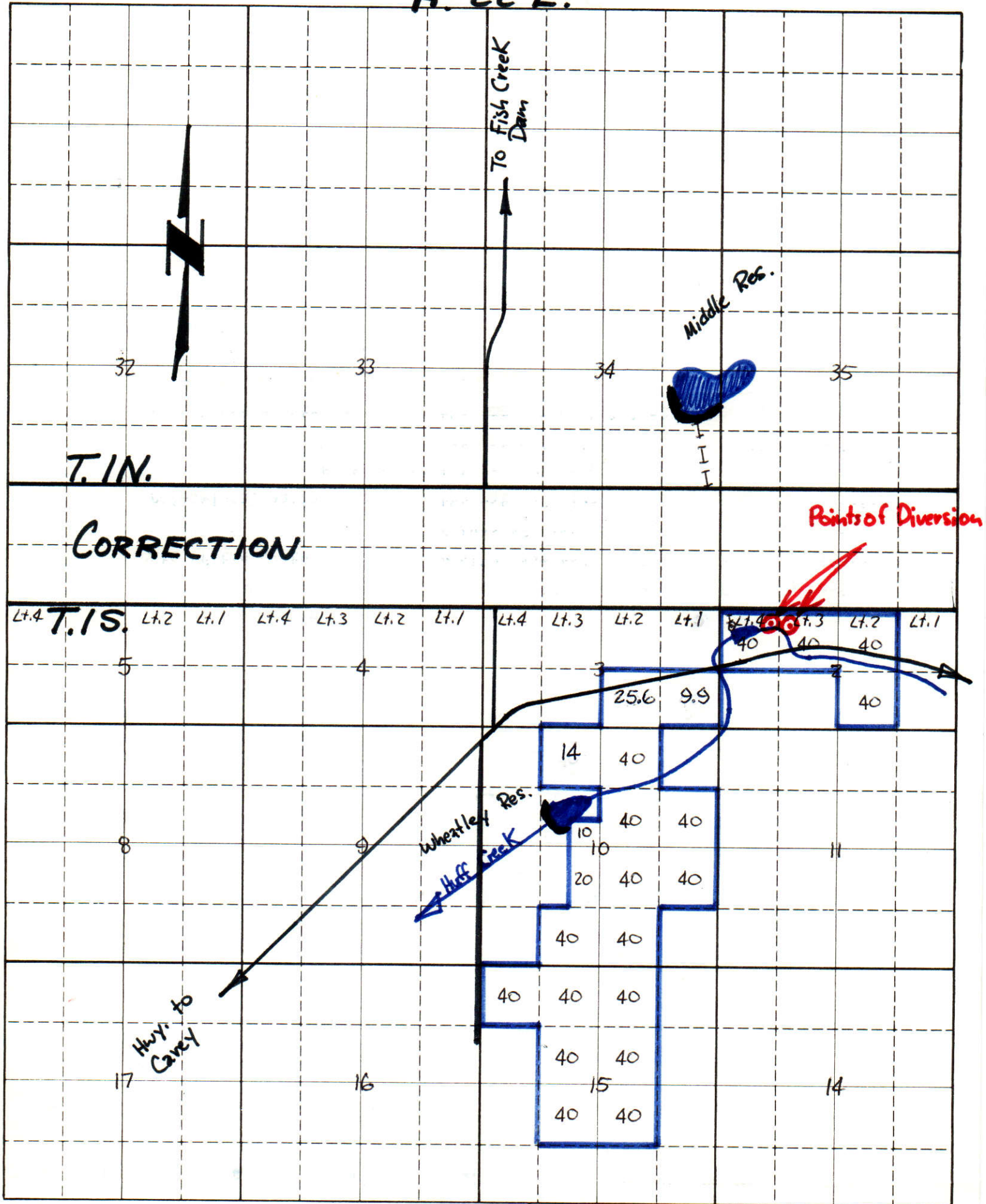


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R. 22 E.



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.

Catherine Spear
Mrs. Melford Spear
 (Applicant)

W. Swat *G. W.*

TWP.

RANGE

COUNTY

SCALE: 1" = 1 MILE

36

31

32

33

34

35

36

31

22 1.25

1

6

5

4

3

2

1

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*44.4 30.1
40 40*

*19.9 26
2 40*

12

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39 40*

11

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*40 40 33 5
24 40 40 30
40 40 40 30*

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31

1

6

5

4

3

2

6

Lis 37-2676-1.85 92.4 Acres

Pm 137-7367 500 Acres

Lis 36 2475 33/500 Acres

Lis 37-2777 80 Acres 70 Acres

*00804
010204*

47A1 Decree

1.8000

MICROFILMED

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho,
County of Blaine

SS.

JUL 19 1977

Department of Water Resources
Southern District Office

Donald W. Rosebrook being first duly sworn,
deposes and says that he is the printer (~~publisher~~) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 7 day of July.

19 77, and the date of the last publication was on the 14

day of July, 1977.

Donald W. Rosebrook

Subscribed and sworn to before me this 15th

day of July, 1977.

(SEAL)

Rabote McFadden

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 38

Number of Insertions 2

Lines tabular at 315c

38 Lines straight at 21c 7.98

38 Subsequent lines at 15c 5.70

TOTAL COST 13.68

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COPY OF NOTICE

(Paste Here)

Permit 37-7620

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
1041 Blue Lakes Blvd N
Twin Falls, Idaho 83301

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Milford and/or Catherine Sweat, Carey, Idaho 83320 has on 6-2-77 submitted Application No. 37-7620 for a permit to appropriate 7.0 cubic feet per second of water from groundwater by means of well, reservoir, pump, gravity flow, sprinklers within the Lot 3 & 4, Sec. 2, Twp. 1S, Rge. 22E., B.M., Blaine County to be used from Apr. 1 to Nov. 1 for irrigation purposes of 799.5 acres and from Jan. 1 to Dec. 31 for storage purposes within Lot 3, 4, & 2, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3; W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 1S, Rge. 22E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before July 25, 1977.

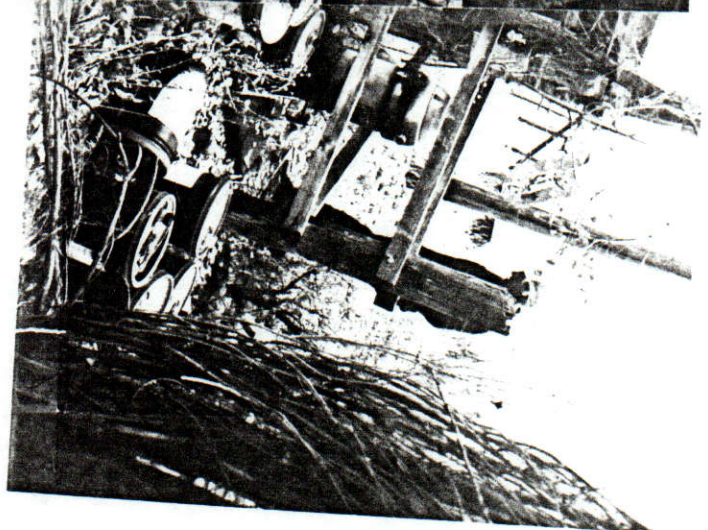
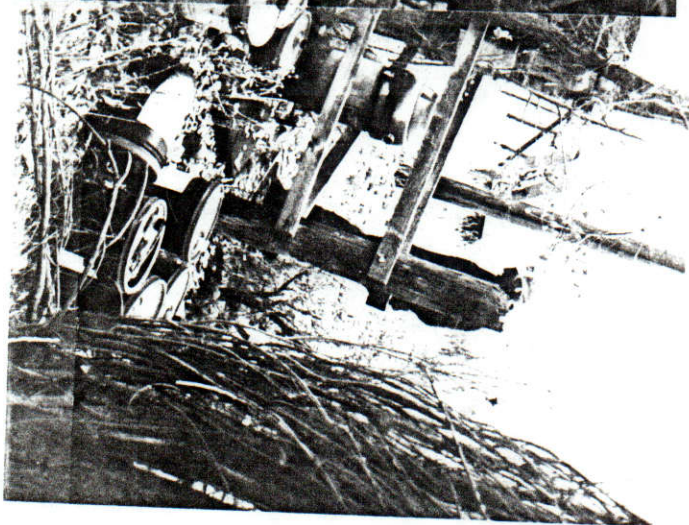
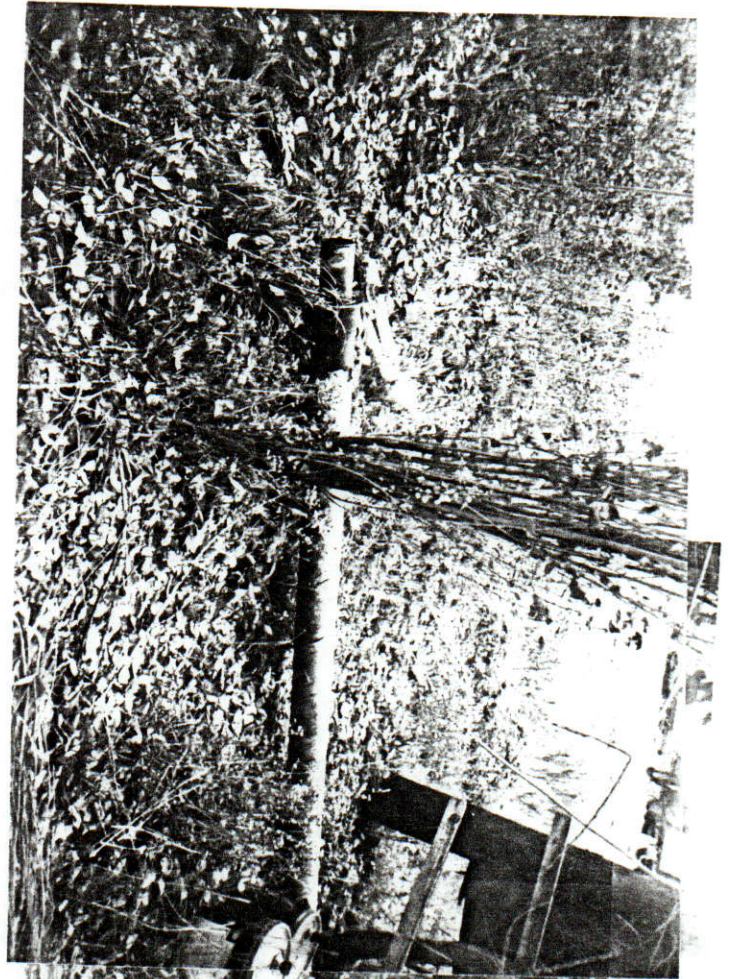
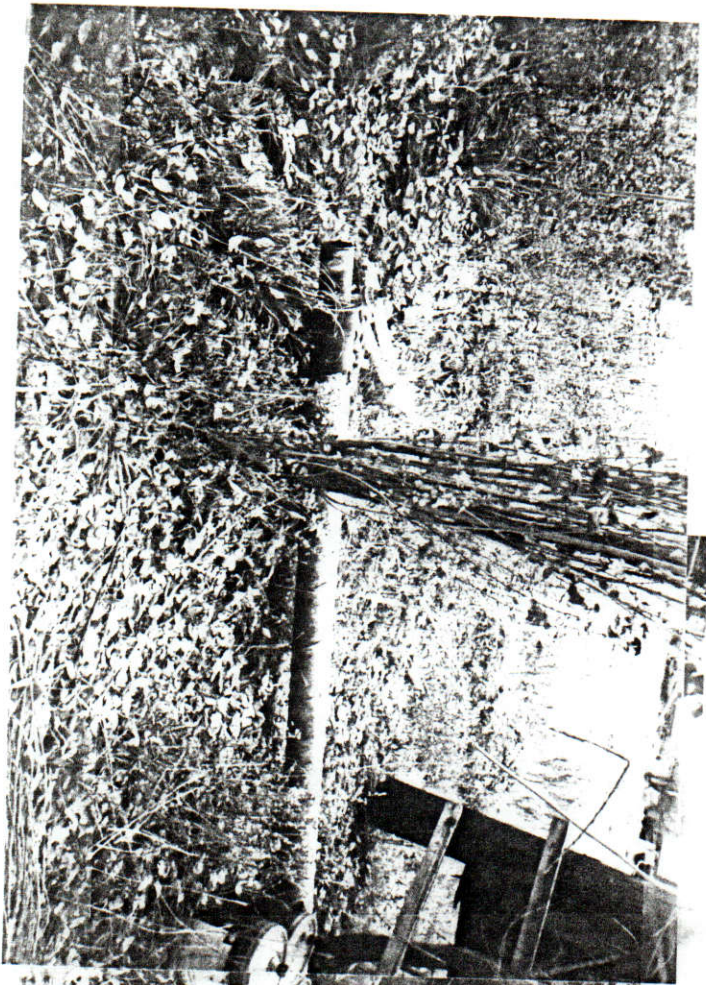
C. Stephen Allred
Director

Published Wood River Journal
July 7, July 14, 1977

Nº 1698



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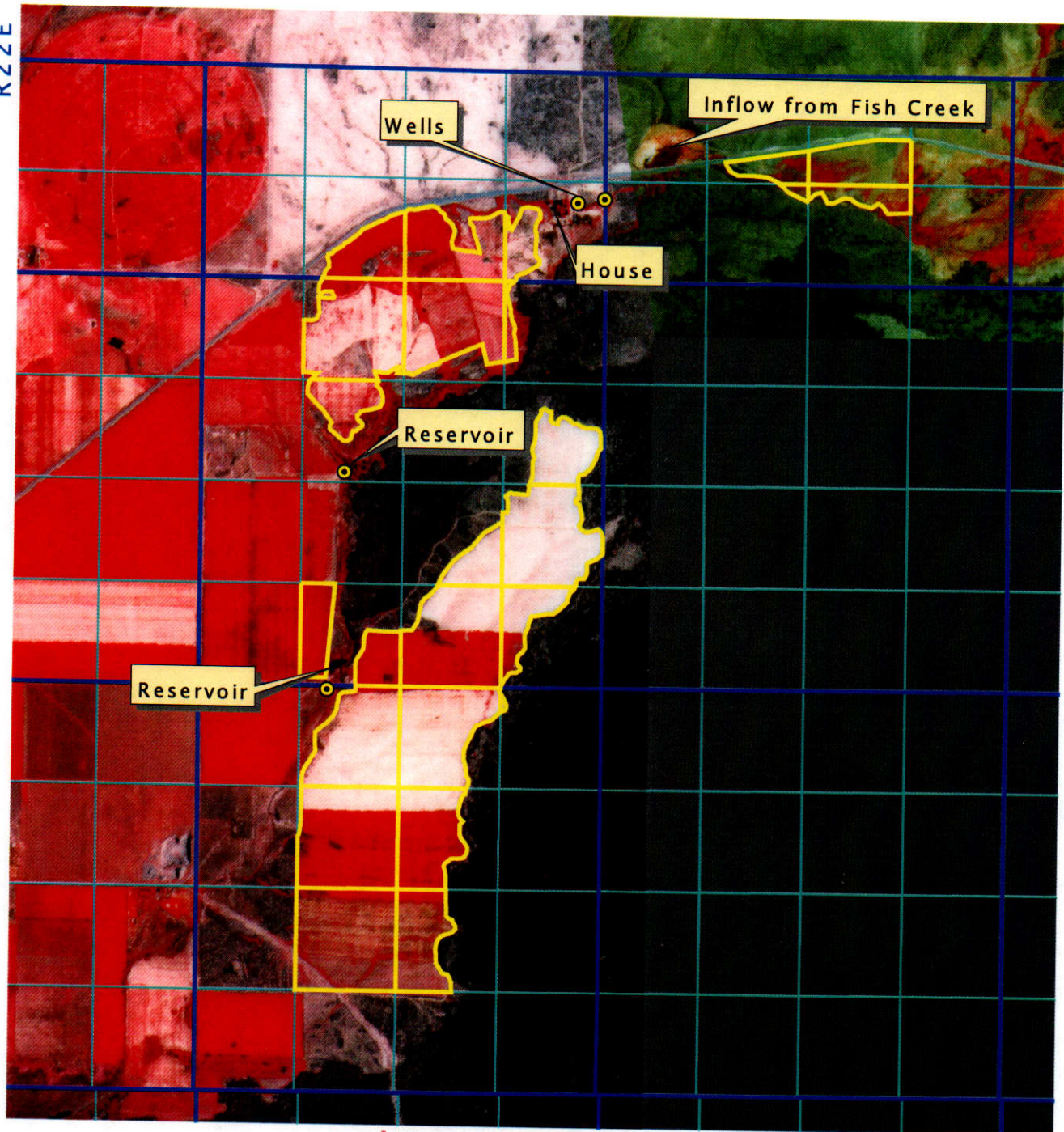


