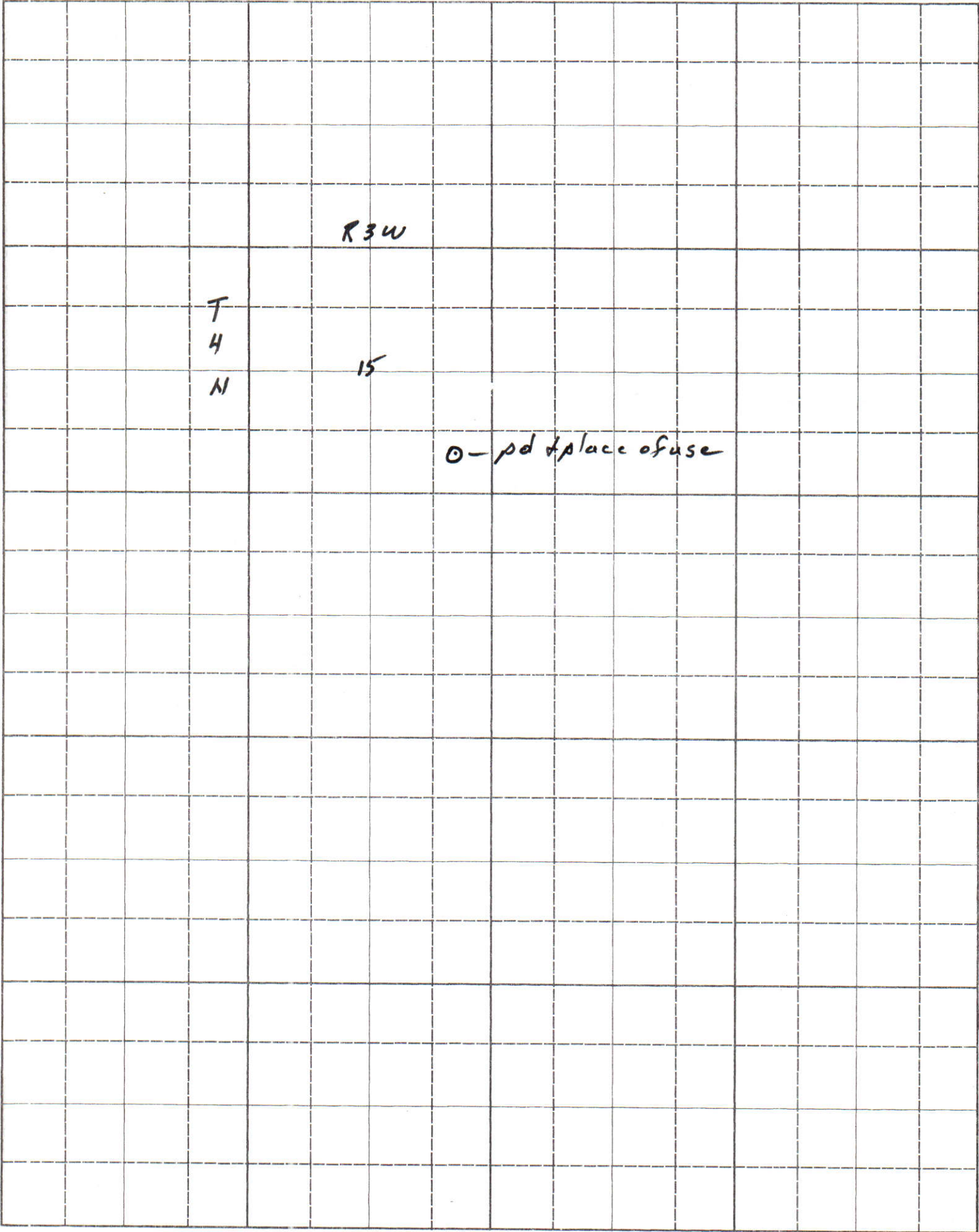


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

MICROFILMED

Frank Wallmorth
(Applicant)

RECEIVED

JUL 24 1981

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Benkert

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

July 16, 23, 1981

Suzanne Benkert

Subscribed and sworn to before me this 23rd day of July

19 81

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

63-9759

WILLMORTH, FRANK M. &/or ALYCE L.
1004 N. ILLINOIS, CALDWELL, Idaho 83605

Source: GROUNDWATER

Date Filed: July 1, 1981

Amount: 0.05 CFS

Diversion Point: SESE Sec 15 T 4N R 3W, CANYON County

Use: IRRIGATION (0.05 CFS) from March 15 to November 15

Place of Use: SESE Sec 15 T 4N R 3W FOR 2 ACRES

Diversion Means: WELL, PUMP & GRAVITY IRR.

