

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-07668

RECEIVED

MAY 13 2003

Department of Water Resources
Southern Region

Priority: November 07, 1989

Maximum Diversion Rate: 0.50 CFS

It is hereby certified that HEWARD LANDS LTD

686 S 450 E

BURLEY ID 83318 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated November 07, 1989; and has submitted Proof of Beneficial Use on April 21, 1993. An examination indicates that the works have a diversion capacity of 6.0 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

DIVERSION RATE

0.50 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, Twp 11S, Rge 24E, B.M., CASSIA County

GROUND WATER L4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 30, Twp 11S, Rge 24E, B.M., CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	23E	25															4.0	21.0	25.0

Total Acres: 25

CONDITIONS OF APPROVAL

1. Rights 45-07155 and 45-07166B are also diverted through the points of diversion described above.
2. Rights 45-07155, 45-07166B and 45-07668 when combined shall not exceed a total diversion rate of 6.0 cfs.
3. 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 100.0 af at the field headgate for the lands above.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

45-7668

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 45-07668

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. 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.
7. 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 9th day of May, 2003.


for KARL J. DREHER
Director

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APR 22 1993

APR 21 1993

OFFICE USE ONLY
Amt. of Fee \$ 225.00
Date 4-21-93
Receipt No. 5015654
Receipt by gc/attDepartment of Water Resources
Southern Region OfficeSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 45-07668 Telephone No. 678-70872. Name(s) of Permit Holder(s): Wrigley Burgess Heward Partnership3. Mailing Address: C/o Gerald Heward, Rt. 3 Box 3621, Burley, ID 838184. Source of Water: GroundwaterIf GROUNDWATER, Well Driller's Name: Sherman Coach Date Drilled: 1995
Sten Lloyd 1991OPTIONAL: 500
Pump horsepower: 300 Pressure (psi): 55-60 Dynamic pumping level (ft.): 490
400

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

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

Irrigation 671 (No. of acres) Other _____6. Total rate and/or volume for which proof is submitted 6.0 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes NO Installed? _____ Yes ✓ NoFlow Measurement Port: Required? ✓ Yes OR ✓ No Installed? _____ Yes ✓ No8. Fee Enclosed: \$ 225.00 (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 William A. Heward Telephone No. 678-7740Address Rt. 3, Burley, ID

MAY 21 1993

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.

4-21-93
DateGerald B. Heward (owner + partner)
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) ORDER
MEASURING DEVICE CONDITION)
OF APPROVAL FOR PERMIT NO.45-07668)
IN THE NAME OF WRIGLEY BURGESS HEWARD)
PARTNERSHIP)

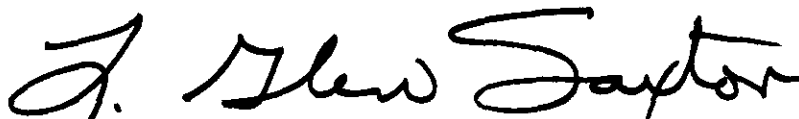
WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a flow measurement port or other device to facilitate the measurement and determination of the rate of diversion by the department;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

Dated this 22nd day of April, 1993.



L. GLEN SAXTON
Chief, Water Allocation Bureau

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MAY 21 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 45-07668

Proposed Priority: November 7, 1989 Maximum Diversion Rate: 6.00 CFS
This is to certify, that **WRIGLEY BURGESS HEWARD PARTNERSHIP**
C/O GERALD HEWARD
RT.3 BOX 3621
BURLEY, ID 83318

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	6.00 CFS

LOCATION OF POINT(S) OF DIVERSION: SENW Sec. 31, Township 11S, Range 24E
LOT 4(SWSW), Sec. 30, Township 11S, Range 24E
CASSIA County

<u>PLACE OF USE:</u> IRRIGATION								
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
11S	23E	25	SWSW 7	SESW 1	SWSE 10			
			SESE 22				40	
		36	NENW 40	NWNW 40	SWNW 10			
			SESW 20	NESE 35	SESE 35		180	
24E	30		SWSW 6	SESW 30			36	
		31	NWNE 39	SWNE 40	NESW 40			
			NWSW 39	SWSW 38	SESW 39		235	
12S	23E	1	NENE 25	SENE 25	NESE 40			
			NWSE 35	SWSE 35	SESE 40		200	

Total number of acres irrigated: 691

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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State of Idaho
Department of Water Resources**Permit To Appropriate Water**

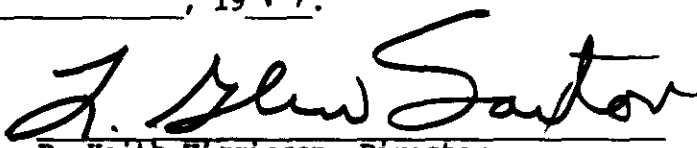
NO. 45-07668

CONDITIONS/REMARKS:

6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

12th day of June, 1991.


R. Keith Higginson, Director
for

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JUL 21 1991

SF

Ident. No. 45-07668

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Gerald B. Heward &/or Wrigley/Burgess/Heward Partnership Phone 678-7087

Post office address c/o Gerald Heward, Rt. 3 Box 3621, Burley, ID 83318

2. Source of water supply Groundwater which is a tributary of E.H. 1-8-90

3. Location of point of diversion is 1/4 of SW 1/4 of SW 1/4 Govt. Lot 4

Sec. 30 Township 11S Range 24E B.M. Cassia County; additional

points of diversion if any: SE 1/4 NW 1/4 Sec. 31 R/ T. 11S R. 24E

4. Water will be used for the following purposes:

Amount 6.0cfs for Irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 6.0 and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 1 existing & 1 new well, pumps,
sprinklers

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive.

c. Proposed well diameter is 20 inches; proposed depth of well is 400 feet.

d. Is ground water with a temperature of greater than 90°F being sought?

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

Per Telecon 5-30-91
Partners - Rick Wrigley
Jack Burgess
Gerald Heward

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JUL 21 1991

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	23E	25											7	1			10	22	40
		36					40	40	10	20					35			35	180
	24E	30											6	30					36
		31			39	40					40	39	38	39					235
12S	23E	1	25 / 40			25 / 40									40 8	35	35	40	200

Total number of acres to be irrigated 691

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

Permit 45-07166

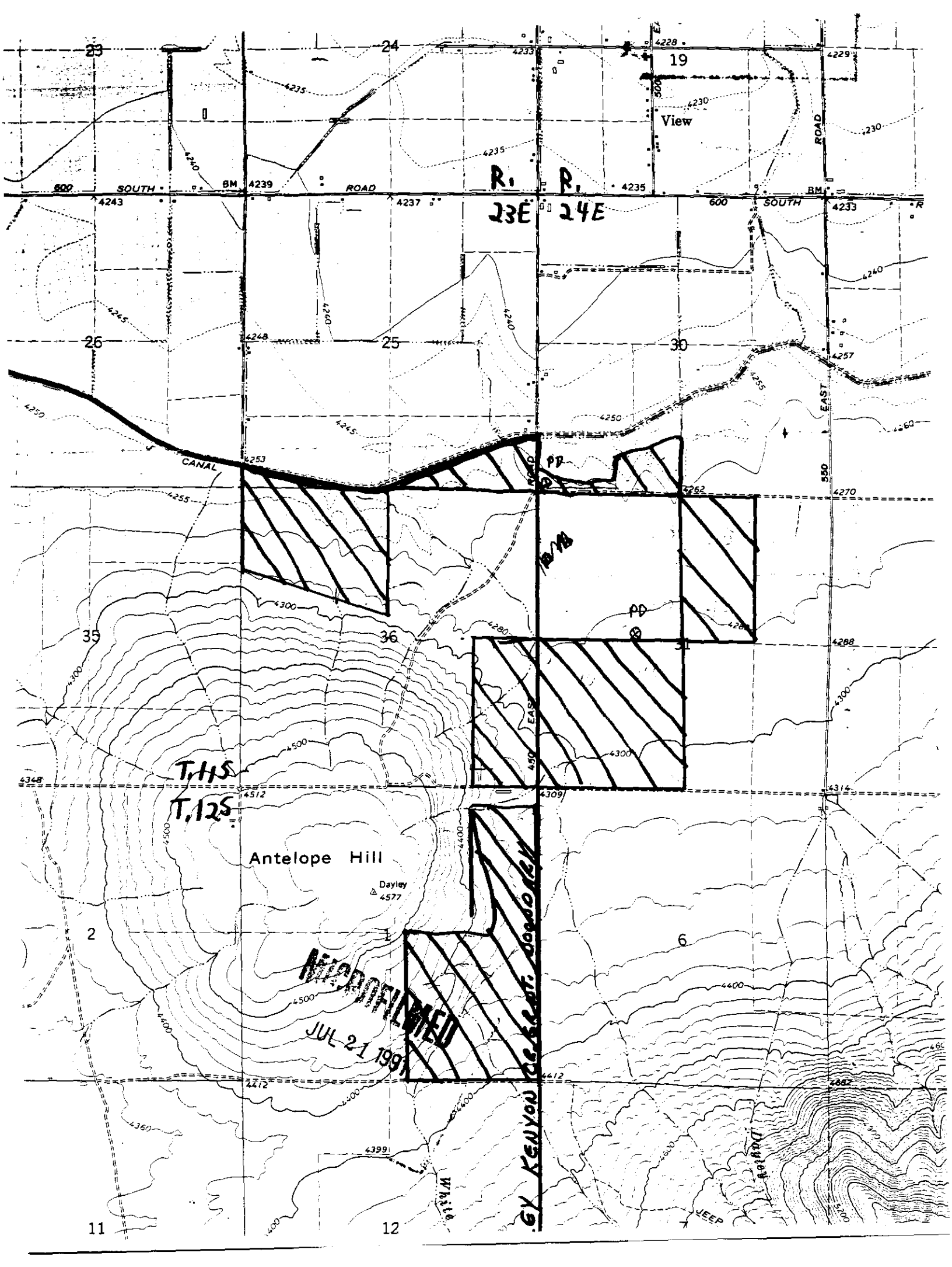
11. a. Who owns the property at the point of diversion? Gerald Heward

