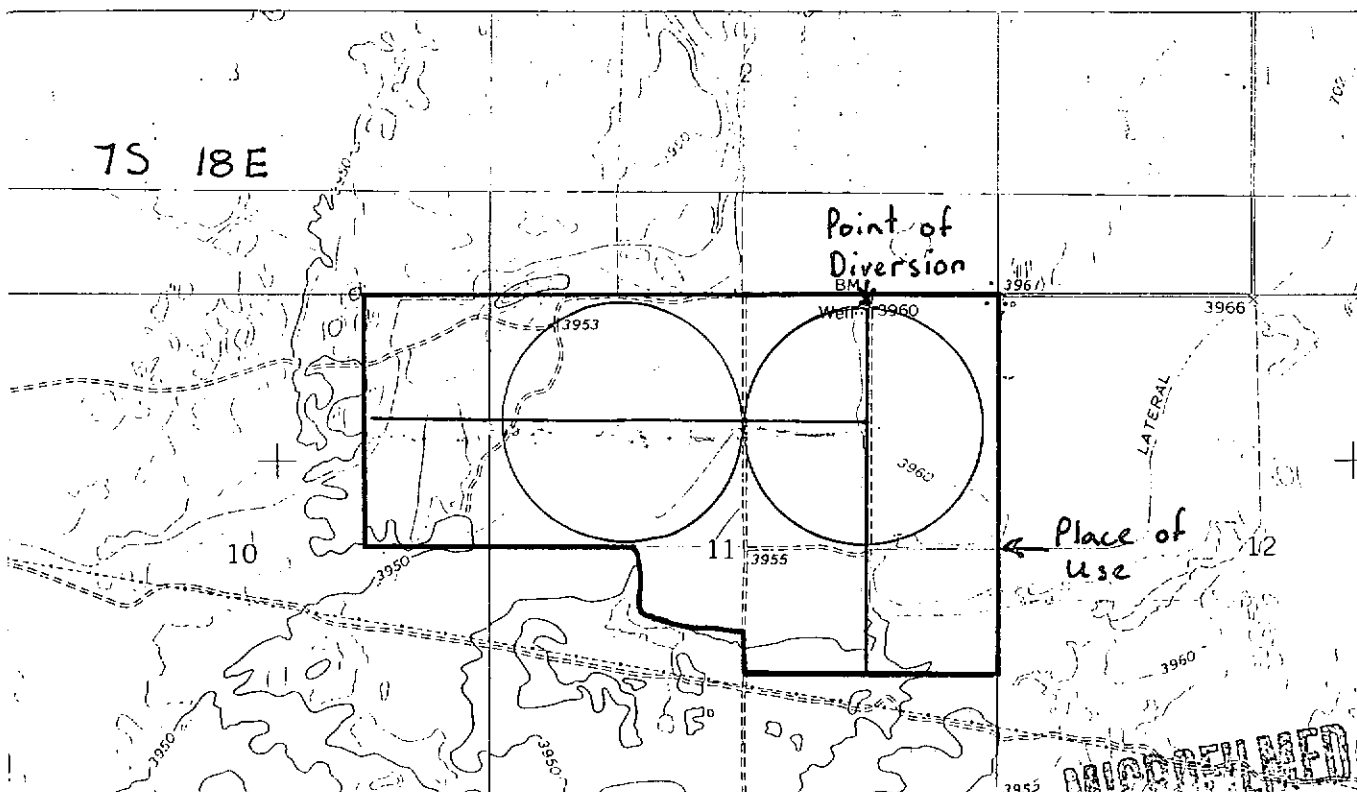
Permit No. 37-08063
1. Owner: James Whittaker Phone No. 544-7731
Current Address: Route 1 Box 52 Dietrich ID 83324
2. Accompanied by: Same EXAM. DATE: _____
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Canal Water, 37-2644
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: None 37-2644
_____ ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

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

DEC 11 1991

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Water was pumped from well to 2 pivots and handlines

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Motor	150	1384571	Layne & Bowler	D19246

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	11	7S	18E	Lincoln	Quadrangle / Aerial Photo

6. Place(s) of Use:

Indicate Method of Determination *Aerial Photo*

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	18E	10	40			33													73
		11	40			40		28			20				40	40			208
																			281

DEC 11 1991

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar / Manometer	75	—	—	091431	12.00"	—