63-4805

WAGNER, JOE P. &/or ADA G.

RT. 3 BOX 3147, PARMA, Idaho 83660

Source: SCOTT DRAIN tributary to SOUTH BOISE DRAIN

NORTH ALKALI DRAIN tributary to SOUTH BOISE DRAIN

Priority Date: May 1, 1939

Amount: 1.53 CFS

Diversion Point: NWNE Sec 14 T 5N R 6W, CANYON County

Use: IRRIGATION (1.50 CFS) from April 1 to November 15

STOCKWATER (0.03 CFS) from January 1 to December 31

Place of Use: NWNE Sec 14 T 5N R 6W, FOR 37 ACRES

Diversion Means: PUMP & GRAVITY DITCH

If issued, the permits will be subject to all prior water rights.

Protests against the granting of any permit must be filed with

the Director of the Idaho Department of Water Resources, 92 S.

Cole Road, Boise, Idaho 83709 on or before AUGUST 3, 1981.

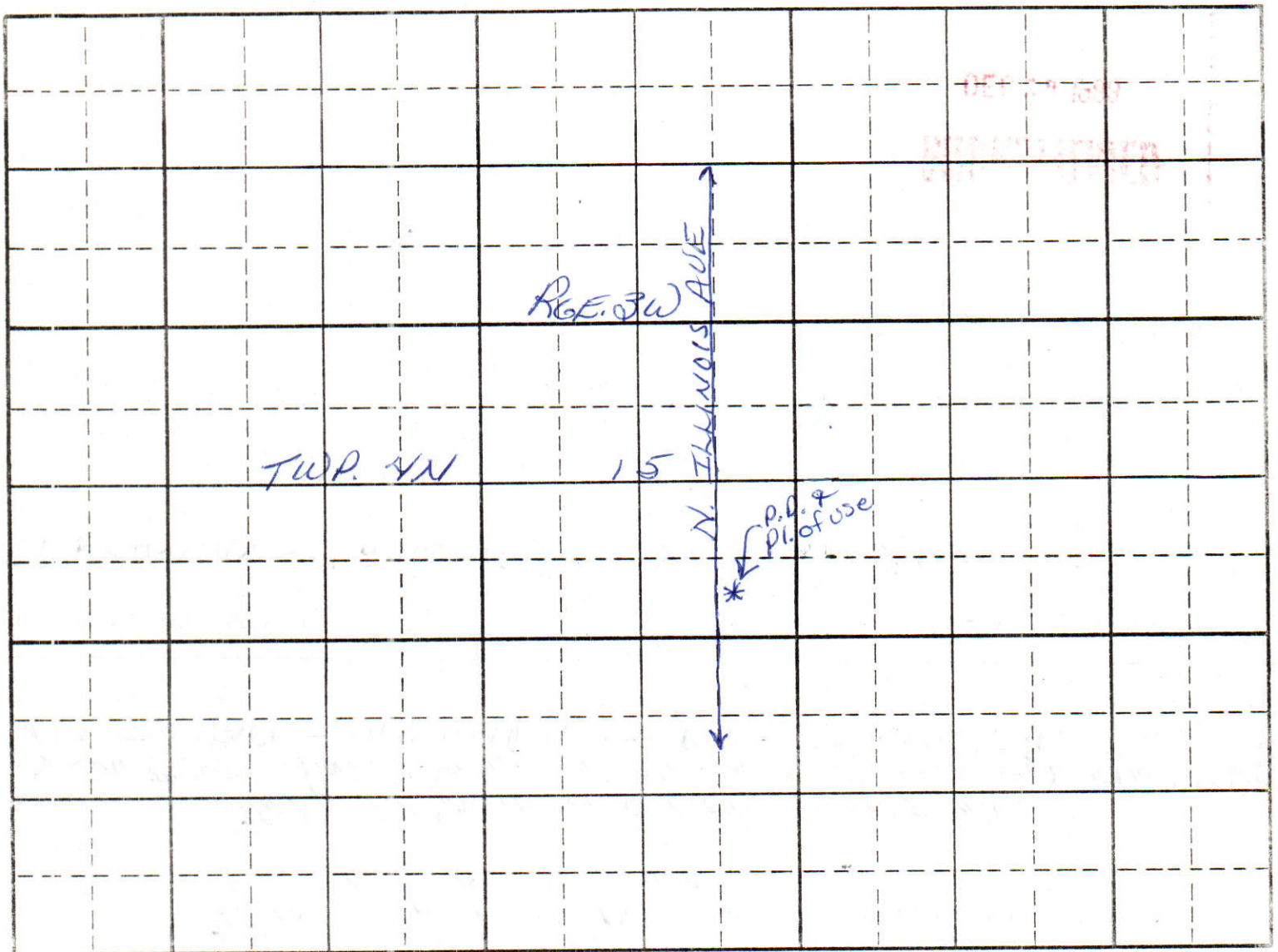
A. KENNETH DUNN

Director

July 16, 23, 1981

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 SE 1/4, SEC. 15, TWP. 4N, RGE. 3W.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	3W	15																2	2

Recommended Amendments:

- ☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
 ☒ None
- ☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

MICROFILMED

DEC 20 1988

Jan. Glover
645

11/3/83
2/26/85

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09759

Priority: July 1, 1981 Amount: 0.05 CFS 9.0 AFA

This is to certify, that FRANK M. WILLMORTH
ALYCE L. WILLMORTH

1004 N. ILLINOIS
CALDWELL, ID 83605

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated July 1, 1981, and has submitted proof to the Department of Water Resources on October 2, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .050 cfs of water from a **GROUNDWATER** source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.05 CFS	9.0 AFA

LOCATION OF POINT OF DIVERSION(S): SESE , Sec. 15, Township 04N, Range 03W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 03W 15	SESE 2			2

Total number of acres irrigated: 2

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 12TH day of DECEMBER, 1988.

Acting for the

Director

MICROFILMED

DEC 20 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Frank M. &/or Alyce L. Willmorth Phone 459-3155

Post office address 1004 N. Illinois, Caldwell, ID 83605

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 4N

Range 3W B.M. Canyon County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .05 cfs for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. .05 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well with pump.