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

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

12. Remarks: Purpose of application is to obtain water for dry ground owned by Gerald Heward, and to obtain additional water for other lands covered by Permit 45-7166. Proof of beneficial use was filed on permit in 1986, so more water can be developed under that permit. More water is needed to properly irrigate all the land under this system, although we are getting by with the present water supply.

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T. 11S
T. 12S

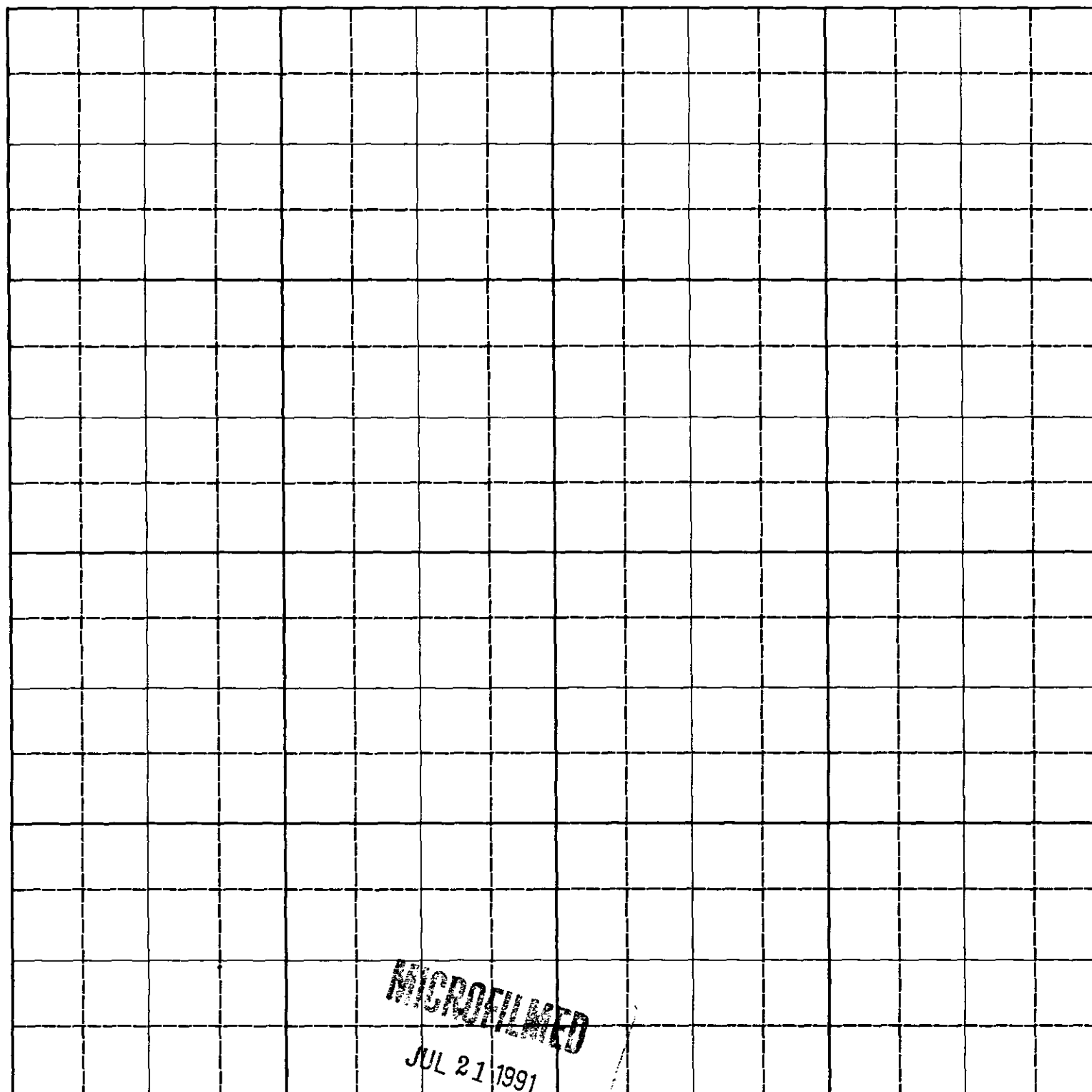
Antelope Hill

Dayley
4577

AIR PHOTO FILMED
JUL 21 1991

GY KENYON DE SECT. 2000 10/10

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



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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.

Genal B. Howard
(Applicant)

Received by J. Stanton Date 11-7-89 Time 4 pm Preliminary check by DRS
Fee \$ 145⁰⁰ Receipted by JL # 5010395 Date 11-7-89
Publication prepared by BLM Date 3-26-91 Published in South Idaho Press
Publication approved TJL Date 5-16-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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JUL 21 1991

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

MONIQUE SOWES being first
duly sworn, deposes and says that she
is the CLERK of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
therein. Deponent further states that the
printed notice attached hereto was duly
published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated May 3 19 91, and
ending with the issue dated May 10,
19 91. Monique Jones

STATE OF IDAHO }
COUNTY OF CASSIA }

On this 15 day of May in the year of 1991, before me,
a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Robert M. [Signature]
Notary Public for Idaho

Residing at Burley ID

My commission expires: 2/4/92

Cost of Publication: 24.84
Notary Fee: .50
Total Cost: 25.34

RECORDED
JUL 21 1991

WRIGLEY BURGESS HEWARD PART-
NERSHIP

C/O GERALD HEWARD
RT. 3 BOX 3621
BURLEY, ID 83318
Source: GROUNDWATER
Diversion Pt: SENW Sec 31 T 11S R 24E
LOT 4 (SWSW) Sec 30 T 11S R 24E
Use: IRRIGATION (8,000 CFS)
Total Diversion: (8,000 CFS)
Dated Filed 11/7/1989
In T11S R23E S25 SWSW SESW SWSE
SESE

S36 NENW NWNW SWNW SENW
NESE SESE
R24E S30 SWSW SESW
S31 NWNW SWNE NESW NWSW
SWSW SESW
T12S R23E S01 NENE SENW NESE
NWSE
SWSE SESE

691.0 ACRES TOTAL
Published in the South Idaho Press on May 3
and 10, 1991.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

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ending with the issue dated May 10,
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STATE OF IDAHO

COUNTY OF CASSIA }

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a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

William M. Mabey
Notary Public for Idaho

Residing at Sandy, ID

My commission expires: 2/4/93

Cost of Publication: 24.84

Notary Fee: .50

Total Cost: 25.34

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated April 5 19 91, and
ending with the issue dated April 12,
19 91. Monique Jones