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x 0.001732 = _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 281 \times 4 = 1,124 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 5.35 \times 246 \times 1.9835 = 2,610 \text{ afa}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1,124 \text{ afa}$

2. Volume Calculations for Other Uses:

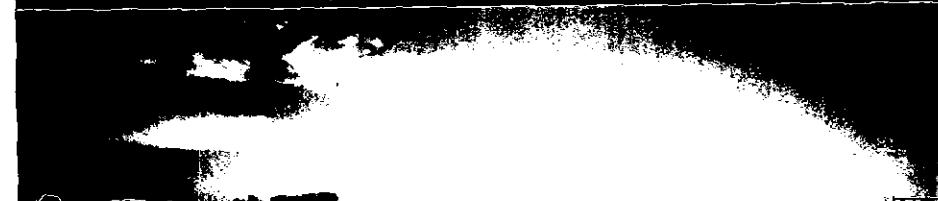
DEC 11 1991



P.D.
Looking
North



P.U.
Looking
West



P.U.
Looking
East



RECEIVED
DEC 11 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Russ Lewins

Date: 8/8/89

Owner: Jim Whittaker

Permit No. 37-8063

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

During measurement of the irrigation system the valve to the corners was closed

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____

T = Pipe Thickness in Inches = _____

ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots 11 \frac{3}{4}$

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 12.00"

State ID No. _____

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.96
<u>12"</u>	<u>3.99</u>
14" - 16"	4.01
18" - 24"	4.02
30" or larger	4.03

C selected 3.99

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 1) 22 2) 24.5 3) 27.5

Low Reading = 1) 3 2) 5.5 3) 8.9

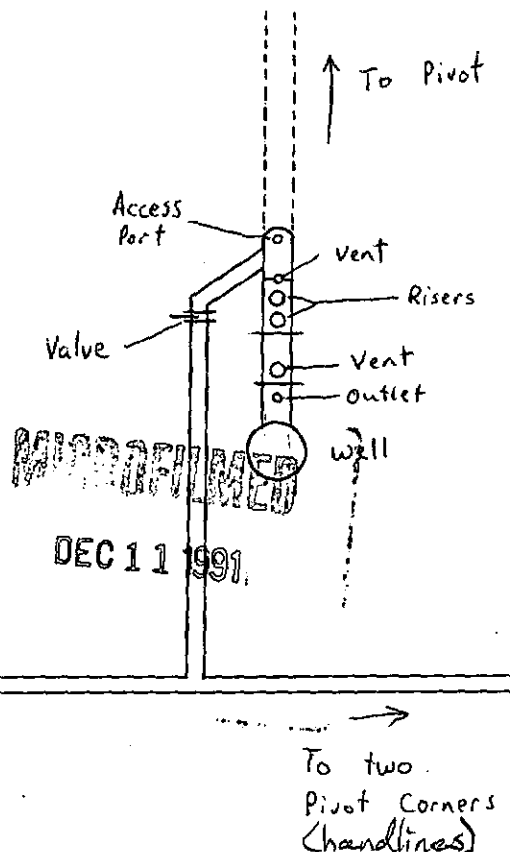
High - Low = H = 19 (Avg)

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(11.75)^2 \cdot (\sqrt{19}) \cdot (3.99)}{448.8} = \underline{5.35} \text{ CFS}$$

SKETCH (If not shown on Field Report)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-08063
1. Owner: James Whittaker Phone No. 544-7731
Current Address: Route 1 Box 52 Dietrich ID 83324
2. Accompanied by: Same EXAM. DATE: _____
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: Groundwater tributary to _____