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OCT 02 2002

Idaho Department of Water Resource Recommendation for 37-07620 Milford Sweat

T01S

R22E



● Point of Diversion

□ Section Lines

□ Quarter-quarter lines

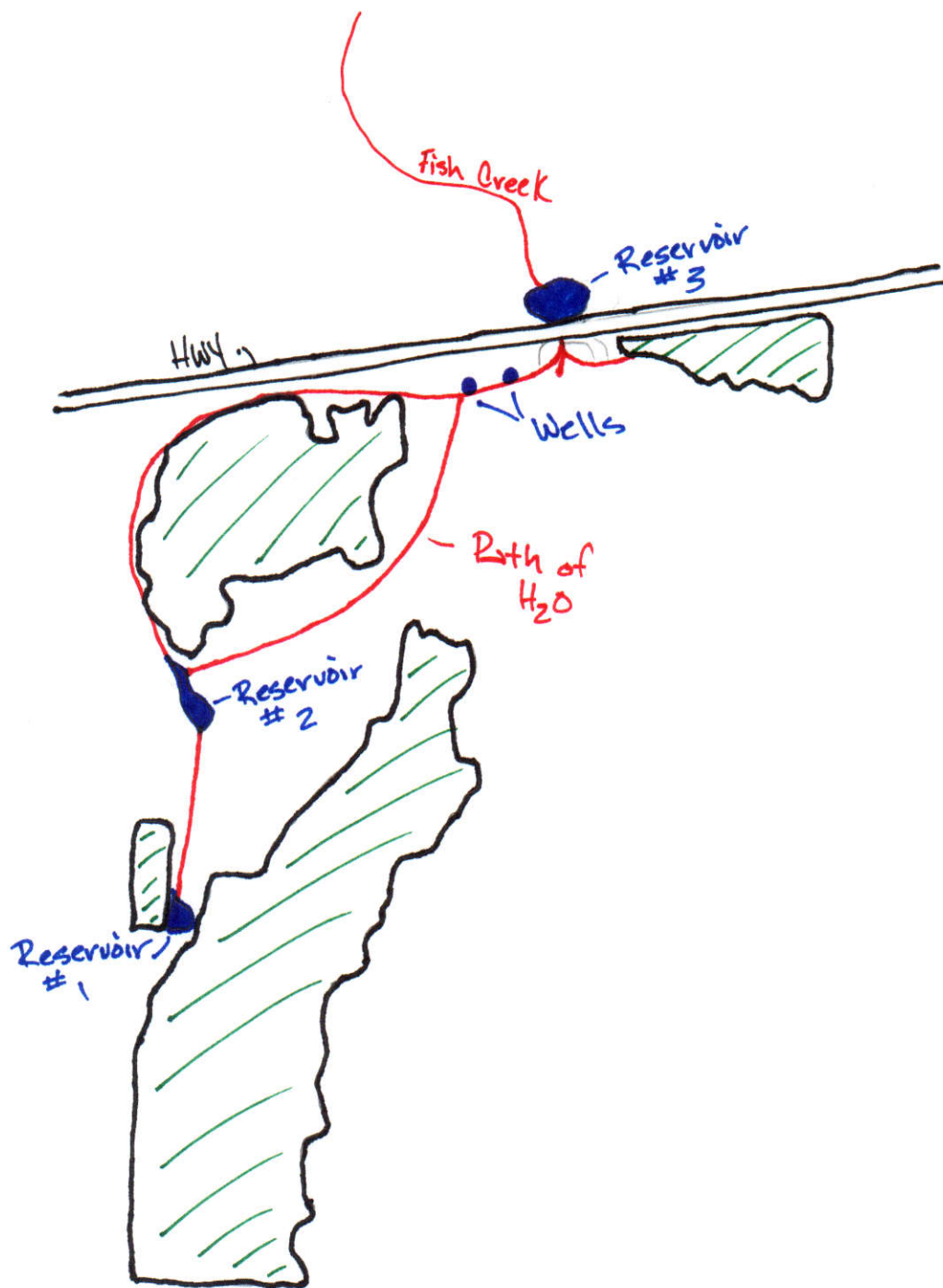
□ Place of Use

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OCT 02 2002



Point of Diversion and Place of Use
T01S R22E S2, 3, 10, & 15
Data entry on Nov 21, 2000

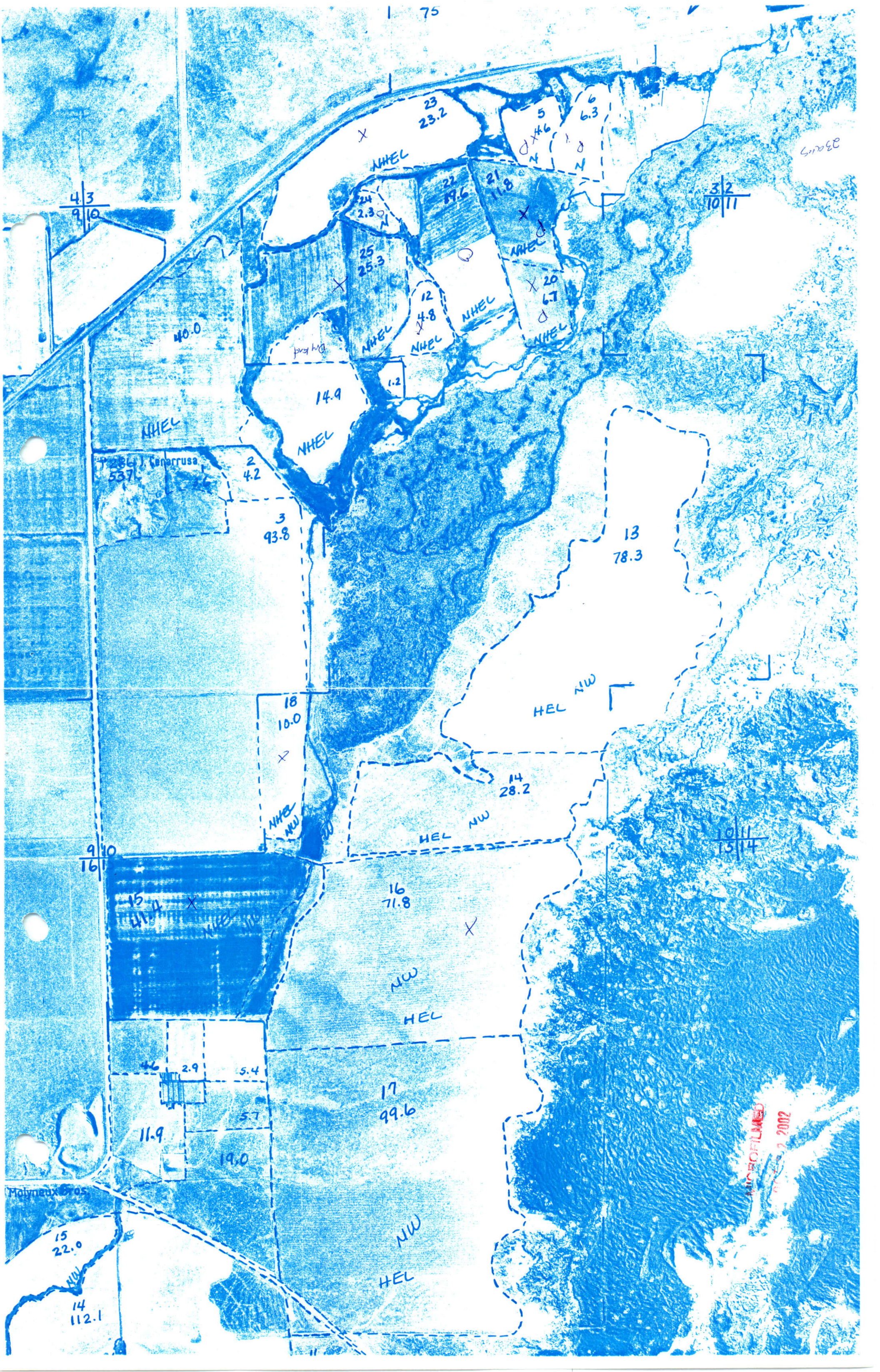
Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom



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OCT 02 2002

SYSTEM SKETCH

37-07620



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2002



Looking NE'ly

Inflow from Fish Creek



Reservoir #3



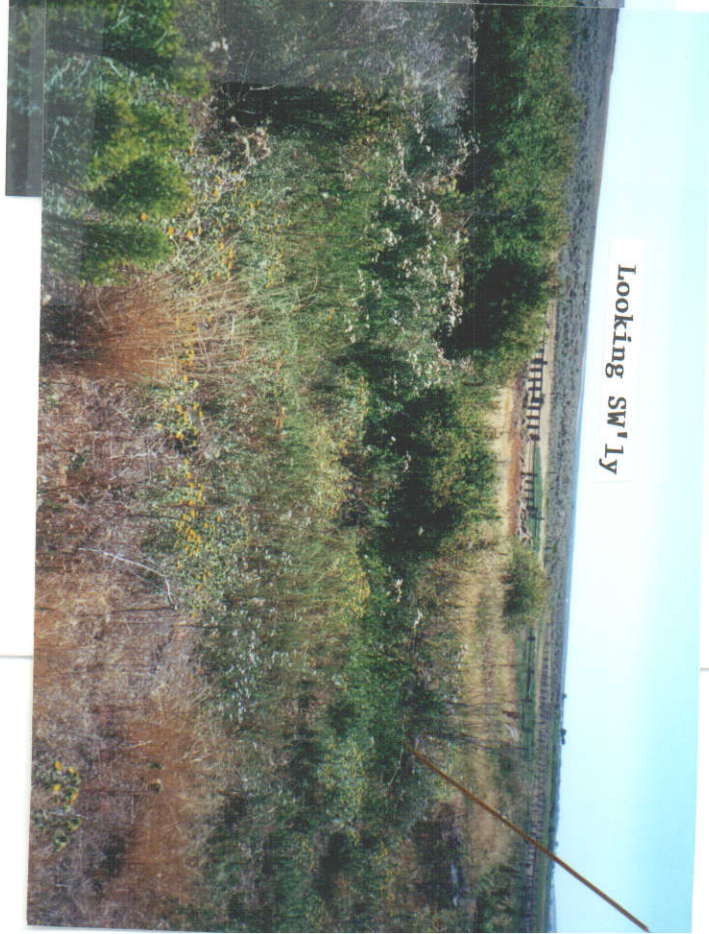
Looking SW'ly

Outflow from Reservoir #3

MICROFILM
OCT 02 2002

Milford Sweat
FE: Amanda Folsom
Date: August 14, 2000

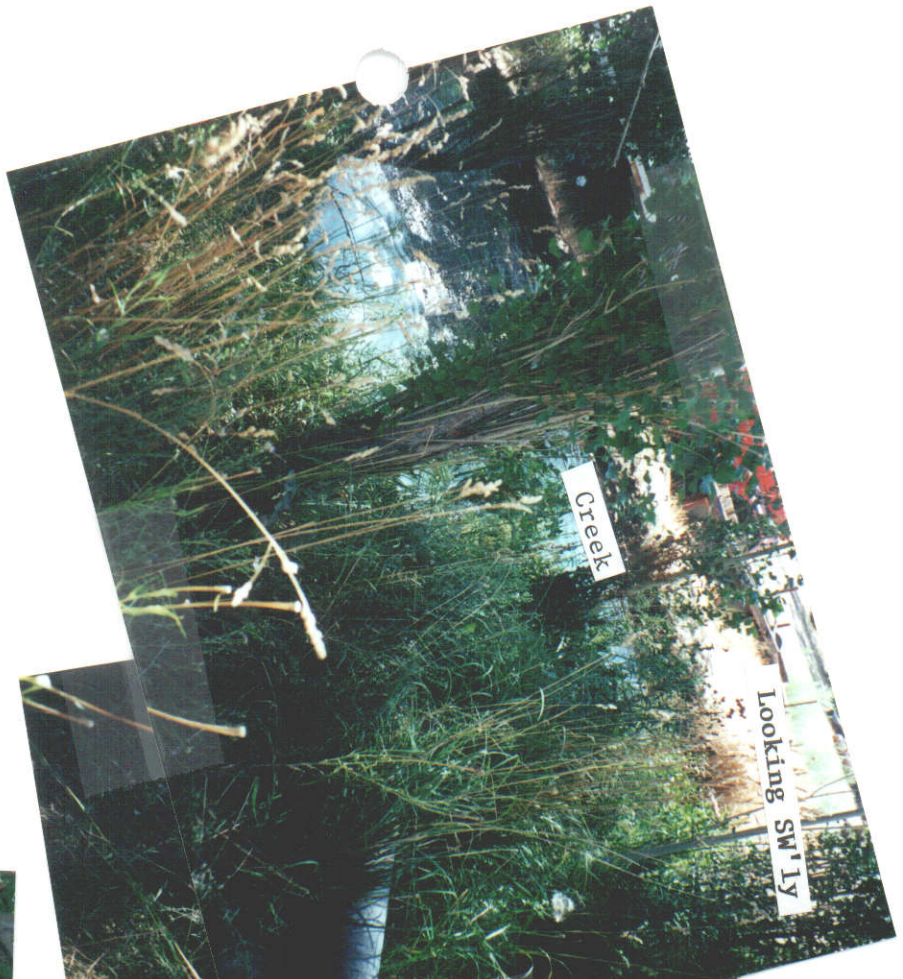
37-07620



MICROFILM
OCT 02 2002

Milford Sweat
FE: Amanda Folsom
Date: August 14, 2000

37-07620



Milford Sweat
 FE: Amanda Folsom
 Date: August 14, 2000

MICROFILMED
 OCT 2002

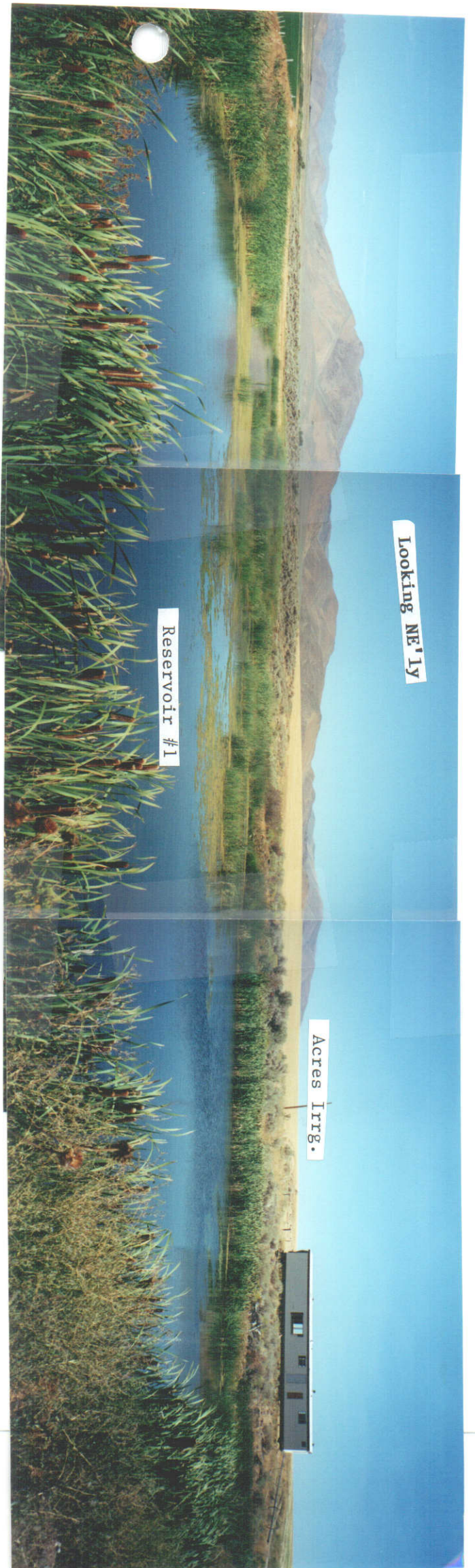
37-07620



PROFILMED
AUG 02 2002

Milford Sweat
FE: Amanda Folsom
Date: August 14, 2000

37-07620



Looking NE'ly

Reservoir #1

Acres Irrg.



Looking SE'ly

Booster Pump

Pond to Left



Wheel Line

Acres Irrg.

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CT 0 2 2002

Milford Sweat
FE: Amanda Folsom
Date: August 14, 2000

37-07620



Milford Sweat
 FE: Amanda Folsom
 Date: August 14, 2000

37-07620



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 OCT 02 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-07620

Priority: June 2, 1977

Maximum Diversion Rate: 3.31 CFS

It is hereby certified that MILFORD SWEAT And/Or CATHERINE SWEAT
PO BOX 234

CAREY ID 83320 have complied with the terms and conditions of the permit,
issued pursuant to Application for Permit dated June 2, 1977; and have submitted Proof of Beneficial
Use on January 19, 1993. An examination indicates that the works have a diversion capacity of 5.16 cfs
of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION FROM STORAGE	04/15 to 10/31		25.5 AF
IRRIGATION STORAGE	01/01 to 12/31		25.5 AF
DIVERSION TO STORAGE	01/01 to 12/31	3.31 CFS	
IRRIGATION	04/15 to 10/31	3.31 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, Twp 01S, Rge 22E, B.M.	BLAINE County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, Twp 01S, Rge 22E, B.M.	BLAINE County
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, Twp 01S, Rge 22E, B.M.	BLAINE County (Injection)
GROUND WATER	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3, Twp 01S, Rge 22E, B.M.	BLAINE County (Injection)
GROUND WATER	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, Twp 01S, Rge 22E, B.M.	BLAINE County (Rediversion)
GROUND WATER	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, Twp 01S, Rge 22E, B.M.	BLAINE County (Rediversion)

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	
01S 22E 3												13.0			26.0	19.0	58.0
01S 22E 10	2.6	33.0		15.0	36.0		12.0				20.0	32.0	9.4	34.0	12.0		206.0
01S 22E 15		31.0	24.0		31.0		40.0	40.0					19.0				185.0

Total Acres: 449

PLACE OF USE: IRRIGATION FROM STORAGE - Same as Irrigation

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 22E 10								X					X				

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OCT 8 2 2002

State of Idaho
Department of Water Resources
Water Right License

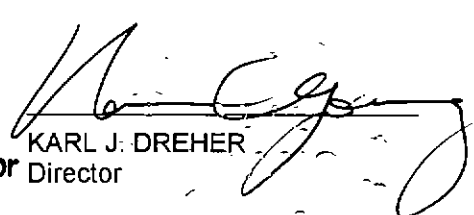
WATER RIGHT NO. 37-07620

CONDITIONS OF APPROVAL

1. Water diverted under this right is injected into Huff Creek at two locations in the NESESE, Section 3, Township 1 South, Range 22 East, and rediverted from Huff Creek in the SENW, Section 10, Township 1 South, Range 22 East, and in the SESW, Section 10, Township 1 South, Range 22 East.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37-U.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.
4. 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.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Right 37-2676 is also diverted through the points of diversion described above.
7. Rights 37-2676, 37-2777, and 37-7620 when combined shall not exceed a total annual maximum diversion volume of 1571.5 af at the field headgate and the irrigation of 449 acres.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1571.5 af at the field headgate for the lands above.
9. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26th day of AUGUST, 2002.


Acting for Director

KARL J. DREHER
Director

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OCT 02 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07620

RECEIVED

AUG 19 2002

Department of Water Resources

Date of Priority: June 2, 1977

Maximum Diversion Rate: 3.31 CFS

Maximum Diversion Volume:

Comes now MILFORD SWEAT
PO BOX 234
CAREY ID 83320

And/Or

CATHERINE SWEAT
PO BOX 234

CAREY ID 83320 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-07620, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION FROM STORAGE	04/15 to 10/31		25.5 AF
IRRIGATION STORAGE	01/01 to 12/31		25.5 AF
DIVERSION TO STORAGE	01/01 to 12/31	3.31 CFS	
IRRIGATION	04/15 to 10/31	3.31 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER BLAINE County	NE1/4SE1/4SE1/4	Sec. 3, Twp 01S, Rge 22E, B.M.
GROUND WATER BLAINE County	NE1/4SE1/4SE1/4	Sec. 3, Twp 01S, Rge 22E, B.M.
GROUND WATER BLAINE County	NE1/4SE1/4SE1/4 (Injection)	Sec. 3, Twp 01S, Rge 22E, B.M.
GROUND WATER BLAINE County	NE1/4SE1/4SE1/4 (Injection)	Sec. 3, Twp 01S, Rge 22E, B.M.
GROUND WATER BLAINE County	SE1/4NW1/4 (Rediversion)	Sec. 10, Twp 01S, Rge 22E, B.M.
GROUND WATER BLAINE County	SE1/4SW1/4 (Rediversion)	Sec. 10, Twp 01S, Rge 22E, B.M.