STATE OF IDAHO }
COUNTY OF CASSIA }

On this 16 day of April in the year of 1991, before me,
a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

Drene Sanchez
Notary Public for Idaho

Residing at Burley ID

My commission expires: 10/23/96

Cost of Publication: 35.64
Notary Fee: .50
Total Cost: 36.14

RECORDED
JUL 21 1991

91-146

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT**

45-07668

WRIGLEY BURGESS HEWARD PART-
NERSHIP

C/O GERALD HEWARD

RT. 3 BOX 3621

BURLEY, ID 83318

Source: GROUNDWATER

Diversion Pt: SENW Sec 32 T 11S R 24E

LOT 4 (SWSW) Sec 31 T 11S R 24E

Use: IRRIGATION (6,000 CFS)

Total Diversion: (6,000 CFS)

Date Filed: 11/7/1989

In: T11S R23E S25 SWSW SESW SWSE

SESE

S36 NENW NWNW SWNW SENW

NESE SESE

R24E S30 SWSW SESW

S31 NWNW SWNE NESW NWSW SWSW

SESW

T12S R23E S01 NENE SENE NESE

NWSE SWSE SESE

691.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted

based on the criteria of Sec. 42-203A, Idaho
Code and/or the new public interest criteria

of Sec. 42-203C, Idaho Code. Protests must
be filed with the Director, Dept. of Water

Resources, Statehouse Mail, Boise, Idaho
83720 on or before APRIL 22, 1991.

/s/ R. Keith Higginson, Director

Published in the South Idaho Press on
April 5 and 12, 1991.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }
STATE OF IDAHO } ss.

MONIQUE JONES being first
duly sworn, deposes and says that SHE
is the OWNER of the South
Idaho Press, a daily newspaper published
at Burley, Idaho, in the county aforesaid
and that the paper is of general circulation
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published according to law in the regular
editions of The South Idaho Press for two
consecutive weeks, commencing with the
issue dated April 5 19 91, and
ending with the issue dated April 12,
19 91. Monique Jones

de-AD.
Incorporated 7/10/95
192
STATE OF IDAHO

COUNTY OF CASSIA }

On this 16 day of APRIL in the year of 1991, before me,
a Notary Public, personally appeared Monique Jones,
known or identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared that the
statements therein are true, and acknowledged to me that he executed
the same.

[Signature]
Notary Public for Idaho

Residing at Burley, Idaho

My commission expires: 12/31/96

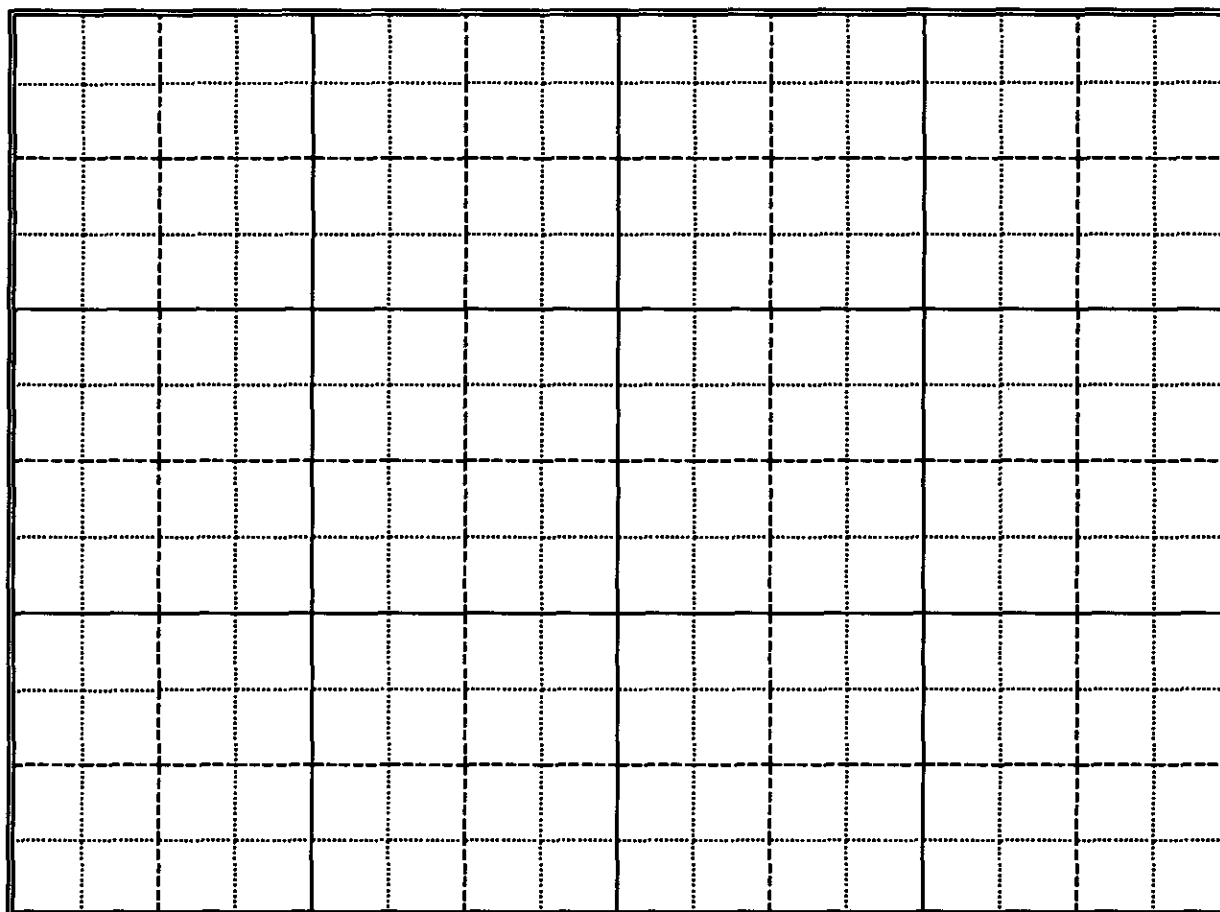
Cost of Publication: 35.64

Notary Fee: 5.00

Total Cost: 40.64

[illegible]

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
2	US Motors	300	MN 9537 270	Layke & Bowler	MP 10111
1	GE	500	EKJ501975	Auron	37571798

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic Flow Meter						April 1997

2. Measurements: Well #2 measured at 1532 gpm average of 15 readings taken over 4h 11-minute period. = 3.41 cfs.

E. NARRATIVE/REMARKS/COMMENTS

Well #1 is hooked into the system, but ran out of water some years ago. Well #2 was drilled as a replacement well to add some more land to the system. A pump in the Burley Irrigation District canal also adds water to this system, but that supply can be cut off at any time by the R.I.D.

There are up to 80 rainbirds with $9/64"$ nozzles used on the recommended p/u. At 62 psi = 4.55 gpm/head = 364 gpm = 0.81 cfs. Allow $0.02 \text{ cfs/ac} \times 30.8 \text{ ac} = 0.61 \text{ cfs}$.

Not to exceed 6.0 cfs when combined with 45-07/55 & 7/66 Part (see pending App. for Transfer #5/22), or as determined by SRBA. The licensed rate of 6.0 cfs has not been used for some time (see Emergency Transfer #4369 in 1994), so a portion of this amount - up to 2.59 cfs - may be recommended for disallowal in the SRBA.

The recommended p/u for this permit is what has been developed in addition to the licensed 773 covered by the two wells in Sec. 30, 31 & 36. Mr. Howard also talked about irrigating another 5 acres above the canal in the SW/SW Sec. 25, but ASCS data & his information showed that the 5 acres have not been irrigated in the last 5 years. So this land is not recommended for licensing. It may have been watered in the past, but power lines between Sec. 25 & 36 made it a hassle to move sprinklers onto the 5 acres (according to Mr. Howard).