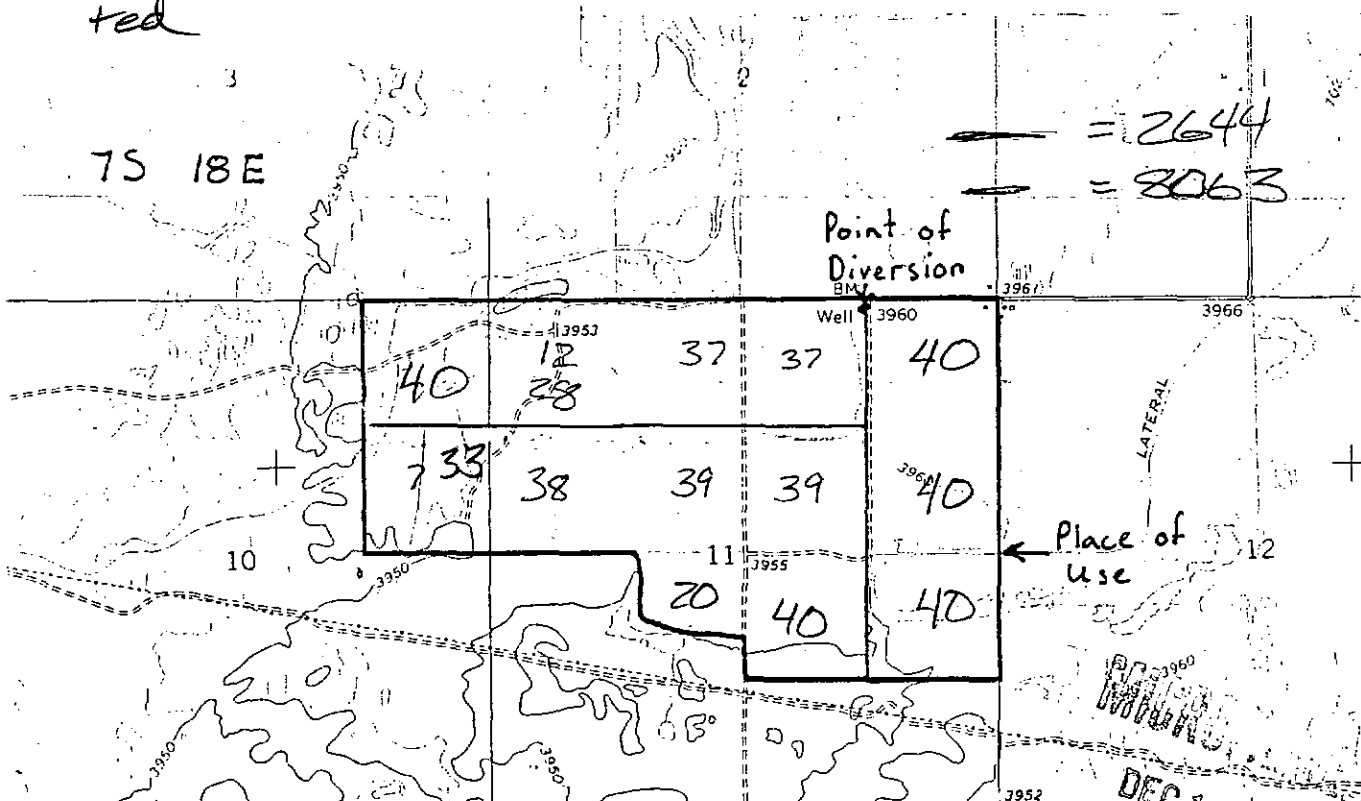
B. OVERLAP REVIEW

Overlap analysis

May not have
37-2644 on same
ground, though specific
acres can not be separ-
ated

Canal Water, 37-2644
on: None 37-2644
☐ Copies Attached
☒ Copies Attached ☐ Copies of Field Exam's Attached

major components and distances between components. Indicate weir
Alternative diagram attached



Scale: 1" = _____

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

DEC 11 1991

9
32.8

37
28.8
11.4

Mainline

500
600

REPORT OF WELL DRILLER
State of Idaho

RECEIVED
JUN 17 1968

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Cliff DeVanov

Address Twin Falls, Idaho

Owner's Permit No. _____

NATURE OF WORK (check): replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____

(explain)
CASING SCHEDULE: Threaded _____ Welded ☒
12" Diam. from 0 ft. to 90 ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
Thickness of casing: 4" Material:
Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☐ No ☒ Type of
perforator used: _____

Size of perforations: " by "
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☐

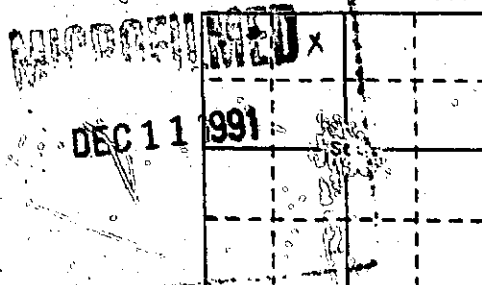
Manufacturer's name _____
Type _____ Model No. _____
Diam. Slot size Set from _____ ft. to _____ ft.
Diam. Slot size Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐
No ☒ size of gravel _____ Gravel
placed from _____ ft. to _____ ft. Surface seal
provided? Yes ☐ No ☐ To what depth?
_____ ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☐
No ☒ Type of water: _____
Depth of strata _____ ft. Method of sealing
strata off: _____