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OCT 02 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-07620

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 22E 3												13.0			26.0	19.0	58.0
01S 22E 10	2.6	33.0		15.0	36.0			12.0				20.0	32.0	9.4	34.0	12.0	206.0
01S 22E 15		31.0	24.0		31.0			40.0	40.0					19.0			185.0

Total Acres: 449

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 22E 10								X				X					

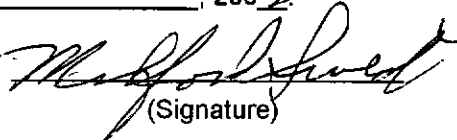
Total Acres: 799.5

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	
01S 22E 3												13.0			26.0	19.0	58.0
01S 22E 10	2.6	33.0		15.0	36.0			12.0				20.0	32.0	9.4	34.0	12.0	206.0
01S 22E 15		31.0	24.0		31.0			40.0	40.0					19.0			185.0

Total Acres: 449

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 14 day of August, 2002.


(Signature)

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OCT 02 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07620

FOR DEPARTMENT USE ONLY

Preliminary check by SLK Fee = \$50⁰⁰ Received by JM # 1064039 Date 8/19/2002

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-07620 with the following:

CONDITIONS OF APPROVAL

1. Water diverted under this right is injected into Huff Creek at two locations in the NESESE, Section 3, Township 1 South, Range 22 East, and rediverted from Huff Creek in the SENW, Section 10, Township 1 South, Range 22 East, and in the SESW, Section 10, Township 1 South, Range 22 East.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37-U.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.
4. 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.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Right 37-2676 is also diverted through the points of diversion described above.
7. Rights 37-2676 and 37-7620 when combined shall not exceed a total diversion rate of 2.68 cfs and a total annual maximum diversion volume of 1061 af at the field headgate.
8. Rights 37-2676, 37-2777, and 37-7620 when combined shall not exceed a total annual maximum diversion volume of 1571.5 af at the field headgate and the irrigation of 449 acres.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1571.5 af at the field headgate for the lands above.
10. 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.

Witness my hand this 26TH day of AUGUST, 2002.

Acting for

KARL J. DREHER
Director

MICROFILMED

OCT 02 2002

RECEIVED

JAN 19 1993

Department of Water Resources
Southern Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 175
Date 1/19/93
Receipt No. 5015286
Receipt by JH

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. 37-7620 Telephone No. 823-4451
2. Name(s) of Permit Holder(s): Milford & Catherine Sweet
3. Mailing Address: Box 234 Carey ID 83320
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Lloyd Date Drilled: '77 ^{renew} large well
OPTIONAL: 250 15 Pressure (psi): open dish Dynamic pumping level (ft.): 250' 40'
Pump horsepower: 15

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 450 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 4.0 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: \$ 175.00 (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.

Name Same as above Telephone No. _____

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.

JAN 27 1993

*Date

Milford Sweet
Signature (and title, if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
FLOW MEASUREMENT PORT OR)
MEASURING DEVICE CONDITION)
OF APPROVAL FOR PERMIT NO.)
37-07620 IN THE NAME OF MILFORD)
AND/OR CATHERINE SWEAT)

ORDER

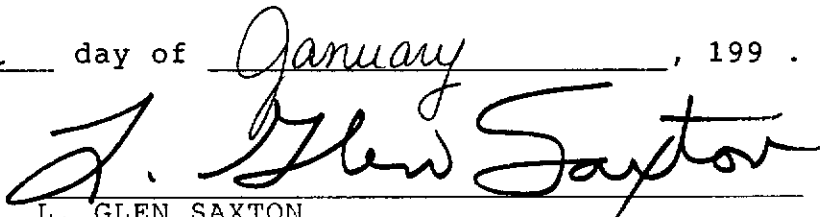
WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a flow measurement port or other device to facilitate the measurement and determination of the rate of diversion by the department; and

WHEREAS, the department has determined that the rate of diversion for certain ground water uses can be estimated by the department without the use of an installed flow measurement port; and,

WHEREAS, the department has determined that the rate of flow for the above captioned permit can be estimated without the use of a flow measurement port;

IT IS THEREFORE, hereby ordered that the condition of approval requiring the installation of a flow measurement port or other device for the above captioned permit is REMOVED.

Dated this 20th day of January, 199 .


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED

JAN 27 1993

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EVALUATING	)	
WHETHER DEVELOPMENT OF 20,000 ACRES	)	
OF IRRIGATED LAND WOULD	)	MEMORANDUM DECISION
CAUSE A SIGNIFICANT REDUCTION	)	& ORDER
IN TRUST WATER AVAILABLE FOR	)	
POWER PRODUCTION	)	

This matter having come before the Director of the Idaho Department of Water Resources (IDWR) as a result of the Swan Falls water right settlement, the Director finds, concludes and orders as follows:

FINDINGS OF FACT

1. "Trust water" is that portion of an unsubordinated water right used for hydropower generation purposes which is in excess of a minimum stream flow established by state action.

2. Section 42-203C(1), Idaho Code, provides as follows:

If an applicant intends to appropriate water which is held in trust by the state of Idaho pursuant to subsection (5) of Section 42-203B, Idaho Code, the director shall consider, prior to approving the application, the criteria established in Section 42-203A, Idaho Code, and whether the proposed use, individually or cumulatively with other existing uses, or uses reasonably likely to exist within twelve (12) months of the proposed use, would significantly reduce the amount of trust water available to the holder of the water right used for power production that is defined by agreement pursuant to subsection (5) of Section 42-203B, Idaho Code, and, if so, whether the proposed reduction is in the public interest. (emphasis added).

3. The IDWR conducted a study to estimate the reduction in hydropower generation which would result from the development of the first 20,000 acres of newly irrigated land (new development) authorized under the Swan Falls settlement. The study included several steps as follows:

- a) Identify the location of the potential new development and the related water sources;
- b) Estimate the net depletion resulting from new irrigation development of these lands;

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MAR 12 1990

c) Route the reduced flows through the aquifer and surface flow systems to the affected power plants;

d) Compute the loss in potential generation at each plant resulting from the reduced flows.

4. Step a) in Finding of Fact No. 3. was accomplished by plotting land location as shown by the water right applications and permits being considered. The 20,000 acres are generally located as follows:

Acreage	General Location	Water Source
9,885	Snake River Plain	Snake Plain Aquifer
5,315	Valleys adjacent to the Plain	GW trib. to Snake Plain Modeled area
4,800	Scattered areas	GW and surface water from areas not trib. to Snake Plain Modeled area

20,000 acres

5. Step b) in Finding of Fact No. 3. was accomplished using simulation models which have previously established the "base" flows conditions.

6. Step c) in Finding of Fact No. 3. involved a groundwater component and a surface water component. Withdrawals from the Snake Plain aquifer and from the tributary valleys affect the water in storage in the aquifer. Storage changes alter the gradients which eventually reduce aquifer discharges. If a new withdrawal is continued long enough, the aquifer outflows will be reduced by an amount approaching the magnitude of the withdrawal and resulting depletion.

7. The IDWR digital model of the Snake Plain aquifer (groundwater model) was used to simulate this process and predict the outflow reductions after 15, 30, 45 and 60 years of annual withdrawals by new irrigation development at the assumed locations. The results of the groundwater model run indicate that aquifer outflows would be reduced by the following percentages of the annual depletion:

Year	Outflow Reduction (Acre Feet)	Percent of Annual depletion (%)
15	4,600	23
30	9,000	45
45	14,700	73
60	15,200	76

8. Significant reduction should be determined by evaluating the depletion when its effect on the river is fully felt. Incremental change in the percent of annual depletion is very small sixty (60) years after the first

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MAR 12 1990

depletion. The percent of annual depletion in the 60th year adequately represents the long-term effect of aquifer depletions on Snake River flows.

9. The groundwater model predicts that approximately eighty percent (80%) of the reduction in river flow would occur in the Milner to King Hill reach with the remainder (20%) occurring between Blackfoot and Minidoka Dam.

10. The IDWR routed the reduced flows through the aquifer and river system using a digital model of the Snake River system (river model). This model and its computed base conditions are described in "Stream Flows in the Snake River Basin, 1985 Conditions of Use and Management" Open-File Report, September 1986. The groundwater depletion was input to the river model assuming uniform depletions each month.

11. The river model computes flows at numerous points in the Snake Plain Basin including sites at, or near to, the power plants. These computed flows were used to compute power generation and were compared to similarly computed generation for base flow conditions.

12. The annual reduction in hydropower generation 60 years after the development of 20,000 new acres is estimated to be approximately 2.8 million KWH in power facilities upstream from the Murphy gage on the Snake River.

13. In cooperation with staff of the Idaho Public Utilities Commission (IPUC), IDWR determined the rate impact of lost hydropower generation caused by the new development in the trust water area of the Snake River basin assuming that new thermal generation capacity is obtained to replace the lost hydropower generation.

14. The cost impact to the rate base of replacing the lost hydropower generation with thermal generation capacity must be considered in the evaluation of any significant reduction in hydropower generation, but the statutes and Water Appropriation rules do not require consideration of impacts to the rate base resulting from other aspects of the new development such as new pumping loads.

15. Step d) of Finding of Fact No. 3. was determined using an IPUC power supply model (power model) associated with the rate making process. Data from the 1966-1985 period was used to establish a base flow. The depletions were then input to the power model and the difference in ability to meet firm load requirements and to make economic spot market sales and purchases was determined. A comparison of the output of the power model run to base conditions produced increased total IPCO power supply costs due to Snake River depletions.

16. The power model shows that the impact of reduced hydropower generation at IPCO's facilities on the Snake River above the Hell's Canyon complex as a result of the development of 20,000 new acres will result in an average increase in IPCO's power costs of \$159,553 per year which is approximately five one hundredths of one percent (0.05%).

17. During certain periods of each year there generally is unappropriated water in the Snake River. During these periods, a new

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appropriation of water has no effect upon IPCO's water rights or ability to generate hydropower.

CONCLUSIONS OF LAW

1. The development of 20,000 new acres which results in an average increase in power rates of five one hundredths of one percent (0.05%) will not cumulatively cause a significant reduction in IPCO's hydropower generation capability at hydropower generation facilities upstream from the Hells Canyon complex on the Snake River.

2. The hydropower generating facilities of IPCO which are affected by reductions in river flow represent approximately 25% of IPCO's hydropower generating capacity as compared to the Hells Canyon complex facilities which represent approximately 75% of IPCO's hydropower generating capacity. The Hell's Canyon facilities are subordinated to later in time consumptive uses and are not properly included as a part of the evaluation of significant reduction. (Water Appropriation Rule 5,3,1,4.).

3. The reduction in IPCO's hydropower generation capability caused by new development is such that the timing of the reduction, either on an annual basis or a long term basis, need not be considered by IDWR. The computer model studies show that it would take approximately 15 years for aquifer outflow to the Snake River to be reduced 23% of net new withdrawal. By the 60th year outflow would be reduced by 76% of the new depletion. Other factors present in a dynamic system as large as the Snake Plain aquifer will have more effect on the discharge of the Snake River than decreases caused by this amount of new development.

4. Staff of the IPUC advises that the effect of reduced hydropower production on "unit cost" is not a proper factor to consider when analyzing the effect of reduced flows to hydropower generating facilities. IPUC generally considers hydropower facilities to have zero unit or production costs. Thermal facilities on the other hand do have associated unit costs such as the cost of fuel.

5. The IDWR is unaware of any contract or regulatory permits including FERC licenses which require IPCO to produce or to maintain capability to produce hydropower at specific levels.

6. Approval of applications for permit or permits which propose the development of the first 20,000 acres of newly irrigated land with water from the Snake Plain aquifer will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.

7. The development proposed by Permit No. 37-7620 will not either individually or cumulatively cause a significant reduction in the water supply available to the holder of a water right used for power production purposes.

8. Permit No. 37-7620 should be continued without special conditions related to Section 42-203C(2), Idaho Code.

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ORDER

It is, therefore, hereby ORDERED that Permit No. 37-7620 is hereby continued subject to the following conditions:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before February 1, 1993.
2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.
3. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
4. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.
5. All conditions of approval contained in Permit No. 37-7620 are incorporated into and made a part of this order.

Dated this 1ST day of MARCH, 1990.


R. KEITH HIGGINSON
Director

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4/86

RECEIVED

RECEIVED

SEP 10 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

AUG 20 1987

Department of Water Resources
Southern Region Office

REQUEST FOR EXTENSION OF TIME

Department of Water Resources

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

For Office-Use Only

\$15 FEE Received by

Date 9-14-87

Receipt # 44591

AUG 24 1987

CK in envelope

Department of Water Resources

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

Permit No. 37-7620

Name(s) of Permit Holder: Milford & Catherine Sweat

Post Office Address: P. O. Box 234, Carey, ID 83320

Telephone No. 823-4451

Date Proof is Due: Sep 1, 1987

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

The Wheatley Dam has been enlarged to hold additional storage since the previous ~~transfer~~ extension was granted. Even more storage is needed for the use of groundwater to be economically feasible.

Costing \$ 1000.

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

Our son, who was farming this place, was killed in 1985. This created many financial problems that we are just now overcoming.

Permit holder(s) request an extension to September 1, 19 92.
(1 yr. minimum)

Catherine Sweat
(Signature)*

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

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

March 12 1990

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to February 1, 1993.

Signed this 1st day of March, 19 90.

J. Glen Sactor
Chief, Water Alloc Bur

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 17 day of Jan, 1990, and

the date of the last publication was on the 24 day of Jan, 1990.

Subscribed and sworn to before me this 24th day of Jan, 1990.
(SEAL)

Roberta J. Karcher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 72
Number of Insertions 2
Lines tabular at 5.5¢/Pica
72 Lines straight at 39.60 4.5¢/Pica
72 Subsequent lines at 31.68 3.5¢/Pica
TOTAL COST 71.28

COPY OF NOTICE
(Paste Here)

Notice # 37-07618

TITLE OF NOTICE

37-7620

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Water Resources (Boise)

BILL TO

Two file on existing permits

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:

37-07620

SWEAT, MILFORD
SWEAT, CATHERINE
P.O. BOX 234
CAREY, ID 83320

Source: GROUNDWATER
Diversion Pt: LOT 4 (SWNW) Sec
2 T 01S R 22E; LOT 3 (SENW) Sec
2 T 01S R 22E

Use: IRRIGATION (7,000 CFS); IR-
RIGATION STORAGE (700.00
AF); IRRIGATION FROM STOR-
AGE (700.00 AF); DIVERSION TO
STORAGE (7,000 CFS); Total Di-
version (7,000 CFS) (700.00 AF)
Priority: 6/02/1977

In: T01S R22E S02 Lot 3 (NESW)
Lot 4 (NWSW) Lot 2 (NWSE)
SWSE; S03 SWSE SESE; S10
NWNE SWNE SENE NENW
SENW NESW SESW NESE NWSE
SWSE; S15 NWNE SWNE NENW
NWNW SENW NESW NWSE
799.5 ACRES TOTAL

Permits not developed by July 1,
1985, are being reprocessed in
compliance with Section
42-203D, Idaho Code. Protests
against the continuance of per-
mits must be filed with the Direc-
tor, Dept. of Water Resources,
Statehouse Mail, Boise, ID 83720,
on or before FEBRUARY 5, 1990.
Protests must be based on the
public interest criteria of Section
42-203C, Idaho Code, only.

R. Keith Higginson, Director
Publish: Wood River Journal-
January 17 & 24, 1990.

7-8 pt. per line straight....4.5/pica
7-8 pt. per line tabular....5.5/pica
7-8 pt. per line successive
insertion....3.5/pica

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MAR 12 1990

60905

For Office Use Only	
Fee Received	_____
Date	_____
Receipt #	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Milford & Catherine Sweet of Carey
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 37-7630.

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

That he has heretofore performed the following work described under said permit: drilled well -
(This must be filled out! If no work has been completed put none.)
set pump and electric line to well. Land has
been irrigated but gravity flow system and
reservoir has not been enlarged.
Costing \$ 60,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
The cost was greater than expected on the
well so have not had sufficient funds to
complete the balance of work.

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

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

Milford Sweet
(Signature)*

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Signed this 15th day of September, 19 82.

A. Glen Saxton
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 37-7620

ORDER

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

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

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

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

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

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

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

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau



Identification No. _____

Application No. 37-7620

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 Milford &/or Catherine Sweat Phone: 823-4451
post office address Carey, ID 83320
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is Lot 3, $\frac{1}{4}$ of $\frac{1}{4}$ of Section 2 Township 1S
Range 22E., B.M. Blaine County; additional points of diversion if any: _____
Lot 4, Sec. 2, Twp. 1S, Rge. 22E., B.M.
- 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:
Div. from storage
Amount 7.0cfs for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 7.0cfs for Div. to storage purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 700A.F. for storage purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 7.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well delivering to reservoir in
creek which is pumped to middle reservoir for storage. From middle reservoir
water is gravity flow to place of use. Land is irrigated by gravity flow and
sprinklers. Some of this water is delivered to Wheatley Reservoir for storage.
2 Res.
b. Height of storage dam 25' feet, active reservoir capacity 700 acre feet; total reservoir
capacity 700 acre feet, materials used in storage dam: Earth
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 20 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$13,000.00.
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: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: Storage within NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp. 1N,
Rge. 22E., B.M.; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 1S, Rge. 22E., B.M.

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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	
1S	22E	2									Lt. 3 40	Lt. 4 40			Lt. 2 40	40			160
"	"	3														25.6	9.9		35.5
"	"	10		40	40	40	14			10	20			40	40	40	40		324
"	"	15		40	40		40	40		40	40				40				280

Total number of acres to be irrigated 799.5

c. Describe any other water rights used for the same purposes as described above. (See Remarks)

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

Other Groundwater rights License #37-2676 1.86cfs

Permit #37-7367 5.00cfs

Other Huff Creek rights Decreed #37-0732 1.80cfs

A portion of License #37-2765 0.50cfs

License #37-2777 80 A.F. Storage

Other Fish Creek rights Decreed & Licensed rights

Applications for construction of dams will be submitted under approval of

Application For Permit.

Proposed Priority 6/2/77

Received by Am Date 6/2/77 Time p.m.

Preliminary check by JK Fee \$ 85.00

Receipted by Am Date 6/2/77 "3572"

Publication prepared by Am Date 6/28/77

Published in Wood River Journal

Publication dates 7/7 + 7/14/77

Publication approved AD Date 7/19/77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM JK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

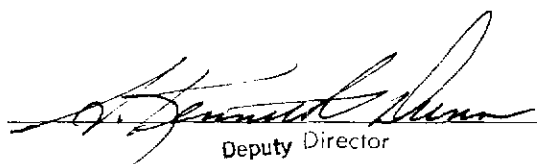
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7620, and said application is hereby APPROVED.