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

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Measured 3.41 cfs. Allow 30.8 ac x 0.02 cfs/ac = 0.61 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 30.8 \times 4 = 123.2$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.61 \times 214 \times 1.9835 = 258.9$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = 123.2$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	0.61	123.2
Totals:			0.61	123.2

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name J. E. Stanton Date 10-16-92

Reviewer _____ Date _____

SEAL

MODE SELECT
 INPUT
 OUTER DIAMETER
 10.0461 IN
 PIPE MATERIAL
 ? CS,SS
 WALL THICKNESS
 0.1050 IN
 INNER LINING
 ? NO LING.
 KIND OF FLUID
 ? WATER
 SENSOR MOUNTING
 ? U
 TYPE OF SENSOR
 ? SMALL
 SPACING
 7.555 IN U
 ZERO MODE
 CLEAR
 07-10 11:2500 *R
 + 1.509E 3GPM
 07-10 11:2500 *R
 + 1.537E 3GPM
 07-10 11:2600 *R
 + 1.550E 3GPM
 07-10 11:2600 *R
 + 1.531E 3GPM
 07-10 11:2800 *R
 + 1.526E 3GPM
 07-10 11:2800 *R
 + 1.521E 3GPM
 07-10 11:2900 *R
 + 6.528E 0FPS
 07-10 11:2900 *R
 +002.40 % AI2
 MODE SELECT
 TO CHECK

0370.1 MMSEC
 100.70 % T0
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 AUT ZERO
 07-10 11:3500 *R
 + 1.517E 3GPM
 07-10 11:3600 *R
 + 1.523E 3GPM
 07-10 11:3600 *R
 + 1.526E 3GPM
 07-10 11:3700 *R
 + 1.531E 3GPM
 07-10 11:3800 *R
 + 1.532E 3GPM
 07-10 11:3800 *R
 + 1.539E 3GPM
 07-10 11:4000 *R
 + 1.534E 3GPM
 07-10 11:4000 *R
 + 1.529E 3GPM
 07-10 11:4000 *R
 + 1.525E 3GPM
 07-10 11:4100 *R
 + 1.539E 3GPM
 07-10 11:4200 *R
 + 1.541E 3GPM
 07-10 11:4200 *R
 + 1.544E 3GPM
 07-10 11:4400 *R
 + 1.528E 3GPM
 07-10 11:4500 *R
 + 1.535E 3GPM
 07-10 11:4600 *R
 + 1.541E 3GPM