1 HP pump - gravity irrigation.

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

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

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

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

8. Description of proposed uses:

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

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

Range _____ B.M. _____

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

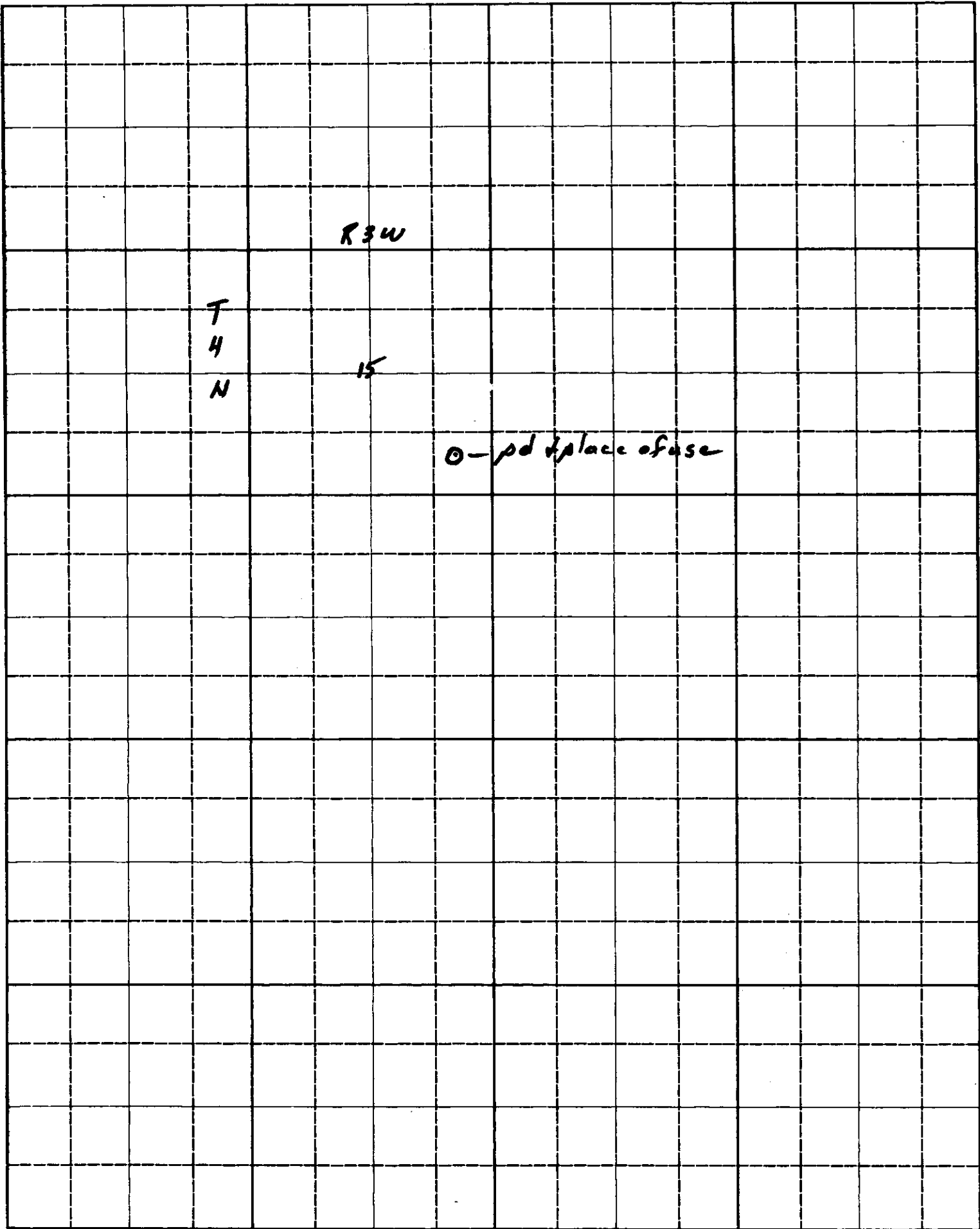
(3) List number of each kind of livestock to be watered _____

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

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

RECORDED
INDEXED

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



Scale: 2 inches equal 1 mile.

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

MICROFILMED

Frank Wallmorth
(Applicant)

Proposed Priority 7/1/1981

Received by JKN Date 7/1/81 Time 4:00 PM

Preliminary check by GLS Fee \$ 30.00 + 195.11

Received by J. P Date 7/1/81

Publication prepared by VR Date 7-9-81

Published in Press- Tribune

Publication dates 7/16/81 & 7/23/81

Publication approved VR Date 8-3-81

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by GLS RC

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. 63-9759, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 82.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

Witness my hand this 15th day of September, 1981.

J. Glen Saylor
Chief, Operations Bureau

MICROFILMED

RECEIVED

JUL 24 1981

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Benkert

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

July 16, 23, 1981

Suzanne Benkert

Subscribed and sworn to before me this 23rd

day of July

19 81

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

MICROFILMED

December 13, 1988

FRANK M. WILLMORTH
ALYCE L. WILLMORTH
1004 N. ILLINOIS
CALDWELL, ID 83605

RE: PERMIT NO. 63-09759

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

DEC 20 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

FEB 27 1985

63-9759

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	11/19/81	jp	no appointment made
☐ Telephone call made: (List Telephone No. used)	6/16/82	JG	
	159-3155		
☐ Appointment scheduled for: (Date, time, location)	6/16/82	JG	
	N. ILLINOIS AVE.		