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 September 1, 19 82.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 16 day of September 19 77.


Deputy Director

W. Swat

G. 61

TWP.

RANGE

COUNTY

SCALE: 1" = 1 MILE

36 31 32 33 34 35 36 31

S

1 6 5 4 3 2 1 6

14.4 30.1
40 40

19.9 26
2 20 40

10 35
40 40

34 40 40
20

40 40 23 5
24 40 40 30
40 40 40 40

15 25

13 18 17 16 14 13 18

24 19 20 21 22 23 24 19

25 30 29 28 27 26 25 30

36 31 32 33 34 35 36 31

SECTION 1

1 6 5 4

Lis 37-2676-1.85 92.4 Acres

Pg. 137-7362 Scr 119 6

Huff

Lis 36 2075 33/50 Acres 32 Acres

Lis 37-2777 80 Acres 70 Acres

00804

010204

47A1

Decece

1.8 cfe

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

JUL 19 1977

Department of Water Resources
Southern District Office

Donald W. Rosebrook being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 7 day of July

19 77, and the date of the last publication was on the 14

day of July, 1977.

Donald W. Rosebrook

Subscribed and sworn to before me this 15th

day of July, 1977.

(SEAL)

Rabote McFadden

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 38

Number of Insertions 2

Lines tabular at 315c

38 Lines straight at 21c 7.98

38 Subsequent lines at 15c 5.70

TOTAL COST 13.68

COPY OF NOTICE

(Paste Here)

Permit 37-7620

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
1041 Blue Lakes Blvd N
Twin Falls, Idaho 83301

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Milford and/or Catherine Sweat, Carey, Idaho 83320 has on 6-2-77 submitted Application No. 37-7620 for a permit to appropriate 7.0 cubic feet per second of water from groundwater by means of well, reservoir, pump, gravity flow, sprinklers within the Lot 3 & 4, Sec. 2, Twp. 1S, Rge. 22E, B.M. Blaine County to be used from Apr. 1 to Nov. 1 for irrigation purposes of 799.5 acres and from Jan. 1 to Dec. 31 for storage purposes within Lot 3, 4, & 2, SW 1/4 SE 1/4, Sec. 2; S 1/2 SE 1/4, Sec. 3; W 1/2 NE 1/4, SE 1/4 NE 1/4, E 1/2 NW 1/4, E 1/2 SW 1/4, N 1/2 SE 1/4, SW 1/4 SE 1/4, Sec. 10; W 1/2 NE 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4, Sec. 15, Twp. 1S, Rge. 22E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before July 25, 1977.

G. Stephen Allred
Director

Published Wood River Journal
July 7, 1977

Nº 1698

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 28, 2002

CATHERINE SWEAT
MILFORD SWEAT
PO BOX 234
CAREY ID 83320

RE: License No. 37-7620 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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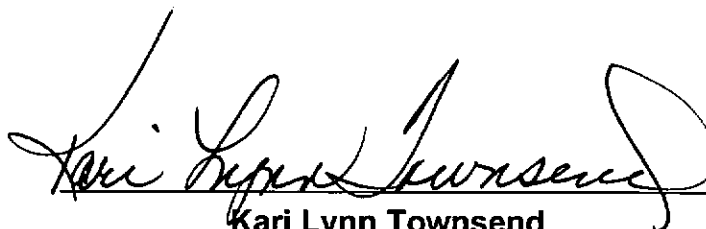
OCT 02 2002

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 37-7620

**CATHERINE SWEAT
MILFORD SWEAT
PO BOX 234
CAREY ID 83320**



**Kari Lynn Townsend
Secretary**

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OCT 02 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
OCT 02 2002

State of Idaho
Department of Water Resources.

RECEIVED

AUG 19 2002

Department of Water Resources

Dear Mr. Keen.

Please find enclosed the application for
amendment of water Rights no. 37-07620, Also
the fee for filing \$50⁰⁰. Hoping this is
what you need. Thank you for your
patience in this matter.

Sincerely
Catherine Sweet

for Melford Sweet

MICROFILMED

OCT 02 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

08/06/2002

MILFORD SWEAT
PO BOX 234
CAREY ID 83320

RE: Water Right Permit No. 37-7620

Dear Mr. Sweat:

I received the information you submitted in connection with the rate of diversion from your large well under water right 37-7620. Based on the information you provided, I changed the diversion rate on the recommended license from 2.68 cfs to 3.31 cfs. I also removed the approval condition limiting the right to 2.68 cfs when used with right 37-2676. The changes will elevate your authorized diversion rate from ground water under the two water rights from 134 inches, as I had proposed earlier, to 258 inches, or 5.16 cfs.

I did not change my recommendation to 4.0 cfs (200 inches) because it did not seem possible based on some rough calculations I made. In my calculations, I assumed a 200 horsepower motor and a dynamic pumping level of 372 feet. Both are figures taken from the documents you provided.

As indicated in my previous letter, before a license can be issued, your permit must be amended to depict your water use as it was actually developed. The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days. If you do not concur, please submit additional information within 14 days.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

ENCLOSURE
MICROFILMED

OCT 02 2002

Comment Report

37-7620

1. S. Keen 6/25/2002 Licensing Review

Comment: Licensing review and data entry completed by S. Keen on 6/25/2002.

There are several overlapping rights. Right 37-2676, as recommended for decree, shares both points of diversion and a place of use with this right. Right 37-1162 and claim 37-14273 represent water delivered by Fish Creek Reservoir Co. Rights 37-732 and 37-743 are natural flow irrigation rights from Fish Creek. Right 37-2777 and claim 27-11762 are storage rights on Huff Creek. Combined use conditions will be added to define the overlaps with 37-2676, 37-732, and 37-2777. Conditions used on supplemental rights will be employed to define the relationship with Fish Creek Reservoir Co. The claims can be addressed when recommendations are prepared in the SRBA process, as will 37-743, for which a change in place of use has been claimed.

Total volume for the 449 acres is: $449 \text{ acres} * 3.5 \text{ af/acre} = 1571.5 \text{ af}$

Volume from GW is: $2.68 \text{ cfs} * 1.98 \text{ af/day} * 200 \text{ days} = 1061 \text{ af}$.

The place of use does not include land in T1S, R22E, S.2. See Allen Merritts memo attached to the field report. The place of use recommendation has been adjusted slightly from the field report to reflect the combined use with 37-2676. The number of acres per tract may also differ slightly from the field report because I used the shape file digitized by SRBA staff for the place of use.

2. S. Keen 8/6/2002 Licensing Review Revised

Comment: Milford Sweat provided documentation showing that he may have diverted up to 4.0 cfs from the larger of the two wells during the late 1970s and into the 1980s. He claims to have had a 200 hp pump in place at the time. He replaced it with a 125 hp pump to save money when he put much of his land into the federal CRP set-aside program.

It would be hard to verify the 4.0 cfs. Theoretically, he could have been pumping about 3.31 cfs with a dynamic lift of 372 feet under open discharge conditions. The figure of 372 feet comes from the 1977 well test report, which shows a discharge of 4.0 cfs at that level. It does not say what size pump and motor were employed. By my rough calculation, it would take about 250 hp to reach 4.0 cfs with a pumping level of 372 feet. (Note that the right holder stated that he had a 250 hp pump when he submitted his proof of beneficial use form in 1993.)

MICROFILMED

OCT 8 2 2002

RE Water Right Permit # 37-07620

RECEIVED

AUG - 2 2002

Department of Water Resources

This letter is concerning the deep well owned by Milford Sweat. Attached to this letter is a receipt from Nick Purdy, owner of Ranchers' Supply; formerly known as Silver Creek Supply, listing the equipment I purchased for this well and the irrigation pipe and equipment purchased to use the water from the well. This well when installed was pumping 200 inches of water using a 200 HP pump. Attached is a copy of the well test report from Layne and Bowler Pump Company on October 19, 1977. This well operated at this level from 1977 to 1987 when the hill was put into the CRP. Nick Purdy had hands-on experience during the installation of this well and the ground that I irrigated with it. I have asked him to look this letter and receipts over to verify that they are correct.

Milford Sweat
Milford Sweat

Nick Purdy
Nick Purdy
Pres. Silver Creek Supply

If you need more proof of the this. We can get it from Idaho Power and A.S.C.S. (Now known as Farm Credit Service) on crop reports. Thank you.

MICROFILMED

OCT 02 2002

LAYNE AND BOWLER PUMP COMPANY WELL TEST REPORT

NAME Witford & Leslie Sweet DATE 10/19/77
 LOCATION N.E. of Carey Adair SEC. 11 RANGE 1 T. 1
 WELL DEPTH 550' WELL SIZE 20" x 16" CASING 10" x 8"
 TEST PUMP DEPTH 140 + GOWKS & SECTION ORIFICE SIZE 10" x 8"
 STATIC WATER LEVEL 246' STARTING TIME 12:15 Repair
 TIME PUMPING LEVEL ORIFICE READING G.P.M. MINERS INCHES 2:00 Shift over 5:00

Pumped & surged well hard, starting to clear fast.

TIME	PUMPING LEVEL	ORIFICE READING	G.P.M.	MINERS INCHES
5:50	377'	Down 15"	1950	217" Still dropping
6:00	372'	Recovery 39"	1800	200" —
6:15	372'	" 39"	1800	200"
6:25	367'	" 31"	1620	180"
6:45	357'	" 25"	1450	161"
7:00	345'	" 19"	1260	140"
7:10	325'	" 12"	1000	111"
7:20	315'	9 1/2"	900	100"

REMARKS:

3-16-88

373 static water

540 well depth

MICROFILMED
OCT 02 2002



July 25, 2002

To Whom It May Concern:

The 200hp pump at the residence of Miff Sweat was hooked up in 1977 and was running. The motor and switch have been serviced several times since that date and the pump was running each time the work was done.

ROBERTS ELECTRIC

Richard G. Roberts Pres.

Richard G. Roberts

MICROFILMED

OCT 02 2002

FROM Arlo P Lloyd

TO Myford Sweet Oct 29 19 77

ADDRESS _____ ORDER NO. _____

CITY Carey STATE Idaho TERMS _____

Statement on well drilling work at Carey
beginning June 1977

550' ft of drilling @ \$22.00 Per ft	\$12,100.00
received on acct	8,000.00
Balance due	4,100.00

Arlo P Lloyd
Almo, Idaho
licensed Idaho drilling #102

MICROFILMED

OCT 0-2 2002

1- Mar. 88

*Inventory Taken by J. McCracken Long Sold
of Milford Sewerage Irrig System*

75 HP Turbine 140' 8X2X 13/16 Col XX8X16 1/2 Head

4 stage 12 MS bowl assy. cone and strainer

10" gear valve 10" suction and panel

~~250~~ Turbine

390' 10" Col 2 1/2 X 1 11/16 shaft

250 HP panel and starters

250 HP panel

Approximate

40 section 10"X50 Mainline with risers

40 section 8X50 Mainline with risers

(2) 3" Ball and socket hand lines

(2) 3" hook and latch hand lines

(1) 4" hook and latch hand lines

7 100 HP Burkley Centricical 2983 Comp.

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OCT 02 2002

Picture

Name

Millford Sweet

Date

7/8/76

Address

Caray Idaho

Quantity

Main line

2600' 10" x 50T el ring lock main line with
weld on saddle valves installed ~~522 4925.00~~

10" x 50T el ring lock main line with
press in steel hydrants installed 343 898.00

1300' 8" x 50T el ring lock main line with
weld on saddle valves installed 257 3341.00

8" x 50T el ring lock main line with
press in steel hydrant installed 293 4397.00

1 10' x 8" ring lock reader with ring lock 4 28.00

Total System

2600' 10" x 50T 8268.00

1300' 8" x 50T 3341.00

1-1280' WL 3795.00

3-1960' 1/8" WL 17925.00

Total system 83,329.00

856.00

Add 856.00 for steel hydrants

MICROFILMED

OCT 02 2007

Millford Sweet

Picabo, Idaho

Mr. Milford Sweet
Caray Idaho

7/9/76

Lateral Lines

- 1 1280' 4" WADE wheel Line with
Hydrostatic mover, fiberglass cover, 6" B₄
wheel, end wheel, flushing and plug,
25' of 4" Feeder hoses, all levelers,
#30 wstnt R.B. 1/4" installed
(less \$50.00 for telescopic band)

\$3745.00

- 3 1960' 3/4 mile all 5" wheel line guiped
as above less take down clamps
installed

5975.00 + 17,975.00

Picabo, Idaho 83348

Name _____

Los Angeles

Address

CAREY, John

Quantity

Description

[illegible]

Terms: 20% down at time of

Balance Due:

Interest at an annual percentage rate of 12% will be charged from the due date (invoice date) of payment, as per terms of sale, if payment is not received within ten days of said date.

If you desire to order equipment as listed, subject to above terms and to conditions on reverse side, sign on line accepted and return this form to Silver Creek Irrigation Company.

Account

Elgin, Idaho 89348

SILVER CREEK SUPPLY CO.

788-3535

McKay Pumping
Plant

QUOTATION

Mr. Milford Sweet
Carey Idaho

Date

Pump	Description	Price
Horizontal Pump to deliver 1400 GPM @ 85 PSI	Delivered	\$2983.00
Panel	100% size 4" Pumping plant panel with lighting arrester, surge capacitor, low pressure shut off switch & installed on Customer pole	\$1523.00
Suction	8" - 10" suction steel pipe, 8" gate valve, 10" steel elbow, 10"x8" x center 8" flange and Gasket not installed	\$1200.00
Discharge	6" flange and gasket, 6"x10" cone 10" ch- valve, 2 10" flanges, 10" gear up valve 10" aluminum starter coupler and dog lock	\$421.00
Sump	2' in diam with 3'x4' screen cleaner mounted not installed	\$350.00
		\$5477.00

20% down at time of order.

Finance fee:

Interest at an annual percentage rate of 12% will be charged from the date of
(invoice date) of payment, as per terms of sale, if payment is not received
within ten days of said date.

If you desire to order equipment, please accept to above terms and to con-
firm, one on reverse side, sign on bottom and return this form to Silver
Creek Supply Co.

2002

*Inventory taken by Silver Creek Co.
for Mifflin SWEAT*

01-Mar-88

MIF SWEAT INVENTORY

	QTY	OFFERED	TOTAL
8" X 50' ALUM W/VALVE GOOD	3550	1.75	6212.50
8" X 50' ALUM W/VALVE BENT	200	1.25	250.00
8" X 50' ALUM W/VALVE HOLE	50	1.50	75.00
8" X 50' ALUM NO ENDS	50	0.00	0.00
8" X 50' ALUM W/BROKE VALVE	50	1.21	60.50
8" X 50' ALUM DAMAGED	50	0.00	0.00
MISC 8" FITTINGS	1	25.00	25.00
10" X 50' ALUM W/VALVE GOOD	2950	2.00	5900.00
10" X 50' ALUM W/VALVE BENT	150	1.50	225.00
MISC 10" FITTINGS	1	20.00	20.00
4" H & L HANDLINE BOLT ON CRO GOOD	34	21.00	714.00
4" H & L HANDLINE BOLT ON CRO BENT	12	15.00	180.00
4" H & L HANDLINE PRESS IN CRO GOOD	35	21.00	735.00
4" H & L HANDLINE PRESS IN CRO BROKE	14	10.00	140.00
4" H & L HANDLINE SOLID SET GOOD	47	16.00	752.00
3" H & L HANDLINE BOLT ON CRO GOOD	29	18.00	522.00
3" H & L HANDLINE PRESS IN CRO GOOD	143	20.00	2860.00

		TOTAL	18671.00

MICROFILMED

OCT 02 2002

MEMORANDUM

DATE: July 19, 2002

TO: Water Right File 37-7620

FROM: Shelley W. Keen

RE: Call from Brian Wood (208) 823-4451

Today I received phone call from Brian Wood, grandson of Milford and Catherine Sweat. He told me that Mr. and Mrs. Sweat believe Right 37-7620 should be licensed for more than 2.68 cfs. According to Mr. Wood, back in the 1980s the main well for this right had a 250 h.p. motor and pumped more than 300 inches. The size of the motor was reduced when a significant part of the farm was enrolled in CRP (federal cropland set-aside). Since the land came out of CRP, much of it has been dry-farmed. Mr. Wood wants to purchase the farm and resume irrigating all the land. Therefore, he and Mr. and Mrs. Sweat want to see the license reflect the beneficial use developed before the place of use was put into CRP. I agreed to delay licensing for two weeks so that Mr. Wood and the permit holders can submit information to substantiate a higher diversion rate.

MICROFILMED

OCT 02 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 15, 2002

MILFORD SWEAT
CATHERINE SWEAT
PO BOX 2W34
CAREY ID 83320

RE: Water Right Permit 37-07620

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed. I have not yet received the amendment. If I do not receive it within **10 days**, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Please note that there is a **\$50.00** filing fee for this amendment. A copy of the Application for Amendment is enclosed for your convenience.

If you have any questions regarding this matter, please call me at 208-327-7946.

Sincerely,

for Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure

MICROFILMED

OCT 02 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 26, 2002

MILFORD AND CATHERINE SWEAT
PO BOX 234
CAREY ID 83320

RE: Water Right Permit No. 37-07620

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

- ☒ Point(s) of Diversion
- ☒ Place(s) of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED
OCT 02 2002

Enclosure(s)

Comment Report

37-7620

1. S. Keen 6/25/2002 Licensing Review

Comment: Licensing review and data entry completed by S. Keen on 6/25/2002.

There are several overlapping rights. Right 37-2676, as recommended for decree, shares both points of diversion and a place of use with this right. Right 37-1162 and claim 37-14273 represent water delivered by Fish Creek Reservoir Co. Rights 37-732 and 37-743 are natural flow irrigation rights from Fish Creek. Right 37-2777 and claim 27-11762 are storage rights on Huff Creek. Combined use conditions will be added to define the overlaps with 37-2676, 37-732, and 37-2777. Conditions used on supplemental rights will be employed to define the relationship with Fish Creek Reservoir Co. The claims can be addressed when recommendations are prepared in the SRBA process, as will 37-743, for which a change in place of use has been claimed.

Total volume for the 449 acres is: $449 \text{ acres} * 3.5 \text{ af/acre} = 1571.5 \text{ af}$

Volume from GW is: $2.68 \text{ cfs} * 1.98 \text{ af/day} * 200 \text{ days} = 1061 \text{ af}$.

The place of use does not include land in T1S, R22E, S.2. See Allen Merritts memo attached to the field report. The place of use recommendation has been adjusted slightly from the field report to reflect the combined use with 37-2676. The number of acres per tract may also differ slightly from the field report because I used the shape file digitized by SRBA staff for the place of use.