Hewlett Well #2

Heward Wriwley well #2

Located in

SW SW SW CORNER
OF SECTION 30

TWN 11S

Rnge 24E

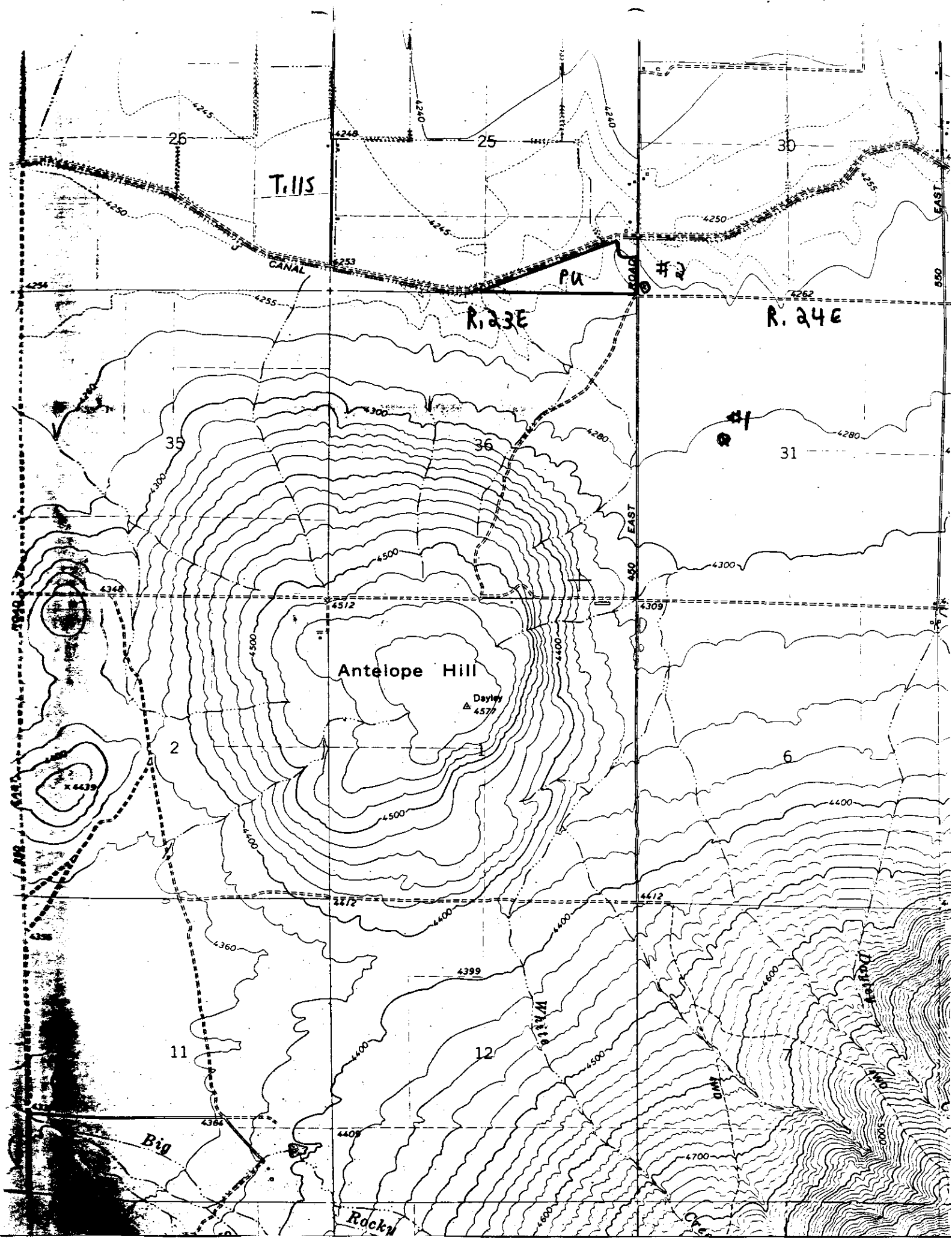
PERFORMED

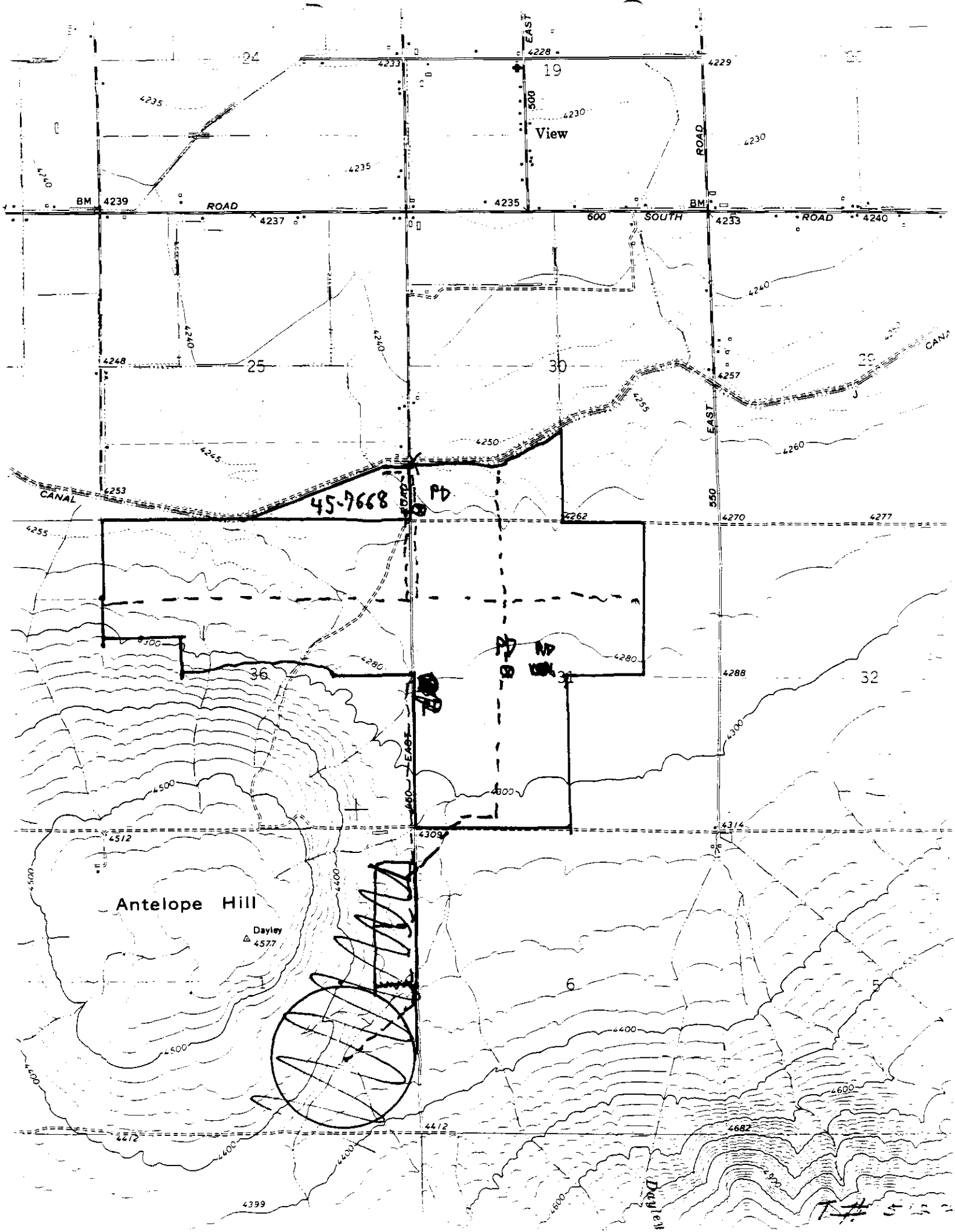
By Daniel A. Ndam

9-9-97

1417 ZPM

09-09 11:1700 *R
+ 1.263E 36PM
11:20+ 1.287E 36PM
+00000 *10 G
-00000 *10 G
11:21+ 1.279E 36PM
+00126 *10 G
-00000 *10 G
11:22+ 1.282E 36PM
+00257 *10 G
-00000 *10 G
11:23+ 1.296E 36PM
+00382 *10 G
-00000 *10 G
11:24+ 1.277E 36PM
+00513 *10 G
-00000 *10 G
11:25+ 1.279E 36PM
+00644 *10 G
-00000 *10 G
11:26+ 1.295E 36PM
+00772 *10 G
-00000 *10 G
11:27+ 1.286E 36PM
+00900 *10 G
-00000 *10 G
11:28+ 1.267E 36PM
+01030 *10 G
-00000 *10 G
11:29+ 1.276E 36PM
+01159 *10 G
-00000 *10 G
11:30+ 1.302E 36PM
+01289 *10 G
-00000 *10 G
11:31+ 1.267E 36PM
+01417 *10 G
-00000 *10 G





3.4

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T957

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30	30.3	31.5

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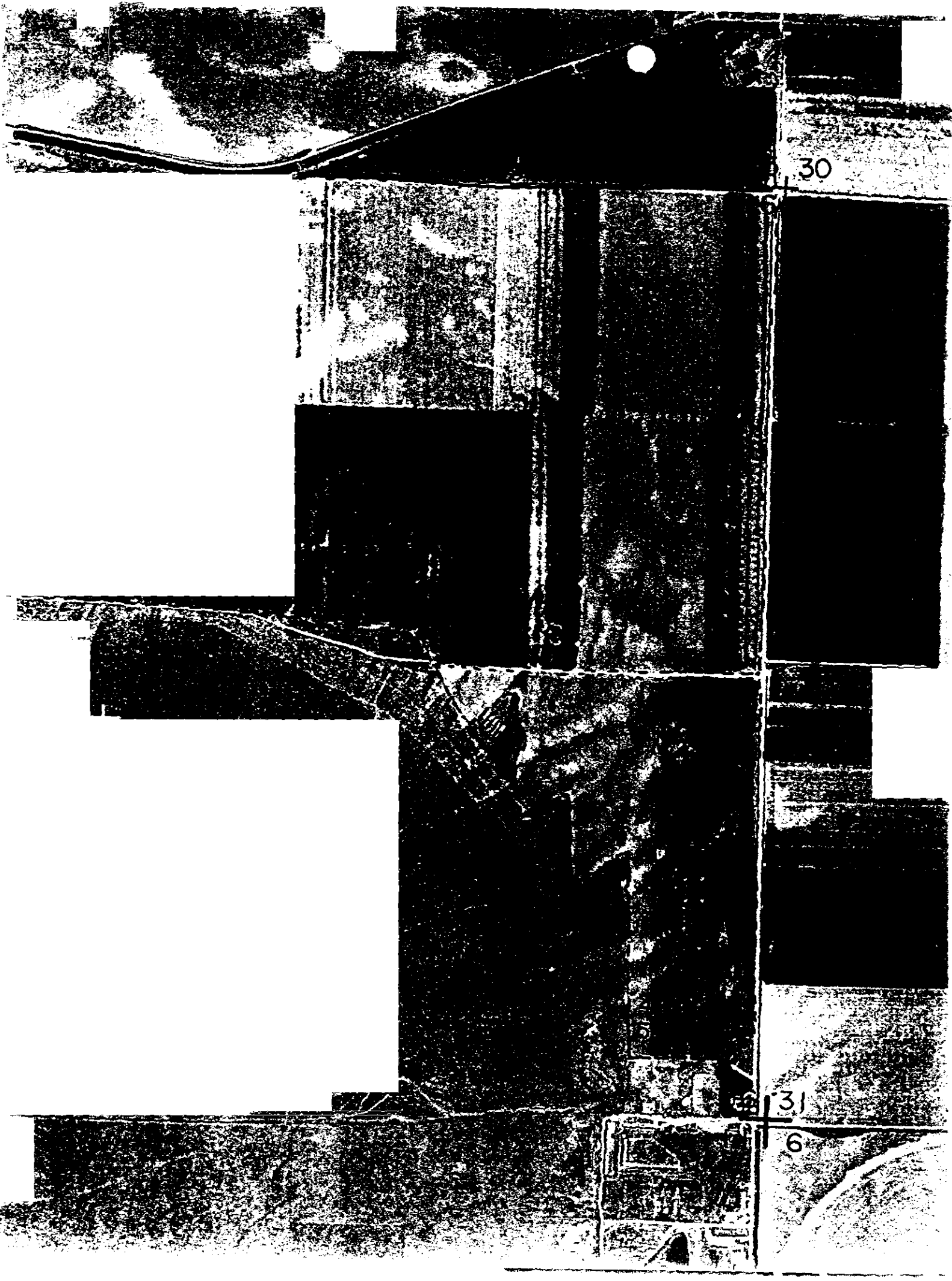
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Well #2