Surface casing used? Yes ☒ No ☐
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County Lincoln, Idaho
NE 1/4 10N 7E Sec. 11 T. 7 N/S R. 13E/W

Use other side for additional remarks

Size of drilled hole: 18" Total
depth of well: 300 ft. Standing water
level below ground: 142 ft. Temp.
Fahr. _____ Test delivery: 3250 gpm
or _____ cfs Pump? ☒ Bail ☐
Size of pump and motor used to make test:
10" column, 12" bowles, 300 H.P. Diesel
Length of time of test: 4 Hrs. Min.
Drawdown: 33 ft. Artesian pressure: ft.
above land surface Give flow _____ cfs
or _____ gpm. Shutoff pressure:
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☐

DEPTH	MATERIAL	WATER
FROM TO		YES OR NO
FEET FEET		
0 5	Top soil	
5 12	Gray lava	
12 20	Brown lava	
20 24	Gray lava	
24 30	Brown shale	
30 35	Brown sandstone	
35 40	Sand	
40 45	Brown shale	
45 50	Brown lava	
50 55	Brown shale	
55 60	Brown lava	
60 65	Brown shale	
65 70	Brown lava	
70 75	Brown shale	
75 80	Brown lava	
80 85	Brown shale	
85 90	Brown lava	
90 95	Brown shale	
95 100	Brown lava	
100 105	Brown shale	
105 110	Brown lava	
110 115	Brown shale	
115 120	Brown lava	
120 125	Brown shale	
125 130	Brown lava	
130 135	Brown shale	
135 140	Brown lava	
140 145	Brown shale	
145 150	Brown lava	
150 155	Brown shale	
155 160	Brown lava	
160 165	Brown shale	
165 170	Brown lava	
170 175	Brown shale	
175 180	Brown lava	
180 185	Brown shale	
185 190	Brown lava	
190 195	Brown shale	
195 200	Brown lava	
200 205	Brown shale	
205 210	Brown lava	
210 215	Brown shale	
215 220	Brown lava	
220 225	Brown shale	
225 230	Brown lava	
230 235	Brown shale	
235 240	Brown lava	
240 245	Brown shale	
245 250	Brown lava	
250 255	Brown shale	
255 260	Brown lava	
260 265	Brown shale	
265 270	Brown lava	
270 275	Brown shale	
275 280	Brown lava	
280 285	Brown shale	
285 290	Brown lava	
290 295	Brown shale	
295 300	Brown lava	

Work started: 1/6/68
Work finished: 7/10/68
Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.
Name: Chuck Jones

Address: Idaho
Signed by: Mark Gray
License No. 101 Date: 3/15/68
Mark Gray Well Drilling

Water Lic No G 29110 / 37-2644

Oct 31, 1960

418C5F - 2250 GPM Pump capacity
1875 licensed

this well was used to surface irrigate
the property on this license until
8/19/74 Mel Brown Ocala order for
\$28,900.00 I irrigated until 1980
these acres & others in 1981 I deepened
the well (armed Elsinore June 15, 1981
\$3600.00) Rancher Irrigator pulled pump
\$5,115.00 and Browne pump reboiled
I then applied for another 600 gals
I irrigated with this system until
1987 when I installed pivots I
brought gravity pressure from the
Canal - now I wish to use 1800 gpm
out of the well and put the 800 gal
in well A37-02558 to replace surface water
used in the gravity system -

6/28/1989

Jim Whittaker

DEC 11 1991

2
1875

TO 2850

W/228 Elsinore

Irrigator

13-Jul-1989

James Whittaker
550 E. 535 S.
Dietrich, Idaho 83324

Permit No. 37-08063

Dear Mr. Whittaker,

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

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

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

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

Very truly yours,

Lloyd Payne
Clerk

Encl:

MICROFILMED

DEC 11 1991

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-8063

Date: 6-28-87

General Considerations:

y Name same as permit
y Signature the same as permit holder
y Address change _____ If yes, prepare a data entry
y Proof received timely _____
_____ Reinstated