MICROFILMED

OCT 02 2002

No.07

LOG NAME:S1

START :08-14 13:52

END :08-14 14:02

INTERVAL:00:01:00

8/14/00 13:52

+4.671E+0 ft/s
+7.119E+2 gal/m
+TOTAL 0001701 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 13:58

+4.773E+0 ft/s
+7.274E+2 gal/m
+TOTAL 0006019 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 13:53

+4.717E+0 ft/s
+7.188E+2 gal/m
+TOTAL 0002421 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 13:59

+4.704E+0 ft/s
+7.168E+2 gal/m
+TOTAL 0006740 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 13:54

+4.726E+0 ft/s
+7.202E+2 gal/m
+TOTAL 0003140 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 14:00

+4.719E+0 ft/s
+7.191E+2 gal/m
+TOTAL 0007461 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 13:55

+4.731E+0 ft/s
+7.210E+2 gal/m
+TOTAL 0003859 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 14:01

+4.753E+0 ft/s
+7.243E+2 gal/m
+TOTAL 0008177 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 13:56

+4.712E+0 ft/s
+7.181E+2 gal/m
+TOTAL 0004578 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 14:02

+4.730E+0 ft/s
+7.208E+2 gal/m
+TOTAL 0008897 gal
-TOTAL 0000000 gal
NORMAL

8/14/00 13:57

+4.703E+0 ft/s
+7.168E+2 gal/m
+TOTAL 0005298 gal
-TOTAL 0000000 gal
NORMAL

720 gpm

MICROFILMED

OCT 02 2002

Booster Pump
37-07620

POU GRID

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.

GIS

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
A0004806	US Electric	125	R998902836	Layne Bowler	
A0004805	US Electric	15	3271129	Western Turbine	15 14 2

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

MICROFILM

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Fuji	FLC S101			TK0085TB		May 2000

2. **Measurements:** Gregg Moody with the measuring district, measured the 125hp well in August. He measured the 15hp well in June of 2000. I included his measurement in my report.

MEMO

FROM: Allen Merritt



DATE: December 26, 2000

TO: FE File 37-07620

SUBJECT: Review and Recommendation

I have reviewed Amanda's FE report and note that water does not appear to be directly supplied to the lands in Section 2, T01S, R22E from the wells. If these lands are to be included in the license there must be some sort of exchange with Fish Creek water.

MICROFILMED
OCT 02 2002

ADM NOTE S.2
NO SERVICE

E. NARRATIVE/REMARKS/COMMENTS

FILE: 37-07620

FROM: Amanda Folsom

DATE: November 21, 2000

I met with Milford and Catherine Sweat on August 14, 2000. Milford owns the land and wells, however, his grandson helps manage the property. This permit is for two wells that pump open discharge into a creek, which flows down into two large reservoirs. From the reservoirs, the water is pump onto the acres being irrigated. Brian Wood is the name of the Sweat's grandson, and he assisted me with the exam.

The Sweats have several other water rights, which regard Fish and Huff Creek. I listed all these water rights on the Beneficial Report form. The water begins its travel at Fish Creek up in the hills and flows down to what I labeled as Reservoir #3. The water then passes under the highway into a creek that flows past the two wells, which pump open discharge into the creek. The creek forks and the water can either flow parallel to the highway or along the edge of the lava bed. The creek comes together again at Reservoir #2. From this reservoir the water travels south to Reservoir #1 where it is pump with a booster pump and applied to the fields in that area. The Sweats use hand lines and wheel lines for their irrigation.

Gregg Moody from the Water Measurement Program took recorded measurements of the two wells this year. I used his documented measurements for my calculations, and included his records with my report. I calculated the system capacity for the two wells to be 2.68cfs. I used GIS to calculate the holding capacity of the two reservoirs, which came to 25.5af.

My recommendation is as follows:

Irrigation	2.68cfs	1142.9afa
Irrigation Storage		25.5af
Irrg. From Storage	1.60cfs	25.5af
Diversion to Storage	2.68cfs	
Total	2.68cfs	1193.9afa

MICROFILMED
OCT 3 2 2002

Recommendation

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
 Water Measurement Program

POWER CONSUMPTION COEFFICIENT WORKSHEET

District WMD Inventory Date 10-29 Inventory Examiner DAV PCC ok? Yes no

Date of test 8/3/00 Person performing test G MOODY Exam complete? Yes no

Name:	
Water Right No:	
Legal Description:	T _____ R _____ Sec. _____ 1/4 _____ 1/4 _____ 1/4 _____
Site Tag No:	
Diversion Name:	<u>B. in well</u>

Open
Discharge

Current Owner

Name SWEAT, MILFORD Phone _____

Last, First, MI

Address _____ City _____ State _____ Zip _____

Operator (if leased or operated by someone else)

Name WOOD BRYAN Phone 823-4451

Last, First, MI

SECTION I WELL SITE IDENTIFICATION

Global Positioning System Data:

Data Collection Filename B10 29 18 B Offset 0

IDWR Site Tag Identification No. A 000 4600

Site Tag location description: ON SERVICE POND

PLS/USGS Locator _____

Diversion Name _____

For Department/District Use Only

Received by _____ Date _____

Reviewed by _____ Date _____

Data Entry by _____ Date _____

MICROFILMED
OCT 9 2 2002

Well Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer	Hayne Bowers	Manufacturer	US Elect
Serial Number		Serial Number	R-2084-02-836 A-2137149 M.M.
Model Number		Rated Horsepower	12.5
Type		Rated Amps	151.4
Impeller Diameter		Rated Volts	440
Rated Speed		Rated Speed	1775
Rated Discharge		Phase	3
Rated Head		Service Factor	1.15

Booster Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer		Manufacturer	
Serial Number		Serial Number	
Model Number		Rated Horsepower	
Type		Rated Amps	
Impeller Diameter		Rated Volts	
Rated Speed		Rated Speed	
Rated Discharge		Phase	
Rated Head		Service Factor	

Power and Water Metering Information

KILOWATT-HOUR METER		WATER MEASUREMENT EQUIPMENT and PIPE INFORMATION	
Utility	Id Ragon	Std Meter Manufacturer	
Pole No.	9	Std Meter Model No.	
Meter Manufacturer	Westinghouse	Std Meter Type	Sonic Pyg Collins Hall Anub Dye/chem Other
Meter Serial No.	65 385 800	Std. Meter Confidence	Excl Good Fair Poor 2% 5% 10% >10%
Disc Constant(Kh)	4.8	PSI gauge ID location = disch head?	District / Owner Yes / No
Rated Voltage	480	Pipe material	
Demand	0	Pipe Outside Diameter	
Multiplier (Mult)	40	Pipe Inside Diameter	
CTR (Current) PTR (Voltage)	200 CTR	Distance of straight pipe upstream and down	Upstream /Down

Determination of Power Consumption Coefficient

Kilowatts of Energy Consumed

$KW = 3.6 \times Kh \times \text{Multiplier} \times \text{No. of revolutions}(N) \div \text{Time}(T) \text{ in seconds per } N$

Cond.#1 $N = 5$ (No. of Disc Rev) Time (sec) = $35.73 + 35.63 + 35.78 = 107.14$ Ave

3.6×4.8 (Kh) $\times 40$ (Mult) $\times 5$ (N) $\div 107.14$ (T) = 76.59 KW

Cond.#2 $N =$ (No. of Disc Rev) Time (sec) = () + () + () / 3 = Ave

$3.6 \times$ (Kh) $\times$ (Mult) $\times$ (N) $\div$ (T) = KW

Cond.#3 $N =$ (No. of Disc Rev) Time (sec) = () + () + () / 3 = Ave

$3.6 \times$ (Kh) $\times$ (Mult) $\times$ (N) $\div$ (T) = KW

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by the "standard" water measurement meter in GPM, and discharge pressure measured in PSI. Attach documentation to support data such as notes, printout tapes etc.

GPM Cond. #1 703.0 #2 #3

PSI Cond. #1 OPEN DISCHARGE #2 #3

Power Consumption Coefficient (PCC) = $KW \times 5431 \div GPM$

PCC Cond. #1 = 76.59 (KW) $\times 5431 \div 703.0$ (gpm) = 746.2 (kWh/ac.ft)

Percent of seasonal use 100 Description OPEN DISCHARGE

PCC Cond. #2 = (KW) $\times 5431 \div$ (gpm) = (kWh/ac.ft)

Percent of seasonal use Description

PCC Cond. #3 = (KW) $\times 5431 \div$ (gpm) = (kWh/ac.ft)

Percent of seasonal use Description

Is the system operator required to track and report changes in system operation? Yes / No
(see form PCC3)

System Type (all that apply): Pivot linear / Wheel In / Hand In / Gated pipe, flood / Drip / Open dsch

Water Level Data

Does the well have access to measure water levels? Yes / No

Is this well part of USGS, IDWR, or another network of water level monitoring wells? Yes / No / Uncertain

Static Water Level ? ft Pumping Water Level ? ft (at condition #)
Date ? Date ?

OCT 02 2002

Further describe system operation conditions (if necessary) and how percentage of seasonal use was obtained:

Sketch of pumping plant layout or attach photograph of pumping plant and piping:

MOBILE

8/3/00

Comments:

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature

[Handwritten Signature]

(person performing measurements)

Date

8/3/00

Sweet - Big pump-irrigation

Meter #

A0004606

65 385 806 Westinghouse

KWH = 10285

KW = .026

Multip = 40

$K_h = 4.8$

CTR 200/5 = 40

~~P = R~~

Volts = 480 60 Hz

8.65 = Circumfer

• 89 = thickness

Revolution = 5

Time

35.73 + 35.43 + 35.31 + 35.90

Pump Motor
US Electric

HP = 125

BHP = 137.36

Ther demand = 102.50

Ther mult = $\frac{102.50}{0.26} = 3.94$

phase = 3

Volts = 460 +

Amps = 151.4

RPM = 1775

S.F. = 1.15

R-9984-02-836

R2137149 NN

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



MICROFILMED

OCT 02 2002

LD02
No.02
L
OG NAME:A4606BIGSAT
START :08-03 16:03
END :08-03 16:13
INTERVAL:00:01:00

8/3/00 16:03
+6.103E+0 ft/s
+7.052E+2 gal/m
+TOTAL 0000000 gal
ABNORMAL

8/3/00 16:07
+6.066E+0 ft/s
+7.008E+2 gal/m
+TOTAL 0002792 gal
ABNORMAL

8/3/00 16:04
+6.042E+0 ft/s
+6.981E+2 gal/m
+TOTAL 0000689 gal
ABNORMAL

8/3/00 16:08
+6.064E+0 ft/s
+7.006E+2 gal/m
+TOTAL 0003492 gal
ABNORMAL

8/3/00 16:05
+6.064E+0 ft/s
+7.006E+2 gal/m
+TOTAL 0001390 gal
ABNORMAL

8/3/00 16:09
+6.057E+0 ft/s
+6.999E+2 gal/m
+TOTAL 0004195 gal
ABNORMAL

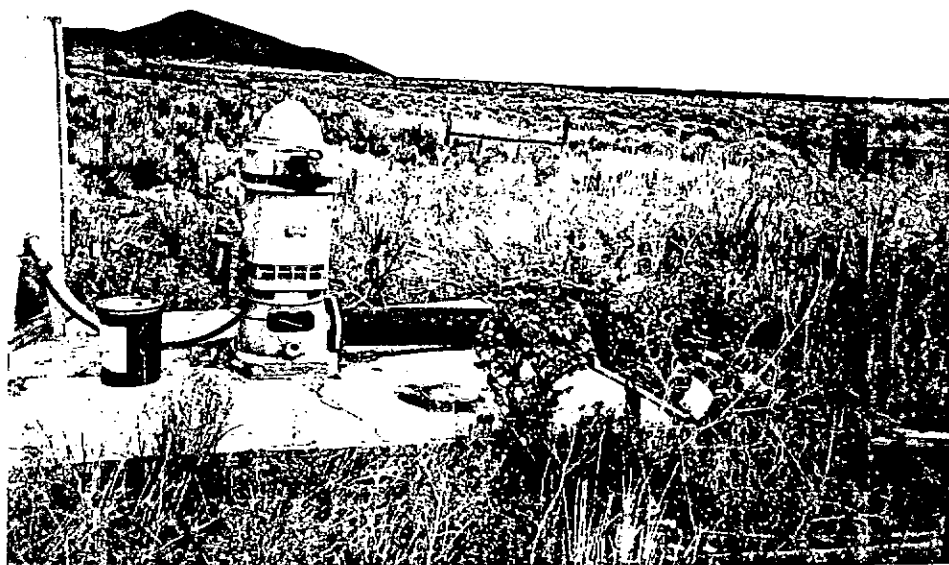
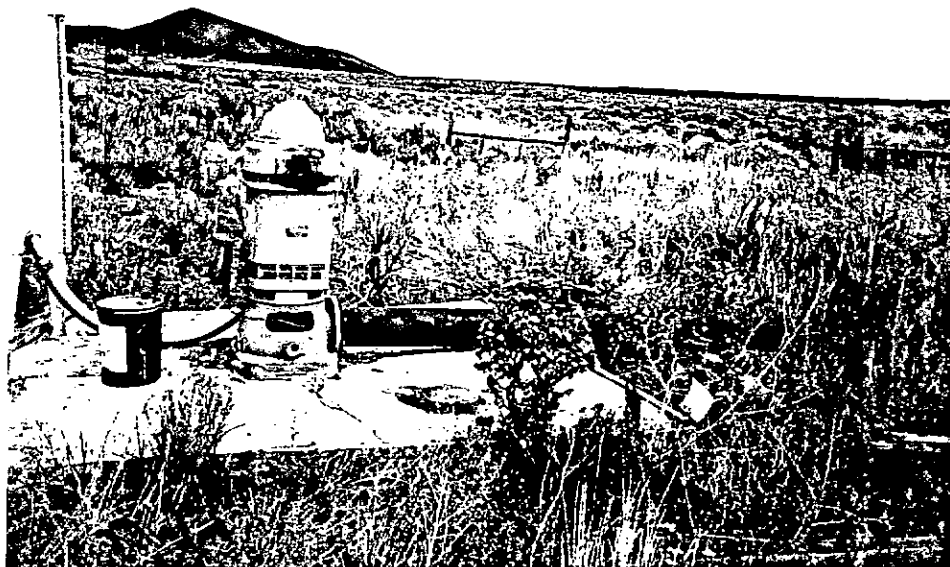
8/3/00 16:06
+6.059E+0 ft/s
+7.000E+2 gal/m
+TOTAL 0002090 gal
ABNORMAL

8/3/00 16:10
+6.060E+0 ft/s
+7.002E+2 gal/m
+TOTAL 0004898 gal
ABNORMAL

8/3/00 16:11
+6.060E+0 ft/s
+7.002E+2 gal/m
+TOTAL 0005602 gal
ABNORMAL

8/3/00 16:12
+6.113E+0 ft/s
+7.063E+2 gal/m
+TOTAL 0006304 gal
ABNORMAL

8/3/00 16:13
+6.108E+0 ft/s
+7.057E+2 gal/m
+TOTAL 0007007 gal
ABNORMAL



MICROFILMED
OCT 02 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water Measurement Program

POWER CONSUMPTION COEFFICIENT WORKSHEET

District WAD Inventory Date 10-29 Inventory Examiner DAN PCC ok? Yes / no

Date of test 6/16/00 Person performing test G. MOODY Exam complete? Yes / no

Name:	<u>SWBAT, MIL FORD</u>
Water Right No:	<u>A37-02676</u>
Legal Description:	<u>T 1 S R 22 E Sec. 3 NE 1/4 SE 1/4 SE 1/4</u>
Site Tag No:	<u>A0004605</u>
Diversion Name:	<u>Little Well</u>

*Open
Discharged*

Current Owner

Name _____ Phone 208-823-4951

Address _____ City _____ State _____ Zip _____

Operator (if leased or operated by someone else)

Name WOOD, BRYAN Phone _____

SECTION I WELL SITE IDENTIFICATION

Global Positioning System Data:

Data Collection Filename R102913 A Offset 0

IDWR Site Tag Identification No. A 0004605

Site Tag location description: ON SERVICE POLE

PLS/USGS Locator _____

Diversion Name Small well

For Department/District Use Only

Received by _____ Date _____

Reviewed by MICHAEL Date _____

Data Entry by OCT 02 2002 Date _____

Well Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer	WESTERN TURBINE	Manufacturer	US MOTORS
Serial Number	15140	Serial Number	327129
Model Number		Rated Horsepower	15
Type		Rated Amps	40
Impeller Diameter		Rated Volts	220
Rated Speed		Rated Speed	1800
Rated Discharge		Phase	3
Rated Head	50 FT	Service Factor	

Booster Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer		Manufacturer	
Serial Number		Serial Number	
Model Number		Rated Horsepower	
Type		Rated Amps	
Impeller Diameter		Rated Volts	
Rated Speed		Rated Speed	
Rated Discharge		Phase	
Rated Head		Service Factor	

Power and Water Metering Information

KILOWATT-HOUR METER		WATER MEASUREMENT EQUIPMENT and PIPE INFORMATION	
Utility	IO POWER	Std Meter Manufacturer	FUGI
Pole No.	6440	Std Meter Model No.	
Meter Manufacturer	GEN ELEC.	Std Meter Type	Sonic Pyg Collins Half Aftub Dye/chem Other
Meter Serial No.	68 323 885	Std. Meter Confidence	Excl Good Fair Poor 2% 5% 10% >10%
Disc Constant(Kh)	7.2	PSI gauge ID location = disch head?	District / Owner N/A Yes (No)
Rated Voltage	240	Pipe material	CS
Demand	12.0	Pipe Outside Diameter	6.01
Multiplier (Mult)	1	Pipe Inside Diameter	.083
CTR (Current) PTR (Voltage)	PTA	Distance of straight pipe upstream and down	Upstream / Down 5' / 2.5'

Determination of Power Consumption Coefficient

Kilowatts of Energy Consumed

$KW = 3.6 \times Kh \times \text{Multiplier} \times \text{No. of revolutions}(N) \div \text{Time}(T) \text{ in seconds per } N$

Cond.#1 $N = 10$ (No. of Disc Rev) Time (sec) = $(24.18 + 24.09 + 24.09) / 3 = 24.1$ Ave

3.6×7.2 (Kh) $\times 1$ (Mult) $\times 10$ (N) $\div 24.1$ (T) = 10.755 KW

Cond.#2 $N =$ (No. of Disc Rev) Time (sec) = () + () + () / 3 = Ave

$3.6 \times$ (Kh) $\times$ (Mult) $\times$ (N) $\div$ (T) = KW

Cond.#3 $N =$ (No. of Disc Rev) Time (sec) = () + () + () / 3 = Ave

$3.6 \times$ (Kh) $\times$ (Mult) $\times$ (N) $\div$ (T) = KW

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by the "standard" water measurement meter in GPM, and discharge pressure measured in PSI. Attach documentation to support data such as notes, printout tapes etc. OPEN DISCHARGE

GPM Cond. #1 502.7 #2 OFF #3

PSI Cond. #1 OPEN DISCH #2 #3

Power Consumption Coefficient (PCC) = KW $\times$ 5431 $\div$ GPM

PCC Cond. #1 = 10.755 (KW) $\times 5431 + 502.7$ (gpm) = 116.196 (kWh/ac.ft)

Percent of seasonal use 100 Description OPEN DISCHARGE

PCC Cond. #2 = (KW) $\times 5431 +$ (gpm) = (kWh/ac.ft)

Percent of seasonal use Description

PCC Cond. #3 = (KW) $\times 5431 +$ (gpm) = (kWh/ac.ft)

Percent of seasonal use Description

Is the system operator required to track and report changes in system operation? Yes / No
(see form PCC3)

System Type (all that apply): Pivot linear / Wheel In / Hand In / Gated pipe flood / Drip / Open dsch

Water Level Data

Does the well have access to measure water levels? Yes / No

Is this well part of USGS, IDWR, or another network of water level monitoring wells? Yes / No / Uncertain

Static Water Level ft Pumping Water Level ft (at condition #)

Date

Date MICROLOG

OCT 02 2002

[illegible]

Sweat - Little Pump

Max Kw = 12.6

Tot Kwh = 67654

meter #

68323885 G.E.

$K_h = 7.2$

Volts = 240

multiplier = ?