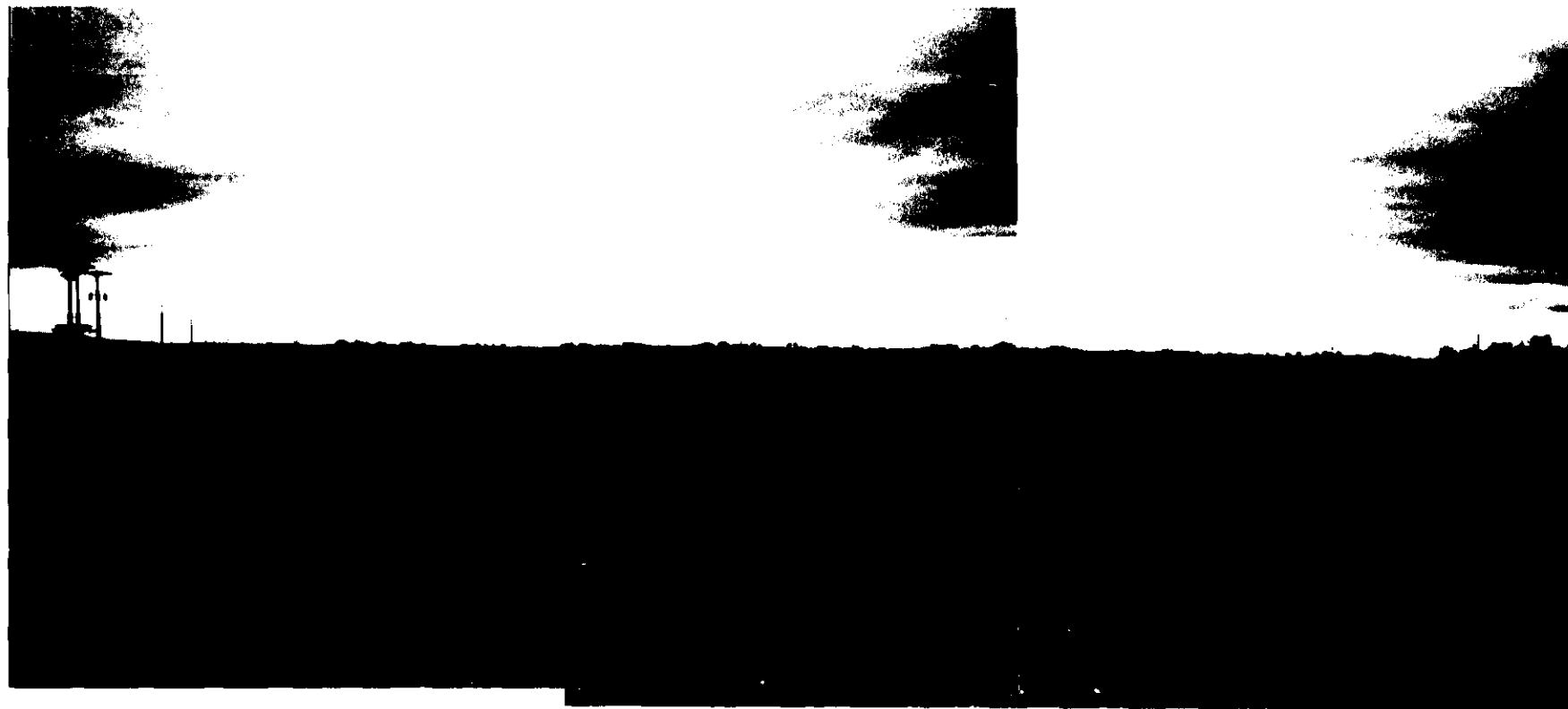
Measuring Point

45-07668
7-10-97
JES



Well #1

45-07668
7-10-97
JES



Place of Use

45-07668
7-10-97
JES

ROUTING SLIP

DISTRIBUTION		REFERENCE	
TO: G/eh Sexton	<i>WVA</i>	Our Conversation	
FROM: Jim Stanton		Your Request	
		The Attached	
PROVIDED FOR YOUR:		PLEASE REVIEW AND:	
Information		Take Proper Action	✓
Approval		Comment and Return	
Signature		File	
SPECIAL NOTES: I plan to do this exam ASAP.			

Dept. of Water Resources
Boise, ID

July 9, 1997

RE: Water Permit 45-07668, My Letter Dated 6-9-97

Dear Sirs;

Please disregard my letter of last month requesting that the above-referenced permit be relinquished. Some new land, about 30 acres, has been developed under this permit, and all the licensed ground is still farmed. ~~New~~ new pumping capacity was developed. We are ready for the licensing examination to be conducted. Sorry for the confusion.

Gerald Heward,


Genral Partner

RECEIVED

JUL 10 1997

Department of Water Resources

RECEIVED

JUL 09 1997

Department of Water Resources
Southern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 17, 1997

Gerald Heward
686 S. 450 E.
Burley, ID 83318

**RE: PERMIT NO. 45-07668 IN THE NAME OF WRIGLEY BURGESS HEWARD
PARTNERSHIP**

Dear Mr. Heward:

I have reviewed your letter which was received by the department on June 9, 1997. The letter advises that you wish to withdraw the proof of beneficial use for the above referenced permit and requests return of the license examination fee. In addition, your letter states that you wish to relinquish the permit.

Since the permit is in the name of Wrigley Burgess Heward Partnership rather than in just your name, please provide evidence to the department to show that you are authorized to take actions on the permit on behalf of the partnership. Upon receipt of this information, the department will further consider your request.

If you have questions, please feel free to contact me or the department.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region

Dept. of Water Resources
Boise, ID

RECEIVED

JUN 16 1997

Department of Water Resources

RECEIVED

JUN 09 1997

Department of Water Resources
Southern Region

RE: Water Permit 45-07668

Dear Sirs;

We wish to withdraw the proof of beneficial use that has been filed on this permit. License 45-07166 covers all of the existing development, although it will need to be amended to add a point of diversion. But no additional water is being pumped under the permit, and no new land is being irrigated. Since the licensing examination has not been done, we request that the proof fee of \$225. be refunded. By this letter, we also wish to relinquish this permit for the above reasons.

Thank You,



Gerald Heward
686 S 450 E
Burley, ID
83318

RECEIVED

JUN 16 1997

Department of Water Resources

RECEIVED

APR 21 1993

Department of Water Resources
Southern Region Office

April 23, 1993

WRIGLEY BURGESS HEWARD PARTNERSHIP
C/O GERALD HEWARD
RT.3 BOX 3621
BURLEY ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07668

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

APR 22 1993

OFFICE USE ONLY

Amt. of Fee \$ 225.00Date 4-21-93Receipt No. 3015654Receipt by gf. [signature]

APR 21 1993

Department of Water Resources
Southern Region OfficeSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 16 1997

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. 45-07668 Telephone No. 678-7087
2. Name(s) of Permit Holder(s): Wrigley Burgess Heward Partnership
3. Mailing Address: C/o Gerald Heward, Rt. 3 Box 3621, Burley, ID 83318
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Sherman Coach Date Drilled: 1975
Styh Lloyd 1991

OPTIONAL: Pump horsepower: 500 Pressure (psi): 55-60 Dynamic pumping level (ft.): 490
300 400

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 691 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 6.0 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: \$ 225.00 (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.

William A. Heward 678-7740
Name Telephone No.

Rt. 3, Burley, ID
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.

4-21-93
Date

Gerald B. Heward (owner & partner)
Signature (and title, if on behalf of a company or organization)

RECEIVED

JUN 16 1997

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
FLOW MEASUREMENT PORT OR) ORDER
MEASURING DEVICE CONDITION)
OF APPROVAL FOR PERMIT NO.45-07668)
IN THE NAME OF WRIGLEY BURGESS HEWARD)
PARTNERSHIP)

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 this condition of approval requiring the installation of a flow measurement port or other device for the above captioned permit is REMOVED.

Dated this 22nd day of April, 1993.



L. GLEN SAXTON
Chief, Water Allocation Bureau

April 23, 1993

WRIGLEY BURGESS HEWARD PARTNERSHIP
C/O GERALD HEWARD
RT.3 BOX 3621
BURLEY ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07668

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

MAY 21 1993

March 31, 1993

WRIGLEY BURGESS HEWARD PARTNERSHIP
C/O GERALD HEWARD
RT.3 BOX 3621
BURLEY ID 83318

PROOF DUE NOTICE

RE: PERMIT NO. 45-07668

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1993.

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

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

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

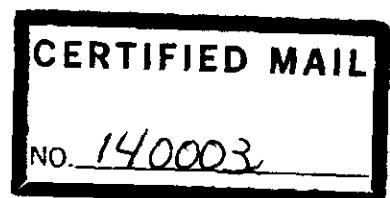
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED

MAY 21 1993



7/90

Drilling Permit No. 45-91-S-010Water Right Permit No. 45-71-S-9668

Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) Gerald Heward

2. Mailing Address RT. 3 Box 3621, Burley, ID 83318

Telephone 678-7087

☒ Well Owner ☐ Well Operator ☐ Other, specify _____

3. Proposed well location SW 1/4 SW 1/4, or Gov't Lot No. 4

Sec. 30, Twp. 11S, Rge. 24E, County Cassia

Street Address of Well Site _____

Lot, block and subdivision _____

4. Proposed use of well:

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

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

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

- ☐ Injection

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

No. of proposed wells: _____

5. Well construction information:

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

B. Proposed Surface Diameter 18" Proposed Maximum Depth 550'

C. Anticipated bottom hole temperature:

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

6. Construction Start Date Immediately

7. Anticipated Well Driller Stan Lloyd

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature Gerald B. Heward Date 3-18-91

Title _____

(Owner, Firm Representative, Other)

RECORDED

MAY 21 1993

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is

APPROVED

Date

3/18/91

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

GENERAL CONDITIONS:

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

SPECIFIC CONDITIONS:

Larry O. Hansen
Signature of Authorized Department Representative

MANAGER, SOUTHERN REGION

Title

Receipt No. 5013121 Received by js Fee \$200. Date 3-18-91

MAILED

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

MAY 21 1993

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

Drilling permit No. 45-91-S-010

Water right No. App. 45-7668

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Gerald Heward, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Driller availability

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date 3-18-91

Signature Gerald B. Heward

Applicant

RECEIVED

MAY 21 1993

Firm Name Stan Lloyd Drilling Firm No. 294
Address HC-61, Box 1510 Date 5/4/91
Elba, Id. 83326
Signed by (Firm Official) Stanley Lloyd
and
(Operator) Arlo P Lloyd



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 17, 1991

WRIGLEY BURGESS HEWARD PARTNERSHIP
C/O GERALD HEWARD
RT.3 BOX 3621
BURLEY, ID 83318

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 45-07668

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as

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JUL 21 1991

far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED
JUL 21 1991

1 James C. Tucker
2 ROSHOLT, ROBERTSON & TUCKER
3 P. O. Box 1906
4 Twin Falls, Idaho 83303-1906
5 Telephone: (208) 734-0700
6 3877p/kab/05/01/91
7
8

9 BEFORE THE DEPARTMENT OF WATER RESOURCES
10 OF THE STATE OF IDAHO

11 IN THE MATTER OF)
12 PERMIT NO. 45-07668) NOTICE OF WITHDRAWAL
13 Applicant: Wrigley, Burgess,) OF PROTEST
14 Heward Partnership)

15 Idaho Power Company, by and through its attorneys of
16 record, Rosholt, Robertson & Tucker, hereby withdraws its
17 Notice of Protest with regard to the above-referenced
18 Application for Permit which was filed with the Department on
19 April 22, 1991.

20 SUBMITTED this 15th day of May, 1991.

21 ROSHOLT, ROBERTSON & TUCKER

22
23 By: 
24 JAMES C. TUCKER

25
26 MICROFILMED

27 JUL 21 1991
28

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~~JAMES C. TUCKER~~

100-443887-100

JUN 21 1991

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APR 22 1991

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

* * * * *

IN THE MATTER OF)
PERMIT NO. 45-07668) NOTICE OF PROTEST

* * * * *

COMES NOW IDAHO POWER COMPANY (hereinafter "IPCO"), by and through its attorneys of record, Rosholt, Robertson & Tucker, and gives notice of its protest to continuance or approval of Permit No. 45-07668 in the name(s) of Wrigley Burgess Heward Partnership (Applicant) until such time as the Applicant fully complies with the requirements of Rule 4,5,3 of the Water Appropriation Rules and Regulations. This protest is submitted to preserve IPCO's right to challenge the sufficiency of the Applicant's compliance with, as well as the sufficiency of the information submitted pursuant to, such Rule. IPCO reserves the right to dismiss this protest if subsequent development of the record establishes the applicable information has been submitted and the criteria have been met.

RESPECTFULLY SUBMITTED this 22nd day of April, 1991.

ROSHOLT, ROBERTSON & TUCKER

By: 
JAMES C. TUCKER

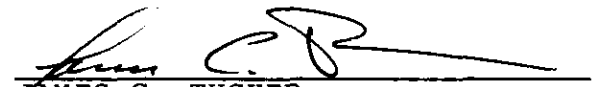
MICROFILMED
JUL 21 1991

CERTIFICATE OF MAILING

I hereby certify that on this 22nd day of April, 1991, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Wrigley Burgess Heward Partnership
c/o Gerald Heward
Route 3, Box 3621
Burley, ID 83318

Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise ID 83720


JAMES C. TUCKER

4617p

RECEIVED

JUL 21 1991

Answers to Rule 4,5,3, Application 45-07668

Rule 4,5,3,1,2. The map submitted with the application shows several existing domestic users north of one of the proposed wells. An existing small irrigation well is located in the NW corner of the SW $\frac{1}{4}$ of Sec. 31.

Rule 4,5,3,1,3. We don't believe this project will hurt any other water users.

Rule 4,5,3,2,1. This is a standard irrigation application. Desired flow rate, etc., are given in application.

Rule 4,5,3,2,2. We will pump from the Snake Plain aquifer, which should supply the requested flow.

Rule 4,5,3,3,1. ~~Proof of ownership will be supplied.~~ All the land is owned by applicants.

Rule 4,5,3,3,2. No other permits are needed to complete the project.

Rule 4,5,3,4,1. ⁴² The project has cost about \$82,000; all but about \$55,000. has been paid. The Federal Land Bank/PCA loaned the \$55,000. One well was cleared out, a second well was drilled & deepened, and additional mainline & sprinklers have been ~~over~~ installed.

MICROFILMED

JUL 31 1991

Rule 4,5,3,5,1. We don't believe that any other state or federal agency would be concerned with this project. We are merely improving an existing farm.

Rule 4,5,3,6,2. Potatoes will be grown on the 40 or so acres of new ground covered by the application. The rest of the ground has been farmed since 1975.

Rule 4, 5, 3, 6, 3. No new jobs will be created or jobs lost (other than temporary well drilling) due to this project.

Rule 4, 5, 3, 6, 5.⁶ Electricity will be supplied by Unity Light & Power Co. The existing well has a 500 hp motor, and the new well has a 300 hp motor. Both wells will not be used to full capacity, but will be used only as needed to properly irrigate the farm. The land will be sprinkled for maximum efficiency of both water & power usage, there will be no surface runoff.

Rule 4, 5, 3, 6, 7. The land is all family farms owned by the applicants. Applicants are related by marriage. Another 320 or so acres adjacent to the described lands are also owned & farmed by the applicants. We plan to farm all the described ground this season if sufficient water is available.

Harold B. Henderson
4-29-91

RECEIVED

APR 29 1991

Department of Water Resources
Southern Region Office

MICROFILMED
JUL 21 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 45-7663/Trust Water Processing & Rule 4,5. Info

DATE: 3-28-91

The above application has come up for sequential trust water processing. The applicant returned the trust water questionnaire and claimed that 510 acres of the 691 acres under the application have been irrigated under an existing permit, no. 45-7166, since 1975. This latter permit was examined in 1989 and licensed in 1990.

I have reviewed a 1984 infrared aerial photo on file at the SCS office in Boise and determined that about 169 of the 691 acres on the application were not irrigated in that year. Of the 169 non-irrigated acres, 146 acres appeared developed but may have been dry farmed in 1984. The photo does not conclusively show that ~~the~~ these 146 acres were irrigated. This same acreage was not included on license no. 45-7166 even though most of it was on the original permit.

Based on review of the 1984 photo along with the existing license I recommend counting 169 acres under the application as trust acreage since there is no evidence that these 169 acres were developed and irrigated prior to October of 1984.

With most of the development under the application completed, additional diversion represented by the undeveloped portion of the permit should be less than 5.0 cfs. Water appropriation rule 4,5. requires that additional information be submitted for all developments proposing diversion of more than 5.0 cfs or irrigation of more than 200 acres. The developed portion of the permit however has been complete long enough that many of the concerns that would be resolved by submittal of *have been addressed* information required by water appropriation rule 4,5,3. I recommend continued processing of the application without requiring the additional information.

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JUL 21 1991

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

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

MARCH 26, 1991

South Idaho Press
Box 190
Burley, ID 83318

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 APRIL 22, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

MICROFILMED

JUL 21 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

45-07668

WRIGLEY BURGESS HEWARD PARTNERSHIP
C/O GERALD HEWARD
RT.3 BOX 3621
BURLEY, ID 83318

Source: GROUNDWATER

Diversion Pt: SENW Sec 31 T 11S R 24E
 LOT 4 (SWSW) Sec 31 T 11S R 24E

Use: IRRIGATION (6.000 CFS)
 Total Diversion: (6.000 CFS)

Date Filed: 11/ 7/ 1989

In: T11S R23E S25	SWSW	SESW	SWSE	SESE
S36	NENW	NWNW	SWNW	SESW
	NESE	SESE		
R24E S30	SWSW	SESW		
S31	NWNE	SWNE	NESW	NWSW
T12S R23E S01	SWSW	SESW		
	NENE	SENE	NESE	NWSE
	SWSE	SESE		

691.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 22, 1991.

R. KEITH HIGGINSON, Director

Published 4/ 5/1991 & 4/12/1991

JUL 21 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 22, 1991

Re: Application for Permit No. 45-7668

Notice of Information Required by Water Appropriation Rule 4,5,3.