EXAMINATION

Date 6/16/82 Accompanied by MR. WILLMORTH Total Q measured CALC.
If source is surface water, estimate total flow of source _____
Methods of measurement CALC. Meets Permit requirements? OK

Measurement calculations:

$$\frac{3/4 \text{ HP} \times .80 \times 8.8}{20' + (40 \text{ PSI} \div .4333)} = 0.047 \text{ cfs}$$

$$2 \text{ AC} \times 4.5 - 9.0 \text{ AFA/ANN}$$

$$1.98 \times 2.15 \times 0.05 = 21.3 \text{ AFA/ANN}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	3/4	ADSMITH	A 74	NOT VISIBLE		SUBMERGED.		
			MODEL # C48K2DA11A7					

System Description 3/4 HP ADSMITH ELEC. MOTOR, SINGLE PHASE.
SERIAL # A74, MODEL # C48K2DA11A7 INTO 2" MAIN - OVERFLOW VALVE
INTO STOCK TANK - 36d. CATTLE PLUS - Pump set at 20'. Pressure set at

*Code with map on reverse side. Disregard code if only one.

40 psi

RECOMMENDED AMOUNTS

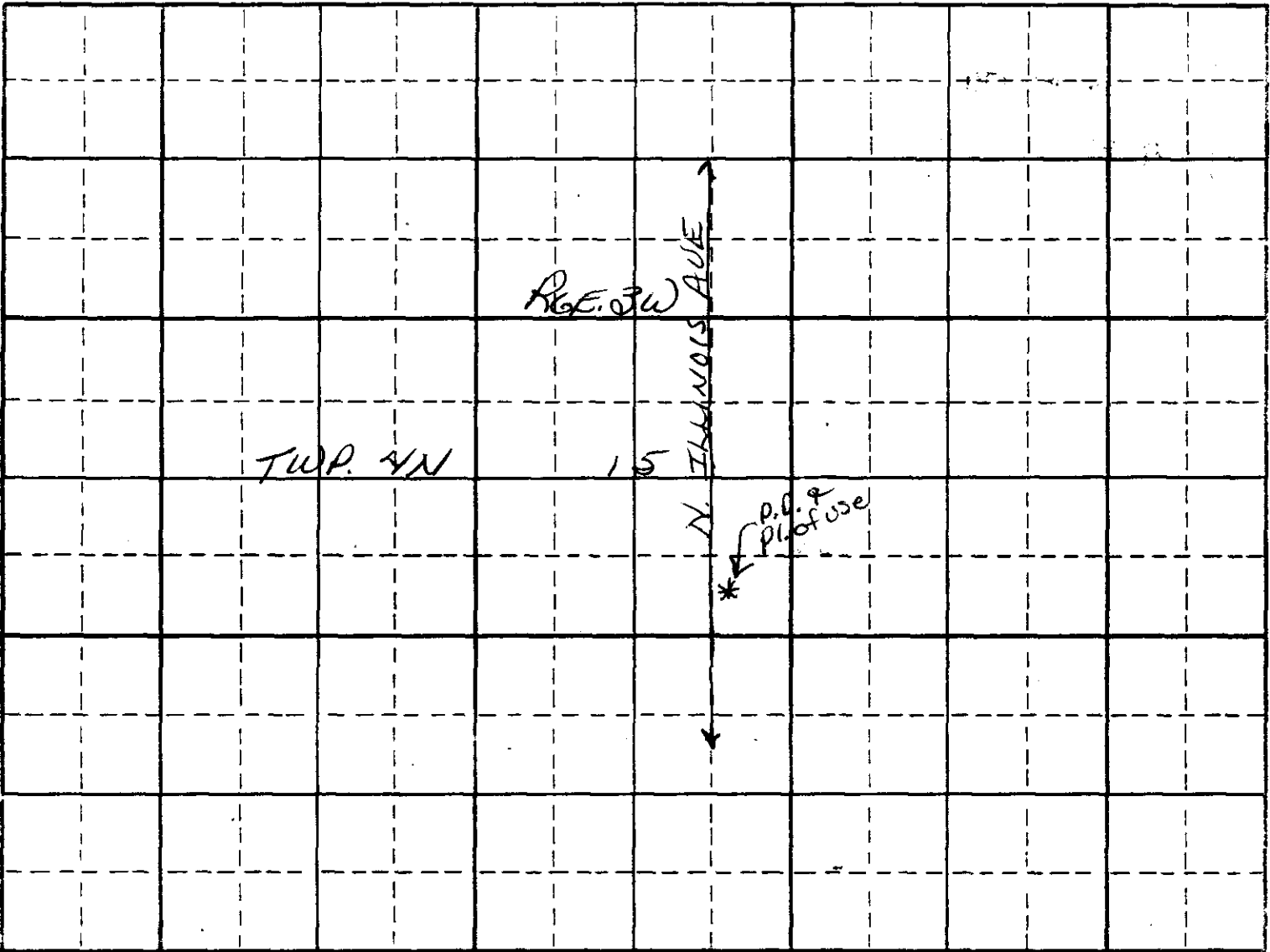
USE	Q (cfs)	V (afa)	FROM	TO
IRRIGATION - 1 1/2 AC - (2)	0.05	9.0 AF	5/15	11/15
Total	0.05	9.0 AF		