Motor:

RPM = 1600

HP = 15

PH = 3

BHP = 16.48

Theo demand = 12.30

Theo mult = 1.22

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



MICROFILMED

OCT 02 2002

LD01
No.01
L
OG NAME:A0004605 SMALL WELL
START :06-16 12:12
END :06-16 12:22
INTERVAL:00:00:01

6/16/00 12:12
+6.109E+0 ft/s
+5.108E+2 gal/m
+TOTAL 0000000 gal
ABNORMAL

6/16/00 12:13
+6.011E+0 ft/s
+5.026E+2 gal/m
+TOTAL 0000498 gal
ABNORMAL

6/16/00 12:14
+6.068E+0 ft/s
+5.073E+2 gal/m
+TOTAL 0001003 gal
ABNORMAL

6/16/00 12:15
+6.048E+0 ft/s
+5.056E+2 gal/m
+TOTAL 0001508 gal
ABNORMAL

6/16/00 12:16
+6.033E+0 ft/s
+5.043E+2 gal/m
+TOTAL 0002012 gal
ABNORMAL

6/16/00 12:17
+5.989E+0 ft/s
+5.007E+2 gal/m
+TOTAL 0002516 gal
ABNORMAL

6/16/00 12:18
+5.997E+0 ft/s
+5.014E+2 gal/m
+TOTAL 0003021 gal
ABNORMAL

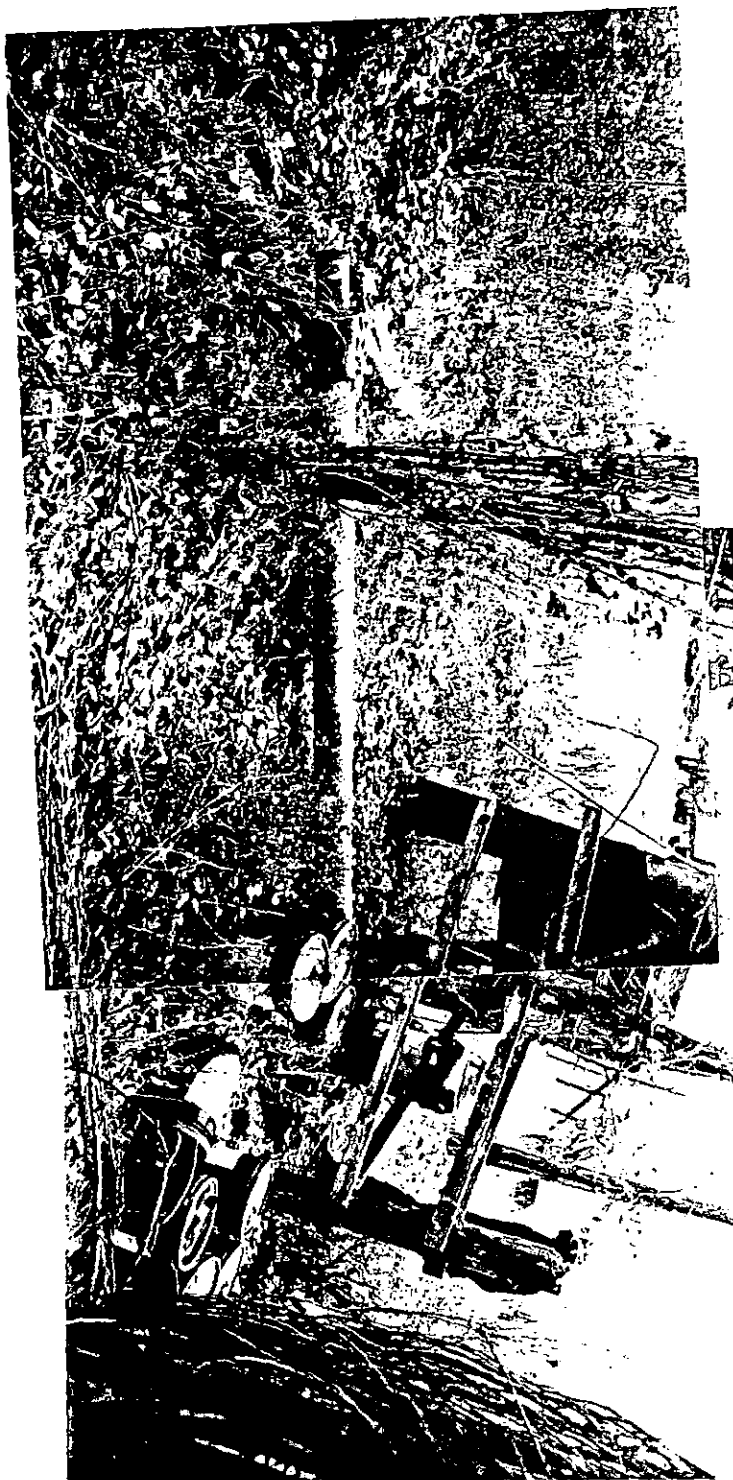
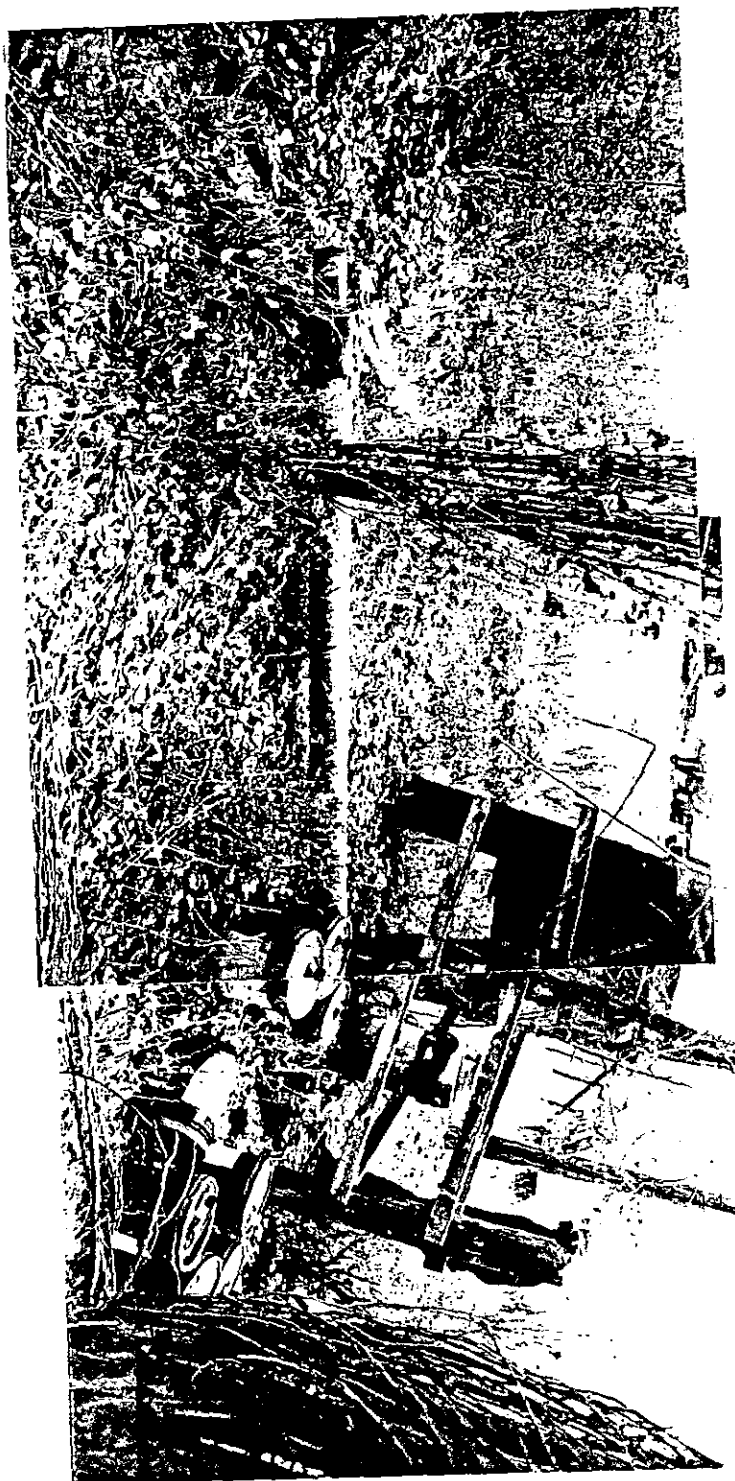
6/16/00 12:19
+5.954E+0 ft/s
+4.977E+2 gal/m
+TOTAL 0003523 gal
ABNORMAL

6/16/00 12:20
+5.988E+0 ft/s
+5.006E+2 gal/m
+TOTAL 0004025 gal
ABNORMAL

6/16/00 12:21
+5.963E+0 ft/s
+4.986E+2 gal/m
+TOTAL 0004526 gal
ABNORMAL

6/16/00 12:22
+5.965E+0 ft/s
+4.987E+2 gal/m
+TOTAL 0005027 gal
ABNORMAL

MICROFILMED
JUL 02 2002

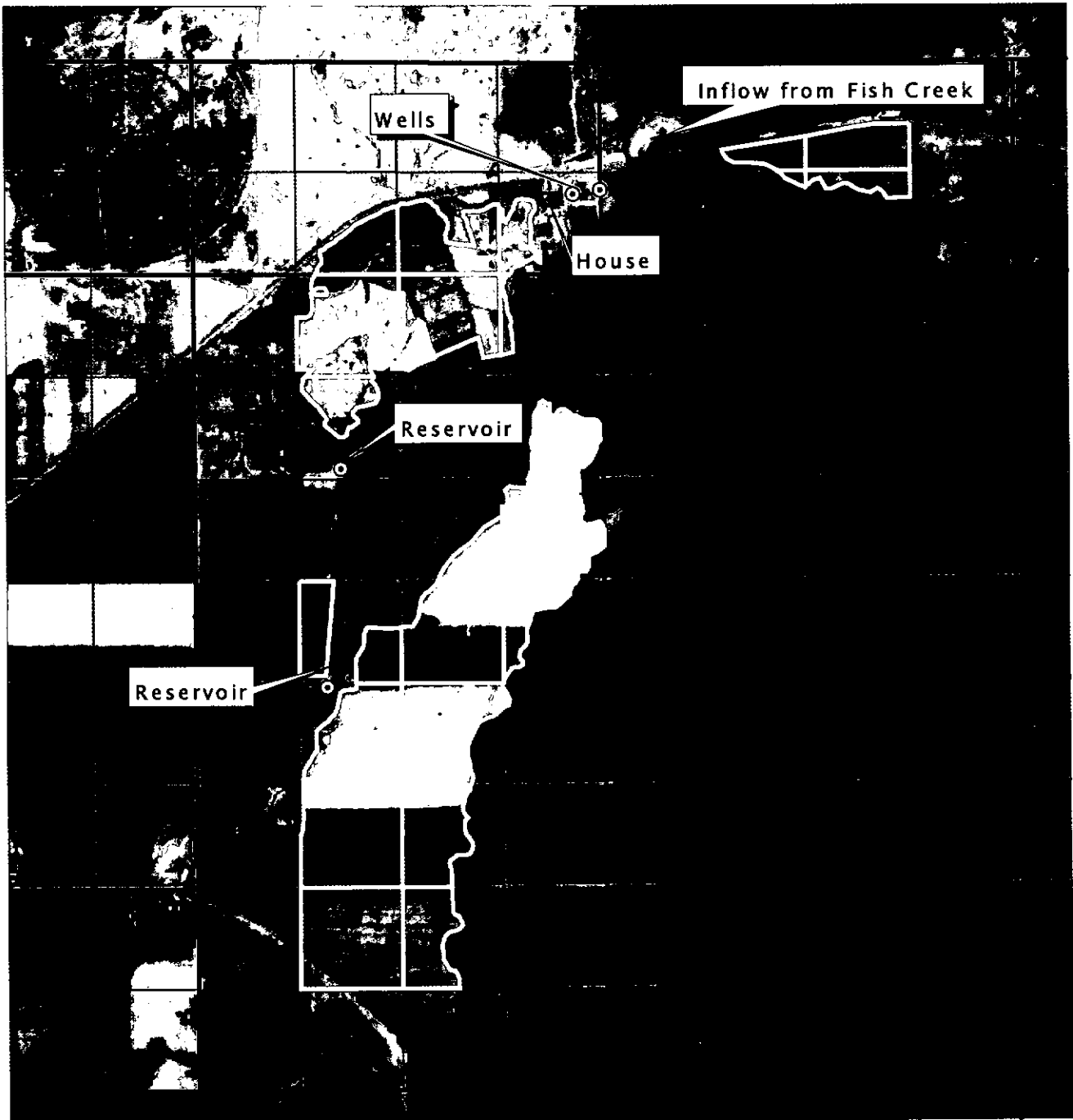


MICROFILMET
OCT 02 2002

Idaho Department of Water Resource Recommendation for 37-07620 Milford Sweat

T01S

R22E



○ Point of Diversion

□ Section Lines

□ Quarter-quarter lines

□ Place of Use

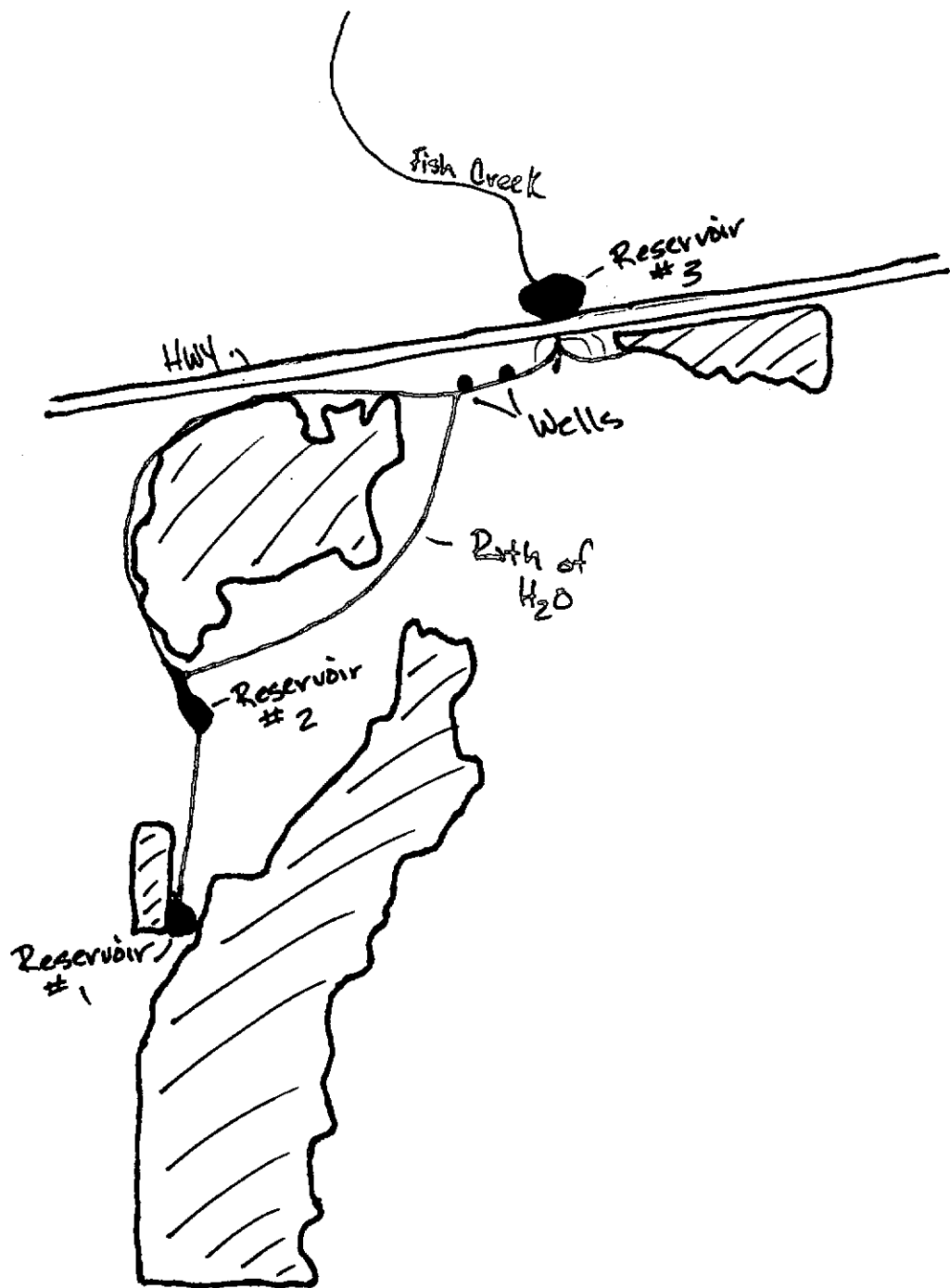
MICROFILMED
OCT 02 2002



Point of Diversion and Place of Use
T01S R22E S2, 3, 10, & 15
Data entry on Nov 21, 2000