Dear Applicant:

The Department acknowledges receipt of the Trust Water Information Questionnaire for the above referenced application. On behalf of the Department, I wish to thank you for your cooperation in returning the questionnaire. The required advertising for this application will soon be completed.

In the letter that accompanied the questionnaire, I informed you that you would need to submit additional information required by Water Appropriation Rule 4,5,3. if the undeveloped portion of the application exceeds 200 acres, or if the rate of diversion is more than 5.0 cfs. The returned questionnaire indicates that you wish to pursue completion of the irrigation project as proposed under your application. The project proposes diversion of more than 5.0 cfs of groundwater. The filing therefore is subject to the additional information requirements of Rule 4,5,3. In particular, you must submit the information outlined in Rules 4,5,3,1. through 4,5,3,5 (copy attached). A guideline for assisting you with submittal of the additional information is also enclosed.

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 may be cause for the Department to void the application.** The 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,

Tim Luke

Sr. Water Resource Spec.

RECORDED

JUL 21 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 45-7668

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

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

- 1a. Are you the current owner of the land or place of use described under this application? Yes ✓ No
b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

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

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

510 acres have been irrigated under 45-7166 since 1975.

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

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 691

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

45-7166 on about 510 acres

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

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

Applicant Gerald B. Heward

Date 3-18-91

RECEIVED

MAR 18 1991

Department of Water Resources
Southern Region Office

RECEIVED

JUL 21 1991

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4507668	U.S. DEPT. OF INTERIOR D		SNAKE RIVER	11S	23E	25	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
0100219	WRIGLEY BURGESS HEWARD A		GROUNDWATER	11S	23E	25	:	:	:	:	:	:	:	:	7	1	:	:	:	10	22	40	
4507668	1986 MAPPING DATA ---	-	COUNTY 31 QUAD CC 29	11S	23E	25	42	42	40	40	38	42	40	39	42	37	38	40	39	40	36	43	638
4507668	HEWARD	L	GROUNDWATER	11S	23E	36	39	40	40	39	:	:	:	:	:	:	:	:	:	:	:	:	158
4507155	WRIGLEY	L	GROUNDWATER	11S	23E	36	40	40	39	40	40	40	20	36	:	:	:	:	:	:	:	:	295
4507668	WRIGLEY BURGESS HEWARD A		GROUNDWATER	11S	23E	36	:	:	:	:	40	40	10	20	:	:	:	35	:	35	:	:	180
4507668	1986 MAPPING DATA ---	-	COUNTY 31 QUAD CC 29	11S	23E	36	42	42	41	41	42	43	32	38	1	:	41	14	8	42	:	:	427
4507668	U.S. DEPT. OF INTERIOR D		SNAKE RIVER	11S	24E	30	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
0100219	HEWARD	L	GROUNDWATER	11S	24E	30	:	:	:	:	:	:	:	:	24	:	:	:	:	:	:	:	24
4507155	WRIGLEY	L	GROUNDWATER	11S	24E	30	:	:	:	:	:	:	:	:	2	38	38	:	:	:	:	:	78
4507317	SEARLE	L	GROUNDWATER	11S	24E	30	39	40	:	:	:	:	:	:	:	:	39	38	39	38	:	:	233
4507437	SEARLE	L	GROUNDWATER	11S	24E	30	35	:	35	:	:	:	:	:	:	:	:	:	:	:	:	:	70
4507668	WRIGLEY BURGESS HEWARD A		GROUNDWATER	11S	24E	30	:	:	:	:	:	:	:	:	6	30	:	:	:	:	:	:	36
4507668	1986 MAPPING DATA ---	-	COUNTY 31 QUAD CC 29	11S	24E	30	40	41	41	42	40	39	40	:	33	43	39	39	41	:	:	:	478
4507668	DAYLEY, SR.	D	DAYLEY CANYON	11S	24E	31	:	:	:	:	:	:	:	:	:	X	X	X	X	:	:	:	
4502146	DAYLEY, SR.	L	MARSH CREEK	11S	24E	31	:	:	:	:	:	:	:	:	:	40	40	40	40	:	:	:	160
4507004	WOODBURY	L	GROUNDWATER	11S	24E	31	40	:	40	:	:	:	:	:	:	40	40	40	40	:	:	:	240
4507155	HEWARD	L	GROUNDWATER	11S	24E	31	:	20	39	39	20	:	:	:	:	:	:	:	:	:	:	:	118
4507166	WRIGLEY	L	GROUNDWATER	11S	24E	31	40	40	:	40	40	40	40	:	40	40	40	40	:	:	:	:	400
4507668	WRIGLEY BURGESS HEWARD A		GROUNDWATER	11S	24E	31	39	40	:	:	:	40	39	38	39	:	:	:	:	:	:	:	235
4507668	1986 MAPPING DATA ---	-	COUNTY 31 QUAD CC 29	11S	24E	31	42	40	41	39	42	42	:	:	42	40	41	39	41	:	:	:	491
4507668	WRIGLEY	L	GROUNDWATER	12S	23E	1	12	:	24	:	:	:	:	:	:	39	32	32	32	:	:	:	171
4507668	WRIGLEY BURGESS HEWARD A		GROUNDWATER	12S	23E	1	25	:	25	:	:	:	:	:	:	40	35	35	40	:	:	:	200
4507668	1986 MAPPING DATA ---	-	COUNTY 31 QUAD CC 29	12S	23E	1	14	40	:	:	:	:	:	:	1	39	15	35	36	:	:	:	180

45-7166 - field exam - 1989

1983 Int. (APR)

1984 WITAP:

25: Developed BUT could
Be dry farmer.

26: 10 acres in SW NW not irrig
rest of NW 1/4 = irrig

1/2 SE not conclusive
MAY BE DRY FARM in 1984
note this land not included

only 12 acres
irrig in 1984
other 12-13 acres
appears as feedlot/other

11S 24E sec 30' 5 1/2 SW 1/4
appears may have
been dry farmer in 1984.
This land was included in
previous license.

see All Remaining Aerials shows
as irrig in 1984.

WR-NUMBER	NE	NW	NE	SW	SE	NE	NW	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	LOT	+	SUM
4507668	T11S	R23E	S25																		
4507668	T11S	R23E	S36																		
4507668	T11S	R24E	S30																		
31 MAPPING:	1L37	2L37	3L38	4L39																	151
4507668	T11S	R24E	S31																		
31 MAPPING:	1L42	2L39	3L40	4L38																	159
4507668	T12S	R23E	S 1																		
31 MAPPING:	1L43	2L35	3L3																		81

RECEIVED
JUL 21 1991



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

February 26, 1991

RE: APPLICATION FOR PERMIT NO. _____

Dear APPLICANT:

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

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

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

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

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

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

MICROFILMED

JUL 21 1991

Page 2

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

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

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

Sincerely,



TIM LUKE
Sr. Water Resource Spec.

Enclosures

RECEIVED

JUL 21 1991

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☐ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☐ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☐ No Protests received
Final date for protest _____
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

_____ See below for additional information
Date of priority recommended _____
By _____ Date _____

STATE OFFICE REVIEW

_____ See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

One well SE NW Sec 31 T11S R24E in common w/ 45-7166
Partial P/U overlap in 12-40 acre tracts 45-7166

LOCAL PUBLIC INTEREST

Comments received from:

☐ City	☐ Idaho Fish & Game	☐ Irrigation District
☐ County	☐ Idaho Health & Welfare	☐ Canal Company
☐ Reservations	☐ Division of Environment	☐ Other _____

Project impacts/implications report

COMMENTS

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|---------------------------------------|---|--|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☐ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | Division of Environment | ☐ Other _____ |

Project impacts/implications report

COMMENTS

11-Dec-1989

Wrigley/Burgess/Heward Partnership
c/o Geald B. Heward
Rt. 3 Box 3621
BURLEY ID 83318

Re: Application for permit No. 45-07668

Dear Applicant (s):

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

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

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

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

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED

JUL 21 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Gerald B. Heward
Rt. 3 Box 3621
Burley, ID
83318

November 9, 1989

Dear Mr. Heward;

Enclosed is a copy of the application for a water permit that we worked on earlier this week. If the application is not satisfactory, please contact this office at your earliest convenience.

Sincerely,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

JUL 21 1991

45-07668