Source of Water:

y Surface water
y Groundwater
N/A 1. well log in file
N/A 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

y Rate of diversion appropriate for uses
y Is rate or volume and fee appropriate?
y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

y Is a measuring device or access port required?
x Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks: Proof acceptable
No Well log found, well drilled in 1981

N/A Priority Calculation:
Date proof received _____
Date proof due _____
No. of days late _____
Priority date _____
NEW PRIORITY DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

~~MICROFILMED~~

~~JUL 17 1989~~

Form 17
03/88

RECEIVED

MAY 24 1989

Department of Water Resources
Southern Region Office

RECEIVED

MAY 25 1989

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

For Office Use Only

Fee Received \$125.

Date 5-24-89

Receipt # 5007305

Receipt by [Signature]

Reviewed by [Signature]

Sent to region [Signature]

PROOF OF BENEFICIAL USE

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

Permit No. 37-08063

Name(s) of Permit Holder: James Whittaker

550 E 535 S.

Post Office Address: Rt. 1 Box 52, Dietrich, ID 83324

Telephone No. 544-7731

Source of Water: Groundwater

Extent of Use:

Domestic (number of households)

Stockwater (number and type of stock)

Irrigation 281 (acres)

Other/Remark

Total rate and/or volume for which proof is submitted 2.0 cts acre-feet

Show the date water was first diverted and beneficially used under this permit: 1981

Measuring Device: Required? Yes ☐ No ☒

Fee enclosed \$ 125.

Installed? Yes ☐ No ☒

(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes ☒ No ☐

Installed? Yes ☐ No ☒ will be installed

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

Permittee

(Name)

(Telephone Number)

MICROFILMED

JUL 17 1989

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.

Date

Signature of Permit Holder (and title, if appropriate)

May 24, 1989

James A. Whittaker

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 16, 1989

JAMES WHITTAKER
RT. 1 BOX 52
DIETRICH, ID 83324

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 37-08063

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.

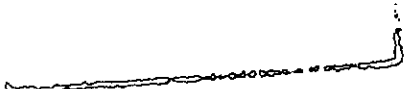
Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

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.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also

MICROFILMED

JUL 17 1989



enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

Microfilmed

JUL 17 1989

MEMORANDUM

TO: File No. 37-8063
FROM: Gary Spackman *Gary*
DATE: May 15, 1989
RE: Need for additional information under Rule 4,5. of the Water Appropriation Rules & Regulations

I have reviewed application for permit no. 37-8063. The application, as submitted, does not contain the information that is required under Rule 4,5. of the Water Appropriation Rules and Regulations. According to the application, development was complete in 1974 almost 15 years ago.

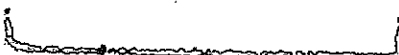
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The same reasoning applies submittal of design, construction or operation techniques to protect other users, sufficiency of water supply, financial resources to construct the project, and comments from local government and private interested parties. The length of time that the development has been complete is enough to have raised the issues that we are seeking to address.

As a result, I am not requesting any additional information from the applicant, and propose that the application be approved.

MICROFILMED

JUL 17 1989



MEMORANDUM

TO: File No. 37-8063
FROM: Gary Spackman *Gary*
DATE: May 4, 1989
RE: Need for additional information under Rule 4,5. of the Water Appropriation Rules and Regulations

I have reviewed application for permit no. 37-8063. The application, as submitted, does not contain the information that is required under Rule 4,5. of the Water Appropriation Rules and Regulations. According to the application, development was complete in 1974, almost 15 years ago.

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MICKUFILMED

JUL 17 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JF Stanton APPLICATION NUMBER: WHITTAKER, James
37-8063

CHECK:

- ☐ Source.
☐ Point of diversion.
☐ County.
☐ Quantity of water and period of use.
☐ Description of diverting works.
☐ Time required for beneficial use of water.
☐ Place of use or acres irrigated.
☐ Map.
☐ Signature.
☐ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☐ No Field check required.
☐ Yes ☐ No Critical groundwater area.
☐ Yes ☐ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: JF Map No. AA-74
☐ Yes ☒ No Other rights on same place of use. _____
37-2644 on adjacent lands.
☒ Yes ☐ No* In form for advertising.
Final date for protests: 3/6/89
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2/24/89
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 68/23911
☒ Publication dates and paper, recorded on application. 2/15 & 2/22/89 Monticello News
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
1/6/83 Date of priority recommended.
Special conditions of approval or cover letter. OIG

App. in TRUST area - see development statement below.
Proof of B.O. in file

Allow 1 yr. for development -

By: Loren O'Hara Date: 3/15/89

STATE OFFICE REVIEW:

P23, P03 PI6 46 OIG

☒ See attached sheet for more information.