Remarks

MICROFILMED

DEC 23 1988

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 SE 1/4, SEC. 15, TWP. 4N, RGE. 3W.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	3W	15																2	2

MICROFILMED

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

DEC 10 1988

Examiner's Signature Jan. Glover
Checked by 6hs
Approved by _____

Date 11/3/83
Date 2/26/85
Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

A. Kenneth Dunn

Director

(208) 334-2190

November 20, 1981

Frank M. &/or Alyce L. Willmorth
1004 N. Illinois
Caldwell, Idaho 83605

RE: 63-9759

Dear Mr. and Mrs. Willmorth:

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

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

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

Sincerely,

Judy Pense

Judy Pense
Secretary

RECEIVED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-9759

Name(s) of Permit Holder: Frank M. & Alvera A.

Post Office Address: 8004 N. Illinois

Caldwell, Ida. 83605 Tel. No. 459-3155

Source of Water: Groundwater

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 1.7 (acres)
☐ Other

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

Access: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

6/11/81
Date

Frank M. & Alvera A.
Signature of Permit Holder

FRANK WILLMORTH
1004 N ILLINOIS AV-
CALDWELL ID 83605



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



MICROFILMED



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 25, 1981

RE: Permit No. 63-9759

Frank M. &/or Alyce L. Willmorth
1004 N. Illinois,
Caldwell, ID 83605

Dear Mr. and Mrs. Willmorth:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the Supreme Court's review of the case of Idaho Power Company vs. State of Idaho, et al., Ada County Civil No. 62237, currently being appealed to the Supreme Court of Idaho. Since the use of water under your permit may affect the flows in the Snake River between Milner Dam and Hells Canyon the final decision in this case may determine to what extent the exercise of your permit is subject to water rights of Idaho Power. While the Supreme Court is reviewing this case, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or subsequent license.

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

Sincerely,

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

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: GLS

APPLICATION NUMBER: 63-9759

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. None
☒ Yes ☐ No* In form for advertising.
Final date for protests: August 3, 1981
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-24-81
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 3000.00 11511 7-1-81
☒ Publication dates and paper, recorded on application. 7-16-23-81 Press Trib
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 7/11/81 Date of priority recommended.
Special conditions of approval or cover letter. Letter

By: GLS Date: 8/19/81

STATE OFFICE REVIEW: Con item 8b

☐ See attached sheet for more information.
By: Rolyn Date: 9/1/81

63-9259-

WILLMORTH, FRANK M. &/or ALYCE L.

1004 N. ILLINOIS, CALDWELL, ID 83605

Source: GROUNDWATER

Date Filed: 07/01/1981

Amount: 0.05 CFS

Diversion Point: SESE Sec 15 T 04N R 03W, CANYON Co.

Use: IRRIGATION (0.05 CFS) from 03/15 to 11/15

Place of Use: SESE Sec 15 T 04N R 03W FOR 2 ACRES

Diversion Means: WELL, PUMP & GRAVITY IRR.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JULY 9, 1981

Idaho Press-Tribune
Box 88
Nampa, ID 83651

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 AUGUST 3, 1981.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before AUGUST 3, 1981.

A. KENNETH DUNN

Director

Published 7/16 & 7/23/81.

MICROFILMED