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom

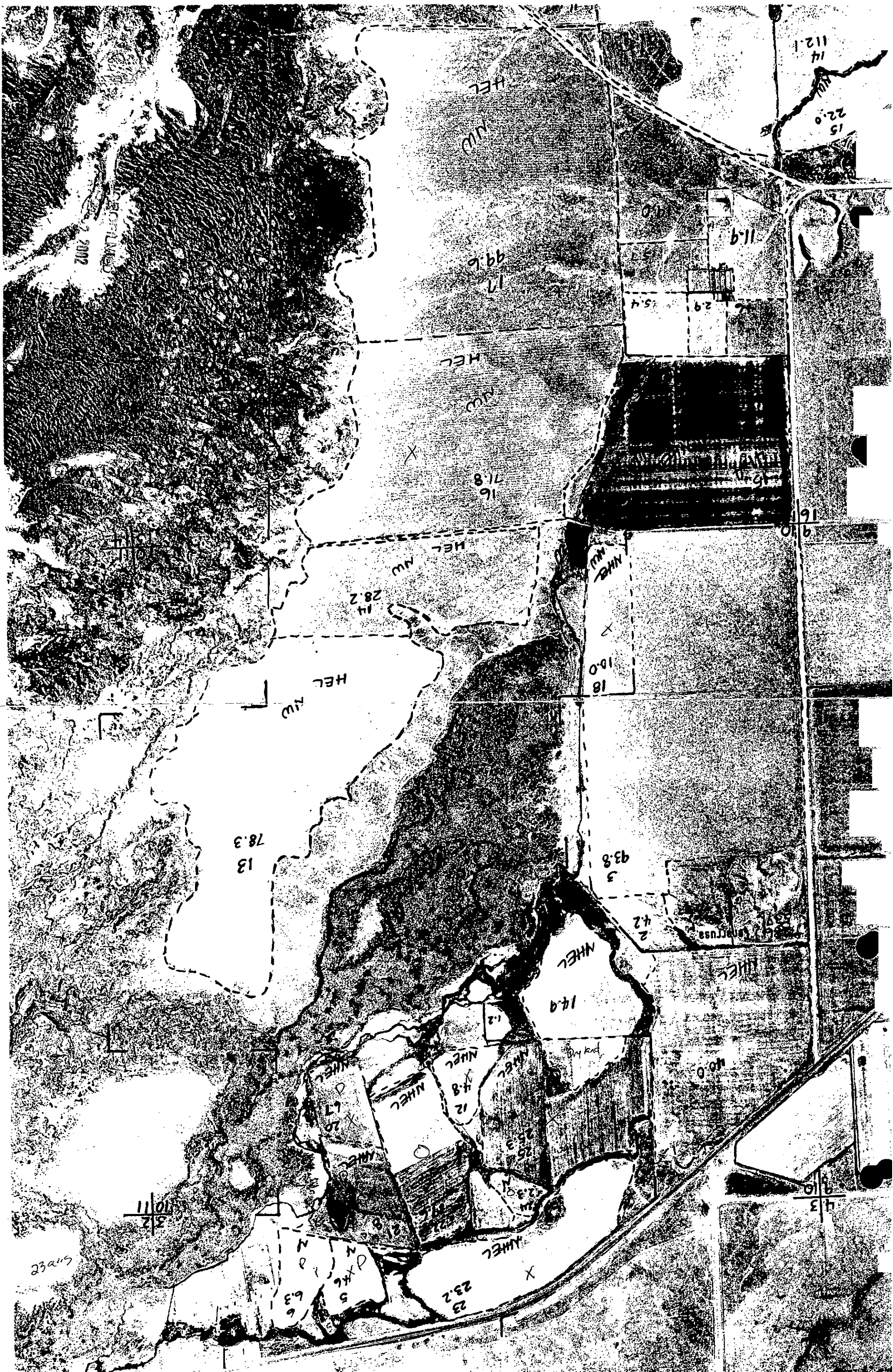
GIS

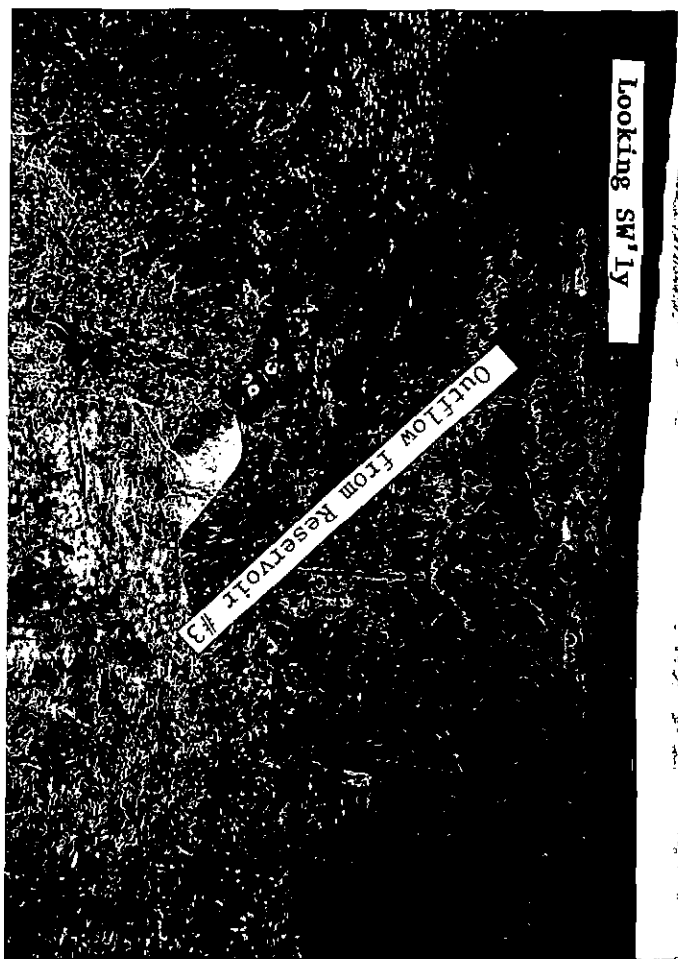


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OCT 10 2 2002

SYSTEM SKETCH

37-07620



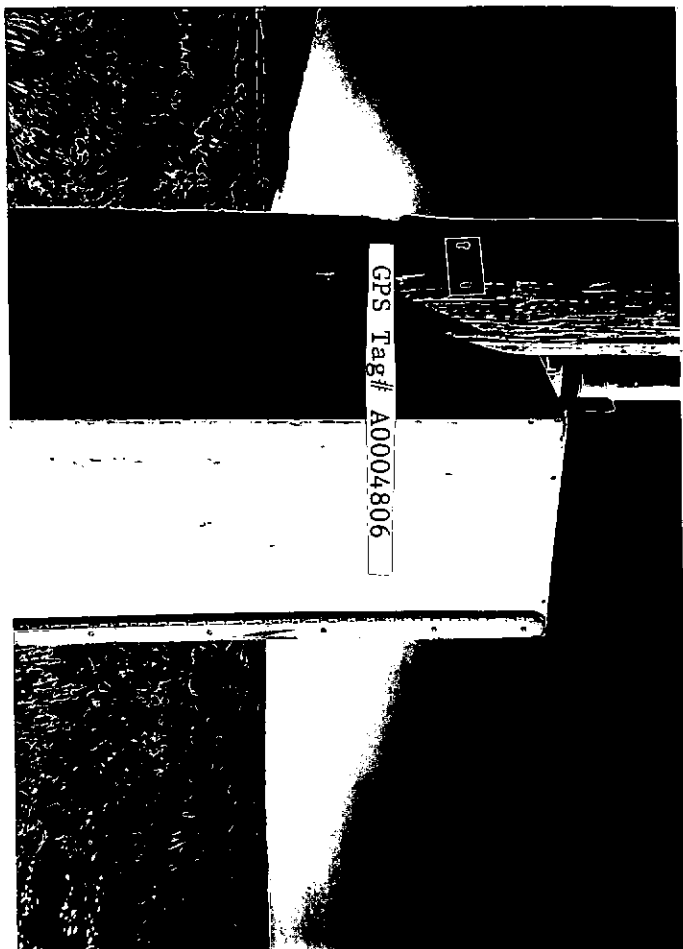


MICROFILM

OCT 02 2002

Milford Sweat
FE: Amanda Folsom
Date: August 14, 2000

37-07620



MICROFILM
OCT 02 2002

Milford Sweat
FE: Amanda Folsom
Date: August 14, 2000

37-07620



MICROFILMED

Milford Sweat
FE: Amanda Folsom
Date: August 14, 2000

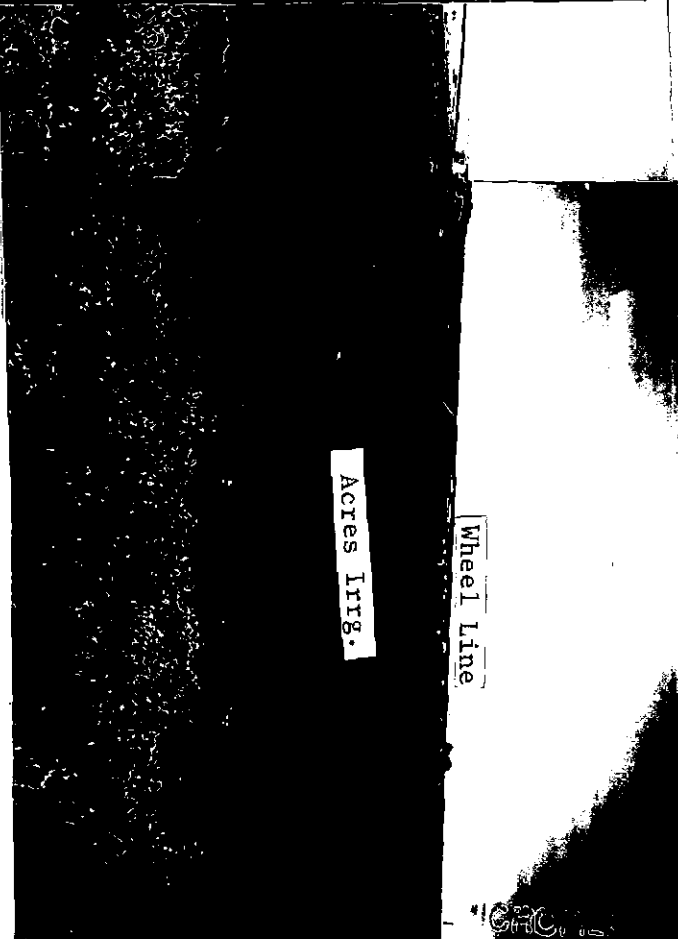
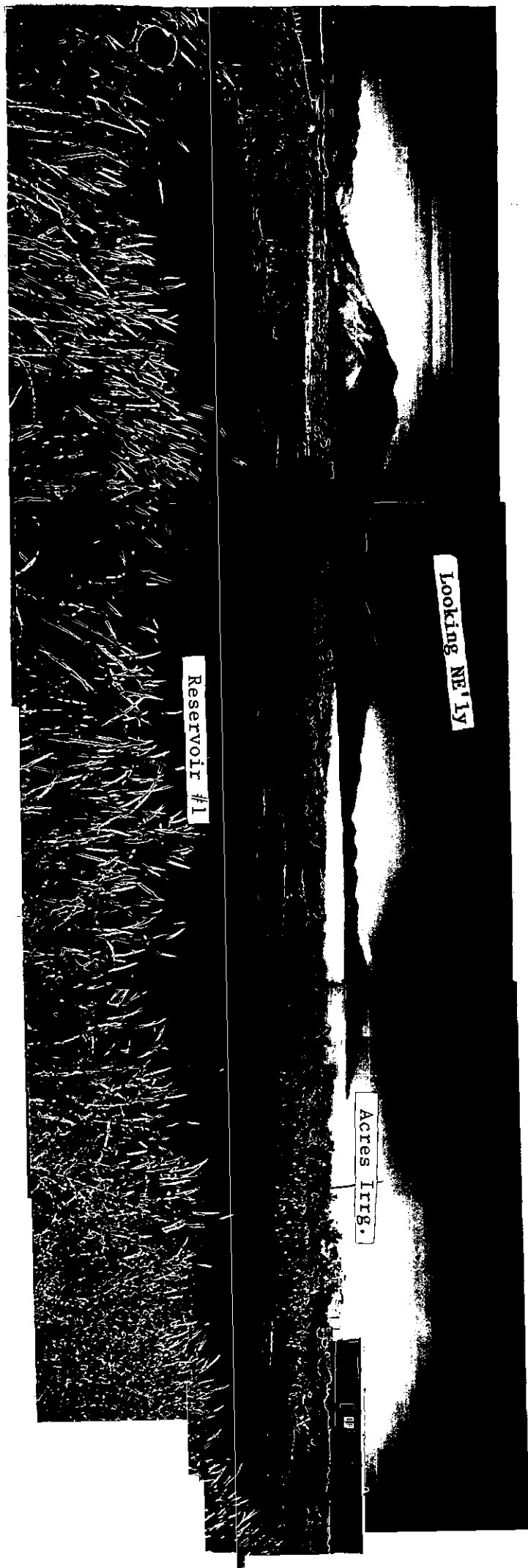
37-07620



UNFILMED
AUG 2 2002

Milford Sweat
FE: Amanda Folsom
Date: August 14, 2000

37-07620



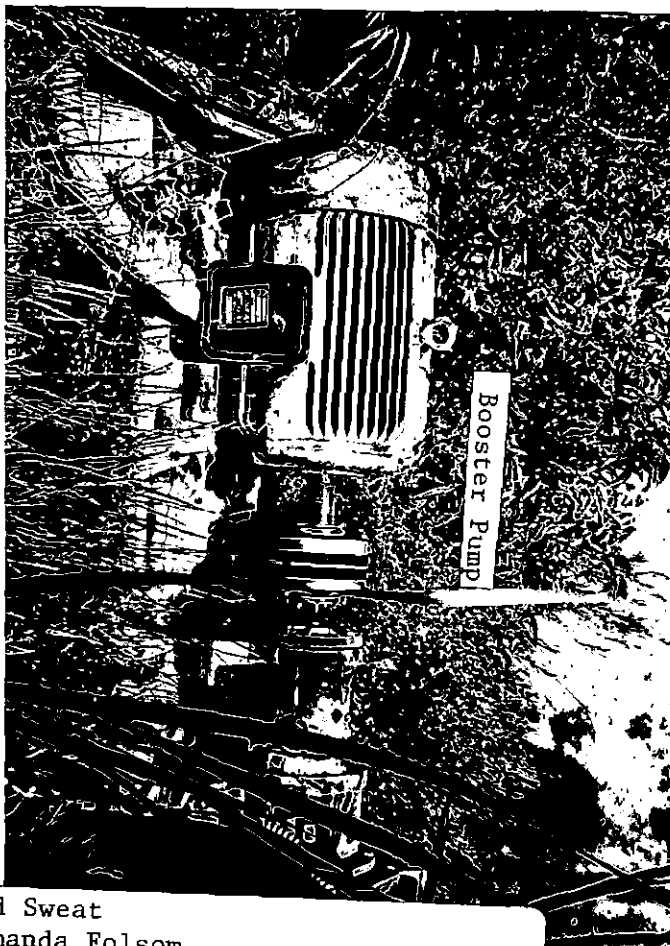
Milford Sweat

FE: Amanda Folsom

Date: August 14, 2000

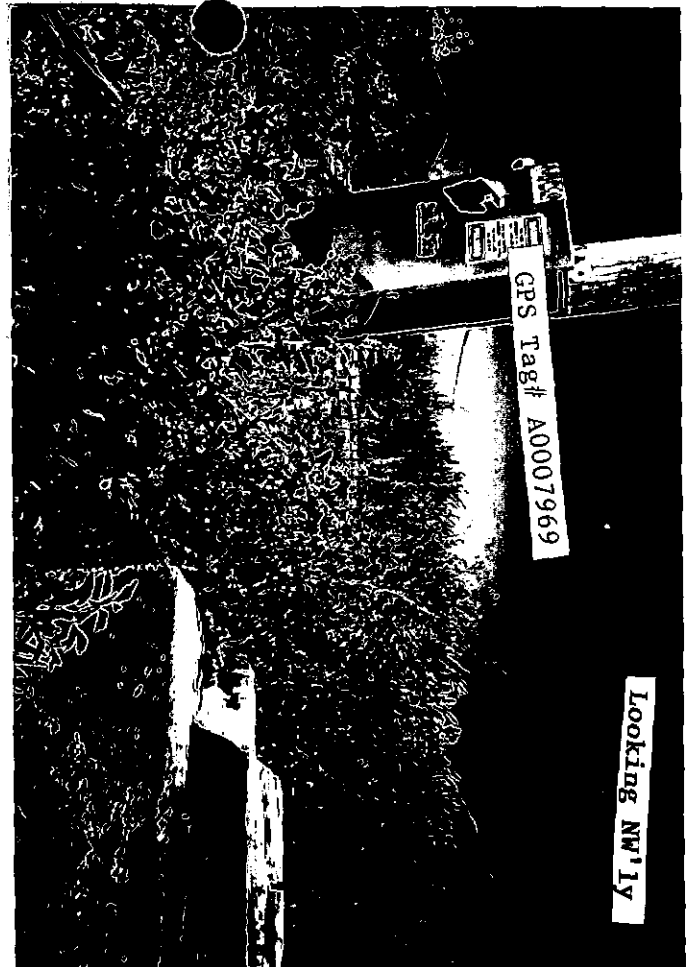
CT 02 2002

37-07620



Milford Sweat
FE: Amanda Folsom
Date: August 14, 2000

37-07620



MICROFILMED
OCT 02 2002

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

MICROFILMED

OCT 02 2002

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Fuji Measurement by Gregg Mack

12.5 hp $\rightarrow$ 701.6 gpm

15 hp $\rightarrow$ 502.7 gpm

Total $\rightarrow$ 1204.3 gpm

$$\frac{448.83}{1204.3} = 2.68 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 46.89 (3.5) = 1641.2$$

$$V_{D.R.} = [\text{Diversión Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.68 (245) (1.9835) = 1142.9$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1142.9$$

2. Volume Calculations for Other Uses:

$$\text{Reservoir \#1} \rightarrow 162,850.91 \text{ ft}^2 (5 \text{ ft}) = \frac{814254.6}{43560} = 18.7$$

$$\text{Reservoir \#2} \rightarrow 71,320.69 \text{ ft}^2 (4 \text{ ft}) = \frac{297282.76}{43560} = 6.8$$

25.5

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversión Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	11/1	2.68	1142.9
Irrigation Storage	4/1	11/1		25.5
Irrigation from Storage	1/1	12/31	1.68	25.5
Diversión to Storage	1/1	12/31	2.68	
Totals:			2.68	1193.9

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 Amanda Folsom Date Nov 21, 2000

Reviewer _____ Date _____

SEAL

RECEIVED

January 22, 1993

MILFORD SWEAT
CATHERINE SWEAT
P.O. BOX 234
CAREY ID 83320

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-07620

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

RECEIVED
JAN 27 1993

JAN 27 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-07620

Reviewed by Klg

Date 1/20/93

GENERAL CONSIDERATIONS

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

TYPES OF USE

irrigate - 450
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source

1977 NA Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
175 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 1/19/93
1/22/93 Klg

November 30, 1992

MILFORD SWEAT
CATHERINE SWEAT
P.O. BOX 234
CAREY ID 83320

PROOF DUE NOTICE

RE: PERMIT NO. 37-07620

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 February 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.