Date: 4/12/89

RECEIVED
MAR 20 1989

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

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TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

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lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

MEMORANDUM

TO: FILE/APPLICATION NO.

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 11-27-89

=====

This application was among those applications reviewed in the regional offices last year and recommended for out of sequence processing. This application includes a statement and sufficient supporting evidence concerning development of the project prior to October 1, 1984.

The department's Policy and Implementation Plan for Processing Water Rights in the Swan Falls Area provides for applications to be processed out of sequence if the development was completed prior to October 1, 1984 and the application filed prior to July 1, 1985. These filings are not required to be processed in sequence with other trust water filings because the effect of these filings have already occurred and because, due to subordination, the filings are not taking water held in trust. These filings are not subject to the staged development policy and public interest criteria of Section 42-203C, Idaho Code.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 2, 1989

James Whittaker
Rt. 1 Box 52
Dietrich ID 83324

Re: Application for Permit No. 37-8063

Dear Mr. Whittaker:

On March 25, 1988, the Federal Energy Regulatory Commission (FERC) issued an order satisfying the last condition to make the Swan Falls Agreement effective. The Department is now prepared to proceed with the normal processing of your application. This process includes the preparation of a notice of the application which shall be published once a week for two consecutive weeks in a newspaper printed within the county wherein the point of diversion lies.

The Department wishes to know of any reason why it should not plan to process your above-referenced application. If there is a reason for not processing this particular application or you no longer have any interest in seeking a water right permit under this application, please notify the Department within ten days of the date of mailing this notice.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

Loren O. Holmes
Manager, Southern Regional Office

LOH:jg

MICROFILMED

JUL 17 1989

WHITTAKER, JAMES
RT. 1 BOX 52
DIETRICH, ID 83324

37-08063

Source: GROUNDWATER

Diversion Pt:

Use: IRRIGATION

NWNE

Sec 11 T 07S R 18E

(2.000 CFS)

Date Filed: 1/06/1983

In: T07S R18E S10
S11

NENE
NENE
NESE

SENE
SENE
NWSE

NWNW

NESW

281.0 ACRES TOTAL

RECORDED
JUL 17 1989

Microfilm

JUL 17 1989

37-08063
WHITTAKER, JAMES, RT. 1 BOX 52,
DIETRICH, ID 83324
Source: GROUNDWATER
Diversion Pt: NWNE Sec 11 T 07S R
18E
Use: IRRIGATION (2.000 CFS)
Date Filed: 1/08/1983
In: T07S R18E S10 NENE SENE
S11 NENE SENE NWNW NESW
S11 NESE NWSE - 281.0 ACRES
TOTAL

OK
Tg 2/13/89

RECORDED

AUG 01 1989

FORM A

RECEIVED
FPR 13 1987
Department of Water Resources
Southern Region Office

STATE OF IDAHO

RECEIVED
MAY 16 1985

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 37-8063
Name(s) of Permit Holder: James Whittaker

Post Office Address: Rt 1 Box 52 Dietrich, Id 83324

Telephone No. 544 7731

Source of Water: well-ground water

Extent of Use: Domestic _____ (number of households)
Stockwater _____ (number and type of stock)
Irrigation 281 (acres)

Other/Remarks this application was made ^{after} when Lic. 372644 was converted to sprinkler - app. to cover add. acres gained

Indicate the date water was first diverted and beneficially used under this permit: 1974

Measuring Device: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Flow Measurement Port: Required? ☐ Yes ☐ No
Required? ☐ Yes ☐ No

Person to contact to accompany the Department representative during field examination: James Whittaker (see above)
(Name)

(Address) (Telephone number)

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

March 21, 1985
Date

JUL 17 1985

James Whittaker
Signature of Permit
(and Title, if appropriate)

Statement of development for exemption from Swan Falls processing. Not acceptable as proof of beneficial use.

IDENT. NO. 27-8062

WATER RIGHT
DATA ENTRY LOG[illegible]