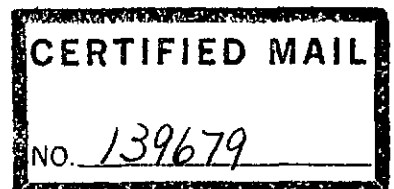
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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

JAN 27 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 5, 1990

RE: Permit No. 37-7620

Milford & Catherine Sweat
Box 234
Carey, ID 83320

Dear Permit Holder(s):

Enclosed is an order that authorizes you to continue development under Permit to Appropriate Water No. 37-7620. Please note in condition #1., page five of the order that you must develop your system and beneficially use the water prior to February 1, 1993. Failure to beneficially use the water before February 1, 1993 could result in a loss of your water right permit.

Also enclosed is a copy of the approved extension of time request. Please be advised that the department has granted this extension of time based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Please note the conditions of approval contained in the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosures

MICROFILMED

MAR 12 1990

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

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

JANUARY 9, 1990

Wood River Journal
Box 988
Hailey, ID 83333

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 FEBRUARY 5, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

INDEXED

MAR 12 1990

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:

37-07620 ✓

SWEAT, MILFORD ✓
SWEAT, CATHERINE ✓
P.O. BOX 234 ✓
CAREY, ID 83320 ✓

Source: GROUNDWATER ✓

Diversion Pt: LOT 4 (SWNW) ✓ Sec 2 T 01S R 22E ✓
LOT 3 (SENW) ✓ Sec 2 T 01S R 22E ✓

Use: IRRIGATION (7.000 CFS) ✓
IRRIGATION STORAGE (700.00 AF) ✓
IRRIGATION FROM STORAGE (700.00 AF) ✓
DIVERSION TO STORAGE (7.000 CFS) ✓
Total Diversion: (7.000 CFS) ✓ (700.00 AF) ✓

Priority: 6/02/1977 ✓

In: T01S R22E S02 ✓	Lot 3 (NESW) ✓	Lot 4 (NWSW) ✓	Lot 2 (NWSE) ✓	SWSE ✓
S03 ✓	SWSE ✓	SESE ✓		
S10 ✓	NWNE ✓	SWNE ✓	SENE ✓	NENW ✓
	SENE ✓	NESW ✓	SESW ✓	NESE ✓
	NWSE ✓	SWSE ✓		
S15 ✓	NWNE ✓	SWNE ✓	NENW ✓	NWNW ✓
	SENE ✓	NESW ✓	NWSE ✓	

799.5 ACRES TOTAL ✓

Permits not developed by July 1, 1985, are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filled with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before FEBRUARY 5, 1990. Protests must be based on the public interest criteria of Section 42-203C, Idaho Code, only.

R. KEITH HIGGINSON, Director

Published 1/18/1990 & 1/25/1990

MAR 12 1990

MEMORANDUM

TO: FILE/PERMIT NO'S. 37-7618 & 37-7620

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 5-19-89

=====

Based on comparison of the ASCS 1984 aerial photo and the department's 7.5 min. 1986 remote sensing overlay classification of irrigated acreage, I conclude that the two show the same extent of development. As per the department's 1986 remote sensing report, 569 acres under the permits were classified as irrigated. Since the 1986 overaly matches the 1984 photo, the department should count 569 acres as developed prior to October 1, 1984. The remaining 268 acres covered by both permits should be counted as trust development.

MICROFILMED

MAR 12 1990

Township	Range	Section	NE 1/4			NW 1/4			SE 1/4			TOTALS
			NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	
Permit	37-7618											
15	22E	2										160
		3										80
		10	40	40	40	40		10	20			350
		15	40	40		34	16	37	40			347
Permit	37-7620		Complete overlap with 37-7618 groundwater									832
License	37-2676		groundwater									
15	22E	3										44.5
		10	199	2		26						47.9
License	37-2765		Huff Creek									
15	22E	15				6	24	9	3			42
License	37-2777		Huff Creek									
15	22E	15				10	40					50
		10										90
NEW LANDS												
15	22E	2										160
		3										35.5
		10	20.1	0.38	1940	494		270	1820			282.1
		15	240	140		24	40	37	40			221
TOTAL Range Savings And Needs =			569									698.6



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 10, 1989

RE: Permit Nos. 37-7618 & 37-7620

Milford Sweat
Box 234
Carey, ID 83320

NOTICE OF INFORMATION REQUIRED BY WATER APPROPRIATION RULE 4,5.

Dear Permit Holder:

The Department acknowledges receipt of the Trust Water Information Questionnaires and appropriate re-advertising fees for the above referenced permits. On behalf of the Department, I wish to thank you for your cooperation in providing the requested fees and information.

In the letter that accompanied the questionnaires, I informed you that you would need to submit additional information required by Water Appropriation Rule 4,5. if the undeveloped portion of the permits exceeds 200 acres.

The returned questionnaires indicate that you wish to pursue completion of the irrigation project as proposed under your permits. The remaining portion of the project includes more than 200 acres and is therefore subject to the additional information requirements of Rule 4,5. If you plan to complete 200 acres or less, then you are exempt from having to submit the information required by Rule 4,5. If you provide the department with a statement that you intend to complete 200 acres or less, then we will be able to expedite the additional processing of the permits. The department would also reduce the number of acres on your permits to reflect you proposed plans.

I wish to call your attention to the specific requirements under Rule 4,5. (copy enclosed). In particular, you must submit the information outlined in Rules 4,5,3,6,1. through 4,5,3,6,7. Note that Rule 4,5,3,6,4. is not applicable to your permits.

The information must be submitted within 30 days of the date of this notice. Failure to submit the required information within the time period allowed will be cause for the Department to advance the priority of the permits by the number of days that the information submittal is late.

RECEIVED

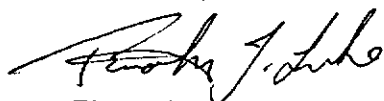
MAR 12 1990

Page 2

Department may grant an extension of time in which to submit the information upon request and a showing of good cause. Requests for extension of time must be in writing.

Please contact me at this office or call me directly at 327-7864 if you have any questions concerning the contents of this notice and/or the information requested under Rule 4,5.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Luke", written in a cursive style.

Tim Luke
Sr. Water Resource Agent

MICROFILMED

MAR 12 1990

RECEIVED

FEB 28 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

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

1. Permit number 37-7620.
2. Was the development or a portion of the development complete and water from the source identified under this permit used before July 1, 1985? Yes ☒ No ☐

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

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

5. Remarks: Currently developed - approximately 560 acres

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

M. J. Stewart
Permit holder

2/27/89
Date

Address:

Phone (208) 823-4451

Box 234 Carey, Idaho
83320

MICROFILMED

MAR 12 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 30, 1989

RE: PERMIT NO. _____

Dear PERMIT HOLDER:

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

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

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

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

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

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4.2,3. and Section 42-221F, Idaho Code.

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

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

FILED

MAR 12 1990

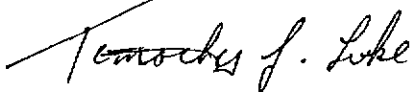
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 334-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

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

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

Sincerely,

A handwritten signature in cursive script that reads "Timothy F. Luke".

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

MAR 12 1990

INTER-DEPARTMENT MEMO — 1

FROM *Glen*

DATE 1-23-88

TO *Rito*

~~SUBJECT~~ - Let's not corresp w/ permit holder
on 37-76184 & 37-7620, since dept will
be reprocessing permits soon.
- Prior corresp. w/ permit holder
may confuse the matter further.



SIGNATURE

Carey Idaho
Nov. 27, 1987

Department of Water Resources
Boise, Idaho.

RECEIVED

NOV 30 1987

Chief, Operations Bureau
L. Glen Saffron

Department of Water Resources

Dear Sir

In regards to your letter of November 10th about the request for extension of time on permits No. 37-7618 and 37-7620, I was under the impression that when that department representative was here that he and Milford had discussed what could be done so I didn't realize I had to make out another report until I received your letter of the 10th.

Milford and I have been trying to decide what further work we could do toward this permit extension. It costs a great deal of money to do what really needs to be done, and with the power company raising the cost of pumping every year that has been a problem.

MICROFILMED

MAR 12, 1990

Our original plan was to divert the waters of Huff Creek into a pond called the middle pond or water pond, by piping it to there with a pump, and build up the middle pond to hold that amount of water - which now holds 160 acre feet. The one problem

is the water doesn't hold good in that pond - so would require alot of work and expence to make it do so. By doing this they felt a gravity flow system would work to water the 400 acres on the wheathy place without having the extra expence of the extra pump as we do now.

We drilled a well which you have knowledge of and have the power to it and have used it several years but the lose of water to get it to the wheathy place is so great that it costs more in power now than the benefit we get from its use. So we do not use it unless we have water shortage as we had this year. If it were in a pipe line along with the Huff Creek water and not to have to use the well only on short years I am sure this would pay and have plenty of water.

But after talking to your representative Melford feels we could build up the wheathy pond to its full capacity and still have water.

So for the time being we just need the permit for the well already drilled and right to build smaller ponds for pumping along Huff Creek until we can afford to get the pipe required to

MICROFILMED

MAR 12 1990

do the pipe line to the wheatly place.
Thank you.

Sincerely
Mrs. Mildred Sweet

MICROFILMED

MAR 12 1990

November 10, 1987

Milford Sweat
P.O. Box 234
Carey, ID 83220

Dear Mr. Sweat:

RE: Permit Nos. 37-7618 and 37-7620 - Requests for Extension of Time

NOTICE OF PENDING DENIAL

On October 6, 1987, the department corresponded with you and requested certain information in connection with the above referenced permits. Enclosed is a copy of that correspondence, since you have not responded to the letter.

Please provide the requested information within thirty (30) days. If the information is not provided in this time frame, the requests for extension of time in connection with the permits will be denied.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Encl: 1

c: S. Region

MICROFILMED

MAR 12 1990

CONVERSATION MEMORANDUM

Date 10-5-87 File # 2000000000

NAME OF PARTY Allen Mawitt

EMPLOYEE Allen Mawitt

RE 2000000000

Allen called after visiting the above
stream station at about 10 am. H
Standard depth = 9.1'
Hydraulic depth = 7.5'
Stream width and cross
section - rebuild and cross section
to build it out and increase flow.
B. R. R. and gravel to remove stage
around under way also is built due to
act.

Report 37-2367

MICROFILMED
MAR 12 1990

October 6, 1987

Milford Sweat
P.O. Box 234
Carey, ID 83220

RE: PERMITS 37-7618 AND 37-7620 - REQUESTS FOR EXTENSION OF TIME

Dear Mr. Sweat:

The department has reviewed the requests for extension of time submitted in connection with the above referenced permits and seeks clarification relative to the development accomplished to date under each permit.

Permit 37-7618 proposes the storage of 620 acre-feet of water from Huff Creek to be stored in the Middle Reservoir and in the Wheatley Reservoir.

Permit 37-7620 proposes to divert 700 acre-feet of water from a well and to store the water in Middle Reservoir and in the Wheatley Reservoir. The previous extension approved in September 1982 indicates the well has been drilled.

Department records show that license 37-2777/R-811 was issued to Bert Wheatley on February 4, 1954. The license also shows the following information:

Priority:	May 12, 1948
Amount:	80 acre-feet
Source:	Huff Creek
Point of outlet:	SE1/4NW1/4 Sec. 10, T1S, R22E, B.M.
Place of use:	70 acres in parts of Sec 10 and 15, T1S, R22E, B.M.

On October 5, 1987 a department representative visited the Wheatley Reservoir site and reported that the storage capacity of the reservoir is substantially less than the 80 acre-feet volume which is already licensed. He also reported that the development of additional storage capacity at the site would be difficult, at best, due to the nature of the site.

MICROFILMED

MAR 12 1990

October 6, 1987

In the department's consideration of the pending extension of time requests, the department needs to specifically know of the development which has occurred under each permit that is in addition to the development already licensed. The department also requests a specific description of remaining work to be accomplished and a time table in which to accomplish this work.

Please forward the requested information within thirty (30) days in order for the department to further consider the requests. Feel free to contact this office if you have questions.

Sincerely,

RITA I. FLECK
Secretary/Records Mgr.

c: S. Region

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MAR 12 1990

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 37-7620

Reviewed by [Signature]

Date 9-21-1987

BASIC INFORMATION

- 4 Date stamp received
4 Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
4 Fee received and receipted - Fee received w/pt. not receipted until 9-14-87
4 Name and signature same as permit (an oversight)
2 Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- Has adequate work been completed to demonstrate due diligence?
- Has the cost incurred been adequate to demonstrate an intent to complete the project?
4 Has the permit been involved in litigation?
 a. Swan Falls Yes Dismissed from Swan Falls No
 Other Identify
 b. Is supporting documentation needed to complete the file? Requested
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- No Is delay by a government agency?
 Is supporting documentation needed to complete the file? Requested?

ACTION TAKEN - Per suggestion from Allen, the Dept. will extend them for three years based on litigation

Special conditions or remarks:

1/A Reinstatement Date extension received _____ = _____
 Proof due date _____ = _____
 No. of days late _____ = _____
 Priority date _____ = + _____
 ADJUSTED PRIORITY DATE _____ = _____

____ Prepare coding sheet
 ____ Change rolodex cardf



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN R. Keith Higginson
Director

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

EXTENSION OF TIME

September 17, 1987

Milford & Catherine Sweat
P. O. Box 234
Carey, ID 83320

PERMIT NO. 37-7620, 37-7618

We are in receipt of the \$30 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

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

Enclosed is our receipt No. 44591.

Roberta Garrett
Records Supervisor

Enclosure

RECORDED

MAR 12 1990

138697
CERTIFIED MAIL
June 30, 1987

SWEAT, MILFORD & CATHERINE
P.O. BOX 234
CAREY, ID 83320

PROOF DUE NOTICE

RE: Permit No. 37-7620

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1987. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 12 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

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

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

MAR 12 1990

September 21, 1982

Milford &/or Catherine Sweat
Box 234
Carey, ID 83320

Dear Mr. and Mrs. Sweat:

Re: Permit No. 37-7620

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

Sincerely,

RITA I. FLECK
Sr. Secretary

Enc: Ext. of Time



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

September 2, 1982

Milford or Catherine Sweat
Box 234
Carey, ID 83320

PERMIT NO. 37-7620

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

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

Enclosed is our receipt No. **24664.**

Roberta Garrett
Records Supervisor

Enclosure

RECEIVED
SEP 10 1982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

SWEAT, MILFORD & CATHERINE
CAREY, ID 83320

138236

JUNE 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7620 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

RECEIVED
JUN 30 1982
DEPT. OF WATER RESOURCES
BOISE, IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

February 24, 1982

Dear Wateruser:

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

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

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

Sincerely,

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

DRT:jg

Enclosures

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

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

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

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

RECEIVED

APR 10 1978

Department of Water Resources

FARMERS HOME ADMINISTRATION
P. O. Box 684
Shoshone, Idaho 83352
April 4, 1978

File

STATE OF IDAHO
Department of Water Resources
Statehouse
Boise, Idaho 83701

Re: Milford Sweat, Carey, Idaho

Gentlemen:

Please be advised that the Farmers Home Administration has this date placed a mortgage on the real property owned by the above named individual, as well as on State of Idaho Well License No. 37-2767 Well Permit No. 37-7367 and Well Permit No. 37-7620, and that because of said mortgage the owners cannot assign or transfer the aforementioned water license or well permits to another party.

Very truly yours,

FARMERS HOME ADMINISTRATION

Harold R. Turner
Harold R. Turner
County Supervisor

RECORDED

September 19, 1977

Re: Permit No. 37-7620

Milford &/or Catherine Sweat
Carey, ID 83320

Dear Mr. and Mrs. Sweat:

Enclosed is a copy of your approved Application for Permit No. 37-7620 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-7620 - Milford &/or Catherine Sweat

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

(1) JP 6-27-77

In form to receipt

(2) _____

Send Copies to:

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

(3) _____

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

(4) JS 6-28-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) ADM 7-27-77

Critical groundwater area: yes _____ no ☒

(8) ADM 7-27-77

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) JP 7/19/77

Affidavit of Publication received (date) 7/19/77

(12) Am 6/28/77

Final date for protests 7/25/77

Protests received: yes _____ no ☒

(13) ADM 7-27-77

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

(14) ADM 7-27-77

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction

☒ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

By Allen D. Merrill Date 7-27-77

For Regional Supervisor

☒ Special condition for
Submission of Application
for Construction of Dam
Pursuant to Sec.

42-1712
~~Allen Robertson~~ has taken
care of the above. Do not
put on permit.

(15) District Southern

cc: sent to Boise 6/28/77

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT.

Notice is hereby given that Milford &/or Catherine Sweat
Carey, ID 83320
has on 6/2/77 submitted Application No. 37-7620
for a permit to appropriate 7.0 cubic feet per second ~~xxxxxxx~~ per annum
of water from groundwater
by means of well, reservoir, pump, gravity flow, sprinklers
within the Lot 3 & 4, Sec. 2, Twp. 1S, Rge. 22E., B.M., Blaine County

to be used from Apr. 1 to Nov. 1 for irrigation purposes of 799.5 acres and
~~for~~ from Jan. 1 to Dec. 31 for storage purposes

within the ~~xxx~~ Lot 3, 4 & 2, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2; S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3; W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 15, Twp. 1S, Rge. 22E., B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or be-
fore July 25, 1977.

C. Stephen Allred

Director

Published in the Wood River Journal

on 7/7 and 7/14/77

REPROFITMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

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

June 27, 1977

Wood River Journal
P. O. Box 988
Hailey, ID 83333

Re: Application for Permit No. 37-7632 - The Odmark Co.
" " " No. 37-7633 - Dean R. Rogers, Inc.
" " " No. 37-7620 - Molford &/or Catherine Sweat
" " " No. 37-7618 - Milford &/or Catherine Sweat
" " " No. 37-7630 - J. Leon Peck &/or Walter L. Peck
&/or Earle Baird

Gentlemen:

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

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

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enclosures

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